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filed not later than May 23, 1984

CITATION

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

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DENNIS W. COOPER
Code Reviser

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** *have been adopted on an emergency basis and are set forth in ten point oblique type.*

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

RCW 34.04.058 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

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

4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

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

5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules take effect thirty days after the rules and the agency order adopting them are filed with the code reviser. This effective date may be delayed, but not advanced, and a delayed effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser and remain effective for a maximum of ninety days from that date.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1984

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Action Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing/adoption on or after
84-01	Nov 23	Dec 7	Dec 21, 1983	Jan 4, 1984	Jan 24
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84-23	Oct 24	Nov 7	Nov 21	Dec 5	Dec 25
84-24	Nov 7	Nov 21	Dec 5	Dec 19	Jan 8, 1985

*Dates adjusted to accomodate July 4th holiday on normal distribution and closing date. See WAC 1-12-030(5)(c) and 1-13-030(5)(c).

¹All documents are due at the Code Reviser's Office by 5:00 p.m. on the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

²A filing of any length will be accepted on the closing dates of this column if it has been prepared by the Order Typing Service (OTS) of the Code Reviser's Office; see WAC 1-12-220 or 1-13-240. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

³No proceeding may be held on any rule until twenty days have passed from the distribution date of the Register in which notice thereof was contained." RCW 28B.19.030(4) and 34.04.025(4). These dates represent the twentieth day after the distribution date of the applicable Register.

WSR 84-11-001
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 84-34—Filed May 3, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this rule conforms Washington state regulations with those of the Pacific Fisheries Management Council for protection of groundfish stocks.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 2, 1984.

By William R. Wilkerson
 Director

NEW SECTION

WAC 220-44-05000F COASTAL BOTTOMFISH CATCH LIMITS. *Notwithstanding the provisions of WAC 220-44-050, effective May 6, 1984, it is unlawful to possess, transport through the waters of the state, or land in any Washington state port bottomfish taken from Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the species indicated:*

(1) *Widow rockfish (Sebastes entomelas) – 40,000 pounds per vessel trip; no minimum size. It is unlawful for any vessel to make more than one landing in excess of 3,000 pounds of widow rockfish in any calendar week, defined as Sunday through the following Saturday.*

(2) *Shortbelly rockfish (Sebastes jordani) and Idiot Rockfish (Sebastes spp.) – no maximum poundage per vessel trip; no minimum size.*

(3) *Pacific ocean perch (Sebastes alutus) – 5,000 pounds or 10 percent of total weight of fish on board, whichever is greater, per vessel trip; no minimum size.*

(4) *All other species of rockfish (Sebastes spp.) – 15,000 pounds of all other species combined per vessel trip per calendar week, defined as Sunday through the following Saturday, except that a fisherman having made a declaration of intent, may make one landing of no more than 30,000 pounds of all other species combined per vessel trip biweekly, defined as Sunday through the second Saturday following. The declaration*

of intent to fish biweekly must be mailed or delivered to the Department of Fisheries, 115 General Administration Building, Olympia, WA 98504, and must be post-marked at least seven days prior to the beginning of biweekly fishing. The declaration of intent to fish biweekly must contain the name and address of the fisherman, the name and registration number of the vessel, the date on which biweekly fishing will commence, and must be signed and dated by the fisherman. The fisherman may return to the one vessel trip per calendar week fishing at the beginning of any month by filing a declaration of intent to stop biweekly fishing with the department in the above manner. The declaration to stop biweekly fishing and begin one vessel trip per calendar week fishing must be made at least seven days prior to the beginning of the month in which the one vessel trip per calendar week fishing will resume. It is unlawful for any vessel to make more than one landing in excess of 3,000 pounds of other rockfish species in any calendar week.

(5) *Sablefish – minimum size 22 inches in length, unless dressed in which case minimum size 16 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail, except that an incidental catch less than the minimum size of 5,000 pounds is allowed; no vessel trip restrictions.*

(6) *It is unlawful during unloading of the catch and prior to its being weighed or leaving the unloading facility to intermix with any other species a species or category of bottomfish having a vessel trip limit.*

WSR 84-11-002
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 84-35—Filed May 3, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this regulation is necessary to allow time for preparation of additional regulations to provide maximum recreational opportunity within guidelines established by the Pacific Fisheries Management Council.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 3, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-56-19000E SALTWATER SEASONS AND BAG LIMITS. *Notwithstanding the provisions of WAC 220-56-190, effective 12:01 a.m. May 5, 1984 until further notice it is unlawful for any person to fish for or possess salmon taken for personal use from those waters of the Strait of Juan de Fuca between a line projected due north from the mouth of the Seiku River to a line projected from the most westerly point on Cape Flattery to the Tatoosh Island Light then to Bonilla Point on Vancouver Island.*

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 84-11-003
ADOPTED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 203—Filed May 4, 1984]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA 98504, that it does adopt the annexed rules relating to definitions (seasonal career employees; seasonal career positions; trial service period), amending WAC 356-06-010.

This action is taken pursuant to Notice Nos. WSR 84-06-049 and 84-07-003 filed with the code reviser on March 6, 1984, and March 8, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 41.06.150 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 12, 1984.

By Leonard Nord
Secretary

AMENDATORY SECTION (Amending Order 194, filed 12/30/83)

WAC 356-06-010 DEFINITIONS. The following definitions apply throughout these rules unless the context clearly indicates another meaning:

ACTING APPOINTMENT – An appointment of limited duration made from within the classified service to a supervisory or managerial position.

ADMINISTRATIVE PERSONNEL – Employees who regularly exercise discretion and independent judgment in

the performance of: (1) Work related directly to management policy; or (2) work providing direct assistance to executive or administrative personnel.

AGENCY – An office, department, board, commission, or other separate unit or division, however designated, of the state government and all personnel thereof. It includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature.

AGRICULTURAL PERSONNEL – Employees performing work which includes farming and all its branches, including cultivating the soil, or growing or harvesting crops, or raising livestock, bees, fur-bearing animals, or poultry; or doing any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations.

ALLIED REGISTER – A register for a class for which the duties and minimum or desirable qualifications are equivalent to or above those for another class.

ALLOCATION – The assignment of a position to a job classification.

ANNIVERSARY DATE – Original entry date into state service as adjusted by leave without pay or break in service.

APPOINTING AUTHORITY – A person or group of persons lawfully authorized to make appointments.

BARGAINING UNIT – The group of employees in positions determined by the personnel board to constitute a unit appropriate for collective bargaining purposes under these rules.

BASIC SALARY RANGE – The dollar amount of the step of the salary range to which the employee is entitled, before any deduction, and exclusive of additional compensation of any kind.

BOARD – The state personnel board.

BUMPING – The replacement of an incumbent by another employee subject to reduction in force, who has greater seniority.

CAREER PLANNING – A programmed process designed to assist employee career growth through job experience, training and/or continuing education.

CERTIFICATION – Providing an agency with the appropriate number of names of candidates who have passed the examination for a given class and are eligible to be considered for vacancies.

CLASS – Identification of a position, or a group of positions, sufficiently similar in duties so that the same requirements of training, experience, or skill and the same title, examination, and salary range may be applied.

CLASSIFIED SERVICE – All positions and employees in the state service subject to the provisions of chapter 41.06 RCW and these rules.

COLLECTIVE BARGAINING OR COLLECTIVE NEGOTIATION – The performance of the mutual obligation of the appointing authority, or designee, and the certified exclusive representative of a bargaining unit to meet in an attempt to reach an agreement on all personnel matters over which the appointing authority may lawfully exercise discretion.

COMPENSATORY TIME – Time off in lieu of cash payment for overtime.

COMPETITIVE SERVICE – All positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

DATE OF ELECTION – The date of election is the date the director of personnel certifies the results of the election.

DEMOTION – A change of a permanent employee from a position in one class to a position in another class having a lower maximum salary.

DESIRABLE QUALIFICATIONS – The levels of education and/or experience deemed desirable or preferable for admission to the examination in lieu of fixed minimum qualifications.

DIRECTOR – The director of the department of personnel.

DISABILITY – An employee's bodily inability to perform adequately the essential duties of the job class. (For purposes of WAC 356-35-010, this definition shall not include maternity.)

DISMISSAL – The termination of employment of a permanent employee (for cause) or of a probationary employee as specified in these rules.

EDUCATION LEAVE OF ABSENCE – An authorized leave of absence for educational purposes.

ELEVATION – Restoring an employee to the higher classification, with permanent status, which was held prior to being granted a demotion.

ELIGIBLE – An applicant whose name is on a register.

EMERGENCY APPOINTMENT – An appointment, for emergency reasons, not to exceed 60 calendar days.

EMPLOYEE – Any person employed under the jurisdiction of these rules.

EMPLOYEE ORGANIZATION – Any organization having the authority, as specified in WAC 356-42-010, to represent state employees on personnel matters.

EXECUTIVE PERSONNEL (As used in chapter 15 of these rules) – Employees who customarily and regularly exercise discretionary powers in directing and controlling program operations of an agency or division or customarily recognized subdivision thereof and personnel who are responsible for (1) hiring or firing or making substantial recommendation for same and (2) directing the work of and (3) regulating the working hours of two or more employees.

EXEMPT POSITION – Any position designated as exempt from the application of these rules as specified in WAC 356-06-020.

EXCHANGE TIME – Equal time off for excess hours worked by exceptions work period employees.

EXIT LEAVE – The paid hours of nonworking time taken by an employee who is not eligible to receive a lump sum cash payment for accrued vacation leave. Exit leave is taken following the last designated work day prior to an employee's resignation, dismissal, or separation due to reduction in force or disability and continuing until all the employee's accrued vacation leave is exhausted.

FULL TIME EMPLOYMENT – Regularly scheduled employment requiring an average of 40 hours of work per week. However, for certification from a register, work

between 32 – 40 hours per week shall be considered full time.

HANDICAPPED – Persons with physical, mental or sensory impairments that would impede that individual in obtaining and maintaining permanent employment and promotional opportunities. The impairments must be material rather than slight; static and permanent in that they are seldom fully corrected by medical replacement, therapy or surgical means.

HOLIDAYS – Paid nonwork days for state employees as established by RCW 1.16.050.

HOUSED PERSONNEL – Employees whose duties require that they reside at the place of their employment or who otherwise spend a substantial portion of their work time subject to call and not engaged in the performance of active duties.

HUMAN RESOURCE DEVELOPMENT – The function of achieving agency goals by changing or enhancing employees' knowledges, skills, attitudes and behaviors.

INTERMITTENT EMPLOYMENT – Employment without any understanding of continuity, fitting no particular pattern and performed for no more than a total of (nine months) 1560 hours during any consecutive 12-month period.

INTERVENING SALARY STEPS – All increment steps in a salary range, except the lowest and highest.

LAW ENFORCEMENT PERSONNEL – Employees empowered by statute to enforce laws designed to maintain public peace and order, protect life and property, and detect and prevent crimes. Employees in these positions must have the power of arrest, and have been trained in rules of evidence, laws of arrest, search and seizure and legal rights of citizens.

MINIMUM QUALIFICATIONS – The training, experience, and other qualifications established for a given class and required of an applicant for admission to the examination for that class.

NONCOMPETITIVE POSITIONS – Positions designated by the board as not requiring a competitive examination.

ORIENTATION – An introduction to the organization and to tasks, jobs, procedures and other activities new to the employee.

OVERTIME – Work authorized and performed in accordance with WAC 356-15-030.

PART TIME EMPLOYMENT – Work of less than 40 hours per week. However, for certification from registers, work of less than 32 hours per week shall be considered part time.

PERIODIC INCREMENT DATE – The date established in accordance with the merit system rule on which an employee is entitled to a salary increase within a salary schedule range as prescribed in the merit system rules.

PERMANENT EMPLOYEE – An employee who has successfully completed a probationary period and has had no break in service.

PERSONNEL RECORD – Such information having pertinence to the employment of an employee and which is retained in a specific location as required by WAC 356-46-060(2)A.

POSITION – A group of duties and responsibilities normally assigned to an employee. Such position may be

filled or vacant, full-time or part-time, seasonal, temporary or permanent.

PREMIUM PAYMENT – Wage payment over and above the basic salary rate authorized by the board for extraordinary conditions of employment.

PROBATIONARY PERIOD – The trial period of employment following certification and appointment to, or re-employment in, the classified service and continuing for 6 to 12 months as determined under the provisions of WAC 356-30-260.

PROFESSIONAL PERSONNEL – Employees performing work which requires consistent exercise of independent judgment and is in a specialized field requiring advanced knowledge normally gained through achieving a baccalaureate degree but which may be gained through equivalent experience.

PROJECT EMPLOYMENT – A program designated by the director of personnel as "project employment," that is separately financed by a grant, federal funds, or by state funds, or by a combination of funds to provide training or employment opportunities or expertise or additional employees to carry out a specific project or goal and which, either because of the nature of the project, funding requirements, or potential harmful impact on employment opportunities for regular civil service employees, cannot be facilitated through the regular civil service system. Such a program may last upward to two years and beyond, but has an end in sight.

PROMOTION – A change of an employee from a position in one class to a position in a class having a higher maximum salary.

PROVISIONAL APPOINTMENT – An appointment to a position pending the establishment of a register for that class.

REDUCTION IN FORCE – A separation resulting from a lack of funds, lack of work, good faith reorganization for efficiency purposes, or from there being fewer positions than the employees entitled to the positions because of exercising their rights to return to the classified service. When a reduction in force occurs, it is a separation from service without cause on the part of the employee.

REDUCTION – Placement of an employee's salary at a lower step within the range as a result of a disciplinary action.

REEMPLOYMENT – An appointment, made from the re-employment register, of a former employee who had permanent status.

REGISTER – A list of eligible names established for employment or reemployment in a class.

REINSTATEMENT – Return of an employee to full employment rights by board action following appeal hearing.

RESIGNATION – A voluntary separation from employment.

REVERSION – Voluntary or involuntary movement of an employee during a six-month trial service period to the class which was held prior to the current trial service appointment.

SALARY RANGE – A sequence of minimum, intervening, and maximum dollar amounts designated by the board as the monthly compensation for a class.

SCHEDULING PLAN – A series of schedules, approved for specific positions by the director of personnel or the personnel board, through which schedules the incumbents move in an established pattern.

SEASONAL CAREER EMPLOYEES – Incumbents who have been appointed into seasonal career positions with the mutual expectation of continued employment or employees who have repeatedly returned to state employment in the same agency (~~(in a work pattern defined as seasonal career employment)~~) and are granted a seasonal career appointment at the start of their fourth season of consecutive employment as provided in WAC 356-30-130(3).

SEASONAL CAREER EMPLOYMENT – Two work patterns are included: (1) Work in positions, not intermittent in nature nor exempted by statutes or the provisions of WAC 356-06-020, which is cyclic in nature and beginning at approximately the same time each year lasting for a minimum of five months and a maximum of nine months in any consecutive twelve-month period; and (2) work patterns in positions as in (1) above but lasting for only a minimum of three months each season and for the past three consecutive seasons in the same agency.

SEASONAL CAREER POSITIONS – A grouping of assigned duties, tasks, and responsibilities in seasonal career employment established to respond to work that is cyclic in nature beginning at approximately the same time each year and lasting for a minimum of five months and a maximum of nine months in any consecutive twelve-month period.

SENIORITY – A measure of the last period of unbroken time served in positions in the classified service under the jurisdiction of the state personnel board. Service in positions brought under the jurisdiction of the state personnel board by statute is counted as though it had previously been under the jurisdiction of the state personnel board. Leaves of absence granted by agencies and separations due to reduction in force are not considered a break in service. Time spent on leaves of absence without pay is not credited unless it is for educational leaves, or statutes require it be credited; or it is taken at the specific request of an agency so employees may perform work specifically related to state work. Time spent off the state payroll due to reduction in force will be credited for that period of time the employee is eligible to be placed on the reduction in force register. Leaves without pay granted to directly or indirectly reduce the possible effect of reduction in force will be credited in accordance with WAC 356-18-140 and 356-18-220. Leaves of absence without pay granted to employees who are drawing worker's compensation because of injury or illness while employed by the state will be credited. Time spent in exempt appointments listed in RCW 41.06.070 will be credited and the service will not be regarded as broken when employees return from exempt service in accordance with RCW 41.06.070(22), WAC 356-06-055 and 356-30-330. Time spent under the jurisdiction of the higher education personnel board will be added when the employee comes under the jurisdiction of the state personnel board through the provisions of WAC 356-06-055(6). The length of active military service of a

veteran, not to exceed five years, shall be added to the state service for such veteran or his widow.

SERIES – A group of classes of positions to which the same kind of work is assigned but which is at different levels of difficulty and responsibility.

SUPERVISOR – Any employee assigned responsibility by management to participate in all the following functions with respect to their subordinate employees: (1) Selection of staff, (2) training and development, (3) planning and assignment of work, (4) evaluation of performance, and (5) corrective action. Participation in these functions must not be of a merely routine nature but requires the exercise of individual judgment.

SUSPENSION – An enforced absence without pay for disciplinary purposes.

TANDEM EMPLOYMENT – Any position filled by more than one employee as voluntarily agreed between management and employee(s) who jointly fulfill the responsibilities and duties of the position(s).

TEMPORARY EMPLOYMENT – Single or multiple periods of employment during the absence of a permanent employee on leave; or for work done at a workload peak and normally lasting for less than nine months and having an end in sight.

TERMINATION – Separation from employment for reasons beyond the control of the employee.

TRAINING – An organized learning process designed to provide needed changes in the skills, knowledges, attitudes or behaviors of employees.

TRANSFER – The change of an employee from one to another classified position having the same salary range number.

TRIAL SERVICE PERIOD – A six-month trial period of employment of a permanent employee beginning with the effective date of ~~((the promotion or demotion or))~~ appointment from ~~((the promotional))~~ a voluntary demotion register to a class which the employee has not previously held permanent status or from a promotional register.

TUITION REIMBURSEMENT – A full or partial reimbursement to eligible employees by the employing agency for tuition paid to attend approved courses.

UNDERFILL – The filling of a position with an employee in a lower related class in the absence of an adequate eligible register for the classification.

UNION SHOP – A form of union security that requires that all employees within a bargaining unit become members of the certified bargaining representative within 30 calendar days of the union shop election or 30 calendar days from an employee's date of hire, whichever is later.

UNION SHOP FEE – The union shop fee, sometimes known as a representation fee, is the fee paid by an employee to a union shop representative in lieu of holding membership in that union. An employee who has been certified for nonmembership status because of bona fide religious tenets of a church or religious body of which the employee is a member, shall pay a fee equivalent to the regular monthly dues of the union shop representative minus any included monthly premiums for union sponsored insurance programs.

UNION SHOP REPRESENTATIVE – A union shop representative is an employee organization that is certified as exclusive bargaining representative for a bargaining unit and which has also been certified as union shop representative by the director of personnel. To be certified as union shop representative, a majority of all employees in the bargaining unit must vote in favor of having the petitioning employee organization as their union representative.

VETERAN – For the purpose of granting preference during layoffs and subsequent reemployment, any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge is given: **PROVIDED**, That the person has not voluntarily retired with 20 or more years of active military service and has military retirement pay in excess of \$500 per month.

VETERAN'S WIDOW – For the purpose of granting preference during layoffs and subsequent reemployment, the unremarried wife of a deceased veteran as defined in WAC 356-06-010 except that such veteran's one-year minimum length of active military service shall be disregarded.

VOLUNTEER EXPERIENCE – Work experience for which no salary was received, which may be credited toward meeting the minimum qualifications for a classification: Provided such experience is equivalent to and not prohibited by the minimum qualifications of the classification. Volunteer experience for which academic credit was granted may be used to satisfy either the educational or the experience requirements of a class, but may not be used for both.

WORK DAY – A 24-hour period beginning at a time determined by the appointing authority. For scheduled standard work period positions the work day begins at the scheduled starting time of the employee.

WORK PERIOD DESIGNATION – Identification of each classification's and position's criteria for hours of work as defined in WAC 356-15-020 and qualifications for premium pay as defined in chapter 356-15 WAC.

WORK SCHEDULE – A series of workshifts and work days within the workweek.

WORKSHIFT – Scheduled working hours within the workday.

WORKWEEK – A regular recurring period of 168 hours beginning at a time determined by the appointing authority and continuing for seven consecutive 24-hour periods. For scheduled standard work period positions the workweek begins at the scheduled starting time of the first shift of the employee's uniform shifts.

Y-RATE – A salary amount which either exceeds the maximum step for the salary range of an employee's class or a salary amount that falls between the steps of a salary range of an employee's class.

WSR 84-11-004
NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON UNIVERSITY
 [Memorandum—May 4, 1984]

The board of trustees of Western Washington University will hold their regular meeting on Thursday, May 3, 1984, at 1:30 p.m., in Old Main 340 on the campus of the university.

WSR 84-11-005
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed May 4, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning citizenship and alienage, amending WAC 388-26-120;

that the agency will at 10:00 a.m., Wednesday, June 27, 1984, in the Third Floor Conference Room, H-19, Office Building #2, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 3, 1984.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.08 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 27, 1984.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director
 Division of Administration and Personnel
 Department of Social and Health Services
 Mailstop OB 14
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by June 13, 1984. The meeting site is in a location which is barrier free.

Dated: May 3, 1984

By: David A. Hogan, Director
 Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 388-26-120.

Purpose of the Rule: To reflect the current CFR language.

The Reason These Rules are Necessary: To bring the WAC into conformity with the CFR.

Statutory Authority: RCW 74.08.090.

Summary of Rule: "Sections 207(c) and 208 of the Immigration and Nationality Act" are added to further define eligible aliens.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: MaryRose Trepanier, Program Manager, Division of Income Assistance, OB 31C, 753-3177.

Economic Impact on Small Business: None.

AMENDATORY SECTION (Amending Order 1908, filed 11/17/82)

WAC 388-26-120 CITIZENSHIP AND ALIENAGE. To be eligible for AFDC or continuing general assistance a resident shall be either:

- (1) A citizen; or
- (2) An alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law (including any alien who is lawfully present in the United States as a result of the application of the provisions of Section 203(a)(7), Section 207(c), Section 208, or Section 212(d)(5) of the Immigration and Nationality Act); or
- (3) A Canadian Indian (a North American Indian born in Canada) is to be considered the same as a U.S. citizen if:
 - (a) He or she has at least fifty percent Indian blood or
 - (b) Has less than fifty percent Indian blood and entered the U.S. prior to December 24, 1952, and has maintained residence since entry.

WSR 84-11-006
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
 [EO 84-08]

AMENDING EO 84-04, ESTABLISHING THE
WASHINGTON STATE ADVISORY COUNCIL
ON INTERNATIONAL TRADE AND
DEVELOPMENT

International trade is the most important feature of Washington State's growing economy. One out of every five jobs in our state is dependent on foreign trade. The primary industries of our state such as agriculture, aerospace, and other high-technology manufacturing and service industries, as well as wood products and forestry, must increasingly rely on export markets for maintaining business and employment expansion. Washington State's economy will become more internationally oriented during this "Decade of the Pacific" when our close proximity to Asia's fastest growing markets emerges as a decided advantage. World trade is our future. Washington of the 21st Century is at the crossroads of a new global economic order. To achieve our full potential, it is necessary for Washington State to assess its strengths and weaknesses as a trading partner and to constantly seek to improve our state's international business climate.

It is the intent of the state of Washington to:

1. Promote the state's objectives of job creation and retention, continued and accelerated growth of the state's economy, and enhanced economic well-being of the state's citizens and commerce;
2. Provide for private and public sector advice to the Governor and the legislature on international business policies development;

3. Ensure that the state pursue an international trade policy aimed at the mutual elimination of trade barriers with the state's trading partners;
4. Ensure the development of a superior, long-term state international trade strategy; and
5. Improve methods for the formulation of state international trade policy committed to the principles of free and fair trade among nations and states.

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, do hereby order that:

- I. There is established the Washington State Advisory Council on International Trade Development. The purpose of the Council is to marshal the collective expertise of its members in order to advise the state of those strategies and initiatives which will most effectively promote and encourage international business development by Washington State governments, private nonprofit development agencies, businesses, industry, agriculture, and citizens.
 - A. The Council shall consist of voting members appointed by the Governor including but not limited to representatives from the following groups or fields: public ports; nonprofit international trade associations or nonprofit business associations; importers; exporters, businesses involved with international trade with fewer than 50 employees; businesses involved with international trade with more than 50 employees; international banking; labor; agriculture commodity groups; trading companies; custom house brokering and freight forwarding; corporate strategic planning; and institutions of higher education.
 - B. Six members of the Council shall include:
 1. Two members of the House of Representatives, appointed by the Speaker of the House. One member shall be appointed from each caucus;
 2. Two members of the Senate, appointed by the President of the Senate. One member shall be appointed from each caucus;
 3. The Lieutenant Governor;
 4. The Managing Director of the state Department of Commerce and Economic Development's International Business Development Division.
 - C. The Governor shall appoint the Chairman of the Council from the membership of the Council.
- II. In addition to the powers and duties set forth in sections 4 and 5 of SSB 4494, the

Council shall have the following responsibilities:

- A. To provide international trade information and counsel to the Governor, state agencies, and the legislature by December 1, 1984, and more often, if necessary, on the status of international trade and business in Washington.
- B. To identify for the Governor, affected state agencies, and the legislature current and long-term international trade issues which may require attention by the state.
- C. Consult with appropriate public and private entities in the development of state policy alternatives which address and resolve current and long-term state international trade issues and international trade problems confronting the businesses, workers, and citizens of the state.
- D. It is the responsibility of the Council to prepare and submit to the Governor and the legislature, by December 1, 1984, specific recommendations on the following topics:
 1. Methods for most effectively coordinating all state international trade activities, including those carried on by the Department of Commerce and Economic Development, other state agencies, the Export Assistance Center, the Small Business Development Centers, university-based marketing centers, public ports, and agricultural commissions.
 2. Methods of improving private-sector international trade advice to the Governor and the legislature on a regular and long-term basis.
 3. Methods for most effectively promoting Washington products in both established and new international markets.
 4. Options the state may lawfully exercise to reduce unreasonable and restrictive trade barriers placed on Washington State and other trading countries, including ways to better affect United States government policy regarding foreign or domestic impediments to the trade of Washington's goods and services.
 5. The potential benefits of pursuing and encouraging the development of a Pacific Northwest regional trade policy.
 6. Methods for assisting small- and medium-size businesses which have the potential to develop international trade markets.

- 7. The desirability of authorizing and maintaining certified export trading companies and those state policies which would encourage the development of private export management companies.
 - 8. Methods for better coordination and improving state, Federal, local, and private international trade informational resources, both computerized and noncomputerized, in order to achieve the most effective state international trade planning, academic research, and private sector international trade marketing policy.
 - 9. Methods for attracting appropriate internationally derived investments to the state of Washington.
 - 10. Prioritization and identification for the Governor and the legislature of those current and long-term international trade issues and international trade problems confronting businesses, workers, and citizens of the state.
 - 11. The desirability of forming a permanent public or private entity for the review of long-term international trade issues.
- III. In addition to the powers set forth in section 6 of SSB 4494, the Council shall advise the Department of Commerce and Economic Development on the best methods for collecting, computing, distributing, and reporting of trade data and statistical information.
 - IV. The Department of Commerce and Economic Development shall provide administrative and lead staff support for the Council as may be reasonably required.
 - V. All executive agencies and departments of the state, including the Department of Commerce and Economic Development and Department of Agriculture, shall provide such assistance as the Council may reasonably request.
 - VI. The Council may hold such public meetings as it deems necessary.
 - VII. The Council shall recommend to the Governor and to the Department of Commerce and Economic Development such programs and policies as may be necessary in order to increase employment and economic activity within the international business sectors of our state's economy and shall review the Department's biennial program budget for international business development prior to

its submission to the Governor and offer any comments it deems appropriate.

- VIII. This order shall expire on June 30, 1985, at which time the Council will terminate its activities unless otherwise authorized by law or executive order.

IN WITNESS WHERE-
OF, I have hereunto set my
hand and caused the seal of
the state of Washington to
be affixed at Olympia this
2nd day of May, nineteen
hundred and eighty-four.

John Spellman

Governor of Washington

BY THE GOVERNOR:

Laura Eckert

Assistant Secretary of State

WSR 84-11-007
NOTICE OF PUBLIC MEETINGS
HOSPITAL COMMISSION
[Memorandum—May 4, 1984]

The May 24, 1984, meeting of the Washington State Hospital Commission has been cancelled. The next meeting of the commission is scheduled for June 7, 1984, at the Vance Airport Inn. A meeting is also scheduled for June 28, 1984, at the Vance Airport Inn.

WSR 84-11-008
NOTICE OF PUBLIC MEETINGS
ADVISORY COUNCIL
ON VOCATIONAL EDUCATION
[Memorandum—May 7, 1984]

The next regular meeting of the Washington State Advisory Council on Vocational Education will be held Friday, June 8, 1984, in the Auditorium of the Seattle-Tacoma International Airport. The meeting is scheduled to begin at 10:00 a.m.

This meeting site is barrier free. Interpreters for people with hearing impairments and taped information for people with visual impairments can be provided upon request, if the State Advisory Council on Vocational Education is notified by May 28, 1984.

For further information, please contact Dennis D. Coplen Sr., Executive Director, Washington State Advisory Council on Vocational Education, 120 East Union, Room 207, Mailstop EK-21, Olympia, Washington 98504, telephone number (206) 753-3715.

WSR 84-11-009**NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
[Memorandum—May 4, 1984]**

The September 7, 1984, meeting, scheduled to be held in Spokane at 8:00 a.m., has been moved to Pullman. The meeting will begin about 4:00 p.m. on Thursday, September 6, and will resume at 8:00 a.m. on Friday, September 7. These meetings will be in the Junior Ballroom of the Compton Union Building.

The October 5, 1984, meeting, scheduled to be held at 8:00 a.m. in the Compton Union Building in Pullman, will be moved to Spokane. The meeting will begin at 1:00 p.m. at a place in Spokane to be determined later and will probably conclude that afternoon.

WSR 84-11-010**EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-36—Filed May 7, 1984]**

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this repealer was inadvertently omitted and is necessary to reflect the current status of the treaty Indian fishery.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 7, 1984.

By William R. Wilkerson
Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-401 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (84-27)

WSR 84-11-011**EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-37—Filed May 7, 1984]**

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is harvestable numbers of salmon have been taken.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 7, 1984.

By William R. Wilkerson
Director

NEW SECTION

WAC 220-24-02000A LAWFUL ACTS—TROLL FISHERY. *Notwithstanding the provisions of WAC 220-24-010, 220-24-020 or 220-24-030, effective 12:01 a.m. May 8, 1984 until further notice it is unlawful for any licensed salmon troll fisherman to fish for salmon for commercial purposes in the waters west of the Bonilla-Tatoosh line, the Pacific Ocean, or west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River, and effective 12:01 a.m. May 10, 1984 it is unlawful for any licensed salmon troll fisherman to land salmon taken for commercial purposes from these waters in any Washington State port.*

WSR 84-11-012**EMERGENCY RULES
LOTTERY COMMISSION
[Order 56—Filed May 8, 1984]**

Be it resolved by the State Lottery Commission, acting at Yakima, Washington, that it does adopt the annexed rules relating to the amending of WAC 315-04-120 and new sections WAC 315-04-132, 315-04-133 and 315-04-134.

We, the State Lottery Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action

would be contrary to public interest. A statement of the facts constituting the emergency is WAC 315-04-120, 315-04-132 and 315-04-133 were previously adopted and filed as emergency rules. These rules will expire before permanent rules will be effective; WAC 315-04-134 establishes licensing requirements in the event of a change of corporate officers. Delay in implementation of these rules would be contrary to the public interest.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 67.70.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 4, 1984.

By Earle Glant
Vice Chairman
for Lawrence G. Waldt
Chairman

AMENDATORY SECTION (Amending Order 41, filed 12/8/83)

WAC 315-04-120 TRANSFER OF OWNERSHIP OF LICENSE PROHIBITED. (1) Any license issued by the director is personal to the licensed agent and may not be transferred to another person except as provided in WAC 315-04-130.

(2) If the person to which a license is issued substantially changes its ownership, the license shall immediately terminate and be void and tickets shall not be sold. Every such change in ownership shall be reported to the lottery prior to the change. The license (~~(and identification card))~~ and identification card shall be surrendered to the lottery immediately. A substantial change in ownership of a business shall mean the transfer of ten percent or more equity in that business. In the event the new ownership wishes to become a licensed agent, the new ownership shall submit an application and fees for initial licensure and the lottery shall process these in accordance with these rules.

NEW SECTION

WAC 315-04-132 CHANGE OF BUSINESS STRUCTURE. Every change of business structure of a person to whom a license has been issued must be reported to the lottery prior to the change. A change of business structure shall mean the change from one form of business organization to another, such as from sole proprietorship to partnership or corporation.

(1) If such change involves the addition of one or more owners or officers, the license shall terminate and be void and tickets shall not be sold. In the event the new person wishes to become a licensed agent, that person shall submit a license application and fees which the lottery will process in accordance with these rules.

(2) If such change does not involve the addition of one or more owners or officers, the license shall not be terminated. No fee will be required; however, the licensed agent shall submit a license application reflecting the change and any other documentation the director may require.

NEW SECTION

WAC 315-04-133 CHANGE OF OWNERSHIP. Every substantial change of ownership of a person to whom a license has been issued must be reported to the lottery prior to the change. A substantial change of ownership shall mean the transfer of ten percent or more equity.

(1) If such a change involves the addition of one or more owners, the license shall terminate and be void and tickets shall not be sold. In the event the new person wishes to become a licensed agent, the new person shall submit a license application and fees which the lottery shall process in accordance with these rules.

(2) If such change involves the deletion of one or more existing owners, the license shall not be terminated. No fees will be required; however, the licensed agent shall submit a license application reflecting the change(s) and any other documentation the director may require.

(3) If such change involves a transfer of ten percent or more equity among existing owners who have on file with the lottery a current "criminal history statement" or current "renewal affidavit - criminal history", the license shall not be terminated. No fees nor application will be required.

NEW SECTION

WAC 315-04-134 CHANGE OF CORPORATE OFFICERS. Each licensed agent shall report on a form prescribed by the director every change of corporate officer(s) to the lottery not later than ten days following the effective date of the change. The director may require the licensed agent to submit additional documentation. The lottery will not assess a license fee for a change of corporate officer(s).

If such change involves the addition of one or more corporate officers who does not have on file with the lottery a current "criminal history statement" or current "renewal affidavit - criminal history", each such officer shall submit a "personal information form" and a "criminal history statement". The lottery will assess a fee for a background check.

WSR 84-11-013
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-38—Filed May 8, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is spring chinook salmon stocks are in need of protection.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 8, 1984.

By William R. Wilkerson
Director

NEW SECTION

WAC 220-28-073H0F QUILLAYUTE RIVER. Effective immediately until June 30, 1984, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes from the waters of the Quillayute River or the tributaries of the Quillayute River.

WSR 84-11-014

ADOPTED RULES

URBAN ARTERIAL BOARD

[Order 84-01, Resolution Nos. 818 and 819—Filed May 9, 1984]

Be it resolved by the Urban Arterial Board, acting at Olympia, Washington, that it does adopt the annexed rules relating to:

- Amd WAC 479-13-010 Six-year construction programs for urban areas.
Amd WAC 479-13-060 Accelerated development of urban arterial projects.

This action is taken pursuant to Notice No. WSR 84-06-032 filed with the code reviser on March 1, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Urban Arterial Board as authorized in chapter 47.26 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 20, 1984.

By Robert A. Plaquet
Executive Secretary

AMENDATORY SECTION (Amending Order 462, filed 9/16/77)

WAC 479-13-010 SIX-YEAR CONSTRUCTION PROGRAMS FOR URBAN AREAS. The six-year construction programs of urban area cities and counties required, respectively, by RCW 35.77.010 and 36.81.121, shall be divided into two sections:

(1) The basic six-year construction program for the following six years based upon estimated revenues other than proposals for urban arterial trust funds for new projects.

(2) A separate section of the six-year construction program setting forth proposals, if any, for urban arterial trust funds for new projects to begin in the following biennial period.

The separate section of the six-year construction program setting forth proposed new projects utilizing urban arterial trust funds shall be considered as supplemental to the basic six-year construction program and shall not contain duplicate projects: PROVIDED, That the same project may appear in both the basic and supplemental six-year construction programs if:

(1) The local agency intends to construct the project with other funds if urban arterial trust funds are not approved.

(2) The total dollar amount of the basic six-year construction program approximates estimated revenues available for construction for the following six-year period.

Upon urban arterial board approval of any new project for financial assistance from the urban arterial trust account, such project shall be amended into the basic six-year construction program.

The separate portion of the six-year construction program, setting forth new project proposals for urban arterial trust account funding, shall be listed in order of their priority in the following manner:

(1) Federal urban area cities and counties shall divide arterials by functional class and list in order of their priority as provided for by RCW 47.26.220.

(2) Nonfederal urban area cities shall list all proposals in order of their priority.

The local agency shall evaluate its arterials by utilizing the criteria outlined in RCW 47.26.220 which covers the following:

(1) The structural ability to carry loads.

(2) Capacity to move traffic.

(3) Alignment and related geometrics.

(4) Accident experience.

(5) Fatal accident experience.

The urban arterial board will provide the agency with a listing of arterial deficiencies based on the information contained in the long-range plan as last updated by the agency. This information can be used to fulfill the requirement stipulated in RCW 47.26.220.

The requested urban arterial trust funds to improve the project shall correct the deficiencies found on the section, considering design standards, project life, and unique local considerations.

The following information shall be provided for each new project proposal for urban arterial trust account funding:

- (1) Local name of arterial.
- (2) Arterial number.
- (3) Local government's priority number. (Federal urban area cities and counties within functional class)
- (4) Length in miles.
- (5) Description of proposed work.
- (6) Estimate of total cost of project.
- (7) Status of urban arterial trust funds. (proposed or approved)
- (8) Total requested urban arterial trust funds for the project.
- (9) Inventory data regarding existing geometric, structural, accident and traffic conditions.
- (10) Written acknowledgement, from each adjacent city, county and department of highway district office, that it has had an opportunity to evaluate, prior to the public hearing thereon, the preparing agency's proposed six-year construction program requesting urban arterial trust funds for proposed new projects if such proposed new projects affect the specified unit of government. Such acknowledgement shall be for the purpose of proposing related arterial improvement projects, in order to contribute to the goal of an integrated and coordinated arterial and highway system and shall not indicate approval or disapproval of the preparing agency's six-year construction program. The preparing agency may provide evidence of delivery of a copy of its proposed six-year construction program by certified mail to each adjacent agency if written acknowledgement of evaluation by such adjacent agency cannot be obtained within fifteen days from the date of mailing.

Inventory data for each proposed project shall be prepared under the supervision of a registered engineer in the state of Washington.

A copy of the basic six-year construction program shall be submitted to the urban arterial board along with a copy of the resolution of the city or county adopting such program. The separate section of the six-year construction program, setting forth new project proposals for urban arterial trust account funding, shall be submitted to the urban arterial board on forms provided by the board and shall be accompanied by a copy of the resolution of the city or county adopting the separate section of the six-year construction program: PROVIDED, That if the city or county does not desire to propose new projects for urban arterial trust fund assistance, the only submission to the urban arterial board shall be a written statement to that effect.

AMENDATORY SECTION (Amending Order 79-01, Resolution Nos. 596, 597, 598, filed 8/1/79)

WAC 479-13-060 ACCELERATED DEVELOPMENT URBAN ARTERIAL PROJECTS. Preliminary proposals and related construction projects initially authorized by the urban arterial board after the close of the 1977-1979 biennium for financial assistance from the urban arterial trust account shall be selected for authorization on the basis of the administering agency's

projected ability to place the proposed project under contract for construction within eighteen months from the date of initial authorization. The scope of the preliminary or construction prospectus shall specifically address the type of improvement that will correct the deficiencies for which the project was selected. The prospectus shall also address the cumulative effect of other deficiencies considering design standards and project life. The board shall evaluate the project scope and may reduce the project scope if, in the board's opinion, the scope exceeds that necessary to improve the specific deficiencies, applicable design standards, and address unique local considerations. The following factors relative to each project, in addition to other factors required by law, shall be evaluated:

(1) Each project having an estimated total project cost of less than seven hundred fifty thousand dollars shall be evaluated on the basis of the following factors and any problems noted shall be resolved prior to project authorization:

- (a) Availability and source of matching funds;
- (b) Engineering capacity. Adequate in-house engineering capacity shall be available to permit each project authorized to be engineered without retarding development of other public works projects or the administering agency shall indicate that consulting engineering services will be obtained without delay;
- (c) Right of way. Right of way acquisition required for each project authorized shall be minor in nature, or the administering agency shall provide a definitive plan for acquisition in order that all right of way or right of prior entry may be obtained prior to placing the project under contract for construction;
- (d) Interrelationships with other agencies, railroads or utilities. Any interrelationships that, on the basis of previous experience may be expected to cause project delays, shall be evaluated and a definitive plan, including concurrence from the involved agency, railroad or utility, shall be available;

(e) Community reaction. Any community opposition, whether known or expected to materialize, shall be evaluated for its projected effect upon project development;

(f) Other factors. Other factors known to the agency that will affect the agency's ability to place the project under contract for construction within eighteen months from the date of project authorization.

(2) No urban arterial project which exceeds seven hundred fifty thousand dollars in total estimated project cost shall be considered for authorization by the board unless specifically requested by the administering local agency. The administering agency shall address itself to the same factors that are specified in subsection (1) of this section and which demonstrate that the project can be placed under contract for construction within eighteen months from the date of project authorization. The urban arterial board shall, in each case in which there is doubt concerning the ability of the local agency to place the project under contract for construction within eighteen months from the date of authorization, require preparation and submission of a detailed CPM or PERT time schedule reflecting scheduled development of the project.

The urban arterial board shall review the written reply concerning each proposed project and the verbal representations of an official of the administering agency, and shall not authorize any project if one or more of the factors listed above are not resolved so that the project cannot, in the urban arterial board's judgment, be placed under contract for construction within eighteen months from the date of authorization. Any project proposed to be developed in stages shall be capable of having at least seventy-five percent of the project, when evaluated in dollar terms, under contract for construction within the eighteen month period.

Each city or county administering an accelerated development project shall provide project development data on a monthly basis to the urban arterial board in such form as is requested to permit a continuing review of project progress.

Any preliminary proposal or construction project that is authorized for development as an accelerated development project shall be subject to immediate cancellation at any time, if actual development in the judgment of the urban arterial board, falls behind the rate of development required to permit the project to be placed under contract for construction within eighteen months of the date of authorization.

(3) The project agreement for each preliminary proposal project authorized by the urban arterial board shall include a recognition and agreement on the part of the administering local agency or agencies that urban arterial trust funds provided by chapter 83, Laws of 1967 ex. sess., and section 13, chapter 317, Laws of 1977 ex. sess., chapter 5, Laws of 1979, as now or hereafter amended, have reached a status of total obligation and that:

(a) The full, normal ninety percent matching funds from the urban arterial trust account may not be available for all projects; and

(b) The administering local agency or agencies is/are required to plan and design each project in such a manner as to permit its development in phases with the first phase being a usable improvement as approved by the urban arterial board; and

(i) Able to be developed with available urban arterial trust account and local matching funds; or

(ii) That the administering local agency or agencies agree(s) to pay additional project costs with other funds and that such funds will be available for the construction of the project being developed with the available financial assistance from the urban arterial trust account.

(4) Prospectuses for construction projects that relate to preliminary proposals initially authorized by the urban arterial board for financial assistance from the urban arterial trust account shall be required to be accompanied by the following information demonstrating the readiness of the construction project to be placed under contract for construction.

(a) A certification from the legislative body or other designated responsible official, of the administering agency or agencies, that an environmental impact analysis has been conducted and an environmental impact statement or negative declaration of environmental impact, as appropriate, has been circulated pursuant to

chapter 43.21C RCW, and that the results have been utilized in arriving at the decisions reflected in the prospectus for the construction project.

(b) A certification from the legislative body that the project is completely designed and ready to be advertised for bids for construction except as provided below:

(i) If the project is not completely designed and ready to be advertised, the legislative body may submit a time schedule detailing all significant items of work remaining to be accomplished, and an explanation of the feasibility of accomplishing such items of work in sufficient time to permit the construction project to be placed under contract for construction within eighteen months from the date of urban arterial board authorization of financial assistance from the urban arterial trust account for the related preliminary proposal.

(ii) If any right of way remains to be acquired, a statement of the extent of the time period to be allowed for right of way negotiations and a firm date, not more than fifteen months from the date of urban arterial board authorization of the preliminary proposal, by which condemnation authorization will be considered and approved by the legislative body. If more than fifteen months have elapsed since date of authorization of the related preliminary proposal by the urban arterial board, a condemnation ordinance must have been approved and passed by the legislative body of jurisdiction prior to submission of the prospectus for the construction project.

(c) The date when the project will be advertised for bids for construction.

(d) Each construction project prospectus shall identify changes between the scope of work of the proposed construction project and the construction work contemplated in the current six-year construction program and the preliminary project prospectus and provide an explanation and justification for such changes.

(e) The amount of urban arterial trust funds authorized in total for the preliminary proposal and the construction project shall normally be the amount requested for the total project in the current six-year construction program.

(f) Requests for authorization of urban arterial trust funds for construction projects in:

(i) Federal urban areas shall be considered in the sequence in which the construction projects within each functional class of arterial within each region are, as defined by urban arterial board rules, ready to be placed under contract for construction. In the event that two or more projects in the same functional class of arterial within the same region are proposed for construction project funding at the same urban arterial board meeting, the request for urban arterial trust funds for the construction projects shall be considered in the priority sequence within functional class of arterial within region in which the related preliminary proposals were approved.

(ii) Rural incorporated cities shall be considered in the sequence in which the construction projects within each region are, as defined by urban arterial board rules, ready to be placed under contract for construction. In the event that two or more projects in the same region

are proposed for construction project funding at the same urban arterial board meeting, the request for urban arterial trust funds for the construction projects shall be considered in the priority sequence within region in which the related preliminary proposals were approved.

A specific, maximum amount of urban arterial trust funds for each construction project shall be authorized by the urban arterial board and shall be added to any remaining authorization of urban arterial trust funds for the preliminary proposal to establish the total authorized amount of urban arterial trust funds for each total project.

(g) The ten percent, not to exceed fifty thousand dollars, increase in urban arterial trust funds authorized to be approved by the chairman by WAC 479-20-036 may be approved, for those projects for which financial assistance from the urban arterial trust account is provided in two phases, only after the construction proposal has been approved by the urban arterial board.

WSR 84-11-015

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order DE 84-16—Filed May 9, 1984]

I, John Spencer, deputy director of the Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Tacoma, city of, WAC 173-19-3514.

This action is taken pursuant to Notice No. WSR 84-07-055 filed with the code reviser on March 21, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.58.120 and 90.58.200 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 9, 1984.

By John F. Spencer
Deputy Director

AMENDATORY SECTION (Amending Order DE 83-16 [DE 83-40], filed 5/24/83 [3/2/84])

WAC 173-19-3514 TACOMA, CITY OF. City of Tacoma master program approved April 5, 1977. Revision approved December 5, 1979. Revision approved March 17, 1981. Revision approved November 23, 1981. Revision approved April 6, 1982. Revision approved May 24, 1983. Revision approved May 9, 1984.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule

published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 84-11-016

ADOPTED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

(Board of Boiler Rules)

[Order 84-09—Filed May 10, 1984]

Be it resolved by the Board of Boiler Rules, acting at Conference Room, Department of Labor and Industries, 19435 West Valley Highway, Kent, WA, that it does adopt the annexed rules relating to the amendment to WAC 296-104-200, standards for new construction, to add addenda to 1983 ASME boiler and pressure vessel code, 1980 B31.3 for oil and chemical plants, and 1983 ANSI B31.1 for nonnuclear construction. WAC 296-104-700 changes the inspection fee for automatic hot water supply heaters from \$12.00 to \$5.00. Upon breaking out the \$10.00 inspection certificate portion from the inspection fee, the current rule leaves the inspection revenue at \$2.00 which is inadequate to cover the inspection costs. The new fee is \$10.00 for certification and \$5.00 for inspection, for a total of \$15.00. Further, the language "by a special inspector employed by an authorized insurance company or user/owner" is deleted because the department wants to separate inspection certificate billing to apply whether the inspection is made by a special inspector or a deputy inspector. The department also needs the additional revenue to cover the inspection costs.

This action is taken pursuant to Notice No. WSR 84-06-010 filed with the code reviser on February 27, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 70.79.030 and 70.79.330 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 2, 1984.

By Spencer H. Bush
Chairman

AMENDATORY SECTION (Amending Order 82-36, filed 11/23/82, effective 1/1/83)

WAC 296-104-700 INSPECTION FEES—CERTIFICATE FEES—EXPENSES. The following fees shall be paid by, or on behalf of, the owner or user upon the completion of the inspection. The inspection fees apply to inspections made by inspectors employed by the state (~~and include the certificate fee~~).

Heating boilers:	Internal	External
Cast iron—All sizes	25.00	20.00
All other boilers less than 500 sq. ft.	30.00	20.00
500 sq. ft. to 2500 sq. ft.	50.00	25.00
Each additional 2500 sq. ft. of total heating surface, or any portion thereof	20.00	10.00
Power boilers:	Internal	External
Less than 100 sq. ft.	25.00	20.00
100 sq. ft. to less than 500 sq. ft.	30.00	20.00
500 sq. ft. to 2500 sq. ft.	50.00	25.00
Each additional 2500 sq. ft. of total heating surface, or any portion thereof	20.00	10.00
Pressure vessels:		
Automatic utility hot water supply heaters per RCW 70.79.090		((+2.00)) 5.00
All other pressure vessels: Square feet shall be determined by multiplying the length of the shell by its diameter.	Internal	External
Less than 15 sq. ft.	20.00	15.00
15 sq. ft. to less than 50 sq. ft.	30.00	15.00
50 sq. ft. to 100 sq. ft.	35.00	20.00
For each additional 100 sq. ft. or any portion thereof	10.00	5.00
Certificate of inspection fees: For objects inspected (by a special inspector employed by an authorized insurance company or user owner), the certificate of inspection fee is \$10.00 per object.		
Nonnuclear shop inspections, field construction inspections, and special inspection services:		
For each hour or part of an hour up to 8 hours	30.00	
For each hour or part of an hour in excess of 8 hours	45.00	
Nuclear shop inspections, nuclear field construction inspections, and nuclear triennial shop survey and audit:		
For each hour or part of an hour up to 8 hours	45.00	
For each hour or part of an hour in excess of 8 hours	70.00	
Nonnuclear triennial shop survey and audit:		
When state is authorized inspection agency:		
For each hour or part of an hour up to 8 hours	30.00	
For each hour or part of an hour in excess of 8 hours	45.00	
When insurance company is authorized inspection agency:		
For each hour or part of an hour up to 8 hours	45.00	
For each hour or part of an hour in excess of 8 hours	70.00	
Expenses shall include:		
Travel time and mileage: The department shall charge for its inspectors' travel time from their offices to the inspection sites and return. The travel time shall be charged for at the same rate as that for the inspection, audit, or survey. The department shall also charge 20 cents per mile or the actual cost of purchased transportation.		
Hotel and meals: Actual cost.		

Reinspection fee: Same as the fee for the previous inspection during which discrepancies were reported. The fee will be charged only if the discrepancies are not corrected before the reinspection. The fee shall not exceed \$25.00.
 Washington state specials: For each vessel to be considered by the board for a Washington state special certificate, a fee of \$300.00 must be paid to the department before the board meets to consider the vessel. The board may, at its discretion, prorate the fee when a number of vessels that are essentially the same are to be considered.

AMENDATORY SECTION (Amending Order 82-36, filed 11/23/82, effective 1/1/83)

WAC 296-104-200 STANDARDS FOR NEW CONSTRUCTION. The standards for new construction are the 1980 edition of the ASME boiler and pressure vessel code, the 1980 edition of ANSI B31.3 for oil and chemical plants, and the 1983 edition of ANSI B31.1 for other nonnuclear construction, with all addenda made to each code before (~~November 1, 1982~~) May 1, 1984. The (~~1980~~) 1983 code as applicable may be used on and after the date of issue and becomes mandatory twelve months after adoption by the board as defined in RCW 70.79.050(2). The board recognizes that the ASME code states that new editions of the code become mandatory on issue and that subsequent addenda become mandatory six months after the date of issue. Also, in circumstances such as nuclear systems the time period for addenda becoming mandatory is defined in the Code of Federal Regulations.

WSR 84-11-017

**NOTICE OF PUBLIC MEETINGS
SKAGIT VALLEY COLLEGE**

[Memorandum—May 9, 1984]

At the May 8, 1984, regular board meeting, the board of trustees of Skagit Valley College, Community College District No. 4, passed a motion to change the date of the regular June board meeting from June 12 to June 5, 1984.

WSR 84-11-018

**NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE**

[Memorandum—May 9, 1984]

The board of trustees has rescheduled their regular meetings for June 1984.

The dates for the June meetings of the board of trustees of Tacoma Community College, Community College District 22 are June 5, 1984, and June 7, 1984.

If you need additional information, please do not hesitate to contact my office at scan 548-5100.

WSR 84-11-019
ADOPTED RULES
DEPARTMENT OF AGRICULTURE
 [Order 1824—Filed May 11, 1984]

I, M. Keith Ellis, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to WAC 16-108-010, egg assessment fee, and repealing WAC 16-108-001, 16-108-002 and 16-108-003, promulgations.

This action is taken pursuant to Notice No. WSR 84-08-066 filed with the code reviser on April 4, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 69.25 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 11, 1984.

By Michael V. Schwisow
 Deputy Director

AMENDATORY SECTION (Amending Order 1489, filed 1/31/77)

WAC 16-108-010 RATE. A fee of two ~~((and one=half))~~ mills per dozen eggs is hereby established for Washington state egg seals and facsimile type Washington state egg seals imprinted on egg containers.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

- (1) WAC 16-108-001 PROMULGATION
- (2) WAC 16-108-002 PROMULGATION
- (3) WAC 16-108-003 PROMULGATION

WSR 84-11-020
PROPOSED RULES
THE EVERGREEN STATE COLLEGE
 [Filed May 11, 1984]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that The Evergreen State College intends to adopt, amend, or repeal rules concerning affirmative action policy, adopting WAC 174-109-010 through 174-109-500, and equal opportunity policy and affirmative action program, repealing WAC 174-148-010 through 174-148-120;

that the institution will at 1:45 p.m., Wednesday, June 6, 1984, in the Board of Trustees Room #3112, The Evergreen State College Campus, Library Building, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 28B.40.120(11).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before May 29, 1984.

This notice is connected to and continues the matter in Notice No. WSR 84-08-064 filed with the code reviser's office on April 4, 1984.

Dated: May 10, 1984
 By: Richard N. Schwartz
 Acting President

WSR 84-11-021
ADOPTED RULES
GREEN RIVER
COMMUNITY COLLEGE

[Order 84-1, Resolution No. 83/84-2—Filed May 11, 1984]

Be it resolved by the board of trustees of Green River Community College, District #10, acting at Auburn, Washington 98002, that it does adopt the annexed rules relating to refund of tuition and special course/program connected fees, chapter 132J-160 WAC.

This action is taken pursuant to Notice No. WSR 84-06-053 filed with the code reviser on March 7, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.15.600 and 28B.50.140 and is intended to administratively implement that statute.

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED April 19, 1984.

By Richard A. Rutkowski
 Interim Chief Executive Officer

AMENDATORY SECTION (Amending Order 77-2, filed 7/22/77)

WAC 132J-160-010 PURPOSE. The board of trustees of Community College District No. 10 proposes the adoption of policies for administering the refund of tuition and special course/program connected ~~((fees))~~ fees when a student withdraws from ~~((school))~~ college or reduces ~~((his))~~ class load.

AMENDATORY SECTION (Amending Order 77-2, filed 7/22/77)

WAC 132J-160-020 DEFINITIONS. (1) "Withdraw" - when a student formally leaves ~~((school))~~ college by completing the forms and procedures established by the college.

(2) "Misconduct" - when a student has violated a college rule or policy which results in dismissal from ~~((school))~~ college.

(3) "Tuition" - fees collected by Community College District No. 10 which include the general tuition fees ~~((for state general fund))~~, operating fees ~~((for local general fund))~~ and the services and activities fees ~~((for local student activities))~~.

(4) "Special course/program connected fees" - fees other than tuition required for enrollment (i.e., equipment fees, laboratory material fees, etc.).

AMENDATORY SECTION (Amending Order 77-2, filed 7/22/77)

WAC 132J-160-030 SCOPE OF TUITION AND SPECIAL COURSE/PROGRAM CONNECTED FEES REFUND POLICIES. Tuition and special course/program connected fees refunds will be made for the student's reduction in class load or for a student's complete withdrawal from ~~((school))~~ college whether he or she has attended classes or not. Students will forfeit all claims to refund of tuition and special course/program connected fees when they discontinue class or classes without completion of the proper forms and procedures according to the published time schedule, discontinue class or classes because of misconduct, and when the tuition and special course/program connected fees are indicated by the board of trustees or the president in the ~~((college catalog))~~ quarterly course schedule, and/or course announcement as nonrefundable. Community service course fees are exempt from this policy.

NEW SECTION

WAC 132J-160-045 TUITION AND SPECIAL COURSE/PROGRAM-CONNECTED FEES WITHDRAWAL OR REDUCTION IN CLASS LOAD REFUND POLICY. Upon withdrawal from college or reduction in class load and the completion of tuition and special course/program-connected fees refund forms, the student may receive a refund under the following conditions:

(1) A full refund of general tuition fees, operating fees, and services and activities fees will be made if the student has properly withdrawn prior to the first class session or first day of instruction of the quarter.

(2) A full refund will be made when courses or programs are cancelled.

(3) One-half refund will be made on or after the first class session or first day of instruction of the quarter and on or prior to the thirtieth calendar day of the quarter or when forty percent of the course or program has elapsed, whichever is earlier in the quarter.

(4) No refund will be made after the thirtieth calendar day of the quarter or after forty percent of the course or program has elapsed.

(5) Exceptions may be made for medical reasons or when called into the military.

(6) The college shall charge a refund processing fee to be set by the college president.

(7) Refunds of less than five dollars will not be made.

(8) Students who have paid fees for equipment or materials which have a return/refund value must have the instructor or staff person who is responsible for the return/refund complete the appropriate form approving the refund.

(9) Other fees which are nonrefundable and not subject to this policy will be set by the college president and identified as such in the quarterly course schedule, and/or course announcement.

AMENDATORY SECTION (Amending Order 77-2, filed 7/22/77)

WAC 132J-160-050 APPEAL. Students have the right to appeal the refund policy within one calendar year of their payment when there are special circumstances involved. All appeals go to the dean for students.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 132J-160-040 TUITION AND SPECIAL COURSE/PROGRAM CONNECTED FEES WITHDRAWAL OR REDUCTION IN CLASS LOAD REFUND POLICY.

WSR 84-11-022

ADOPTED RULES

DEPARTMENT OF

EMERGENCY SERVICES

[Order 118-04—Filed May 11, 1984]

I, Hugh H. Fowler, director of the Department of Emergency Services, do promulgate and adopt at 4220 East Martin Way, the annexed rules relating to classes of emergency workers; scope of duties of each class; conditions for employment; and manner of registration.

This action is taken pursuant to Notice No. WSR 84-08-074 filed with the code reviser on April 4, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 38.52.310 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 9, 1984.

By Hugh H. Fowler

Chapter 118-04 WAC

CLASSES OF EMERGENCY WORKERS; SCOPE OF DUTIES OF EACH CLASS; CONDITIONS FOR EMPLOYMENT; MANNER OF REGISTRATION

NEW SECTION

WAC 118-04-010 PURPOSE. The purpose of this chapter is to adopt rules, regulations, and guidelines pursuant to chapter 38.52 RCW, for appropriate action pertaining to the class, scope of duty, conditions of duty, and coverage of emergency workers.

NEW SECTION

WAC 118-04-030 SCOPE. (1) This chapter is applicable for emergency activities as outlined in chapter 38.52 RCW; for emergencies and disasters as determined by appropriate local authorities and the governor of the state of Washington, and for search and rescue missions under the authority of local law enforcement.

(2) This chapter is not applicable to air search and rescue missions or training exercises conducted by the Washington state aeronautics division.

NEW SECTION

WAC 118-04-050 DEFINITIONS. The terms used in this chapter have the same meaning as they do in chapter 38.52 RCW.

NEW SECTION

WAC 118-04-070 REGISTRATION. (1) Registration is a prerequisite for eligibility of workers for benefits and legal protection under chapter 38.52 RCW. Except as provided in subsections (2), (3), and (4) of this section, an emergency worker shall be considered as registered if he/she has met these qualifications prior to participating in emergency activities:

(a) Has a properly filled out and current registration card on file with an approved organization under chapter 38.52 RCW.

(b) Has been assigned to an emergency class as listed in WAC 118-04-110.

(c) Has been issued an identification card which conforms substantially with those recommended by the Washington state department of emergency services.

(2) An employee of the state, or a political subdivision of the state who is required to perform emergency duties shall be considered as registered with the local organization of emergency services in whose jurisdiction he/she resides.

(3) In emergency situations which require recruiting of volunteers to assist in an immediate time frame, these workers will be considered registered if they are under the control and supervision of a responsible agency under the provisions of chapter 38.52 RCW and if said agency provides adequate documentation including name, age, and address, the emergency function they provided, and time they were involved in said service.

(4) Any citizen commandeered for service shall be entitled, during the period of such service, to all privileges, benefits and immunities provided by state law and state or federal regulations for registered emergency workers.

NEW SECTION

WAC 118-04-090 SCOPE OF EMERGENCY DUTIES. Each emergency worker in any class, is considered to be on duty while he/she is performing emergency functions with the authorization and under the direction and control of an appropriate authority in the local or state emergency organization.

NEW SECTION

WAC 118-04-110 CLASSES OF EMERGENCY WORKERS. The following classes of emergency workers and the scope of duties of each class are hereby established. Classes additional to these may be established from time to time by the director, state department of emergency services.

(1) Staff services:

Staff services include the recruiting, coordinating, and directing any emergency activities, including technical, administrative, and clerical services.

(2) Law enforcement services:

Law enforcement services include securing compliance with both state and federal laws, in accordance with chapter 38.52 RCW, and assisting law enforcement offices and agencies in administrative and nonenforcement functions for the purpose of relieving commissioned personnel for enforcement duties.

(3) Fire services:

Fire services include assisting fire fighting forces or agencies in both urban and rural areas, rescuing persons or protecting property, and instructing residents regarding fire prevention and emergency information for individual citizens, methods of detecting fires and precautions to be observed in reducing fire hazards.

(4) Medical and health services:

Medical and health services include medical and surgical field teams, triage, general emergency and mobile hospitals, nursing service, first aid and ambulance service, sanitation, mortuary and laboratory service, radiological monitoring, defense against biological and/or chemical incidents, identification of sick and injured, and other medical and health services.

(5) Welfare services:

Welfare services include the provision of food, clothing, and lodging in mass care centers for persons whose homes have been destroyed, or made temporarily uninhabited by emergency or disaster; evacuation service for other than medical cases, registration and information, welfare inquiries, rehousing, counseling, and other necessary assistance to disaster victims.

(6) Engineering and rescue services:

Engineering and rescue services include construction, repair and maintenance of highways, roads, streets, and essential facilities and performing heavy-duty rescue operations.

(7) Transportation services:

Transportation services include the movement of supplies, evacuees, personnel, and equipment, including planning, organizing, maintaining, operating, and coordinating available means of transportation.

(8) Communications services:

Communications services include communications activities in accordance with approved state and/or local emergency operations and communications plans.

(9) Radiological services:

Radiological services include radiological monitoring, reporting, and planning duties, in accordance with approved state and/or local emergency operations and radiological emergency plans including gathering and evaluating radiological data and providing technical guidance concerning radiological decontamination operations.

(10) Chemical services:

Chemical services include chemical hazards incident response duties such as planning and coordination of response resources, in accordance with approved state and/or local emergency operations and hazardous materials plans.

(11) Supply services:

Supply services include procurement, warehousing, and release of supplies, equipment, and materials.

(12) Utilities services:

Utilities services include assisting utility personnel in the repair of water, gas, electric, telephone, telegraph, steam, sewer, and other utility facilities.

(13) Congregate care services:

Congregate care services include duties in accordance with the current shelter managing guidelines and subsequent procedures published in approved state and/or local emergency operations and shelter plans.

(14) Special services:

Special services include duties which can be performed by persons who are without permanent specific emergency services assignment and who do not carry a standard emergency identification card but whose participation is essential to training (i.e., students or other serving as triage victims during a medical exercise). These personnel shall be issued a temporary registration card for the period of time they are participating in emergency training activities.

(15) General services:

General services include duties which can be performed by persons without permanent specific emergency assignment. These may include general purpose emergency workers who support local or state emergency departments in a variety of activities. They may also include personnel who are not ordinarily a part of an emergency organization and who do not carry a standard emergency identification card but whose participation is essential to a specific emergency operation, such as sandbagging in a flood.

(16) Search and rescue services:

Search and rescue services include duties involving searching for, rescuing, or recovering by means of ground, marine, or air activity any person who becomes lost, injured, or is killed while out of doors, or as a result of a natural or man-made disaster, including instances involving searches for downed aircraft when ground personnel are used.

(17) Training and education services:

Training and education services include all activities, public and private, relating to the education process and

proficiency skill building for the enhancement of emergency preparedness under the concept of comprehensive emergency management, including but not limited to, specific courses, workshops, seminars, exercises, volunteer training activities, which includes the administration, reporting, and maintaining of appropriate records.

(18) Aviation Services:

Aviation services include duties performed by pilots licensed by the FAA, operating FAA approved aircraft, in support of emergency management activities. No compensation will be provided under chapter 38.52 RCW for those activities of air search which are the statutory responsibility of the division of aeronautics, department of transportation.

NEW SECTION

WAC 118-04-130 EMERGENCY WORKER CRITERIA AND STANDARDS. Local jurisdictions have the responsibility to establish criteria and standards for emergency workers whom they register. This may include the demonstrated proficiency of the worker to perform emergency activities as indicated by assignment and personnel class.

NEW SECTION

WAC 118-04-140 SEARCH AND RESCUE EMERGENCY WORKER GUIDELINES. The following guidelines are offered as minimal standards which all search and rescue emergency workers should meet.

(1) The level of knowledge, proficiency, and experience for field personnel will be greater than support personnel.

(2) Support personnel should have a working knowledge of the skills of field personnel, but need not have hands-on experience nor the physical capabilities of field personnel.

(3) Specific desirable qualifications:

(a) First aid training.

(b) Demonstrated self-proficiency in survival techniques and outdoor living.

(c) Good physical fitness.

(d) Demonstrated proficiency in wilderness navigation (map and compass).

(e) Demonstrated proficiency in search and rescue techniques.

(f) Demonstrated proficiency in two-way radio communications.

(g) Demonstrated knowledge in procedures if a crime or deceased is discovered in the search and rescue operation.

(h) Demonstrated knowledge in helirescue operations.

(4) The department of emergency services acknowledges the following state-wide volunteer search and rescue organizations as having existing standards, training, and certification programs:

(a) Washington Mountain Rescue Association;

(b) Washington Explorer Search and Rescue Association;

(c) National Ski Patrol Systems, Inc.;

(d) The Search and Rescue Dog Association;

- (e) German Shepherd Search Dog Association;
- (f) Northwest Bloodhound Association;
- (g) Civil Air Patrol;
- (h) Coast Guard Auxiliary.

Further, the department of emergency services may acknowledge the self-certification programs of these volunteer organizations by letters of agreement between each organization and this department, which authorize these organizations to certify their own members and any new organizations wishing to be identified with these particular state-wide volunteer organizations.

NEW SECTION

WAC 118-04-150 DEPARTMENT OF EMERGENCY SERVICES MISSION NUMBER. (1) The state department of emergency services may assign a mission number to emergency response activities and to search and rescue missions reported by a local jurisdiction. The local department of emergency services director, or their designee shall notify the state department of emergency services as soon as practical of all emergency response activities or search and rescue missions in the respective local jurisdiction and request the assignment of a mission number when emergency workers are called out to assist.

(2) The mission number assigned shall provide a reference for the dispatch of state, local, or federal resources to assist in the mission, and as a basis for record keeping for the payment of any emergency worker compensation claims which may be filed as a result of activities on that mission.

(3) If additional resources from a different jurisdiction are needed to respond to an emergency response activity or search and rescue mission, the appropriate authority should make the request through (or inform that the request has been made) the state department of emergency services duty officer (206-753-5990) in Olympia, WA.

(4) Upon notification by an appropriate authority to report to regular or training duty at a specific time and place, volunteers are then covered under the provisions of chapter 38.52 RCW when acting in compliance with such notification. Coverage will be limited to the time and distance necessary to travel to duty station, performance of duty, and return to the point of origin.

(5) Mission numbers will not be assigned nor compensation provided for activities which involve arrest, search, apprehension, or detention of suspects or persons in the act of committing a crime or breaking a law.

NEW SECTION

WAC 118-04-170 EVIDENCE SEARCH TRAINING MISSION NUMBER. An evidence search training mission number may be issued by the state department of emergency services for the utilization of emergency workers to search for evidence in support of law enforcement agencies. To receive authorization for an evidence search training mission number, the following criteria must be met. The local department of emergency services, or its designee, will send a hard copy via ACCESS to the state department of emergency services (ACCESS address code BK) or to the Washington state

patrol dispatch in Olympia (ACCESS address code BN), if during nonbusiness hours, addressed "PLEASE RELAY TO DES DUTY OFFICER IMMEDIATELY" outlining the following by item:

Item 1 — Jurisdiction requesting the evidence search training mission number.

Item 2 — Name of officer in charge on scene.

Item 3 — Location of the evidence search.

Item 4 — Emergency workers being utilized listed by name or by unit.

Item 5 — A statement of what training is being accomplished for the development of proficiency skills.

Item 6 — A statement certifying that the emergency workers will be utilized and trained within the scope of their normal emergency worker assignment.

Item 7 — A statement certifying that the activity does NOT involve the arrest, search for, apprehension, or detention of suspects or persons in the act of committing a crime or breaking a law.

After the hard copy is sent via ACCESS, the local DES or designee may call the DES duty officer and coordinate the details of the mission. Upon receipt of the hard copy information, the request will be considered, and if approved, an EVIDENCE SEARCH TRAINING MISSION NUMBER will be assigned.

Other rules and policy established by the director, state department of emergency services, for the utilization of emergency workers will apply for the evidence search, including the submission of the training mission report.

NEW SECTION

WAC 118-04-190 ELIGIBILITY AND RESPONSIBILITY. (1) Compensation will be authorized only when appropriate eligibility has been clearly established and the provisions of all appropriate regulations and statutes have been complied with.

(2) Compensations board composition, procedural records and claim preparations are the responsibility of the local jurisdiction, in which the loss occurred (see RCW 38.52.210).

(3) Volunteer emergency workers, in supporting other agencies, must remain under the direction and control of an appropriate authority to continue compensation eligibility.

(4) In no event, shall a public agency, other than the local emergency services organization or local law enforcement agency as outlined in other sections of this chapter, utilize the services of an emergency worker unless the said agency has received the prior approval of the director, Washington state department of emergency services or his designee. Said approval shall set forth time and purpose of the utilization of said emergency worker.

NEW SECTION

WAC 118-04-210 ELIGIBILITY REQUIREMENTS AND PROCEDURES FOR FILING PERSONAL INJURY CLAIMS BY EMERGENCY WORKERS. (1) Claimant must be a duly registered emergency worker of his county of residence and/or

with the jurisdiction directing the mission. Claimant must file the claim with the jurisdiction where the mission occurred.

(2) Claimant must have been activated by an appropriate authority on an authorized activity under the provisions of chapter 38.52 RCW.

(3) Claimant must have registered his name and registration card number if applicable with the on-scene commander or other appropriate authority.

(4) In the event of injury the responsible agency's on-scene authority must be notified as soon as possible.

(5) The responsible agency's on-scene authority will advise the local emergency services director of any injuries and will provide appropriate and timely documentation. The local director will notify the state department of emergency services of any injuries. The state department of emergency services will assist the local director in processing claims for those claimants registered outside of the county and activated by state department of emergency services.

(6) The state department of emergency services will provide necessary forms for personal injury claims which must be completed by the local department of emergency services director, the emergency worker, and the attending physician and submitted with other documentation to Washington state department of emergency services. **DO NOT USE LABOR AND INDUSTRIES WORKMAN'S COMPENSATION FORMS, AND DO NOT SUBMIT ANY INFORMATION TO THE DEPARTMENT OF LABOR AND INDUSTRIES FOR A CLAIM MADE PURSUANT TO CHAPTER 38.52 RCW.**

(7) Other documentation should include any reports, mission logs, ambulance and hospital bills, receipts, medical reports, or other information helpful in describing the circumstances of how the injury occurred and what costs were incurred.

(8) Claims for injury, disability, death, and related compensation are adjusted and paid in accordance with labor and industry workman's compensation schedules.

(9) For claims in excess of the amount set by statute, a compensation board must meet to review the claim under RCW 38.52.210, 38.52.220, 38.52.230, and 38.52.250.

(10) The local emergency services director will give immediate notice to Washington state emergency services of any pending claim in excess of the amount set by statute.

(a) The claimant will be notified of date, time and place of the compensation board hearing by the local emergency services director by personal service or registered mail.

(b) Claimant may be requested to appear before the compensation board as established under chapter 38.52 RCW. Itemized medical bills and reports must be presented at the hearing to support the claim.

(c) The local emergency services director will transmit the findings of the compensation board to Washington state department of emergency services for final disposition.

NEW SECTION

WAC 118-04-230 ELIGIBILITY REQUIREMENTS AND PROCEDURES FOR FILING PROPERTY LOSS/DAMAGE CLAIMS BY EMERGENCY WORKERS. (1) Claimant must be a duly registered emergency worker of his county of residence and/or the jurisdiction directing the mission. Claimant must file the claim with the jurisdiction where the mission occurred.

(2) Claimant must have been activated by an appropriate authority on an authorized activity under the provisions of chapter 38.52 RCW.

(3) Claimant must have registered his name and registration card number if applicable with the on-scene commander or other appropriate authority.

(4) In the event of property loss or damage the responsible agency's on-scene authority must be notified as soon as possible.

(5) The responsible agency's on-scene authority will advise the local emergency services director of any property loss or damage and will provide appropriate and timely documentation. The local director will notify the state department of emergency services of any property loss or damage. The state department of emergency services will assist the local director in processing claims for those claimants registered outside of the jurisdiction and activated by state department of emergency services.

(6) Only property that is deemed necessary and reasonable for the emergency services activity will be considered for compensation, if lost or damaged. Claims will not be paid for personal property lost or damaged that was not necessary and reasonable to the activity. For example, expensive watches, cameras, jewelry, etc., generally will not be considered necessary and reasonable.

(7) Damage to personal property caused by normal wear and tear, mechanical or electrical breakdown, or other such loss or damage, and loss or inconvenience consequent to such loss or damage that was not the result of the emergency services activity in which the owner was engaged will not be considered for compensation. Damage must not have been caused by the willful misconduct, gross negligence, or bad faith of the claimant.

(8) Compensation for the loss or theft of property left unsecured, or damage incurred which could have been prevented through reasonable care may be denied.

(9) The state department of emergency services will provide necessary forms for property loss/damage claims which when filled out by the emergency worker must be notarized and sent, with all supporting documentation to the Washington state office of financial management.

(10) For claims in excess of the amount set by statute, a compensation board must meet to review the claim under RCW 38.52.210, 38.52.220, 38.52.230, and 38.52.250.

(11) The local emergency services director will give immediate notice to the Washington state emergency services of the pending claim, in excess of the amount set by statute.

(a) The claimant will be notified of date, time, and place of the county compensation board hearing by the

local emergency services director by personal service or registered mail.

(b) Claimant may be requested to appear before the compensation board as established under chapter 38.52 RCW. Itemized bills and reports must be presented at the hearing to support the claim.

(c) The local emergency services director will transmit the findings of the compensation board to Washington state department of emergency services for final disposition.

NEW SECTION

WAC 118-04-250 FUEL AND TOLL CLAIMS.

(1) The state department of emergency services will provide necessary forms for use by emergency workers for reimbursement of out-of-county fuel and toll expenses as authorized by chapter 38.52 RCW. Proper receipts and documentation must be submitted with these forms for reimbursement.

(2) Claims for fuel and toll expenses may be sent directly to the state Department of Emergency Services, 4220 E. Martin Way, Olympia, WA 98504.

NEW SECTION

WAC 118-04-270 EXTRAORDINARY EXPENSE CLAIMS.

The state department of emergency services will provide necessary forms for use by emergency workers for extraordinary expenses for missions lasting over twenty-four hours as authorized by chapter 38.52 RCW. Local organizations of emergency services and local law enforcement agencies may submit extraordinary expense claims on behalf of volunteers if the expenses meet the following criteria:

- (1) They are in direct support of volunteers working under a state DES mission number;
- (2) They represent extraordinary, expendable obligations such as for feeding or lodging volunteers; and
- (3) All expenses must be documented with proper receipts.

NEW SECTION

WAC 118-04-290 AFTER ACTION REPORTS—SEARCH AND RESCUE.

The state department of emergency services will provide a form to be used by local jurisdictions to report information about search and rescue missions. This information should include data on the subject(s), location of incident, local response, weather conditions, results, subject behavior, and resources used. Information from local responders including any reports, rosters, mission event and communications logs, lost person information forms, and any other information that may be helpful in a descriptive reconstruction of the mission should be forwarded to the responsible local authority as designated by local plans within two weeks or ten working days from the termination of the mission. This information should be compiled and sent to the state DES within five working days of the two week period.

WSR 84-11-023
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed May 11, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning National Pollutant Discharge Elimination System Permit Program, chapter 173-220 WAC. The department proposes to delete "seasonal" from effluent limitations in section 130(1)(a).

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 12, 1984, 3:00 p.m., Room 273, St. Martins College, Lacey, Washington.

The authority under which these rules are proposed is chapter 43.21A RCW.

The specific statute these rules are intended to implement is chapter 90.48 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before May 29, 1984.

This notice is connected to and continues the matter in Notice No. WSR 84-08-078 filed with the code reviser's office on April 4, 1984.

Dated: May 10, 1984
By: Donald W. Moos
Director

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-130 EFFLUENT LIMITATIONS, WATER QUALITY STANDARDS AND OTHER REQUIREMENTS FOR PERMITS. (1) Any permit issued by the department shall apply and insure compliance with all of the following, whenever applicable:

(a) Effluent limitations under sections 301, 302, 306, and 307 of the FWPCA. The effluent limitations shall not be less stringent than those based upon the treatment facility design efficiency contained in approved engineering plans and reports or approved revisions thereto. The effluent limits shall reflect any (~~seasonal~~) variation in industrial loading.

For combined waste treatment facilities, the effluent limitations for biochemical oxygen demand or suspended solids may be adjusted upwards to a maximum allowed by applying effluent limitations pursuant to sections 301(b)(1)(B) or 301(h) of the FWPCA to the domestic portion of the influent and effluent limitations pursuant to sections 301(b)(1)(A)(i), 301(b)(2)(A), and 301(b)(2)(E) of the FWPCA or standards of performance pursuant to section 306 of the FWPCA to the industrial portion of the influent: PROVIDED, That the following additional condition is met:

Fecal coliform levels shall not exceed a monthly average of 200 organisms per 100 ml with a maximum weekly average of 400 organisms per 100 ml, unless a waiver is granted pursuant to section 301(h) of the FWPCA;

(b) Any more stringent limitation, including those:

(i) Necessary to meet water quality standards, treatment standards or schedules of compliance established pursuant to any state law or regulation under authority preserved to the state by section 510 of the FWPCA; or

(ii) Necessary to meet any federal law or regulation other than the FWPCA or regulations thereunder; or

(iii) Required to implement any applicable water quality standards; such limitations to include any legally applicable requirements necessary to implement total maximum daily loads established pursuant to section 303(d) and incorporated in the continuing planning process approved under section 303(e) of the FWPCA and any regulations and guidelines issued pursuant thereto;

(iv) Necessary to prevent or control pollutant discharges from plant site runoff, spillage or leaks, sludge or waste disposal, or raw material storage;

(v) Necessary to provide all known, available and reasonable methods of treatment.

(c) Any more stringent legal applicable requirements necessary to comply with a plan approved pursuant to section 208(b) of the FWPCA; and

(d) Prior to promulgation by the administrator of applicable effluent standards and limitations pursuant to sections 301, 302, 306, and 307 of the FWPCA, such conditions as the department determines are necessary to carry out the provisions of the FWPCA.

(2) In any case where an issued permit applies the effluent standards and limitations described in subparagraph (a) of paragraph (1) of this section, the department shall make a finding that any discharge authorized by the permit will not violate applicable water quality standards.

(3) In the application of effluent standards and limitations, water quality standards and other legally applicable requirements pursuant to paragraphs (1) and (2) hereof, each issued permit shall specify average and maximum daily quantitative (in terms of weight) or other such appropriate limitations for the level of pollutants and the authorized discharge.

WSR 84-11-024

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order DE 84-19—Filed May 11, 1984]

I, Donald W. Moos, director of the Department of Ecology, do promulgate and adopt at 4:00 p.m., Room 273, Headquarters Office, the annexed rules relating to National Pollutant Discharge Elimination System Permit Program, chapter 173-220 WAC. The department proposes to: (1) redefine "person" in WAC 173-220-030, to be consistent with state waste discharge permit program, chapter 173-216 WAC; (2) add public ownership requirements contained in submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC to WAC 173-220-150; (3) refer to the underground injection control program, chapter 173-218 WAC in WAC 173-220-220, control of disposal of pollutants into wells; and (4) edit WAC 173-220-150 and 173-220-210.

This action is taken pursuant to Notice No. WSR 84-08-078 filed with the code reviser on April 4, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 90.48 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 10, 1984.

By Donald W. Moos
Director

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-030 DEFINITIONS. For purposes of this chapter, the following definitions shall be applicable:

(1) "Department" means department of ecology.

(2) "Director" means the director of the department of ecology or his authorized representative.

(3) "Administrator" means the administrator of the United States Environmental Protection Agency.

(4) "Regional administrator" means the regional administrator of Region X of the Environmental Protection Agency (EPA).

(5) "Point source" means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

(6) "Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

(7) "Navigable waters of the state" means all navigable waters as defined in section 502 of the FWPCA within the boundaries of the state such as lakes, rivers, ponds, streams, inland waters, ocean, bays, estuaries, sounds and inlets.

(8) "Person" (~~means an individual, corporation, partnership, association, state, municipality, commission, or political subdivision of a state, or any interstate body~~) includes any political subdivision, local, state, or federal government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatsoever.

(9) "Discharge of pollutant" and the term "discharge of pollutants" each means (a) any addition of any pollutant or combination of pollutants to navigable waters of

the state from any point source, (b) any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source, other than a vessel or other floating craft which is being used as a means of transportation.

(10) "Major discharger" means any discharger appearing on the list of major dischargers appearing in the annual state-EPA agreement.

(11) "Combined waste treatment facility" means any publicly owned waste treatment facility in which the maximum monthly average influent from any one industrial category, or categories producing similar wastes, constitutes over eighty-five percent of the design load for biochemical oxygen demand or suspended solids. Each single industrial category must contribute a minimum of ten percent of the applicable load.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-150 OTHER TERMS AND CONDITIONS. (1) In addition to the requirements of WAC 173-220-130 and 173-220-140, each issued permit shall require that:

(a) All discharges authorized by the permit shall be consistent with the terms and conditions of the permit; any facility expansions, production increases or process modifications which would result in new or increased discharges of pollutants must be reported to the department by submission of a new application or supplement thereto; or, if such discharge does not violate effluent limitations specified in the permit, by submission to the department of notice of such new or increased discharges of pollutants; any discharge of any pollutant more frequent than or at a level in excess of that identified and authorized by the permit shall constitute a violation of the terms and conditions of the permit.

(b) The permit may be modified, suspended or revoked in whole or in part during its terms for cause including, but not limited to, the following:

- (i) Violation of any term or condition of the permit;
- (ii) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; and
- (iii) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

(c) The permittee shall allow the department or its authorized representative upon the presentation of credentials and at reasonable times:

- (i) To enter upon permittee's premises in which an effluent source is located or in which any records are required to be kept under terms and conditions of the permit subject to any access restrictions due to the nature of the project;
 - (ii) To have access to and copy at reasonable cost any records required to be kept under terms and conditions of the permit;
 - (iii) To inspect any monitoring equipment or method required in the permit; or
 - (iv) To sample any discharge of pollutants.
- (d) That, if the permit is for a discharge from a publicly owned treatment works, the permittee shall provide notice to the department of the following:

(i) Any new introduction of pollutants into such treatment works from a source which would be a new source as defined in section 306 of the FWPCA if such source were discharging pollutants;

(ii) Except as to such categories and classes of point sources or discharges specified by the department, any new introduction of pollutants into such treatment works from a source which would be subject to section 301 of the FWPCA if such source were discharging pollutants;

(iii) Any substantial change in volume or character of pollutants being introduced into such treatment works by a source introducing pollutants into such works at the time of issuance of the permit.

Such notice shall include information on:

(I) The quality and quantity of effluent to be introduced into such treatment works; and

(II) Any anticipated impact of such change in the quantity or quality of effluent to be discharged from such publicly owned treatment works.

(e) The permittee shall at all times properly operate and maintain any facilities or systems of control installed by the permittee to achieve compliance with the terms and conditions of the permit. Where design criteria have been established, the permittee shall not permit flows or waste loadings to exceed approved design criteria, or approved revisions thereto.

(f) If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the FWPCA for a toxic pollutant which is present in the permittee's discharge and such standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the department shall revise or modify the permit in accordance with the toxic effluent standard of prohibition and so notify the permittee.

~~((3))~~ (2) Every permit shall be conditioned to insure that any industrial user of any publicly owned treatment works will comply with sections 204(b), 307, and 308 of the FWPCA.

(3) Permits for domestic wastewater facilities shall be issued only to a public entity, except in the following circumstances:

(a) Facilities existing or approved for construction with private operation on or before the effective date of this chapter, until such time as the facility is expanded;

(b) Facilities that serve a single nonresidential, industrial, or commercial establishment. Commercial/industrial complexes serving multiple owners or tenants and multiple residential dwelling facilities such as mobile home parks, apartments, and condominiums are not considered single commercial establishments for the purpose of the preceding sentence.

(c) Facilities that are owned by nonpublic entities and under contract to a public entity shall be issued a joint permit to both the owner and the public entity.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-210 MONITORING, RECORDING AND REPORTING. (1) Monitoring.

(a) Any discharge authorized by a permit may be subject to such monitoring requirements as may be reasonably required by the department, including the installation, use, and maintenance of monitoring equipment or methods (including, where appropriate, biological monitoring methods). These monitoring requirements would normally include:

(i) Flow (in gallons per day); ~~((and (ii) all of the following pollutants:~~

~~(A))~~ (ii) Pollutants (either directly or indirectly through the use of accepted correlation coefficients or equivalent measurements) which are subject to reduction or elimination under the terms and conditions of the permit;

~~((B))~~ (iii) Pollutants which the department finds could have a significant impact on the quality of navigable waters; and

~~((C))~~ (iv) Pollutants specified by the administrator, in regulations issued pursuant to the FWPCA, as subject to monitoring ~~(; and)~~.

(b) Each effluent flow or pollutant required to be monitored pursuant to ~~((paragraph (b)))~~ subsection (a) of this section shall be monitored at intervals sufficiently frequent to yield data which reasonably characterizes the nature of the discharge of the monitored effluent flow or pollutant. Variable effluent flows and pollutant levels may be monitored at more frequent intervals than relatively constant effluent flows and pollutant levels which may be monitored at less frequent intervals.

(c) Monitoring of intake water, influent to treatment facilities, ~~((and/or other))~~ internal waste streams, and/or receiving waters may be required when determined necessary by the department to verify compliance with net discharge limitations or removal requirements, ~~((or))~~ to verify that proper waste treatment or control practices are being maintained, or to determine the effects of the discharge on the waters of the state.

(2) Recording of monitoring activities and results. Any permit which requires monitoring of the authorized discharge shall require that:

(a) The permittee shall maintain records of all information resulting from any monitoring activities required of him in his permit;

(b) Any records of monitoring activities and results shall include for all samples:

- (i) The date, exact place, and time of sampling;
- (ii) The dates analyses were performed;
- (iii) Who performed the analyses;
- (iv) The analytical techniques/methods used; and
- (v) The results of such analyses; and

(c) The permittee shall be required to retain for a minimum of three years any records of monitoring activities and results including all original strip chart recording for continuous monitoring instrumentation and calibration and maintenance records. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the department or regional administrator.

(3) Reporting of monitoring results.

(a) The permittee shall periodically report (at a frequency of not less than once per year) on the proper reporting form, the monitoring results obtained pursuant to monitoring requirements in a permit. In addition to the required reporting form, the department at its discretion may require submission of such other results as it determines to be necessary.

(b) Monitoring reports shall be signed by:

(i) In the case of corporations, by a responsible corporate officer or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.

(ii) In the case of a partnership, by a general partner.

(iii) In the case of a sole proprietorship, by the proprietor.

(iv) In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-220 CONTROL OF DISPOSAL OF POLLUTANTS INTO WELLS. ~~((+))~~ The disposal of pollutants into wells ~~((- excepting in the most extraordinary circumstances, is not authorized by the department:~~

~~(2) All applications requesting permission to dispose of pollutants into wells shall be processed under RCW 90.48.160, and/or under an approved underground injection control program:~~

~~(3) Under the extraordinary circumstance where an application for a permit is approved, the department shall include terms and conditions which shall control the proposed disposal in order to prevent pollution of ground and surface water resources and to protect the public health and welfare)) is regulated by the Underground injection control program, chapter 173-218 WAC.~~

WSR 84-11-025

ADOPTED RULES

DEPARTMENT OF LICENSING

(Board of Dental Examiners)

[Order PL 467—Filed May 11, 1984]

Be it resolved by the Washington State Board of Dental Examiners, acting at Seattle, Washington, that it does adopt the annexed rules relating to examination results, WAC 308-40-104.

This action is taken pursuant to Notice No. WSR 84-07-048 filed with the code reviser on March 21, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Board of Dental Examiners as authorized in RCW 18.32.040.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 4, 1984.

By John C. Gould, D.D.S.
Acting Chairman

AMENDATORY SECTION (Amending Order PL 391, filed 1/26/82)

WAC 308-40-104 EXAMINATION RESULTS.

(1) In order to pass the examination the applicant must ~~((have a score of 75 in each of the restorative procedures. An overall average of 75 for the entire examination must be achieved.))~~ pass each section and/or phase of the examination.

(2) Applicants will be required to retake the entire examination even though a passing score may have been received on any portion of the examination.

(3) Applicants who fail the examination may apply for reexamination by completing application and submitting the appropriate fee to the division of professional licensing.

(4) Applicants who fail to appear for examination forfeit the examination fee.

WSR 84-11-026
NOTICE OF PUBLIC MEETINGS
CONSORTIUM FOR
AUTOMATED LIBRARY SERVICES
[Memorandum—May 4, 1984]

CALS GOVERNING BOARD
MEETING CALENDAR FOR 1984

- Tuesday, May 22
- Tuesday, June 19
- Tuesday, July 24
- Tuesday, August 28
- Tuesday, September 25
- Thursday, October 25
- Tuesday, November 27
- Tuesday, December 18

WSR 84-11-027
PROPOSED RULES
DEPARTMENT OF NATURAL RESOURCES
(Board of Natural Resources)
(Harbor Line Commission)
[Filed May 14, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Natural Resources and Harbor Line Commission intends to adopt, amend, or repeal rules concerning a proposed new section WAC 332-30-108 states policy and standards for establishment of new harbor areas under Article XV of

the Washington constitution and under RCW 79.94.240 and 79.94.250.

The following public meetings and hearings will be held: Tuesday, May 29, 1984, at the Cowlitz County PUD Public Service Room, 960 Commerce Avenue, Longview, 7:00 p.m. – 7:30 p.m. for a public meeting, and 7:30 p.m. for a public hearing; Thursday, May 31, 1984, at the Federal Building Auditorium, 825 Jadwin Avenue, Richland, WA, 1:00 p.m. – 1:30 p.m. for a public meeting, and 1:30 for a public hearing; and on Thursday, May 31, 1984, at the Spokane County Public Health Building, 1101 West College Avenue, Spokane, WA, 7:00 p.m. – 7:30 p.m. for a public meeting, and 7:30 for the public hearing.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 3, 1984.

The authority under which these rules are proposed is RCW 79.90.070, 79.90.080 and 79.92.010.

The specific statute these rules are intended to implement is RCW 79.90.070, 79.90.080, 79.92.010, 79.94.240 and 79.94.250.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 7, 1984.

Written or oral submissions may also contain data, views and arguments concerning the effect of the proposed rules or amendments of rules on economic values pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules before the hearing or in response to written or oral comments received before or during the hearings.

The agency may need to change the date for hearing or adoption on short notice. To ascertain that the hearing or adoption will take place as stated in this notice, an interested person may contact the person named below.

Correspondence relating to this notice and the proposed rules should be addressed to:

Steve Tilley
Mailstop QW-21
Olympia, WA 98504
Phone: (206) 754-1823

This notice is connected to and continues the matter in Notice No. WSR 84-06-068 filed with the code reviser's office on March 7, 1984.

Dated: May 11, 1984

By: Brian J. Boyle
Chairman, Board of Natural Resources/
Harbor Line Commission

WSR 84-11-028
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-39—Filed May 14, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial shellfish rules and personal use shellfish rules.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is test fishery has indicated there is an adequate supply of shrimp for limited harvest.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 9, 1984.

By William R. Wilkerson
Director

NEW SECTION

WAC 220-56-32500F PERSONAL USE-SHRIMP SEASON-HOOD CANAL. *Notwithstanding the provisions of WAC 220-56-325, it is lawful to take, fish for and possess for personal use, shrimp taken in Hood Canal southerly of a line projected between the Hood Canal Floating Bridge abutments from 9:00 a.m. May 19 to 6:00 p.m. June 3, 1984 and from 9:00 a.m. June 9 to 6:00 p.m. July 1, 1984. The daily bag limit and possession limit is 10 pounds or 10 quarts in the shell.*

NEW SECTION

WAC 220-52-05300N COMMERCIAL-SHRIMP SEASON-HOOD CANAL. *Notwithstanding the provisions of WAC 220-52-050 and WAC 220-52-053, it is unlawful to take, fish for or possess shrimp for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 27A, 27B and 27C, except as follows:*

From 9:00 a.m. June 9, to 6:00 p.m. July 1, 1984 with shellfish pots (maximum of 50 pots).

WSR 84-11-029
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGE
DISTRICT TWELVE
[Memorandum—May 11, 1984]

The June meeting (previously scheduled for Thursday, June 14, 1984) has been changed to Wednesday, June 20, 1984, at 7:00 p.m. in the boardroom on the Centralia College campus.

WSR 84-11-030
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
ASIAN AMERICAN AFFAIRS
[Memorandum—May 10, 1984]

The September 15th meeting in Yakima has been rescheduled for September 22, in Seattle. The exact time and location will be announced at the close of the June 16th meeting.

WSR 84-11-031
NOTICE OF PUBLIC MEETINGS
WHATCOM COMMUNITY COLLEGE
[Memorandum—May 10, 1984]

The board of trustees of Whatcom Community College, District Number Twenty-One will hold a special meeting of the board going immediately into executive session to discuss presidential search at the following time and place: May 31, 1984, 9:00 a.m., Leopold Inn, Room 204, 1224 Cornwall Avenue, Bellingham, WA 98225.

WSR 84-11-032
ADOPTED RULES
DEPARTMENT OF CORRECTIONS
[Order 84-05—Filed May 14, 1984]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to siting of community residential programs (work/training release facilities), amending chapter 137-57 WAC.

Correspondence regarding this rule should be addressed to:

Mr. Robert W. Sampson, Administrator
Office of Contracts and Regulations
Division of Management and Budget
Mailstop FN-61
Olympia, Washington 98504
(206) 753-5770 Scan 234-5770

This action is taken pursuant to Notice No. WSR 84-08-023 filed with the code reviser on March 28, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Corrections as authorized in RCW 72.65.100.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 14, 1984.

By Amos E. Reed
Secretary

Chapter 137-57 WAC
SELECTING CONTRACTORS FOR AND SITING
 OF COMMUNITY RESIDENTIAL PROGRAMS
 (WORK/TRAINING RELEASE FACILITIES)

AMENDATORY SECTION (Amending Order 82-06,
 filed 4/5/82)

WAC 137-57-005 PURPOSE. The purpose of this chapter is to establish procedures for the selection of contractors providing work/training release programs, ensure department cooperation with local jurisdictions in the siting of work/training release facilities, and ((to)) encourage public comment and advice in the siting decisions.

AMENDATORY SECTION (Amending Order 82-06,
 filed 4/5/82)

WAC 137-57-010 DEFINITIONS. (1) "Secretary" is the secretary of the department of corrections or his/her designee.

(2) (~~"Director"~~) "Department" is the (~~director of the division of community services;~~) department of corrections.

(3) (~~"Assistant director" is the assistant director of community residential programs, division of community services, department of corrections.~~)

(4)) "Work/training release facility" is an institution, community residential program or other establishment approved for housing and supervision of work/training release inmates or residents as defined in WAC 137-56-010.

(4) "Search committee" is a committee appointed by the secretary to locate potential work/training release contractors or work/training release sites.

(~~(5) "Office of contracts and regulations" is an office within the division of management and budget, department of corrections.~~)

AMENDATORY SECTION (Amending Order 82-06,
 filed 4/5/82)

WAC 137-57-020 SECRETARY'S AUTHORITY. (~~(1)~~) Pursuant to RCW 72.65.080 the secretary may enter into contracts with the appropriate authority for the payment of the cost of feeding and lodging and other expenses of having work release participants. Such contracts may include any other terms and conditions as may be appropriate for the implementation of the work release program as defined in chapter 137-56 WAC. In addition, the secretary is authorized to acquire by lease or contract, appropriate facilities for the housing of work release participants and providing for their subsistence and supervision. (~~Although the facilities are not subject to the zoning laws of the city or county in which they are situated, it is the purpose of this chapter to ensure department cooperation with local jurisdictions in siting decisions and to encourage public comment and advice.~~)

(2) ~~All contracts and leases authorized under RCW 72.65.080, excepting contracts or leases with a federal, state, or local government agency, shall be solicited and awarded in conformance with this chapter effective March 1, 1982.)~~

AMENDATORY SECTION (Amending Order 82-06,
 filed 4/5/82)

WAC 137-57-040 (~~REQUEST FOR PROPOSAL~~) CONTRACTOR SELECTION. (1) (~~(f)~~) When the department is seeking a contractor ((or vendor)) to provide ((both a site and)) a work/training release program, the ((assistant director, in conjunction with the committee and the department's office of contracts and regulations;)) secretary will appoint a search committee which shall ((develop a request for proposal (RFP) articulating the department's requirements)) conduct a search in the manner it deems appropriate to identify potential contractors who would be qualified to develop and provide a work/training release program conforming with applicable regulations, standards, and procedures adopted by the department. The search committee shall also obtain such information as is necessary to evaluate the qualifications and reliability of the potential contractors, the scope of the proposed programs and the cost of such programs.

(2) (~~Proposals received in response to the RFP shall be evaluated by the committee in accordance with criteria developed by the committee.~~)

Such criteria shall include:

(a) The cost of the program;

(b) The reliability of the contractor;

(c) The scope of the program; and

(d) ~~The site selected and site criteria in WAC 137-~~

~~57-050)) The names of the potential contractors determined by the search committee, information gathered during the search, the search committee's ranking of the potential contractors, and the search committee's recommendations shall be submitted to the secretary.~~

(3) (~~The assistant director shall then submit three recommendations to the director (or less if there are not three responsive bids), who shall then submit these to the secretary for approval.)~~ The secretary, based on the information, rankings, and recommendations so submitted by the search committee, may approve one of the potential contractors as the provider of the work/training release program.

AMENDATORY SECTION (Amending Order 82-06,
 filed 4/5/82)

WAC 137-57-050 SITE SELECTION ((ONLY)). (1) (~~(f)~~) When the department is seeking a ((site only and not a)) work/training release ((vendor or contractor, the department need not prepare a request for proposal (RFP). Instead, the assistant director shall advertise the department's need in a local newspaper and)) site, the secretary will appoint:

(a) A search committee which shall ((perform)) conduct a search ((of)) for possible locations in the manner it deems appropriate; and

(b) An advisory committee composed of local elected or public officials, local law enforcement personnel, interested citizens, and department staff.

(2) After ((locations)) the sites have been identified, the ((assistant director)) search committee shall submit

~~((the possible sites))~~ a description of them to the advisory committee for review. The advisory committee's review shall evaluate the following factors:

(a) The cost of acquiring the use of the site, ~~((e.g.))~~ and the cost of improvements that would be required to renovate, repair, remodel, or alter the site to make it suitable for a work release program;

(b) The desirability of the site for program activities;

(c) The access to public transportation available at the site;

(d) The community impacts associated with the site; and

(e) The ~~((current))~~ zoning restrictions applicable to ~~((property in that))~~ the geographical area in which the site is located.

(3) After it completes its review, the advisory committee shall ~~((make three))~~ submit its recommendations to the secretary ~~((or less if there are not three available sites) for a)),~~ and the secretary may give preliminary approval to one of the recommended sites.

AMENDATORY SECTION (Amending Order 82-06, filed 4/5/82)

WAC 137-57-060 PUBLIC NOTICE, HEARING REQUIREMENTS. (1) After the secretary ~~((selects))~~ gives preliminary approval to a site, ~~((or selects a contractor or vendor with an existing site, the assistant director under the direction of))~~ the ~~((office of contracts and regulations;))~~ department shall either apply for or assist ~~((the contractor))~~ others in applying for ~~((all the necessary))~~ any permits which may be required by local zoning laws with respect to the operation of a work/training release facility.

(2) In the event there are no local zoning requirements, or hearing requirements~~((, or where the secretary waives the permit requirement in (1) of this section, the assistant director under the direction of the office of contracts and regulations))~~ with respect to the operation of a work/training release program on the site which has received the secretary's preliminary approval, the department shall hold a public hearing to encourage citizen input. Notice of such a hearing shall be provided in a manner best designed to notify residents within the immediate area and within the budget limitations of the department.

(3) ~~((The comments received at the public hearing shall be submitted to the secretary for review and))~~ After the required zoning permits, if any, have been obtained, and after the secretary has considered the comments expressed by members of the public during any zoning process or during the public hearing conducted by the department, the secretary may grant or withhold final approval of the proposed site.

AMENDATORY SECTION (Amending Order 82-06, filed 4/5/82)

WAC 137-57-070 CONTRACT/LEASE. Upon final approval by the secretary of a proposed contractor pursuant to WAC 137-57-040 or the proposed site pursuant to WAC 137-57-060 the ~~((office of contracts and regulations;))~~ department shall ~~((negotiate and draft a~~

~~lease or contract for execution by the secretary. Said contract shall not run beyond a biennium)),~~ by appropriate instruments, obtain the services of the approved contractor or acquire the use of the approved site.

WSR 84-11-033

ADOPTED RULES

DEPARTMENT OF CORRECTIONS

[Order 84-06—Filed May 14, 1984]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to reimbursement for criminal justice costs and contingency plan expenses, amending chapter 137-70 WAC.

This action is taken pursuant to Notice No. WSR 84-08-060 filed with the code reviser on April 3, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 72.72.040 which directs that the Department of Corrections has authority to implement the provisions of chapter 72.72 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 14, 1984.

By Amos E. Reed
Secretary

Chapter 137-70 WAC

~~((CRIMINAL JUSTICE))~~ REIMBURSEMENT~~((= ADULTS))~~ FOR CRIMINAL JUSTICE COSTS AND CONTINGENCY PLAN EXPENSES

WAC

- 137-70-010 Purpose.
- 137-70-020 Definitions.
- 137-70-030 Eligibility.
- 137-70-040 Reimbursable impacts/rates—Criminal justice costs.
- 137-70-050 Limitation of funds—Criminal justice costs.
- 137-70-055 Reimbursable impacts—Contingency plan expenses.
- 137-70-057 Funds—Contingency plan expenses.
- 137-70-060 Billing procedure.
- 137-70-070 Department review committee.
- 137-70-080 Implied consent to audit.

AMENDATORY SECTION (Amending Order 82-10, filed 8/16/82)

WAC 137-70-010 PURPOSE. Chapter 72.72 RCW ~~((created))~~ creates an institutional impact account, in the general fund, for the purpose of reimbursing political subdivisions for criminal justice costs ~~((incurred))~~ they incur directly as a result of crimes

committed by adult offenders residing in correctional institutions, and for expenses they incur directly as a result of their providing personnel and material pursuant to a contingency plan. The purpose of these rules is to implement that statute and to set forth the procedures under which these funds will be distributed (~~for impacts relating to adult offenders~~).

AMENDATORY SECTION (Amending Order 82-10, filed 8/16/82)

WAC 137-70-020 DEFINITIONS. As used in this chapter, the following ~~((items))~~ words shall have the following meanings:

(1) "Secretary" shall mean the secretary of the department of corrections.

(2) "Contingency plan" shall mean a plan developed under RCW 72.02.150 by the secretary, or the secretary's designee, with representatives of political subdivisions for dealing with disturbances at a state penal facility.

(3) "Department" shall mean the department of corrections.

~~((3))~~ (4) "Inmate" shall mean an individual ~~((s))~~ sentenced to the custody of the department under state law and ~~((inmates))~~ an individual transferred to the custody of the department from ~~((other))~~ another state ~~((s))~~ or the federal government.

~~((4))~~ (5) "Institution" and "penal facility" shall mean ~~((all those facilities set forth))~~ any facility identified in RCW 72.01.050(2) and ~~((a))~~ any community residential program ~~((s))~~ under the department's jurisdiction operated pursuant to chapter 72.65 RCW.

~~((5))~~ (6) "Political subdivision" shall mean any city, town, or county ~~((or other unit of local government))~~.

~~((6))~~ (7) All references to the singular shall include the plural unless noted otherwise.

AMENDATORY SECTION (Amending Order 82-10, filed 8/16/82)

WAC 137-70-030 ELIGIBILITY. (1) Reimbursement for criminal justice costs shall be available to any political subdivision which ~~((is impacted by any adult correctional facility as defined in RCW 72.01.050(2) or a community residential program as defined and operated pursuant to chapter 72.65 RCW. As used herein, impacted shall mean that the political subdivision incurred))~~ incurs an incremental cost, reimbursable under this chapter, which ~~((was))~~ is specifically and exclusively attributable to the criminal behavior of ~~((state institutional))~~ an inmate ~~((s))~~ incarcerated in or who ~~((have))~~ has escaped from an institution. ~~((Reimbursement is available))~~ For the purposes of this chapter parolees or probationers are deemed to be inmates only if they are assigned to an institution ~~((as defined herein: PROVIDED, That)).~~ Reimbursement shall be ~~((limited))~~ made only with respect to new crimes and shall not be ~~((available))~~ made for violations of the conditions of parole or probation and the resulting revocation hearings.

(2) Reimbursement for contingency plan expenses, including costs incurred under chapter 41.26 RCW, if

such costs are the direct result of physical injury sustained in the implementation of a contingency plan, shall be available to any political subdivision which incurs such expense in providing personnel and/or material, when requested by the secretary or the secretary's designee, to carry out the provisions of a duly adopted contingency plan. Provided, however, reimbursement for costs incurred under chapter 41.26 RCW will not be made:

(a) Unless the physical injury occurs within the walls or other perimeter of the secured area, if the secretary identifies in the contingency plan the prison walls or other perimeter of the secured area; or

(b) Unless the physical injury results from providing assistance requested by the secretary or the secretary's designee which is beyond the description of the assistance contained in the contingency plan, if the secretary does not identify the prison walls or other perimeter of the secured area; or

(c) If the physical injury results from conduct which either is not requested by the secretary or the secretary's designee, or is in violation of orders by superiors of the local law enforcement agency.

AMENDATORY SECTION (Amending Order 83-13, filed 12/6/83)

WAC 137-70-040 REIMBURSABLE IMPACTS/RATES—CRIMINAL JUSTICE COSTS.

(1) Reimbursement shall be restricted to fully documented law enforcement, prosecutorial, judicial and jail facility costs, as defined herein, at the actual costs of the submitting jurisdiction, not to exceed the following rates:

(a) Law enforcement costs are costs incurred by any political subdivision in apprehending escapees, in investigating crimes committed by state institutional inmates including pretrial investigations within or outside the institution, or in providing security for inmates outside the jail facility. These costs are reimbursable at the following rates:

(i) \$17.48 per hour for the period July 1, 1983, through June 30, 1984.

(ii) \$18.39 per hour for the period July 1, 1984, through June 30, 1985.

(b) If an escape or investigation results in the filing of a criminal complaint, the impacted political subdivision shall be entitled to attorney costs associated with the prosecution and/or defense of the filed action. These costs are reimbursable at the following maximum rates:

(i) \$41.79 per hour from July 1, 1983, through June 30, 1984.

(ii) \$43.96 per hour from July 1, 1984, through June 30, 1985.

(c) Reimbursement for judicial costs incurred as a result of the filing of a criminal complaint shall be limited to judges, court reporters, transcript typing or preparation, witness fees and jury fees. These costs are reimbursable at the following maximum rates:

(i) Judges - \$38.95 per hour from July 1, 1983, through June 30, 1984, and \$40.98 per hour for the period July 1, 1984, through June 30, 1985. These costs shall include the services of court clerks and bailiffs.

(ii) Court reporters – \$17.52 per hour from July 1, 1983, through June 30, 1984, and \$18.43 per hour for the period July 1, 1984, through June 30, 1985.

(iii) Transcript typing services – \$3.49 per page from July 1, 1983, through June 30, 1984, and \$3.67 per page for the period July 1, 1984, through June 30, 1985.

(iv) Expert witnesses – \$58.65 per hour from July 1, 1983, through June 30, 1984, and \$61.70 per hour for the period July 1, 1984, through June 30, 1985.

(v) Witness fees/nonexpert – jury fees – reimbursable at the rate established by the local governmental legislative authority up to a maximum of \$26.33 per day for the period July 1, 1983, through June 30, 1984, and \$27.70 for the period July 1, 1984, through June 30, 1985.

(d) Jail facility costs resulting from the escape or criminal complaint shall be reimbursed at the following maximum rate: \$7.37 per inmate day from July 1, 1983, through June 30, 1984 and \$7.75 for the period July 1, 1984, through June 30, 1985.

(e) Coroner – Where an inmate dies as a result of criminal activity of another inmate, coroner costs incurred by a local jurisdiction may be reimbursed up to a maximum amount established by the committee as reasonable.

(f) Medical costs – Where an inmate is in the custody of a local jurisdiction as a result of a crime committed while incarcerated in a state institution, extraordinary medical costs, beyond the routine medical services of the jail, may be reimbursed at the discretion of the committee. Counties, cities, and towns shall notify the department prior to incurring expenses for extraordinary medical expenses, where practicable, to allow the department an opportunity to provide the necessary medical care directly.

AMENDATORY SECTION (Amending Order 82-10, filed 8/16/82)

WAC 137-70-050 LIMITATION OF FUNDS—CRIMINAL JUSTICE COSTS. Claims for reimbursement under WAC 137-70-040 shall be paid in the order they are received until the legislative appropriation for the biennium is fully expended. If the impact fund is fully expended before the end of the biennium, political subdivisions should continue to submit claims for the purpose of developing future impact account funding requests.

NEW SECTION

WAC 137-70-055 REIMBURSABLE IMPACTS—CONTINGENCY PLAN EXPENSES. Reimbursement shall be restricted to applicants eligible under WAC 137-70-030(2) for fully documented expenses incurred directly as a result of their providing personnel and/or material pursuant to a contingency plan.

NEW SECTION

WAC 137-70-057 FUNDS—CONTINGENCY PLAN EXPENSES. Reimbursement under WAC 137-

70-055 shall be made solely from the institutional impact account from funds available in that account. If full reimbursement would exceed available funds, the secretary will request the legislature to appropriate sufficient funds to enable the secretary to make full reimbursement, and if so appropriated, the secretary will make such reimbursement.

AMENDATORY SECTION (Amending Order 82-10, filed 8/16/82)

WAC 137-70-060 BILLING PROCEDURE. (1) All requests for reimbursement under this chapter must be submitted on a standard Washington State Invoice Voucher Form, A-19, in triplicate, signed by the political subdivisions responsible fiscal officer, to the Department of Corrections, Division of Management and Budget, Office of Contracts and Regulations, P.O. Box 9699, FN-61, Olympia, Washington 98504.

(2) All ((A=19)) requests for criminal justice cost reimbursement must be accompanied by a narrative explanation of all costs incurred. This narrative must include at least the following information:

(a) Full name and DOC identification number of inmate;

(b) Institution to which the inmate is assigned or ((where)) from which he/she escaped;

(c) Incident requiring the political subdivision's assistance, i.e. escape, investigation and dates;

(d) Costs incurred broken down into the categories of reimbursable costs allowed in WAC 137-70-040 and hourly rate used;

(e) Admission and release dates if applicable;

(f) Other supporting information or documentation.

(3) All requests for contingency plan expense reimbursement must be accompanied by a narrative explanation of all expenses incurred. This narrative must include at least the following information:

(a) Names and titles of personnel providing assistance during a disturbance covered by a contingency plan, the dates and hours served in such capacity by such personnel, and their salaries or rates of pay;

(b) If the claim is for reimbursement of costs incurred under chapter 41.26 RCW, a description of the nature of the physical injury sustained and a description of the location where and the circumstances under which it was sustained;

(c) With respect to material provided in carrying out a contingency plan, (i) its acquisition cost, if acquired solely for use in carrying out the contingency plan and no other purpose; (ii) its market value both before and after the disturbance for which it was provided, if it suffered damage beyond normal wear and tear during the disturbance; and (iii) its market value at the time of its loss or destruction, if lost or destroyed during the disturbance for which it was provided;

(d) A description of other expenses, incurred in carrying out the contingency plan;

(e) Such other documentation and information necessary to support the claim.

AMENDATORY SECTION (Amending Order 82-10, filed 8/16/82)

WAC 137-70-070 DEPARTMENT REVIEW COMMITTEE. (1) All requests for reimbursement shall be reviewed by a department committee composed of the following individuals or their designees:

- (a) ~~((The))~~ Deputy secretary;
- (b) Director, division of management and budget;
- (c) Director, division of prisons;
- (d) Contracts and regulations administrator;
- (e) Capital programs administrator; and the
- (f) Senior assistant attorney general assigned to the department.

(2) The review committee shall approve or disapprove the requests for payment. If a request is disapproved in total or in part, the committee shall send a letter to the requesting political subdivision with the reasons for disapproval.

(3) The committee decision shall be final unless appealed to the secretary within twenty days after a political subdivision receives notice of disapproval.

AMENDATORY SECTION (Amending Order 82-10, filed 8/16/82)

WAC 137-70-080 IMPLIED CONSENT TO AUDIT. ~~((+))~~ By submitting requests for reimbursement, the requesting political subdivision agrees to:

(1) Maintain records which would support the request made for a period five years after the date of such request~~(-)~~; and

(2) ~~((If requested by the secretary, or his/her designee, the political subdivision shall))~~ Make ~~((these))~~ such records available for review and/or audit by the department if requested by the secretary or the secretary's designee.

This rule is promulgated pursuant to RCW 51.04.020(1) which directs that the Department of Labor and Industries has authority to implement the provisions of Title 51 RCW, industrial insurance.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 15, 1984.

By Paula Rinta Stewart
Deputy
for Sam Kinville
Director

AMENDATORY SECTION (Amending Order 83-36, filed 11/30/83, effective 1/1/84)

WAC 296-17-350 MINIMUM PREMIUMS—ASSUMED WORKER HOURS. A minimum premium is the lowest amount of premium to be paid by an employer and is also the basis for determining premium computation for workers for whom an assumed number of worker hours must be, and hereby, is established:

(1) Minimum premium. Except as otherwise provided in this chapter, every employer shall be liable for a premium not less than ten dollars for any calendar quarter regardless of number of worker hours reported.

(2) Minimum premium for elective adoption. Any employer having in their employ any person exempt from mandatory coverage under the provisions of RCW 51.12.020 and whose application for coverage under the elective adoption provisions of RCW 51.12.110 is accepted by the director, shall have a minimum premium rate for such employer's applicable class based upon not less than 40 worker hours for each month, until such time as elective adoption coverage is cancelled: **PROVIDED**, That the minimum premium rate as specified above shall not apply to executive officers obtaining coverage under this rule and the elective adoption provisions of RCW 51.12.110.

(3) Apartment house, apartment hotel, motor court and similar operations. Resident managers, caretakers or other similar occupations who are employed for irregular periods and whose compensation is for a stipulated sum in money or a substitute for money shall be reported for the purpose of calculation of premiums, each four dollars of compensation in money or a substitute for money shall represent one worker hour: **PROVIDED**, That the employer shall not be required to report in excess of 40 hours per week for each person so employed.

(4) Commission personnel. Commission personnel are persons whose compensation is based upon a percentage of the amount charged for the commodity or service rendered. Commission personnel are to be reported for premium purposes at a minimum of assumed worker hours of not less than eight worker hours a day for part-time employment, or not less than 40 worker hours per week for full-time employment: **PROVIDED**, That the assumed eight worker hours daily for part-time employment will apply only if the employer's books and records are maintained so as to show separately such person's actual record of employment.

WSR 84-11-034
ADOPTED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Order 84-11—Filed May 15, 1984]

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at the Director's Office, General Administration Building, Olympia, Washington 98504, the annexed rules relating to establishment of new risk classification to separate reporting of developmentally disabled workers employed in a work activity center; revise WAC 296-17-350(6) to allow the reporting of these developmentally disabled workers on the basis of the piece worker rule for industrial insurance premium purposes.

This action is taken pursuant to Notice No. WSR 84-08-077 filed with the code reviser on April 4, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

(5) Salaried personnel. Salaried personnel for the purposes of this chapter means persons whose compensation is not governed by the number of hours devoted to employment for their employer. Employers having salaried personnel in their employ shall for the purpose of premium calculation report assumed worker hours based upon 40 worker hours for each week in which any duties of salaried personnel are performed: PROVIDED, That salaried personnel, as defined by the foregoing, who are not regularly and continuously employed by the employer may for the purpose of premium calculation compute premiums in accordance with the piece worker rule, subsection (6) of this section: PROVIDED FURTHER, The 40 hours per week may be substituted on behalf of all salaried employees by assuming 160 hours per month for each month in which employees are on salary: PROVIDED FURTHER, That the department may, at its discretion, authorize some other method in assuming workers hours for premium calculating purposes in the case of contract teachers employed by schools.

(6) Piece workers. Employees whose compensation is based upon the accomplishment of a number of individual tasks whether computed on the number of pounds, items, pieces, or otherwise, the employer shall for the purpose of premium calculation assume each two dollars of earnings of each employee as representing one worker hour: PROVIDED, That if the average rate of compensation for the applicable classification is at least \$3.00 but less than \$3.50 per worker hour the assumed amount shall be \$3.00 of earnings as representing one worker hour, and on a progressive basis, if the average compensation is at least \$3.50 but less than \$4.00 the assumed amount shall be \$3.50 of earnings as representing one worker hour, and so forth. The records of the department as compiled for the preceding fiscal year ending June 30, shall be the basis for determining the average rate of compensation for each classification: PROVIDED FURTHER, That if the employer maintains books and records to show separately the hours employed for each worker in their employ engaged in piece work then such actual worker hours shall be reported for the purpose of premium calculation. Notwithstanding any other provisions of this section, workers employed in a work activity center pursuant to WAC 296-17-779 shall be reported on the basis of the piece worker rule.

(7) Noncontact sports teams. All employers having personnel in their employ as defined under WAC 296-17-745 shall for the purpose of premium calculations, report assumed worker hours based upon 40 worker hours for each week in which any duties are performed.

(8) All employers having personnel in their employ as defined under WAC 296-17-739 shall, for the purpose of premium calculations, report assumed worker hours based upon ten hours for each mount in each horse race; professional drivers shall report worker hours based upon ten hours for each heat or race of any racing event: PROVIDED, That any day such personnel do not ride or drive in a race, the premium calculation shall be made by assuming ten worker hours for any day in which duties are performed.

NEW SECTION

WAC 296-17-779 CLASSIFICATION 73-9.

Work activity centers

For the purpose of this rule "work activity center" will refer to such centers licensed through the department of social and health services and as defined in Title 29, Part 525.2(c) of the Code of Federal Regulations as published by United States department of labor, providing job training and learning skills to mentally and/or developmentally disabled workers and who are enrolled as clients of the center. Usage of this classification will be limited to mentally and/or developmentally disabled workers employed within a work activity center and excludes all other employments of mentally and/or developmentally disabled workers not employed in a work activity center which will be separately rated in risk classification 67-9 (WAC 296-17-740). This classification further excludes professional, clerical, and other blue-collar employments which will be separately rated in risk classification 67-9 (WAC 296-17-740) even though the only operation of the employer may be a work activity center.

AMENDATORY SECTION (Amending Order 83-36, filed 11/30/83, effective 1/1/84)

WAC 296-17-895 INDUSTRIAL INSURANCE ACCIDENT FUND BASE RATES AND MEDICAL AID RATES BY CLASS OF INDUSTRY. Industrial insurance accident fund base rates and medical aid rates by class of industry shall be as set forth below.

Class	Rates Effective January 1, 1984	
	Accident Fund Base Rate	Medical Aid Fund Rate
1-1	.6897	.4712
1-2	.4642	.4157
1-3	.5756	.5629
1-4	.4729	.3509
1-5	.5802	.5533
1-6	1.1119	.7710
1-7	.5008	.3805
1-8	.5516	.3842
1-9	.9017	.7761
2-1	1.2644	.8667
2-2	1.4438	1.0578
2-6	.6145	.5299
3-1	.3027	.2989
3-2	.9070	.4880
3-6	.2985	.3109
3-7	.2849	.3448
4-1	1.1969	.9475
4-2	.7472	.8755
4-3	.8635	.6254
5-2	.5704	.4199
5-3	.3547	.4093
5-4	.6620	.4903

*Rate not have proper notice
Will not code in*

Rates Effective
January 1, 1984Rates Effective
January 1, 1984

Class	Rates Effective January 1, 1984		Class	Rates Effective January 1, 1984	
	Accident Fund Base Rate	Medical Aid Fund Rate		Accident Fund Base Rate	Medical Aid Fund Rate
5-5	.6870	.5786	29-6	.2615	.2753
5-6	.8826	.7491	29-8	.4168	.4232
5-7	.9005	.7277	31-1	.4325	.3453
5-8	1.0040	.7730	31-2	.3122	.2466
5-9	.8546	.6579	31-3	.3122	.2466
6-1	.2488	.2646	31-4	.3424	.2733
6-2	.2606	.2413	31-5	.4718	.4629
6-3	.4458	.2739	33-1	.4532	.4365
6-4	.6820	.7121	33-2	.3269	.3180
6-6	.1259	.1492	33-3	.1760	.2333
6-7	.1643	.1710	33-9	.2279	.3075
7-1	.6832	.7223	34-1	.2201	.2312
8-3	.2346	.2085	34-2	.2318	.2810
8-4	.3787	.5207	34-3	.0728	.0529
9-1	1.2688	.4948	34-4	.2761	.2897
10-2	.6220	.4093	34-5	.1200	.1223
10-3	.3633	.2779	34-6	.1029	.1842
10-4	.3633	.2779	34-7	.1759	.2141
10-5	1.5333	1.0170	34-8	.0680	.0793
10-7	.0491	.0727	34-9	.1014	.1308
11-1	.2739	.2697	35-1	.2660	.3516
11-2	.6368	.4830	35-3	.1849	.2459
11-3	.2111	.2125	35-6	.3539	.2729
11-4	.2761	.2916	35-8	.2028	.2459
11-6	.0602	.0957	36-2	.0516	.0637
11-8	.2853	.2897	36-3	.2735	.3318
13-1	.2165	.2266	36-4	.4951	.4203
13-3	.1165	.1643	36-5	.1790	.2027
13-4	.0072	.0140	36-6	.3566	.3526
13-5	.1350	.1884	37-1	.1144	.1506
14-1	.4712	.5766	37-2	.2944	.2461
14-4	.2812	.1908	37-7	.2132	.2141
15-1	.2097	.2296	37-8	.1195	.1352
15-7	.1744	.1764	38-1	.1560	.1784
17-1	1.1894	.6408	38-2	.0950	.1075
17-2	1.1894	.6408	38-8	.1061	.1199
17-3	.3126	.2402	39-1	.1858	.1632
17-4	.3434	.3618	39-2	.3561	.3063
18-1	.4416	.4813	39-3	.5012	.6399
20-2	.3628	.2953	39-5	.0759	.1165
20-3	.2348	.2312	39-6	.2698	.2807
20-4	.4022	.4622	39-9	.0967	.1452
20-5	.1918	.2349	40-2	.3949	.2951
20-7	.2304	.2400	41-1	.0744	.0994
20-8	.1591	.1500	41-3	.1386	.1872
21-1	.2665	.2907	41-7	.0394	.0577
21-2	.2348	.2312	41-8	.0744	.0994
21-4	.1039	.1658	41-9	.0744	.0994
21-5	.4050	.3988	42-1	.2878	.2277
22-1	.1438	.1335	43-1	.4455	.4505
22-2	.2069	.1612	43-2	.4374	.4525
24-1	.3419	.3343	43-3	.4736	.5513
29-3	.4101	.4165	43-4	.3737	.3327
29-4	.5145	.4117	43-5	.6971	.4550

Rates Effective
January 1, 1984Rates Effective
January 1, 1984

Rates Effective January 1, 1984			Rates Effective January 1, 1984		
Class	Accident Fund Base Rate	Medical Aid Fund Rate	Class	Accident Fund Base Rate	Medical Aid Fund Rate
44-1	.2475	.2277	62-5	.0766	.1057
44-2	.3239	.3004	62-6	.0766	.1057
44-4	.2348	.2312	62-7	.4319	.7898
45-1	.0696	.0772	62-8	.1486	.1633
45-2	.0287	.0267	62-9	.1109	.1970
45-4	.0355	.0641	63-1	.0672	.0595
46-1	.2762	.4672	63-2	.0954	.0859
48-2	.1319	.1340	63-3	.0256	.0277
48-3	.1562	.2269	63-4	.0719	.0729
48-4	.3137	.3029	63-5	.0324	.0482
48-5	.1642	.1788	63-6	.1022	.1537
48-6	.0409	.0534	63-8	.0223	.0188
48-7	.6870	.5786	63-9	.0542	.0854
48-8	.1807	.2547	64-2	.1326	.1222
48-9	.1109	.1211	64-3	.0798	.1023
49-1	.0358	.0565	64-4	.0279	.0387
49-2	.0804	.0914	64-5	.2361	.2813
49-3	.0358	.0565	64-6	.0437	.0544
49-4	.0089	.0122	64-7	.1031	.1215
49-5	.1460	.1484	64-8	.1747	.2354
49-6	.0294	.0374	64-9	.2597	.3415
49-7	.0584	.0574	65-1	.0235	.0256
49-8	.0596	.1286	65-2	.0083	.0123
49-9	.0596	.1286	65-3	.0706	.0394
50-1	2.1618	1.5449	65-4	.0955	.1589
50-2	.2249	.2750	65-5	.1020	.1077
50-3	.7123	.3866	65-6	.0249	.0308
50-4	.3808	.4928	65-8	.1718	.1967
51-1	.4732	.4309	65-9	.0959	.1225
51-2	.7544	.7078	66-1	.1335	.1521
51-3	.6477	.5469	66-2	.2489	.2088
51-6	.3264	.4004	66-3	.1306	.1409
51-8	.4214	.4669	66-4	.0410	.0440
51-9	.3154	.2806	66-5	.1086	.1299
52-1	.2275	.2250	66-7	.0746	.0964
52-4	.8762	.4040	66-8	.1691	.1301
52-6	.2450	.2506	66-9	.9389	1.1782
52-7	.0746	.0964	67-4	.0967	.1220
52-8	.4017	.4901	67-5	.2727	.4213
52-9	.3101	.3760	67-6	.1522	.1847
53-1	.0094	.0135	67-7	4.66*	8.98*
53-5	.0160	.0199	67-8	1.0846	1.0980
53-6	.0188	.0172	67-9	.0681	.1052
53-7	.1167	.1142	68-1	.3776	.2545
61-3	.0182	.0277	68-2	.2118	.2730
61-4	.2076	.2027	68-3	1.8960	1.5451
61-5	.1216	.1578	68-4	.1230	.1576
61-7	.0899	.1087	68-9	1.0015	2.0736
61-8	.2379	.2306	69-1	-	.0562
61-9	.0213	.0233	69-2	.6083	.3585
62-1	.0914	.1098	69-3	2.4133	2.7010
62-2	.3765	.3076	69-4	.1876	.1990
62-3	.0693	.0824	69-5	.1876	.1990
62-4	.0766	.1057	69-6	-	.1990

Rates Effective
January 1, 1984

Class	Accident Fund Base Rate	Medical Aid Fund Rate
69-7	.6494	.5735
69-8	.2631	.2148
69-9	.0451	.0544
71-1	.0243	.0256
71-2	7.20*	27.14*
71-3	.1081	.1108
71-4	.0216	.0209
71-5	.1581	.1456
71-6	.2772	.2683
71-7	.3861	.4111
71-8	.9391	.7929
71-9	2.5333	2.2113
72-1	.1155	.1154
72-2	.0294	.0296
72-3	-	.0575
72-4	-	-
73-1	.2179	.3068
73-2	.2170	.3079
73-7	.2145	.3109
73-8	.1042	.1235
73-9	.0681	.1052

*Daily rate. The daily rate shall be paid in full on any person for any calendar day in which any duties are performed that are incidental to the profession of the worker.

WSR 84-11-035
NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD
[Memorandum—May 14, 1984]

The Forest Practices Board will at 1:00 p.m., June 20, 1984, in Rooms 1417, 1419 and 1420, Library Building, The Evergreen State College, Olympia, Washington, hold a special public meeting. The business to be transacted at the meeting shall be a workshop on cumulative effects of forest practices on the environment.

This meeting will continue at 8:30 a.m., June 21, 1984, with the board members meeting at The Evergreen State College.

Additional information may be obtained by contacting the Division of Private Forestry and Recreation, Department of Natural Resources, Olympia, Washington 98504.

WSR 84-11-036
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)
[Filed May 15, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning advertising, repealing WAC 248-14-050;

that the agency will at 10:00 a.m., Wednesday, June 27, 1984, in the Third Floor Conference Room, H-19, Office Building #2, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 3, 1984.

The authority under which these rules are proposed is RCW 18.51.070.

The specific statute these rules are intended to implement is chapter 18.51 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 27, 1984.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director
Division of Administration and Personnel
Department of Social and Health Services
Mailstop OB 14
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by June 13, 1984. The meeting site is in a location which is barrier free.

Dated: May 10, 1984
By: David A. Hogan, Director
Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.
Re: Repealing WAC 248-14-050.

Purpose of the Rule Change: To delete the requirement that advertisements for nursing homes contain the nursing home's license number.

The Reason this Rule Change is Necessary: To change a department policy.

Statutory Authority: RCW 18.51.070.

Summary of the Rule or Rule Change: Nursing homes will no longer be required to include their nursing home license number in their advertisements.

Person or Persons Responsible for the Drafting, Implementation and Enforcement of the Rule: David D. McKee, Community Services Program Manager II, Bureau of Nursing Home Affairs, Mailstop: OB-31, Phone: (206) 753-3339.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

No economic impact is expected as a result of this change.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 248-14-050 ADVERTISING.

WSR 84-11-037
ADOPTED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Order 84-7—Filed May 15, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to appeals to the Superintendent of Public Instruction, WAC 392-171-566.

This action is taken pursuant to Notice No. WSR 84-038 filed with the code reviser on January 16, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.13.070(7) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 15, 1984.

By Frank Brouillet
 Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 80-31, filed 8/19/80)

WAC 392-171-566 APPEALS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION. (1) Any party aggrieved by the findings and decision in a hearing initiated pursuant to WAC 392-171-531 may appeal to the superintendent of public instruction: PROVIDED, That written notice of such appeal is received by the superintendent of public instruction no later than the thirtieth day after the date upon which the decision was mailed or provided directly to the appealing party. If the thirtieth day falls on a Saturday, Sunday, or state holiday, the time for receipt of notice shall be extended through the next state working day.

(2) All notices of appeal pursuant to this section shall:

(a) Be written;

(b) Specify the party seeking the review;

(c) Specify the alleged error(s) in the findings of fact, conclusions of law, and judgment; ~~((and))~~

(d) ~~((Specify the reason a finding of fact, or conclusion of law or the judgment is alleged to be in error; e.g.,~~

~~specified facts were not considered or given appropriate weight or a specified statute or rule allegedly requires a different conclusion, etc.;~~

~~((e))) Specify any alleged violations of the party's procedural due process rights during the hearing;~~

~~((ff))) (e) Specify the relief requested; and~~

~~((g))) (f) Be provided to the other party (as well as to the superintendent of public instruction).~~

(3) ~~((A party shall be deemed to have waived any objection to any finding of fact, conclusion of law, or judgment or portion of a judgment which the party does not specifically allege to be in error pursuant to subsection (2) of this section.))~~ Upon appeal, all findings of fact, all conclusions of law, and all portions of the judgment shall be subject to review even though a particular item is not requested for review. The other party (i.e., respondent), if appellant is provided an opportunity for written argument, need not file a cross appeal and may raise, without prior notice, an issue for review as part of respondent's appellate brief. In addition, the party cross appealing shall be entitled to reply to original appellant's response to the cross appeal.

(4) The school district shall certify and provide the superintendent of public instruction with the entire original hearing record, including a verbatim written transcript of the oral hearing proceedings within fifteen days after the date of receipt of notification that an appeal has been made to the superintendent of public instruction.

(5) If an appeal is made in accordance with this section, the superintendent of public instruction and/or his or her designee shall conduct an impartial review of the hearing.

(6) The superintendent of public instruction and/or his or her designee shall:

(a) Examine the entire hearing record;

(b) Determine whether or not the procedures at the hearing were consistent with the requirements of due process;

(c) Seek additional evidence if necessary by remanding the matter to the school district or by other means (Note: If a hearing is held to receive additional evidence, the rights set forth in WAC 392-171-551 shall apply.);

(d) Afford the parties an opportunity for written and/or oral argument if deemed advisable and subject to request(s) for an extension of time as set forth in WAC 392-171-571(2) (Note: Briefs should conform to the requirements for appellate briefs set forth in RAP 10.3, to the extent it is reasonably within the ability of the party, and shall avoid the use of the surnames of students and their parents.);

(e) Make an independent decision based upon the preponderance of the evidence; and

(f) Notify the parties of the findings and the decision in writing.

(7) The decision made by the superintendent of public instruction and/or his or her designee is final, unless a party brings a civil action pursuant to 20 United States Code (USC) section 1415.

WSR 84-11-038
ADOPTED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Order 84-8—Filed May 15, 1984]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to State Board of Education—Election of members, chapter 392-109 WAC.

This action is taken pursuant to Notice No. WSR 84-08-057 filed with the code reviser on April 3, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.04.020 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 15, 1984.

By Frank Brouillet
 Superintendent of Public Instruction

NEW SECTION

WAC 392-109-037 **AUTHORITY**. The authority for this chapter is RCW 28A.04.020 which authorizes the superintendent of public instruction to adopt rules and regulations for the conduct of election for members of the state board of education.

AMENDATORY SECTION (Amending Order 82-7, filed 7/28/82)

WAC 392-109-040 **PURPOSE**. The state board of education consists of sixteen voting members elected by the members of public school boards of directors and one nonvoting member elected by private school boards of directors. The purpose of this chapter is to provide for the annual election of members to the state board of education by establishing ~~((definitions))~~ policies and procedures which implement the statutory election process ~~((set forth in RCW 28A.04.020 and the statutes which follow))~~ for such positions.

NEW SECTION

WAC 392-109-043 **ELECTION OFFICER**. In accordance with RCW 28A.04.020 the superintendent of public instruction shall serve as the election officer for the coordination and conduct of the election of members of the state board of education.

NEW SECTION

WAC 392-109-047 **ANNUAL ELECTIONS**. Elections for members of the state board of education shall be conducted annually.

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-050 **INFORMATION NECESSARY FOR THE CONDUCT OF ELECTIONS—RESPONSIBILITY OF SCHOOL OFFICIALS**. It shall be the responsibility of each member of a board of directors to assure that the superintendent of public instruction is provided current and correct information necessary to the conduct of the elections provided for in this chapter. Forms published by the superintendent of public instruction for the purpose of providing the following essential information shall be obtained, completed and submitted on a current basis:

(1) Private schools: The mailing address and previous September enrollment for each private school; and

(2) Public school districts: The name, legal residence, mailing address and congressional district number of residence for each ~~((qualified))~~ member of a board of directors ~~((, and the current September enrollment for the district))~~.

NEW SECTION

WAC 392-109-058 **TENTATIVE CERTIFICATION OF ELECTORS**. On August twenty-first of each year or if such date is a Saturday, Sunday, or holiday the state working day immediately preceding such date, the superintendent of public instruction shall certify a tentative list of electors consisting of all persons eligible to vote if the election were held on that date. Such list shall include the weighted vote for each elector based on the previous year's September enrollment.

AMENDATORY SECTION (Amending Order 81-10, filed 8/7/81)

WAC 392-109-060 **CALL OF ELECTION**. On ~~((or before))~~ August twenty-fifth of each year or if such date is a Saturday, Sunday, or holiday the state working day immediately preceding such date the superintendent of public instruction shall give written notice of an election to be held for each voting position on the state board of education subject to election and for the non-voting position if it is subject to election. Notice shall be accomplished by:

(1) Mailing the call of election notice, declaration of candidacy, biographical data form, tentative certification of electors, calendar and rules to each member of a public school district board of directors; and

(2) Mailing copies of the call of election notice, declaration of candidacy, biographical data form, tentative certification of electors, calendar and rules to each private school addressed as follows: Chairperson of the Board of Directors, c/o Principal or Chief Administrator, (name and address of the particular private school). It shall be the responsibility of each such chairperson to duplicate the call of election notice, calendar and rules if necessary and provide a copy of each to each member of the private school's board of directors.

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-075 **BIOGRAPHICAL DATA FORM.** The superintendent of public instruction shall provide a biographical data form not exceeding two letter size typewritten pages in length which each candidate may complete. Completed forms submitted to the superintendent of public instruction by a candidate must be camera ready. Biographical data forms ~~((with))~~ shall be reproduced as submitted and distributed by the superintendent of public instruction with the ballots to each voter.

NEW SECTION

WAC 392-109-078 **CERTIFICATE OF ELECTORS.** The list of eligible voters shall remain open for changes and deletions until 5:00 p.m. September 26 or in the event such date is a Saturday, Sunday, or holiday, until 5:00 p.m. the working day immediately following such date. The superintendent of public instruction as soon thereafter as is practical shall certify the list of electors and the weighted vote for each elector to be used for election purposes.

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-080 **BALLOTS—CONTENTS.** The ballot for each position subject to election pursuant to this chapter shall contain the names of each candidate eligible for the particular position. Ballots for voting positions shall be prepared for each congressional district and the names of candidates thereon shall be rotated. In addition to the names of candidates, each ballot shall set forth the number of electoral points to which each voter is entitled, as follows:

(1) Public school board members: Each member of a public school district board of directors shall be entitled to a number of electoral points equal to:

(a) The actual number of students enrolled in the school district during September of the current calendar year and reported to the superintendent of public instruction for basic education apportionment purposes; or

(b) If such figure is unavailable by 5:00 p.m. September 26 or in the event such date is a Saturday, Sunday, or holiday, the working day immediately following such date, the actual number of students enrolled and last reported to the superintendent of public instruction for basic education apportionment purposes: PROVIDED, That each member of the board of directors of a public school district that permanently or temporarily has more than five statutory directors shall have his or her electoral points recomputed by multiplying the foregoing enrollment number by a fraction, the denominator of which shall be the number of directors, and the numerator of which shall be five.

(2) Private schools: Each private school board of directors shall be entitled to a number of electoral points equal to the actual number of students enrolled in each private school under the governance of the board during September of the preceding calendar year and reported to the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 81-10, filed 8/7/81)

WAC 392-109-085 **BALLOTS AND ENVELOPES—MAILING TO VOTERS.** (1) On or before October 1 ballots shall be mailed to voters together with two envelopes to be used for voting. The outer and larger envelope (i.e., official ballot envelope) shall:

- (a) Be labeled "official ballot;"
- (b) Be preaddressed with the "superintendent of public instruction" as addressee;
- (c) Have provision for prepaid postage (~~((affixed))~~); and
- (d) Have provision for the identification of the voter, his or her school district or school and his or her congressional district if pertinent.

The inner and smaller envelope shall be unlabeled and unmarked.

(2) One ballot and the two envelopes to be used for voting purposes, any candidates' biographical data and pertinent instructions for voting purposes shall be mailed to each member of a public school district board of directors.

(3) One official ballot, a number of copies of the ballot, two envelopes to be used for voting purposes, any candidates' biographical data and pertinent instructions for voting purposes shall be mailed to each private school addressed as follows: Chairperson of the Board of Directors, c/o Principal or Chief Administrator, (name and address of the particular private school). It shall be the responsibility of each such chairperson to duplicate the ballot, biographical data and pertinent instructions for voting purposes if necessary and provide a copy to each member of the private school's board of directors.

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-090 **VOTING—MARKING AND RETURN OF BALLOTS.** (1) Public school board members: Each member of a public school district board of directors may vote for one of the candidates named on his or her ballot by placing an "x" or other mark in the space provided next to the name of a candidate.

(2) Private school board members: Each member of a private school board of directors shall return his or her marked ballot to the chairperson of the board. The chairperson shall tabulate the votes and be entitled to cast one vote for the candidate who receives a majority of the board members' votes. The chairperson shall then mark the official ballot accordingly.

(3) Return of ballots: Each member of a public school district board of directors and each chairperson of a private school board of directors shall complete voting by:

(a) Placing his or her marked official ballot in the smaller, unmarked envelope and sealing the same;

(b) Placing the smaller envelope containing the ballot in the larger preaddressed envelope marked "official ballot" and sealing the same;

(c) If not already designated, completing ~~((in full))~~ the following information ~~((requested))~~ on the face of the official ballot envelope ~~((including))~~: Name, identification of school district or private school and, in the

case of public school district board members, identification of the congressional district of residence; and

(d) Placing the official ballot envelope in the United States mail or otherwise delivering the ballot to the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-095 ELECTION BOARD—APPOINTMENT AND COMPOSITION. The state board of education shall annually appoint a three member election board and at least one alternate who shall serve thereon in the absence of a regular member of the election board. Votes cast at elections conducted pursuant to this chapter shall be counted by the superintendent of public instruction or his or her designee and the election board.

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-100 RECEIPT OF BALLOTS AND COUNT OF VOTES. (1) As official ballot envelopes are received by the superintendent of public instruction, a preliminary determination shall be made as to the eligibility of the voter, and a record shall be made on a list of eligible voters and private schools that the voter or school has voted. Official ballot envelopes not submitted in compliance with this chapter and other envelopes containing ballots shall be set aside for a final review and acceptance or rejection by the election board.

(2) The election board shall convene for the purpose of counting votes on ((or before)) October 25 or if such date is a Saturday, Sunday, or holiday, the state working day immediately preceding such date at a date, time and place designated by the superintendent of public instruction. Official ballot envelopes that are accepted by the election board shall be opened, and the inner envelopes containing ballots shall be removed and placed aside, still sealed. The inner envelopes shall then be opened and the votes counted by the election board.

(3) No record shall be made or maintained of the candidate for which any voter cast his or her vote.

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-105 INELIGIBLE VOTES. The following ballots and votes shall be declared void and shall not be accepted:

- (1) Votes for write-in candidates;
- (2) Votes cast on other than an official ballot provided pursuant to this chapter;
- (3) Ballots which contain a vote for two or more of the named candidates;
- (4) Ballots contained in other than an official ballot envelope provided pursuant to this chapter;
- (5) Ballots contained in an official ballot envelope upon which the voter ((has either failed to place his or her name or the name of the private school in the case of ballots submitted by the chairperson of a private school board of directors)) is not designated by name;

(6) Ballots received after 5:00 p.m. October 16: **PROVIDED**, That any ballot that is postmarked on or before midnight October 16 and received prior to the initial counting of votes by the election board shall be accepted: **PROVIDED FURTHER**, That any ballot received pursuant to the United States mail on or before 5:00 p.m. on October 21 that is not postmarked or legibly postmarked shall also be accepted; and

(7) Such other ballots or votes as the election board shall determine to be unidentifiable or unlawful.

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-110 RECOUNT OF VOTES CAST—AUTOMATIC—BY REQUEST. (1) Automatic: A recount of votes cast shall be automatic if the electoral point difference between any two viable candidates for the same position is less than the largest number of electoral points on a single ballot cast for the position. For the purpose of this section, the term viable candidate shall mean any candidate whose election outcome either for election or primary purposes could be changed if the electoral point difference noted above were added to his or her total votes.

(2) Upon request: If no automatic recount is conducted, a recount of votes cast shall be afforded any candidate as a matter of right: ((PROVIDED, That)) The request shall be made in writing and received by the superintendent of public instruction within seven calendar days after the date upon which the votes were counted by the election ((committee)) board.

AMENDATORY SECTION (Amending Order 81-10, filed 8/7/81)

WAC 392-109-115 CERTIFICATION OF ELECTION. Within ten calendar days after the date upon which the votes were counted, but no sooner than eight calendar days after the votes were counted by the election board, the superintendent of public instruction shall officially certify the name or names of candidates elected by signing and forwarding written notice to the secretary of state.

WSR 84-11-039
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed May 16, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning Permits—Fees established, WAC 314-38-020;

that the agency will at 9:30 a.m., Wednesday, June 27, 1984, in the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 66.08.030, 66.20.010 and 66.98.070.

The specific statute these rules are intended to implement is RCW 66.20.010 and 66.24.010.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 27, 1984.

Dated: May 16, 1984
By: Robert D. Hannah
Chairman

STATEMENT OF PURPOSE

Title: WAC 314-38-020 Permits—Fees established.

Description of Purpose: The purpose of these amendments is to establish fees for the permits authorized by RCW 66.20.010 (10) and (11).

Statutory Rule-Making Authority: RCW 66.08.030, 66.20.010 and 66.98.070.

Statute Implemented by the Rule: RCW 66.20.010 and 66.24.010.

Summary of Rule: WAC 314-38-020(10) is summarized as follows: This subsection establishes a fee of \$30.00 for a special permit which may be issued to a manufacturer, importer, or agent thereof to donate and/or serve liquor without charge to delegates and guests at an international trade fair, show or exposition held under the auspices of a federal, state, or local government entity or organized and promoted by a nonprofit organization. WAC 314-38-020(11) is summarized as follows: This subsection establishes a fee of \$75.00 for an annual special permit which may be issued to a person operating a bed and breakfast lodging facility to donate or serve wine or beer without charge to overnight guests of the facility if the wine or beer is for consumption on the premises of the facility. "Bed and breakfast lodging facility," as defined in RCW 66.20.010(11), means a hotel or similar facility offering from one to eight lodging units and breakfast to travelers and guests.

Reason Supporting Proposed Action: The rule is necessary to implement house bills enacted in the 1983 and 1984 legislative sessions and to establish fees and qualifications for such permits.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Ray Hensel, Supervisor, License Division, Capital Plaza Building, Olympia, WA 98504, Phone: (206) 753-6259.

Person or Organization Proposing Rule: This rule was proposed by the Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: This rule was not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: Cost impact for both small and large businesses is estimated to be minimal to zero.

Discussion: The proposed rule does not require any additional reporting or paper work than is currently being required.

AMENDATORY SECTION (Amending Order 133, Resolution No. 142, filed 11/23/83)

WAC 314-38-020 PERMITS—FEES ESTABLISHED. The fees for permits authorized under RCW 66.20.010 are hereby established as follows:

(1) A fee of five dollars is established for a special permit as authorized by RCW 66.20.010(1).

(2) The fee for a special permit as authorized by RCW 66.20.010(2) for purchase of five gallons or less is established as five dollars and for purchase of over five gallons is established as ten dollars.

(3) A fee for a banquet permit, as authorized by RCW 66.20.010(3), is established in WAC 314-18-040.

(4) The fee for a special business permit, as authorized by RCW 66.20.010(4), is established in WAC 314-38-010(2).

(5) The fee of ten dollars is established for a special permit as authorized by RCW 66.20.010(5).

(6) A fee of five dollars is established for a special permit as authorized by RCW 66.20.010(6).

(7) A special permit as authorized by RCW 66.20.010(7) shall be issued without charge to those eligible (~~(entities {entities})~~) entities.

(8) The fee of twenty-five dollars is established for a special permit as authorized by RCW 66.20.010(8).

(9) The fee of twenty-five dollars is established for a special permit as authorized by RCW 66.20.010(9).

(10) The fee of thirty dollars is established for a special permit as authorized by RCW 66.20.010(10).

(11) The fee of seventy-five dollars is established for a special permit as authorized by RCW 66.20.010(11).

WSR 84-11-040

PROPOSED RULES

DEPARTMENT OF REVENUE

[Filed May 16, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning:

Amd	WAC 458-61-030	Definitions.
Amd	WAC 458-61-060	Disposition of proceeds.
Amd	WAC 458-61-080	Affidavit requirements.
Amd	WAC 458-61-100	Refunds of tax paid.
Amd	WAC 458-61-210	Assignments—Purchasers.
Amd	WAC 458-61-220	Assignments—Sellers.
Amd	WAC 458-61-230	Bankruptcy.
Amd	WAC 458-61-320	Corporation—Nonfamily.
Amd	WAC 458-61-400	Fulfillment deed.
Amd	WAC 458-61-510	Lease with option to purchase.
Amd	WAC 458-61-570	Partnership—Nonfamily;

that the agency will at 2:00 p.m., Tuesday, June 26, 1984, in the Evergreen Plaza Building, Room 301, 711 South Capitol Way, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 82.45.120 and 82.45.150.

The specific statute these rules are intended to implement is chapter 82.45 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 26, 1984.

Dated: May 16, 1984
By: Trevor W. Thompson
Assistant Director

STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue, as follows:

Title: Chapter 458-61 WAC, Real estate excise tax.

Purpose: To further clarify and prescribe minimum standards for reporting and determining which transactions are subject to the real estate excise tax under the provisions of chapter 82.45 RCW.

Statutory Authority: RCW 82.45.120 requires the Department of Revenue to prescribe minimum standards for uniformity in reporting, application and collection of the real estate excise tax. RCW 82.45.150 requires the department to provide by rule for the effective administration of the real estate excise tax which rules shall include a manual that defines which transactions are taxable.

Summary and Reasons for the Rule: These rules provide for the effective administration and enforcement of the real estate excise tax by defining and clarifying which transactions are taxable, the manner in which the tax is collected, and the forms to be used for reporting of sales.

Drafter of the Rule: Tom Reeves, Evergreen Plaza Building, Room 301, 711 South Capitol Way, Olympia, Washington 98501, (206) 753-1381.

Rule Implementation and Enforcement: Trevor W. Thompson, Evergreen Plaza Building, Room 301, 711 South Capitol Way, Olympia, Washington 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: No federal laws involved or action required by the courts.

Small Business Impact: None.

AMENDATORY SECTION (Amending Order PT 82-10, filed 12/28/82)

WAC 458-61-030 DEFINITIONS. For the purposes of chapter 458-61 WAC, unless otherwise required by the context:

(1) "Affidavit" shall mean the real estate excise tax affidavit which the department shall prescribe and furnish to the county treasurers. Such affidavit shall require the following information:

- (a) Identification of the seller and purchaser, including their current mailing addresses;
- (b) Legal description of the property transferring, including the tax parcel or account numbers;
- (c) Date of sale;
- (d) Type of instrument of sale;
- (e) Nature of transfer;
- (f) Gross sales price;
- (g) Value of personal property involved in the transfer;
- (h) Taxable sales price;
- (i) Whether or not the land is classified or designated as forest land under chapter 84.33 RCW;
- (j) Whether or not the land is classified as open space land, farm and agricultural land, or timber land under chapter 84.33 RCW;
- (k) Whether or not the property is exempt from property tax under chapter 84.36 RCW, at the time of sale;
- (l) Whether or not the property is:
 - (i) Land only;
 - (ii) Land with new building; or
 - (iii) Land with a previously used building;

(m) A notice of continuance, signed by all new owners, for classified forest land (RCW 84.33.120), designated forest land (RCW 84.33.180) (RCW 84.33.130) or classified open space land, farm and agricultural land or timber land (RCW 84.34.108) shall be signed for those affidavits conveying land subject to the provisions of chapters 84.33 and 84.34 RCW, if the new owner desires to continue said classification or designation. Prior to acceptance of the affidavit by the county treasurer, the county assessor shall be consulted by the new owners to determine if the land qualifies for continued classification or designation. The assessor shall note on the affidavit whether or not it qualifies;

(n) The affidavit shall list the following questions, the responses to which are not required:

- (i) Is this property at the time of sale subject to an elderly, disability, or physical improvement exemption?
- (ii) Does any building have a heat pump or solar heating or cooling system?
- (iii) Does this transaction divide a current parcel of land?
- (iv) Does this transaction include current crops or merchantable timber?
- (v) Does this transaction involve a trade, or partial interest, corporate affiliates, related parties, a trust, a receivership, or an estate?
- (vi) Is the grantee acting as a nominee for a third party?
- (vii) Is the principal use of the land agricultural, apartments (four or more units), commercial, condominium, industrial, mobile home site, recreational, residential, or growing timber?
- (o) The affidavit form shall contain a statement of the potential compensating and additional tax liability under chapter 84.34 RCW, a statement of the collection of taxes under RCW 84.36.262 and 84.36.810, and a statement of the applicable penalties for perjury under chapter 9A.72 RCW.

Each county shall use the affidavit form prescribed and furnished by the department of revenue.

The affidavit shall be signed by either the seller or the buyer, or the agent of either, under oath attesting to all required information.

(2) "Consideration" shall mean money or anything of value, either tangible or intangible, paid or delivered or contracted to be paid or delivered or services performed or contracted to be performed in return for real property or estate or interest in real property. The term shall further include the market value of real property transferred to a corporation by its shareholders, officers, or corporate affiliates so as to increase the assets of the grantee corporation.

(3) "Court decree" and "court order" shall have the same meaning and may be used interchangeably for the purposes of these rules. This shall be the judgment of a court of competent jurisdiction.

((3)) (4) "Date of taxability" shall mean the date of transfer as defined in subsection ((4)) (15) of this section.

((4)) (5) "Department" shall mean the Washington state department of revenue.

((5)) (6) "Mining property" shall mean property containing or believed to contain metallic minerals and sold or leased under terms which require the purchaser or lessee to conduct exploration or mining work thereon and for no other use. (RCW 82.45.035)

((6)) (7) "Mobile home" shall mean a mobile home as defined by RCW 46.04.302, as now or hereafter amended. (RCW 82.45.032)

((7)) (8) "Mortgage" shall have its ordinary meaning and shall include "deed of trust" for the purposes of these rules, unless the context clearly indicates otherwise.

((8)) (9) "Nominal sales prices" shall mean sales prices stated on the real estate excise tax affidavit that are so low in comparison to the actual value of the real estate as to cause disbelief by a reasonable person.

((9)) (10) "Nonsale" as defined by RCW 82.45.010 includes those real property transfers which, by their nature, are exempt from the real estate excise tax (see WAC 458-61-080: Affidavit requirements):

- (a) Gift, device or inheritance (see WAC 458-61-410 and 458-61-460);
- (b) Leasehold interest, other than option to purchase real property, including timber (see WAC 458-61-500);
- (c) Cancellation or forfeiture of a vendee's interest in a real estate contract, whether or not such contract contains a forfeiture clause (Note: Tax exemption applies only to transfer back to original vendor or contract holder and is not the basis for refund of tax paid on original transfer — See WAC 458-61-210(1); see also WAC 458-61-330);
- (d) Deed in lieu of foreclosure of a mortgage (where no consideration passes otherwise. See WAC 458-61-210(2));

(e) Assumption of mortgage, deed of trust, or real estate contract where no consideration passes otherwise ~~((Note: Tax exemption does not apply to real estate contracts — See WAC 458-61-210(3)))~~;

(f) Deed in lieu of forfeiture of a real estate contract, where no consideration passes otherwise (see WAC 458-61-210(4));

(g) Partition of property by tenants in common, whether by agreement or court decree (see WAC 458-61-650);

(h) Divorce decree or property settlement incident thereto (see WAC 458-61-340);

(i) Seller's assignment (see WAC 458-61-220);

(j) Condemnation by governmental body (see WAC 458-61-280);

(k) Security documents (mortgage, real estate contract, or other security interests apart from actual title) (see WAC 458-61-630);

(l) Court ordered sale or execution of judgment (see WAC 458-61-330);

(m) Transfer prior to imposition of this tax under chapter 82.45 RCW or previous chapter 28A.45 RCW;

(n) The transfer of any grave or lot in an established cemetery (see WAC 458-61-250); and

(o) A transfer to or from the United States, the state of Washington or any political subdivision thereof, or a municipal corporation of this state. (See WAC 458-61-420)

~~((+))~~ (11) "Real estate" shall mean real property, including improvements the title to which is held separately from the title to the land to which the improvements are affixed, the term also includes used mobile homes. (RCW 82.45.032)

~~((+))~~ (12) "Sale" shall have its ordinary meaning and shall include any conveyance, grant, assignment, quitclaim, exchange, or transfer of the ownership of or title to real property, including standing timber, or any estate or interest therein for a valuable consideration, and any contract for such conveyance, grant, assignment, quitclaim, exchange, or transfer, and any lease with an option to purchase real property, including standing timber, or any estate or interest therein or other contract under which possession of the property is given to the purchaser, or any other person by his/her direction, which title is retained by the vendor as security for the payment of the purchase price. (RCW 82.45.010)

~~((+))~~ (13) "Seller" shall mean any individual, receiver, assignee, trustee for a deed of trust, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, municipal corporation, quasi municipal corporation, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit or otherwise; but it shall not include the United States or the state of Washington or any political subdivision thereof, or a municipal corporation of this state. (RCW 82.45.020)

~~((+))~~ (14) "Selling price" shall mean consideration, including money or anything of value, paid or delivered or contracted to be paid or delivered in return for the transfer of the real property or estate or interest in real property, and shall include the amount of any lien, mortgage, contract indebtedness, or other incumbrance, either given to secure the purchase price, or any part thereof, or remaining unpaid on such property at the time of sale. The term shall not include the amount of any outstanding lien or encumbrance in favor of the United States, the state of Washington or a municipal corporation for the taxes, special benefits, or improvements. The value maintained on the county assessment rolls at the time of the transaction will be used for the sales price if such cannot otherwise be ascertained. In the event that the property is under current use assessment, the market value assessment maintained by the county assessor shall be used for the sales price. (RCW 82.45.030)

~~((+))~~ (15) "Date of transfer," "date of sale," "conveyance date" and "transaction date" shall have the same meaning and may be used interchangeably for the purposes of these rules. This shall be the date shown on the ~~(conveyance)~~ instrument of conveyance or sale.

~~((+))~~ (16) "Used mobile home" shall mean a mobile home which has been previously sold at retail and a previous sale has already been subject to the retail sales tax under chapter 82.08 RCW, or which has been previously used and a previous use has already been subject to the use tax under chapter 82.12 RCW, and which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe connections with sewer, water, and other utilities. (RCW 82.45.032)

~~((+))~~ (17) "Wilful fraud" shall mean knowingly making false statements or taking actions so as to intentionally underpay or not pay the proper real estate excise tax due on the transfer of real estate.

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-060 DISPOSITION OF PROCEEDS. The county treasurer shall place one percent of the proceeds of the tax imposed by chapter 82.45 RCW exclusive of any delinquent interest and/or penalties in the county current expense fund to defray costs of collection and shall pay over to the state treasurer and account to the department for the remainder of the proceeds at the same time the county treasurer remits funds to the state under RCW 84.56.280. (RCW 82.45.180)

Any requests from county treasurers for adjustments to the funds which have been distributed to the state treasurer must be sent to the department ~~((of))~~ for approval or denial. The department will forward all such requests which it approves to the state treasurer and return the requests it denies to the county treasurers along with an explanation for such denial.

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-080 AFFIDAVIT REQUIREMENTS. (1) Except for the transfers listed under subsection (2) of this section, the real estate excise tax affidavit shall be required for all transfers of real property including, but not limited to, the following:

(a) Conveyance from one spouse to the other as a result of a decree of divorce or dissolution of a marriage or in fulfillment of a property settlement agreement incident thereto;

(b) Conveyance made pursuant to an order of sale by the court in any mortgage or lien foreclosure proceeding;

(c) Conveyance made pursuant to the provisions of a deed of trust;

(d) Conveyance of an easement in which consideration passes;

~~(e) ((A seller's assignment of deed and contract;~~

~~(f) A fulfillment deed;~~

~~(g))~~ A deed in lieu of foreclosure of mortgage;

~~((+))~~ (f) A deed in lieu of forfeiture of a real estate contract;

~~((+))~~ (g) Conveyance to the heirs in the settlement of an estate;

~~((+))~~ (h) Conveyance to or from the United States, the state of Washington, or any political subdivision or municipal corporation of this state.

(2) The real estate excise tax affidavit shall not be required for the following:

(a) Conveyance of cemetery lots or graves;

(b) Conveyance for security purposes only and the instrument states on the face of it:

(i) For security only;

(ii) To secure a debt;

(iii) Assignment of a debt;

(iv) For collateral purposes only;

(v) Release of collateral;

(vi) To release security;

(c) A lease of real property that does not contain an option to purchase;

(d) A mortgage or deed of trust or satisfaction thereof;

(e) Conveyance of an easement in which no consideration passes or an easement to the United States, the state of Washington, or any political subdivision or municipal corporation of this state;

(f) A recording of a contract that changes only the contract terms and not the legal description, purchaser, or sales price, if the affidavit number of the previous transaction is reported;

~~(g) A seller's assignment of deed and contract;~~

~~(h) A fulfillment deed.~~

(3) County treasurers shall not accept incomplete affidavits.

(a) Among other requirements set forth in WAC 458-61-030(1), all affidavits which state claims for tax exemption must show:

(i) Current assessed values of parcels involved as of transaction date; and

(ii) Complete reasons for exemptions (in all cases where the exemption is based upon a prior payment of the tax, the prior payment date, amount and affidavit number must be provided on the current affidavit: See WAC 458-61-400).

(b) A quitclaim deed is a conveyance instrument. It is not, in itself, a reason for tax exemption. A valid reason for the exemption must be shown on the affidavit.

(c) Statements such as "to clear title only" are not complete reasons for tax exemption. In this instance it must be stated that the grantee had prior title or an encumbrance upon such title and the prior affidavit number, county auditor's document number and the prior transaction date must be shown.

(d) When the transfer of property is to two or more grantees, the affidavit must clearly state the relationship between them such as joint tenants, tenants in common, partners, etc., and the form and proportion of interest that they are each acquiring.

(e) In the case of a used mobile home that is sold with the land upon which it is located, the county treasurer may require the completion of either two affidavits, both real and mobile home, or a single real property affidavit. At the county treasurer's option, a separate mobile home affidavit ((is)) may not be required if the ((primary)) real property affidavit lists the make, model, year, size and serial number of the unit. Such information should be contained as a separate item within the legal description portion of the affidavit.

AMENDATORY SECTION (Amending Order PT 82-10, filed 12/28/82)

WAC 458-61-100 REFUNDS OF TAX PAID. (1) Taxpayers seeking to contest the application of the real estate excise tax upon a particular transfer of real property must pay the tax prior to petition for refund.

(2) Taxpayers shall obtain copies of the "Petition for Real Estate Excise Tax Refund" form from the county treasurers' offices, as provided by the department. After completing the form, the taxpayer shall submit the form and all documentation supporting the claim for refund to the county treasurer's office in the county where the tax was originally paid.

(3) If the taxpayer submits the petition for refund before the county treasurer has sent to the department the copy of the affidavit which receipted the tax payment now in question, the county treasurer is authorized to void the receipted affidavit copies, based upon the criteria listed in subsection (5) of this section, and issue the refund. If the county treasurer authorizes and issues such refund, the voided copy of the affidavit, with a copy of the refund petition attached, must be included in the monthly affidavit batch sent to the department. If the county treasurer does not authorize such refund, the treasurer shall send the petition for refund, along with a copy of the affidavit and all supporting records, to the department. The procedure for petitions sent to the department shall follow subsection (4) of this section.

(4) If the taxpayer submits the petition for refund after the county treasurer has sent to the department the copy of the affidavit which receipted the payment now in question, the county treasurer shall verify the information on the petition and forward it to the department with a copy of the affidavit and any other supporting records furnished by the taxpayer. The department shall approve or deny the refund ((within twenty working days after receipt of the petition. If approved, the refund shall be paid to the taxpayer (along with appropriate interest) within ten working days after the taxpayer has complied with provisions of subsection (7) of this section)). If denied, the petition for refund shall be returned to the petitioner with the reason for denial. The taxpayer may then appeal the imposition of the tax under the appeal procedures. See WAC 458-61-110: Tax appeals. If such petition is denied, the department will return to the petitioner all supporting documents which are submitted with the petition for refund.

The authority of the department to issue tax refunds under this chapter is limited to the following:

- (a) Transactions that are completely rescinded with both parties restored to their original positions. In such case monies paid by the purchaser are not retained by the seller;
 - (b) Sales rescinded by court order. In such case a copy of the court decision must be attached to the department's affidavit copy by the county treasurer (see also WAC 458-61-330 - Court order);
 - (c) Double payment of the tax;
 - (d) Overpayment of the tax through error of computation;
 - (e) Failure of a taxpayer to claim tax exemption for a transfer which was properly exempt;
 - (f) Nonpayment of valuable consideration by grantee.
- (5) The authority of the county treasurers to issue tax refunds under subsection (2) of this section is limited to the following reasons:
- (a) Double payment of the tax;
 - (b) Overpayment of tax through error of computation;
 - (c) Failure of a taxpayer to claim tax exemption for a transfer which was properly exempt;
 - (d) Rescission of sale prior to closing; or
 - (e) Nonpayment of valuable consideration by grantee.
- (6) Only the taxpayer or authorized agent may petition for a refund of tax.
- (7) Refunds approved by the county treasurer or by the department ((the refund)) shall be paid to the petitioner:

(a) After the real estate excise tax receipt stamp has been voided on the conveyance instrument provided that this conveyance instrument has not been recorded; or

(b) In the case where the conveyance instrument was recorded, after a second conveyance instrument has been recorded to reverse the effect of the original conveyance instrument.

In either of the above procedures (a) or (b), the county treasurer or department shall advise the petitioner of the approval of the refund and the necessity to provide the unrecorded conveyance instrument or a reversing conveyance instrument. ((At this time the taxpayer is also required to provide the receipted affidavit copy to be voided in like manner:)) The county treasurer shall note the issuance of the refund on the affidavit copy maintained in county files and shall notify the county assessors office of the refund.

AMENDATORY SECTION (Amending Order PT 82-10, filed 12/28/82)

WAC 458-61-210 ASSIGNMENTS—PURCHASERS. (1) ((The real estate excise tax does not apply to the cancellation or forfeiture of a vendee's interest in a contract for the sale of real property. Whether or not such contract contains a forfeiture clause. (RCW 82-45.010) (Note: This tax exemption applies only to real estate contracts being transferred to the original vendor or contract holder — not to other parties:))

(2) ~~The real estate excise tax does not apply to the transfer of a deed in lieu of foreclosure of a mortgage, whether transferred to the original mortgage holder or to a third person, provided that no consideration otherwise passes to the grantor of such deed in lieu of foreclosure. (Note: If the transfer is to a party other than the current lienholder, the grantor must furnish a notarized statement signed by both the grantor and grantee that no additional consideration of any kind is being paid by the grantee to the grantor or to any party other than the current mortgage holder or holders.)~~

(3) ~~The real estate excise tax does not apply to the assumption by a grantee of the balance owing on an obligation which is secured by a mortgage, provided that no consideration otherwise passes. Such assumption may be by third persons as well as the original seller or mortgage holder. (Note: This tax exemption applies only to transfers made for the purpose of avoiding foreclosure of mortgage. The grantor must furnish a notarized statement signed by both the grantor and grantee that no additional consideration of any kind is being paid by the grantee to the grantor or to any other third party other than the current mortgage holder or holders. This tax exemption does not apply to the assumption of debt secured by a real estate contract.)~~

(4) ~~The real estate excise tax does not apply to the transfer of deed in lieu of foreclosure of the vendee's interest in a contract of sale where no consideration otherwise passes. Such transfer may be to third persons as well as to original seller or contract holder. (Note: If the transfer is to a party other than the current lienholder, the grantor must furnish a notarized statement signed by both the grantor and grantee that no additional consideration of any kind is being paid by the grantee to the grantor or to any party other than the current contract holder or holders.)~~

(5)) The real estate excise tax does not apply to the following types of purchaser's assignments, provided that no consideration passes to the grantor:

- (a) Deed in lieu of foreclosure of mortgage;
- (b) Assumption by a grantee of the balance owing on an obligation which is secured by a mortgage, deed of trust or real estate contract; and
- (c) Cancellation or forfeiture of the vendee's interest in a contract of sale.

The real estate excise tax affidavit is required for each of the above. If the transfer is to a third party other than the current lienholder, the grantor must furnish a notarized statement signed by both the grantor and grantee that no additional consideration of any kind is being paid by the grantee to the grantor or to any party other than current lien holders.

(2) The real estate excise tax applies to transfers where the purchaser of real property assigns his/her interest in such property and receives valuable consideration for that interest. The measure of the real estate excise tax is the sum of the consideration paid or contracted to be paid to the grantor of such assignment plus the unpaid principal balance due on the assigned mortgage or real estate contract. (Note: The consideration passing to the assignor of such interest in real property nullifies the exemptions granted in subsection((s)) (1) ((through (4))) of this section, because each of these exemptions is granted upon

the condition that no (~~valuable~~) consideration passes to the transferor of the interest of real property.)

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-220 ASSIGNMENTS—SELLERS. The real estate excise tax does not apply where the vendor of real property assigns his/her interest to a third party. The (~~current~~) real estate excise tax affidavit ((must show reference to the prior affidavit number and date and indicate the amount of tax paid)) is not required. The instrument must be stamped by the county treasurer as required by RCW 82.45-.090. Such stamp shall show the affidavit number, date, and amount of tax paid on the prior sale.

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-230 BANKRUPTCY. A conveyance of real property by a trustee in bankruptcy is taxable under the real estate excise tax when made by a trustee conducting the business of the bankrupt (~~unless such transfer is specifically court ordered~~). However, such a conveyance is not taxable when made by a trustee authorized only to liquidate the bankrupt's estate. (~~Therefore, the real estate excise tax applies to the sale of real property by a trustee under a chapter 11 reorganization but does not apply to a sale under a chapter 7 liquidation~~.) For such tax exemption to be approved, the trustee must attach to the affidavit a supplemental statement which affirms that the trustee is authorized only to liquidate the bankrupt's estate.

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-320 CORPORATION—NONFAMILY. The real estate excise tax applies to all real property transfers between a corporation and its stockholders, officers, corporate affiliates, or other parties, including those between corporations and partnerships except the following transfers which are not taxable:

(1) Corporate mergers, consolidations and acquisitions which are accomplished by stock transfers.

(2) Corporate dissolution, except in a case where the stockholders assumed or agreed by contract to assume the liabilities of the dissolving corporation. In such event, the real estate excise tax applies to the extent of the liabilities assumed by the stockholder.

(3) Transfers between a parent corporation and its wholly-owned subsidiary corporation or between two or more subsidiary corporations, each of which is wholly-owned by the same parent corporation where no consideration passes, including issuance of stock.

(4) Transfer of real property to a newly-formed, beneficiary corporation from an incorporator as defined in RCW 23A.12.010 to the newly-formed corporation: PROVIDED, That (a) the proper real estate excise tax was paid on the original transfer to the incorporator; and (b) that it was documented on or before the original transfer that the incorporator was receiving title to the property on behalf of that corporation during its formation process. This tax exemption does not apply where a real property owner had acquired title in his/her own name and later transferred title to the corporation upon formation.

(5) Real property transfers qualifying for other tax exemptions under chapter 458-61 WAC.

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-400 FULFILLMENT DEED. A deed given the vendee in fulfillment of the terms of mortgage or contract is not subject to the real estate excise tax, provided that the proper tax was paid on the original transaction. The real estate excise tax affidavit is not required (~~and must show reference to the prior affidavit which receipted the tax payment. (WAC 458-61-080(1)(f))~~). The fulfillment deed must be stamped by the county treasurer as required by RCW 82.45.090. Such stamp shall show the affidavit number, date, and amount of tax paid on the original sale.

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-510 LEASE WITH OPTION TO PURCHASE. The real estate excise tax shall apply to a lease with option to purchase when the purchase option is exercised:

(1) If the option to purchase must be exercised within a period no longer (~~than~~) than two years after the original commencement of the lease and the amount of lease payments will not exceed half of the purchase price; or

(2) If none of the lease payments apply toward the ultimate sales price.

Transactions lacking the above criteria are taxable at the time that the lease with option to purchase agreement originates. The sales price shall be considered to be the purchase price stated in the lease-option agreement. If the selling price is not stated in the instrument, the grantor, grantee or the agent of either shall, by affidavit, state the option price intended and the tax levied hereunder shall be on such stated option price: PROVIDED, That upon execution and delivery of the instrument of conveyance or transfer pursuant to such option a second affidavit stating the actual consideration shall be filed with the county treasurer. If the actual consideration passing is greater than the option price stated in the affidavit filed at the time the lease-option was executed, there shall be collected the tax on such additional amounts prior to the time the deed is accepted for recording. If the actual consideration is the same as the option price originally stated, no additional tax will be collected. If the actual consideration is less than the option price stated, refund of excess tax shall be made.

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-570 PARTNERSHIP—NONFAMILY. (~~Formation. The real estate excise tax applies to the transfer of real property into partnership. The gross taxable value of the transfer is the fair market value of the transferred property.~~)

(2) ~~Dissolution. The real estate excise tax applies to the transfer of real property upon the dissolution of a partnership. The gross taxable value is the fair market value of the transferred real property.~~

(3) ~~On-going.~~

(a) ~~The real estate excise tax does not apply to the assignment of partnership interest where the title to real property is not transferred.~~

(b) ~~The real estate excise tax applies to the transfer of partnership real property in exchange for valuable consideration. The real estate excise tax applies to the transfer of real property into or out of partnership, including transfers between partnerships and corporations, except the following transfers which are not taxable:~~

(1) ~~The distribution of real property to the individual partners when such distribution is in proportion to each partner's interest and no consideration passes otherwise. The tax applies only where consideration passes or where a partner receives a distribution of real property that exceeds his pro rata share of interest in the partnership.~~

(2) ~~Transfers of real property from tenants in common or joint tenants to partnerships, or vice versa, where the same individuals are both the grantors and grantees and their share of real property ownership is not changed by the transfer and no consideration passes.~~

(3) ~~The assignment of partnership interest where the title to real property is not transferred, provided that no more than fifty percent of the interest in such partnership is so assigned within any twelve-month period.~~

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-590 RESCISSION OF SALE. The real estate excise tax does not apply to the transfer back of property from vendee to vendor. The tax paid on the original transfer is not refundable unless (~~the rescission of sale is pursuant to a court decree~~) both parties are restored to their original positions. (See WAC 458-61-330(~~Court order~~)); and 458-61-100(4)(a).)

AMENDATORY SECTION (Amending Order PT 82-5, filed 7/21/82)

WAC 458-61-680 TRUST. The real estate excise tax does not apply to (~~either~~) a conveyance to a (~~trustee or to a conveyance from the trustee to the original grantor or beneficiary~~) trust which names the grantor or the grantor's spouse and/or children as beneficiaries. The tax does not apply to a conveyance from a trustee to the original grantor or a beneficiary where no consideration passes. The real estate excise tax applies to the sale of real property by the trustee to a third party for valuable consideration. (See WAC 458-61-410: Gifts and WAC 458-61-460: Inheritance)

WSR 84-11-041

ADOPTED RULES

BOARD OF

PILOTAGE COMMISSIONERS

[Order 84-3, Resolution No. 84-3—Filed May 16, 1984]

Be it resolved by the Washington State Board of Pilotage Commissioners, acting at Coleman Dock, Seattle, Washington 98104, that it does adopt the annexed rules relating to marine pilot liability, trip insurance rule, repealing WAC 296-116-330.

This action is taken pursuant to Notice No. WSR 84-07-028 filed with the code reviser on March 16, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Board of Pilotage Commissioners as authorized in RCW 88.16.035(1).

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 10, 1984.

By Ralph E. White
Chairman

WSR 84-11-042

RULES OF COURT

STATE SUPREME COURT

[May 4, 1984]

IN THE MATTER OF THE ADOPTION OF AMENDMENTS TO GR 10(a) NO. 25700-A-354 ORDER

Amendments to GR 10(a) having been proposed and the Court having determined that the proposed amendments will aid in the prompt and orderly administration of justice; Now, therefore, it is hereby

ORDERED:

Pursuant to emergency provisions of GR 9(i):

(a) That the amendments as attached hereto are adopted.

(b) That the amendments will be published expeditiously in the Washington Reports and will become effective upon this publication.

DATED at Olympia, Washington, this 4th day of May, 1984.

William H. Williams

Hugh J. Rosellini

Charles F. Stafford

Fred H. Dore

Robert F. Utter

Carolyn R. Dimmick

Robert F. Brachtenbach

Vernon R. Pearson

GR 10(a)

(a) The Chief Justice shall appoint an Ethics Advisory Committee consisting of seven members. ~~each to serve a 2-year term.~~ Of the members first appointed, four shall be appointed for two years, and three shall be appointed for three years. Thereafter, appointments shall be for a 2-year term. One member shall be appointed from the Court of Appeals, two members from the superior courts, two members from the courts of limited jurisdiction, one member from the Washington State Bar Association, and the Administrator for the Courts. The Chief Justice shall designate one of the members as chairman. The committee (1) is designated as the body to give advice with respect to the application of the provisions of the Code of Judicial Conduct to officials of the Judicial Branch as defined in article 4 of the Washington Constitution and (2) shall from time to time submit to the Supreme Court recommendations for necessary or advisable changes in the Code of Judicial Conduct.

WSR 84-11-043

ADOPTED RULES

STATE BOARD

OF EDUCATION

[Order 2-84—Filed May 17, 1984]

Be it resolved by the State Board of Education, acting at Pasco, Washington, that it does adopt the annexed rules relating to state support of public schools, chapter 180-16 WAC.

This action is taken pursuant to Notice No. WSR 84-08-051 filed with the code reviser on April 2, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.58.754(6) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 11, 1984.

By Monica Schmidt
Secretary

NEW SECTION

WAC 180-16-002 AUTHORITY. The authority for this chapter is RCW 28A.58.754(6) which authorizes the state board of education to adopt rules that implement and ensure compliance with the basic program of education requirements of RCW 28A.41.130, 28A-41.140, and 28A.58.754 and such related basic program of education requirements as may be established by the state board of education.

NEW SECTION

WAC 180-16-006 PURPOSE. The purpose of this chapter is to set forth rules to:

(1) Establish procedures and policies for state board of education approval of school district programs for the purpose of entitlement to state basic program of education support, including the provisions of RCW 28A.41.130, 28A.41.140, and 28A.58.754; and

(2) Establish related program requirements for which compliance is required as part of state board of education approval.

AMENDATORY SECTION (Amending Order 10-79, filed 9/12/79)

WAC 180-16-191 ((PURPOSE=))PROGRAMS SUBJECT TO BASIC EDUCATION ALLOCATION ENTITLEMENT REQUIREMENTS. ((+ Purpose. The purpose of WAC 180-16-191 through 180-16-225 is to implement those portions of RCW 28A.41.130, 28A.41.140 and 28A.58.754 that authorize and require the adoption of program standards that govern a school district's entitlement to state basic education allocation funds pursuant to RCW 28A.41.130 and related statutes and appropriation acts. As used hereafter, "basic education allocation entitlement requirements" and "entitlement requirements" mean WAC 180-16-191 through 180-16-225.

(2) Programs subject to entitlement requirements:)) The requirements, procedures and other provisions set forth in ((these basic education allocation entitlement requirements)) this chapter shall apply to kindergarten programs, and to such portion of the grade one through twelve program including related vocational instruction, as a school district provides for students enrolled in kindergarten through grade twelve.

AMENDATORY SECTION (Amending Order 3-83, filed 6/2/83)

WAC 180-16-195 ANNUAL REPORTING AND REVIEW PROCESS. (1) Annual district reports. A review of each school district's kindergarten through twelfth grade program shall be conducted annually for the purpose of determining compliance or noncompliance with these basic education allocation entitlement requirements. On or before the third Monday in October of each school year, each school district superintendent shall complete and return the program data report form(s) ((now and hereafter)) prepared and distributed by the superintendent of public instruction. Such forms shall be designed to elicit data necessary to a determination of a school district's compliance or noncompliance with these entitlement requirements. Data reported on any such form(s) by a school district shall accurately represent the actual status of the school district's program as of the first school day in October and as thus far provided and scheduled for the entire current school year. Such forms shall be signed by:

- (a) The school board president or chairperson, and
- (b) The superintendent of the school district.

(2) State staff review. ((State staff)) The superintendent of public instruction shall review each school

district's program data report and such supplemental state reports as staff ((deems)) deemed necessary, conduct on-site monitoring visits of randomly selected school districts and prepare recommendations and supporting reports for presentation to the state board of education: PROVIDED, That, if a school district's initial program data report and any other state reports considered do not establish compliance with these basic education allocation entitlement requirements, the district shall be provided the opportunity to explain the deficiency and provide supplemental data. School districts which foresee that they will not be able to comply with these entitlement requirements or that are deemed by ((state staff)) the superintendent of public instruction to be in noncompliance may petition for a waiver on the basis of the limited ground of substantial lack of classroom space as set forth in WAC 180-16-225.

(3) Annual certification of compliance or noncompliance—Withholding of funds for noncompliance.

(a) At the annual March meeting of the state board of education, or at such other meeting as the board shall designate, the board shall certify each school district as being in compliance or noncompliance with these basic education allocation entitlement requirements.

(b) A certification of compliance shall be effective for the then current school year subject to any subsequent ad hoc review and determination of noncompliance as may be deemed necessary or advisable by the state board of education or the superintendent of public instruction. In addition, a certification of compliance shall be effective tentatively for the succeeding school year until such time as the state board takes its annual action certifying compliance ((and)) or noncompliance with these entitlement requirements((, at which time the state board may retroactively and/or otherwise revoke such tentative certification upon a finding of noncompliance)).

(c) A certification of noncompliance shall be effective until program compliance is assured by the school district to the satisfaction of the superintendent of public instruction, subject to review by the state board. Basic education allocation funds ((in an amount(s) established by the state board)) shall be ((permanently)) deducted from the basic education allocation of a school district that has been certified as being in noncompliance unless such district has received a waiver, pursuant to WAC 180-16-225, from the state board for such noncompliance, or assurance of program compliance is subsequently provided for the school year previously certified as in noncompliance and is accepted by the state board.

(d) The withholding of basic education allocation funding from a school district shall occur for a noncompliance provided that the school district has been given a reasonable amount of time to remediate the noncompliance situation, not to exceed forty school business days from the time the district receives notice of the noncompliance from the superintendent of public instruction. It is presumed that forty school business days is a reasonable time for school districts to correct an existing noncompliance. The superintendent of public instruction may extend such timeline only if the district demonstrates, by clear and convincing evidence, that such

timeline is not reasonable to make the necessary corrections. For the purposes of this section, a school business day shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays upon which the office of the superintendent of the school district is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the calendar day.

(e) The superintendent of public instruction, or his/her designee, after notification to a school district regarding an existing noncompliance, shall enter into a compliance agreement with the school district that shall include, but not be limited to, the following criteria:

(i) A deadline for school district remediation of the noncompliance(s), not to exceed forty school business days per noncompliance as specified in (d) of this subsection.

(ii) A listing of all the noncompliance areas and the necessary terms that must be satisfied in each area in order for the school district to gain compliance status. This listing also shall specify additional deadlines for the accomplishment of the stated terms if different from the final deadline as specified in subsection (1) of this section.

(iii) A closing statement specifying that a school district's failure to remediate a noncompliance by the determined deadline shall result in the immediate withholding of the district's basic education allocation funding by the superintendent of public instruction.

(iv) The date and the signatures of the superintendent of the school district, or his/her designee, and the superintendent of public instruction, or his/her designee, to the agreement. A copy of the completed compliance agreement shall be sent to the chairperson of the school district's board of directors.

(f) In the event a school district fails to sign the compliance agreement within five school business days from the date of issuance or does not satisfy the terms of the signed compliance agreement within the designated amount of time, the superintendent of public instruction shall withhold state funds for the basic education allocation until program compliance is assured.

(g) The superintendent of public instruction shall withhold state funds for the basic education allocation to a school district based on the following procedure:

(i) For the first month that a noncompliance exists following the conditions as specified in (f) of this subsection, the superintendent of public instruction shall withhold twenty-five percent of the state funds for the basic education allocation to a school district.

(ii) For the second month that a noncompliance exists following the conditions as specified in (f) of this subsection, the superintendent of public instruction shall withhold fifty percent of the state funds for the basic education allocation to a school district.

(iii) For the third month that a noncompliance exists following the conditions as specified in (f) of this subsection, the superintendent of public instruction shall withhold seventy-five percent of the state funds for the basic education allocation to a school district.

(iv) For the fourth month, and every month thereafter, that a noncompliance exists following the conditions

as specified in (f) of this subsection, the superintendent of public instruction shall withhold one hundred percent of the state funds for the basic education allocation to a school district until compliance is assured.

(h) Any school district may appeal to the state board of education the decision of noncompliance by the superintendent of public instruction. Such appeal shall be limited to the interpretation and application of these rules and regulations by such superintendent of public instruction. Such appeal shall not stay the withholding of any state funds pursuant to this section. The state board of education may not waive any of the basic education entitlement requirements as set forth in this chapter, except as provided in WAC 180-16-225.

AMENDATORY SECTION (Amending Order 10-79, filed 9/12/79)

WAC 180-16-200 TOTAL PROGRAM HOUR OFFERING—BASIC SKILLS AND WORK SKILLS REQUIREMENTS. (1) Total program hour offering—Definition.

(a) Each school district shall make available to students enrolled at least a total program hour offering as set forth in subsections (2) through (6) of this section. For the purpose of this section, "total program hour offering" shall mean those hours of sixty minutes each, inclusive of intermissions for class changes, recess and teacher/parent-guardian conferences which are planned and scheduled by the district for purposes of discussing students' educational needs or progress(~~(, and)~~)—exclusive of time actually spent for eating lunchtime meals(~~(;)~~)—when students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district.

For special education/handicapped programs operating in separate facilities in a school district, do not exclude the time actually spent for eating lunchtime meals if that time is specifically identified and utilized as instructional meal training for each student in the program.

(b) Adjustments of program hour offerings between grade level groupings. Any school district may petition the state board of education for a reduction in the total program hour offering requirements for one or more of the grade level groupings specified in subsections (2) through (6) of this section. The state board of education shall grant all such petitions that are accompanied by an assurance that the minimum total program hour offering requirements in one or more other grade level groupings will be exceeded concurrently by no less than the number of hours of the reduction.

(c) (~~Frequency and extent of basic skills and work skills offerings.~~) Each school district shall make available to students enrolled at least an instructional hour offering as set forth in subsections (3) through (6) of this section. For the purpose of this section, "instructional hour offering" shall mean those hours of sixty minutes each—exclusive of recess time, passing time, total lunch intermission time, and noncountable release time on early dismissal days—when students are provided the opportunity to engage in the basic skills and/or

work skills offered by and under the direction of school district staff, as directed by the administration and board of directors of the district.

~~(d)~~ A school district has "provided the opportunity to engage in" the basic skills and work skills activities required by this section when the district actually conducts ~~((such activities))~~ basic skills and work skills instruction for students. If a district is not actually conducting the percentage(s) of basic skills and/or work skills required by this section, such district nevertheless shall be deemed to be in compliance with such requirements if such ((district made a reasonable and good faith effort to provide students the opportunity to take the section(s) or course(s) necessary to comply with such requirements, including having extended the enrollment period through at least the first school day of the term, but no student enrolled)) district's instructional time offered to students in basic skills and work skills instruction equals or exceeds the minimum instructional hour requirements in each grade level grouping as specified in subsections (3) through (6) of this section. A school district that makes a reasonable and good faith effort through the first day of the school term to provide students the opportunity to take the section(s) or course(s) necessary to comply with the basic skills and work skills percentages, as specified in subsections (3) through (6) of this section and no student enrolled in such section(s) or course(s), may count that section(s) or course(s) toward the total basic skills and work skills percentages offered to students that term. Each of the basic skills areas specified in subsections (2) through (6) of this section for a particular grade level grouping must be offered each school year to students at one or more of the grade levels within the particular grade level grouping. Instruction in at least one of the following work skills must be offered each school year to students at one or more of the grade levels within each of the grade level groupings specified in subsections (5) and (6) of this section: Industrial arts, home and family life education, business and office education, distributive education, agricultural education, health occupations education, vocational education, trade and industrial education, technical education and career education.

~~((d))~~ (e) Five percent variation—Basic skills and work skills requirements. A school district may establish minimum course mix percentages that deviate within any grade level grouping by up to five percentage points above or below the minimums established by subsections (3) through (6) of this section, provided the total program hour offering requirement for the grade level grouping is met.

(2) Kindergarten. Each school district shall make available to students in kindergarten at least a total program offering of four hundred fifty hours each school year. The program shall include reading, arithmetic, language skills and such other subjects and activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program.

(3) Grades 1 through 3. Each school district shall make available to students in grades one through three at least a total program hour offering of two thousand

seven hundred hours each school year. A minimum of ninety-five percent (ninety percent with the five percent variation included, or 2,430 instructional hours) of such total program hour offerings shall be in ~~((each))~~ the instruction of the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(4) Grades 4 through 6. Each school district shall make available to students in grades four through six at least a total program offering of two thousand nine hundred seventy hours each school year. A minimum of ninety percent (eighty-five percent with the five percent variation included, or 2,524.5 instructional hours) of such total program hour offerings shall be in ~~((each))~~ the instruction of the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. The remaining ten percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(5) Grades 7 through 8. Each school district shall make available to students in grades seven through eight at least a total program hour offering of one thousand nine hundred eighty hours each school year. A minimum of eighty-five percent (eighty percent with the five percent variation included, or 1,584 instructional hours) of such total program hour offerings shall be in ~~((each))~~ the instruction of the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. A minimum of ten percent (five percent with the five percent variation included, or 99 instructional hours) of the total program offerings shall be in the ((area)) instruction of work skills. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(6) Grades 9 through 12.

(a) Each school district shall make available to students in grades nine through twelve at least a total program hour offering of four thousand three hundred twenty hours each school year. A minimum of sixty percent (fifty-five percent with the five percent variation included, or 2,376 instructional hours) of such total program hour offerings shall be in ~~((each))~~ the instruction of the basic skills areas of language arts, foreign language, mathematics, social studies, science, music, art, health and physical education. A minimum of twenty percent (fifteen percent with the five percent variation included, or 648 instructional hours) of the total program hour offerings shall be in the ((area)) instruction of work skills. The remainder of the total program hour offerings may include traffic safety or such subjects and

activities as the school district shall determine to be appropriate for the education of the school district's students in such grades: PROVIDED, That, whether or not the five percent deviations in course mix percentages allowed by subsection (2)(d) of this section are applied, not less than four hundred and thirty-two instructional hours (i.e., ten percent of the total program hour requirement) of such remaining ~~((total program hour offering))~~ instructional hours shall consist of basic skills and/or work skills: PROVIDED, That any program hours and/or instructional hours not achieved due to the implementation of WAC 180-16-215(4) relating to students graduating from high school, shall not be deducted from the total program hours calculated.

(b) Grade nine option. Each school district shall have the option of including grade nine within the program hour offering requirements of grades seven and eight so long as such requirements for grades seven through nine are increased to two thousand nine hundred seventy hours and such requirements for grades ten through twelve are decreased to three thousand two hundred forty hours. Each school district shall state which option is in use when providing compliance documentation to the superintendent of public instruction.

(7) Basis and means for determining compliance with basic skills and work skills percentage requirements.

(a) Each school district shall adopt a written policy and procedure for establishing the basis and means for determining and monitoring compliance with the basic skills and work skills percentages ~~((and)),~~ the course requirements and instructional hour minimums as established by this section. Written documentation of such annual determinations and monitoring activities shall be maintained on file by each school district.

(b) Handicapped education programs, vocational-technical institute programs, state institution ~~((and)),~~ state residential school programs and alternative education programs where students are provided access to the basic skills/work skills offered in the regular program, all of which programs are conducted for the common school age, kindergarten through secondary school program students encompassed by this section, shall be exempt from the basic skills and work skills percentage and course requirements of this section in order that the unique needs, abilities or limitations of such students may be met.

AMENDATORY SECTION (Amending Order 10-79, filed 9/12/79)

WAC 180-16-205 CLASSROOM TEACHER CONTACT HOURS REQUIREMENT. (1) Contact hours requirement—Definition. The average annual ~~((direct))~~ classroom contact hours for each average annual full-time equivalent certificated classroom teacher employed by a school district shall be no less than twenty-five hours per week. For the purpose of this section "classroom contact hours" shall mean those hours a certificated classroom teacher is instructing students in a classroom, exclusive of such time as the teacher spends for preparation, conferences, administrative duties, and any other nonclassroom instruction duties.

(2) Classroom—Definition. For the purpose of this section, "classroom" shall mean those areas or spaces within or without a building, on or off a school campus, that are utilized by a certificated classroom teacher and his/her students for the conduct of planned instructional activities.

(3) Computation of FTE teachers. For the purpose of this section the "average annual full-time equivalent classroom teachers" of a school district shall be the sum of full-time and part-time teachers computed as follows:

(a) Full-time teachers. Each employee who is employed full-time for the regular instructional year exclusive of summer school, and who is assigned solely classroom instructional and related duties (e.g., planning periods, parent/teacher conferences, before and after school supervision of students, etc.) pursuant to his/her basic contract shall be counted as one full-time equivalent classroom teacher regardless of his/her actual teaching load. No such employee shall be counted as more than one full-time equivalent classroom teacher: PROVIDED, That in the case of full-time employees of a school district that conducts a year round regular school program who are employed for a term in excess of the equivalent of the regular instructional year for individual students, such excess term of employment shall be counted as a portion of an additional full-time equivalent classroom teacher.

(b) Part-time teachers. Each part-time employee who is assigned classroom instructional duties solely or in part, and each full-time employee who is assigned both classroom instructional duties and nonclassroom related duties (e.g., administrative duties, extracurricular instructional or supervisory duties, etc.) pursuant to his/her basic contract, shall be counted as a fractional full-time equivalent classroom teacher based upon the percentage of time he or she performs duties equivalent to the duties performed by a full-time employee who is assigned solely classroom instructional duties and related duties (e.g., planning periods, parent/teacher conferences, before and after school supervision of students, etc.) pursuant to his/her basic contract.

(4) ~~((Computation of annual average direct classroom contact hour requirement. The number of average annual full-time equivalent classroom teachers employed by a school district and computed pursuant to subsection (3) of this section shall be divided into the sum of:~~

~~(a) The total number of hours (60 minutes each) within the regular instructional school year that such average annual full-time equivalent classroom teachers are scheduled to be in contact with and instructing students in a classroom (including those hours which would have been accrued but for the implementation of WAC 180-16-215(4), relating to students graduation from high school) divided by the quotient obtained by dividing the number of school days in the regular instructional year by five, plus~~

~~(b) At the discretion of each school district board of directors, up to two hundred minutes per average annual full-time equivalent classroom teacher for every five school days scheduled for the regular instructional year,~~

for authorized teacher/parent-guardian conferences, recess, passing time between classes, and informal instructional activity.

The quotient shall not be less than twenty-five (hours))) Computation of annual average classroom contact hour requirement. A school district's compliance with the average annual contact requirement shall be based upon teachers' normally assigned weekly instructional schedules, as assigned by the district administration. Additional record-keeping by classroom teachers as a means of accounting for contact hours shall not be required.

(a) For each teacher, count the actual number of minutes during the school week when the teacher has regularly scheduled responsibilities for the instruction of students. Teacher instructional contact time for the purposes of this requirement shall be that time between the start of the first regularly scheduled class and the end of the last regularly scheduled class including actual minutes scheduled in all regular classes, laboratories, study halls and the supervision of extended classrooms, work experience, outdoor education and other such programs.

(b) Time spent for lunch intermissions, class changes, recesses, planning/preparation, staff meetings, home visits, conferences, supervision of students in noninstructional activities (lunch duty, playground duty, hall duty, sports programs, student clubs and other activities not requiring student attendance or required for credit), and for specialist teachers (librarian, subject-matter specialist) when the teacher is free from instructional purposes (i.e., released from classroom responsibilities) shall not be countable time for the purpose of computing the teacher's instructional contact. This time is considered valuable and is covered under (e) of this subsection.

(c) The number of average annual full time equivalent classroom teachers employed by a school district and computed pursuant to subsection (3) of this section shall be divided into the total number of actual contact minutes within a normally scheduled instructional week, pursuant to (a) and (b) of this subsection, that such average annual full time equivalent classroom teachers are scheduled to be in contact with and instructing students in a classroom (including those hours which would have been accrued but for the implementation of WAC 180-16-215(4) relating to students graduating from high school.

(d) The quotient received by dividing the total number of actual contact minutes per week, for all average annual full time equivalent classroom teachers in the school district by the number of average annual full time equivalent classroom teachers shall be called the net average contact minutes per week for the average annual full time equivalent certificated classroom teacher in the school district.

(e) At the discretion of each school district board of directors, up to two hundred minutes per average annual full time equivalent classroom teachers for every five school days scheduled for the regular instructional year may be added to the net average contact minutes per week to accommodate for time spent in authorized parent-guardian/teacher conferences, recess, passing time between classes and informal instructional activity.

(f) The quotient received by dividing the net average contact minutes, per week, including up to two hundred minutes to accommodate for time spent in authorized parent-guardian/teacher conferences, recess, passing time between classes and informal instructional activity, by sixty shall be the school district's average annual direct classroom contact hours per week for the average annual full time equivalent certificated classroom teacher in the school district.

(g) The average annual classroom contact hours per week shall not be less than twenty-five hours per week.

AMENDATORY SECTION (Amending Order 10-79, filed 9/12/79)

WAC 180-16-210 KINDERGARTEN THROUGH GRADE THREE STUDENTS TO CLASSROOM TEACHER RATIO REQUIREMENT. The ratio of the FTE students enrolled in a school district in kindergarten through grade three to kindergarten through grade three FTE classroom teachers shall not be greater than the ratio of the FTE students to FTE classroom teachers in grades four through twelve. For the purpose of this section "classroom teacher" shall mean any instructional employee who possesses a valid teaching certificate or permit issued by the superintendent of public instruction, but not necessarily employed as a certificated employee, and whose "primary" duty is the daily educational instruction of students.

(1) Computation of ratios. ((Student)) The FTE student to FTE classroom teacher ratios shall be computed as follows:

((a) -5 kindergarten October 1 enrollment + October 1 enrollment grades 1-3 divided by (+) FTE certificated employees whose "primary" duty is the daily instruction of pupils in grades K through 3.

(b) October 1 enrollment in grades 4 and above divided by (+) FTE certificated employees whose "primary" duty is the daily instruction of pupils in grades 4 and above.

(c)) (a) For the purpose of this section exclude that portion of the time teachers and students participate in vocationally approved programs, traffic safety and special education programs from the above computations (i.e., programs hereby deemed to be "special programs").

(b) Exclude preparation and planning times from the computations for all FTE classroom teachers.

((d)) (c) Include in the above computations only the time certificated employees are actually instructing students on a regularly scheduled basis. ((Exclude preparation and planning times from the above computation:))

(d) Calculations:

(i) The kindergarten FTE October enrollment plus the October FTE enrollment in grades 1-3 divided by the FTE classroom teachers whose "primary" duty is the daily instruction of pupils in grades K through 3.

(ii) The October FTE enrollment in grades 4 and above divided by the FTE classroom teachers whose "primary" duty is the daily instruction of pupils in grades 4 and above.

(2) Exemptions. School districts that have a ratio of kindergarten through grade three FTE students to FTE

classroom teachers of twenty-five to one or less, nonhigh school districts, and school districts that have a student enrollment of two hundred fifty or less in grades nine through twelve are exempt from the FTE students to FTE classroom teachers ratio requirement of this subsection.

AMENDATORY SECTION (Amending Order 1-81, filed 3/26/81)

WAC 180-16-220 SUPPLEMENTAL PROGRAM AND BASIC EDUCATION ALLOCATION ENTITLEMENT REQUIREMENTS. The following requirements, while not imposed by the "Basic Education Act of 1977," are hereby established by the state board of education as related supplemental conditions to a school district's entitlement to state basic education allocation funds.

(1) Student to certificated staff ratio requirement. The ratio of students enrolled in a school district to full-time equivalent certificated employees shall not exceed twenty-three to one: PROVIDED, That nonhigh school districts or school districts that have a student enrollment of two hundred fifty or less in grades nine through twelve may, as an alternative to the foregoing requirement, have a ratio of students to full-time equivalent certificated classroom teachers of twenty-six to one or less. For the purpose of this subsection, "certificated employees" shall mean those employees who are required by state statute or by rule of the state board of education, or by written policy of the school district to possess a professional education permit, certificate or credential issued by the superintendent of public instruction, as a condition to employment and "classroom teacher" shall be defined as in WAC 180-16-210 and the students to classroom teachers ratio shall be computed in accordance with WAC 180-16-210(1).

(2) Current and valid certificates. Every school district employee required by state statute and/or rule of the state board of education to possess a professional education permit, certificate, or credential issued by the superintendent of public instruction for his/her position of employment, shall have a current and valid permit, certificate or credential.

(3) Student learning objectives. Each school district shall have implemented a program of student learning objectives in the areas of language arts, reading (~~and~~), mathematics, social studies, and physical education for grades kindergarten (~~through eight and on or before September 1, 1981, for grades nine~~) through twelve. On or before September 1, 1988, school districts shall have initiated implementation of the student learning objectives in all other course(s)/subject(s) taught in the K-12 common schools.

(a) Each school district must evidence community participation in defining the objectives of such a program.

(b) The student learning objectives of such program shall be measurable as to the actual student attainment. Student attainment shall be locally assessed annually.

(c) The student learning objectives program shall be reviewed at least every two years by the school district and give specific attention to improving the depth of

course content within courses and in coordinating the sequence in which subject matter is presented.

(4) Other program requirements self evaluation. Each school district shall adopt a procedure to ensure awareness of and compliance with other program requirements, including provisions set forth in WAC 180-16-240.

AMENDATORY SECTION (Amending Order 3-83, filed 6/2/83)

WAC 180-16-225 WAIVER—SUBSTANTIAL LACK OF CLASSROOM SPACE—GROUNDS AND PROCEDURE. (1) Grounds. The state board of education may waive one or more of the basic education allocation entitlement requirements set forth in WAC 180-16-200 through 180-16-220(1) only if a school district's failure to comply with such requirement(s) is found by the state board to be caused by substantial lack of classroom space.

As a condition to a waiver based on substantial lack of classroom space the state board will consider and a school district must demonstrate at least that the facilities of the school district do not contain enough classroom space or other space that can reasonably be converted into classroom space, and that necessary classroom space may not reasonably be acquired by lease or rental, to enable the district to comply with the referenced entitlement requirements.

(2) Waiver procedure. In order to secure a waiver pursuant to subsection (1) of this section a school district must submit a petition together with a detailed explanation and documentation in support of its request not later than thirty days prior to either:

(a) The state board of education meeting immediately preceding commencement of the school year; or

(b) The March (or such other meeting as the state board shall have established) meeting of the board at which the board will consider certifications of compliance and noncompliance with these entitlement requirements.

A school district that can reasonably foresee an inability to comply with entitlement requirements by reason of substantial lack of classroom space should petition for a waiver as early as the state board meeting immediately preceding commencement of the school year in order to allow for the possibility that the request may be denied.

(3) Nonwaiverable requirements. The certification and the student learning objectives requirements set forth in WAC 180-16-220 (2) and ~~((4))~~ (3) may not be waived for any reason.

~~((4) Deviations from certain supplemental requirements. The state board may allow deviations from the participation in accreditation requirements set forth in WAC 180-16-220(3) for such reason(s) as the board deems reasonable.))~~

AMENDATORY SECTION (Amending Order 10-79, filed 9/12/79)

WAC 180-16-240 ~~((SUPPLEMENTAL PROGRAM STANDARDS))~~ COMPLIANCE WITH

OTHER PROGRAM REQUIREMENTS. (1) Each school district superintendent shall file each year a statement ~~((of district standing relative to these standards noting any deviations))~~ that, pursuant to WAC 180-16-220(4), the school district has adopted a procedure ensuring awareness of and compliance with other statutory requirements as specified in subsection (2) of this section. Such statement shall be ~~((submitted at the same time as the annual basic education allocation entitlement program data report(s) required by WAC 180-16-195 is submitted))~~ included as Part II of the annual basic education allocation entitlement program data report(s) required by WAC 180-16-195 and shall be submitted at the same time this annual report is submitted. Deviation from these ~~((standards))~~ requirements shall not result in the withholding of any ~~((or all))~~ of a district's basic education allocation funds~~((, however))~~. The deviations shall be made available to the public separately or as a portion of the annual district guide published pursuant to RCW 28A.58.758(3) and this section.

(2) ~~((Supplemental program standards))~~ Other program requirements are as follows:

(a) Appropriate measures are taken to safeguard all student and school district permanent records against loss or damage. See, e.g., RCW 40.14.070 regarding the preservation and destruction of local government agency records.

(b) Provision is made for the supervision of instructional practices and procedures.

(c) Current basic instructional materials are available for required courses of study.

(d) A program of guidance, counseling and testing services is maintained for students in all grades offered by that school district.

(e) A learning resources program is maintained pursuant to chapter 180-46 WAC and WAC 392-190-055, each as now or hereafter amended.

(f) The physical facilities of each district are adequate and appropriate for the educational program offered.

(g) There is adequate provision for the health and safety of all pupils within the custody of the school district. See, e.g., RCW 28A.04.120(11) regarding emergency exit instruction and drills and the rules or guidelines implementing the statute; the building code requirements of chapter 19.27 RCW and local building and fire code requirements; chapter 70.100 RCW regarding eye protection and the rules or guidelines implementing the chapter; RCW 28A.31.010 regarding contagious diseases and the rules, chapters 248-100 and 248-101 WAC, implementing the statute; RCW 43.20-.050 regarding environmental conditions in schools and the rules, chapter 248-64 WAC, implementing the statute; and local health codes.

(h) A current policy statement pertaining to the administration and operation of the school district is available in each district's administrative office including, but not limited to, policies governing the school building and classroom visitation rights of nonstudents.

(i) Chapters 49.60 and 28A.85 RCW are complied with. These statutes prohibit unequal treatment of students on the basis of race, sex, creed, color, and national origin in activities supported by common schools.

(j) A descriptive guide to the district's common schools is published annually by the school district's board of directors, pursuant to RCW 28A.58.758(3), and is made available at each school in the district for examination by the public.

(k) Within each school, the school principal has determined that appropriate student discipline is established and enforced. The school principal has conferred with the certificated employees in the school building in order to develop and/or review building disciplinary standards and the uniform enforcement of those standards, pursuant to RCW 28A.58.201.

(l) Written high school graduation requirements and rules have been adopted by the school district board of directors in accordance with chapter 180-56 WAC.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-16-003 AUTHORITY FOR RULES.

WSR 84-11-044

ADOPTED RULES

STATE BOARD OF EDUCATION

[Order 3-84—Filed May 17, 1984]

Be it resolved by the State Board of Education, acting at Pasco, Washington, that it does adopt the annexed rules relating to educational service districts, chapter 180-22 WAC.

This action is taken pursuant to Notice No. WSR 84-08-059 filed with the code reviser on April 3, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.21-.020 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 11, 1984.

By Monica Schmidt
Secretary

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 180-22-250 BOARD OF DIRECTORS—ELECTION OF MEMBERS.

- (2) WAC 180-22-255 ELIGIBILITY—DECLARATION OF CANDIDACY—WITHDRAWAL—LAPSE OF ELECTION.
- (3) WAC 180-22-260 BIOGRAPHICAL DATA—LIMITATION.
- (4) WAC 180-22-265 BALLOTS.
- (5) WAC 180-22-270 VOTING.
- (6) WAC 180-22-275 PUBLICITY.
- (7) WAC 180-22-280 POSTAGE.
- (8) WAC 180-22-285 RECOUNT OF VOTES CAST—AUTOMATIC—BY REQUEST—CERTIFICATION.
- (9) WAC 180-22-290 COMPOSITION OF ELECTION BOARD.
- (10) WAC 180-22-295 CONTEST OF ELECTIONS.

**WSR 84-11-045
ADOPTED RULES
STATE BOARD
OF EDUCATION**

[Order 4-84—Filed May 17, 1984]

Be it resolved by the State Board of Education, acting at Pasco, Washington, that it does adopt the annexed rules relating to Educational service districts—Election of board members, chapter 180-23 WAC.

This action is taken pursuant to Notice No. WSR 84-08-050 filed with the code reviser on April 2, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.21.031 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 11, 1984.

By Monica Schmidt
Secretary

**Chapter 180-23 WAC
EDUCATIONAL SERVICE DISTRICTS—ELECTION OF BOARD MEMBERS**

NEW SECTION

WAC 180-23-037 AUTHORITY. The authority for this chapter is RCW 28A.21.031 which authorizes the state board of education to adopt rules and regulations for the conduct of election for members of boards of educational service districts.

NEW SECTION

WAC 180-23-040 PURPOSE. The purpose of this chapter is to establish policies and procedures related to the conduct of elections by the secretary to the state

board of education for members of boards of educational service districts.

NEW SECTION

WAC 180-23-043 ELECTION OFFICER. In accordance with RCW 28A.21.033, the secretary to the state board of education shall serve as the election officer for the coordination and conduct of the election of members of boards of educational service districts.

NEW SECTION

WAC 180-23-047 BIENNIAL ELECTIONS. Elections for members of boards of educational service districts shall be conducted biennially in odd-numbered years. All dates noted within this chapter shall apply to elections in such years.

NEW SECTION

WAC 180-23-050 INFORMATION NECESSARY FOR THE CONDUCT OF ELECTIONS—RESPONSIBILITY OF SCHOOL OFFICIALS. It shall be the responsibility of the educational service districts to assure that the secretary to the state board of education is provided current and correct information necessary to the conduct of the elections provided for in this chapter. Forms published by the secretary to the state board of education for the purpose of providing the following essential information shall be obtained, completed and submitted on a current basis:

(1) The name, legal residence, mailing address and board-member district number of persons serving on the educational service district board of directors; and

(2) The position numbers for which appointments have been made to fill unexpired terms.

NEW SECTION

WAC 180-23-055 PUBLICITY. The secretary to the state board of education shall biennially provide reasonable public information concerning the election of educational service district board members through press and publication releases beginning in May of the year the elections are to be called.

NEW SECTION

WAC 180-23-058 TENTATIVE CERTIFICATION OF ELECTORS. On August twenty-first of the year of election or, if such date is a Saturday, Sunday, or holiday, the state working day immediately preceding such date, the secretary to the state board of education shall certify a tentative list of electors consisting of all persons eligible to vote if the election were held on that date.

NEW SECTION

WAC 180-23-060 CALL OF ELECTION. On August twenty-five, or if such date is a Saturday, Sunday or holiday, the state working day immediately preceding such date, the secretary to the state board of education shall give written notice of an election to be

held in each educational service district within which resides a member of the board of the educational service district whose term of office expires on the second Monday of January next following, and shall give written notice thereof to each member of the board of directors of each school district in such educational service district. Notice shall be accomplished by mailing the call of election notice, declaration of candidacy, biographical data form, tentative certification of electors, calendar and rules and regulation established by the state board of education for the conduct of the election to each member of a public school district board of directors.

NEW SECTION

WAC 180-23-065 CANDIDATES—ELIGIBILITY—FILING. (1) Eligibility. A person is eligible to be a candidate for membership on an educational service district board if he or she is a registered voter and a resident of the board-member district for which the candidate files. Restriction on other service pursuant to RCW 28A.21.0306.

(2) Forms for filing. A person who desires to file for candidacy shall complete:

(a) A declaration of candidacy and affidavit form provided for in WAC 180-23-070; and

(b) The biographical form required by WAC 180-23-075: PROVIDED, That a declarant may elect not to submit biographical data.

(3) Filing period. The filing period for candidates for any position on an educational service district board is from September first through September sixteenth. Any declaration of candidacy that is not received by the secretary to the state board of education on or before 5:00 p.m. September sixteenth shall not be accepted and such a declarant shall not be a candidate: PROVIDED, That any declaration that is postmarked on or before midnight September sixteenth and received by mail prior to the printing of ballots shall be accepted: PROVIDED FURTHER, That any declaration received pursuant to the United States mail on or before 5:00 p.m. September twenty-first that is not postmarked or legibly postmarked shall also be accepted.

NEW SECTION

WAC 180-23-070 DECLARATION AND AFFIDAVIT OF CANDIDACY FORM. The declaration and affidavit of candidacy which each candidate is required to substantially complete and to file as a condition to having his or her name placed on an official ballot shall be as follows:

I,, solemnly swear (or affirm): That I reside within the boundary of Educational Service District No., within the boundary of board-member district No., and am a registered voter of the same board-member district; That I am aware that, if elected, I cannot concurrently serve as a member of an educational service district board, or as an employee of a school district or a member of a board of directors of a common school district or a member of the state board of education; and That I hereby declare myself a candidate for membership on Educational Service District

No. Board of Directors for a term of four years beginning the second Monday in January, 19..., subject to the election to be held pursuant to law and I request that my name be listed on the ballot therefor.

Further, I solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington.

(Signed)
Address:
.

SUBSCRIBED and sworn (or affirmed) to before me this day of, 19

.
NOTARY PUBLIC in and for
the state of Washington,
residing at

NEW SECTION

WAC 180-23-075 BIOGRAPHICAL DATA FORM. The secretary to the state board of education shall provide a biographical data form not exceeding two letter size typewritten pages in length which each candidate may complete. Completed forms submitted to the secretary to the state board of education by a candidate must be camera ready. Biographical data forms shall be reproduced as submitted and distributed by the secretary to the state board of education with the ballots to each voter.

NEW SECTION

WAC 180-23-077 WITHDRAWAL OF CANDIDACY. Any candidate may withdraw his or her declaration of candidacy by delivering a written, signed and notarized statement of withdrawal to the secretary to the state board of education on or before 5:00 p.m. September twenty-first. A candidate's failure to withdraw as prescribed above shall result in the inclusion of the candidate's name on the appropriate election ballot.

A board-member district position shall be stricken from the ballot if no candidate files for the position within the timelines specified in WAC 180-23-065.

Board-member district positions which become vacant after the call of election specified in WAC 180-23-060 shall be filled by appointment by the educational service district pursuant to RCW 28A.21.0305 and the appointee shall serve until his or her successor has been elected at the next election called by the secretary to the state board of education.

NEW SECTION

WAC 180-23-078 CERTIFICATION OF ELECTORS. The list of eligible voters shall remain open for changes and deletions until 5:00 p.m. September 26 or, in the event such date is a Saturday, Sunday, or holiday, until 5:00 p.m. the working day immediately following such date. The secretary to the state board of education

as soon thereafter as is practical shall certify the list of electors.

NEW SECTION

WAC 180-23-080 BALLOTS—CONTENTS. Ballots shall be prepared by the secretary to the state board of education. The ballot for each position subject to election pursuant to this chapter shall contain the names of each candidate eligible for the particular position. There shall be a separate listing of the candidates for each board-member district open in the particular educational service district. The secretary to the state board of education shall develop voting instructions which shall accompany the ballots.

NEW SECTION

WAC 180-23-085 BALLOTS AND ENVELOPES—MAILING TO VOTERS. (1) On or before October first ballots shall be mailed to voters together with two envelopes to be used for voting. The outer and larger envelope (i.e., official ballot envelope) shall:

- (a) Be labeled "official ballot";
- (b) Be preaddressed with the "secretary to the state board of education" as addressee;
- (c) Have provision for prepaid postage; and
- (d) Have provision for the identification of the voter, mailing address, his or her school district and his or her educational service district.

The inner and smaller envelope shall be unlabeled and unmarked.

(2) One ballot and two envelopes to be used for voting purposes, any candidates' biographical data and pertinent instructions for voting purposes shall be mailed to each member of a public school district board of directors.

NEW SECTION

WAC 180-23-090 VOTING—MARKING AND RETURN OF BALLOTS. (1) The election shall be conducted in strict accordance with the requirements of RCW 28A.21.033.

(2) Marking of ballots. Each member of a public school district board of directors may vote for one of the candidates in each board-member district named on his or her ballot by placing an "X" or other mark in the space provided next to the name of a candidate.

(3) Return of ballots. Each member of a public school district board of directors shall complete voting by:

- (a) Placing his or her marked official ballot in the smaller, unmarked envelope and sealing the same;
- (b) Placing the smaller envelope containing the ballot in the larger preaddressed envelope marked "official ballot" and sealing the same;
- (c) If not already designated, completing the following information on the face of the official ballot envelope: Name, mailing address, identification of school district and educational service district.

(d) Placing the official ballot envelope in the United States mail to the secretary to the state board of education.

NEW SECTION

WAC 180-23-095 ELECTION BOARD—APPOINTMENT AND COMPOSITION. The state board of education shall biennially appoint a three member election board and at least one alternate who shall serve thereon in the absence of a regular member of the election board. Votes cast at elections, conducted pursuant to this chapter shall be counted by the secretary to the state board of education or his or her designee and the election board.

NEW SECTION

WAC 180-23-100 RECEIPT OF BALLOTS AND COUNT OF VOTES. (1) As official ballot envelopes are received by the secretary to the state board of education, a preliminary determination shall be made as to the eligibility of the voter, and a record shall be made on a list of eligible voters that the voter has voted. Official ballot envelopes not submitted in compliance with this chapter and other envelopes containing ballots shall be set aside for a final review and acceptance or rejection by the election board.

(2) The election board shall convene for the purpose of counting votes on October twenty-fifth or if such date is a Saturday, Sunday, or holiday, the state working day immediately preceding such date at a date, time and place designated by the secretary to the state board of education. Official ballot envelopes that are accepted by the election board shall be opened, and the inner envelopes containing ballots shall be removed and placed aside, still sealed. The inner envelopes shall then be opened and the votes counted by the election board.

(3) No record shall be made or maintained of the candidate for which any voter cast his or her vote.

NEW SECTION

WAC 180-23-105 INELIGIBLE VOTES. The following ballots and votes shall be declared void and shall not be accepted:

- (1) Votes for write-in candidates;
- (2) Votes cast on other than an official ballot provided pursuant to this chapter;
- (3) Ballots which contain a vote for more than one candidate in board-member district;
- (4) Ballots contained in other than an official ballot envelope provided pursuant to this chapter;
- (5) Ballots contained in an official ballot envelope upon which the voter's name is not designated;
- (6) Ballots received after 5:00 p.m. October sixteenth: PROVIDED, That any ballot that is postmarked on or before midnight October sixteenth and received prior to the initial counting of votes by the election board shall be accepted: PROVIDED FURTHER, That any ballot received pursuant to the United States mail on or before 5:00 p.m. on October twenty-first that is not postmarked or legibly postmarked shall also be accepted; and
- (7) Such other ballots or votes as the election board shall determine to be unidentifiable or unlawful.

NEW SECTION

WAC 180-23-110 RECOUNT OF VOTES CAST—AUTOMATIC—BY REQUEST. (1) Automatic. A recount of votes cast shall be automatic if the electoral vote difference between any two candidates for the same position is one vote or less than one percent of electoral votes on a single ballot cast for the position, whichever is greater.

(2) Upon request. A recount of votes cast shall be afforded any candidate as a matter of right: PROVIDED, That the request shall be made in writing and received by the secretary to the state board of education within seven calendar days after the date upon which the votes were counted by the election board.

NEW SECTION

WAC 180-23-115 CERTIFICATION OF ELECTION. Within ten calendar days after the date upon which the votes were counted, but no sooner than eight calendar days after the votes were counted by the election board, the secretary to the state board of education shall officially certify to the county auditor of the headquarters county of the educational service district the name or names of candidates elected to membership on the educational service district board of directors.

NEW SECTION

WAC 180-23-120 SPECIAL ELECTIONS. If no candidate receives a majority of the votes cast, a second election provided for in RCW 28A.21.033 shall be conducted in accordance with the pertinent procedural and substantive provisions of this chapter, including the time schedules governing the conduct of elections, as modified by the secretary to the state board of education to accommodate the special nature of the election and special statutory dates and requirements.

WSR 84-11-046
ADOPTED RULES
STATE BOARD
OF EDUCATION

[Order 5-84—Filed May 17, 1984]

Be it resolved by the State Board of Education, acting at Pasco, Washington, that it does adopt the annexed rules relating to State assistance in providing school plant facilities—Educational specifications and site selection, chapter 180-26 WAC.

This action is taken pursuant to Notice No. WSR 84-08-049 filed with the code reviser on April 2, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.47-.830 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 11, 1984.

By Monica Schmidt
 Secretary

AMENDATORY SECTION (Amending Order 10-83, filed 10/17/83)

WAC 180-26-025 RACIAL IMBALANCE PROHIBITION—DEFINITION AND ACCEPTANCE CRITERIA. The superintendent of public instruction shall not accept a site unless the applicant district provides assurances that its attendance policies for the proposed or modernized school facility will not create or aggravate racial imbalance within the boundaries of the applicant school district. For the purpose of this chapter, racial imbalance shall be defined as the situation that exists when the combined minority student enrollment in a school(~~/program~~) plant facility exceeds the district-wide combined minority average by twenty percentage points, provided that the single minority enrollment (as defined by current federal categories) of a school(~~/program~~) plant facility will not exceed fifty percent of the school plant facility enrollment. This section shall not apply to public schools located on American Indian reservations.

WSR 84-11-047
ADOPTED RULES
STATE BOARD
OF EDUCATION

[Order 6-84—Filed May 17, 1984]

Be it resolved by the State Board of Education, acting at Pasco, Washington, that it does adopt the annexed rules relating to State assistance in providing school plant facilities—Basic state support, chapter 180-27 WAC.

This action is taken pursuant to Notice No. WSR 84-08-048 filed with the code reviser on April 2, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.47-.830 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 11, 1984.

By Monica Schmidt
 Secretary

AMENDATORY SECTION (Amending Order 11-83, filed 10/17/83)

WAC 180-27-035 SPACE ALLOCATIONS. (1) State assistance in the construction of school facilities for grades kindergarten through twelve and classrooms planned for the exclusive use of handicapped students shall be based on a space allowance per enrolled student and for state matching purposes shall be computed in accordance with the following table:

Grade or Area	Maximum Matchable Area Per Student
Grades kindergarten through six	80 square feet
Grades seven and eight	110 square feet
Grades nine through twelve	120 square feet
Classrooms for handicapped	140 square feet

For purposes of this subsection, kindergarten students shall be calculated at fifty percent of actual headcount enrollments on October 1 and submitted to the superintendent of public instruction on October 1 each year; handicapped students shall be counted as one student for each such student assigned to a specially designated self-contained classroom for handicapped children for at least one hundred minutes per school day, calculated on actual headcount enrollment submitted to the superintendent of public instruction.

(2) State assistance for construction of vocational-technical institutes shall be based on full time equivalent students enrolled on October 1 and computed as follows:

Type of Facility	Maximum Matchable Area Per Full-Time Equivalent Student
Vocational-Technical Institutes	140 square feet

(3) State assistance for construction of vocational skill centers shall be based on one-half of students enrolled on October 1 and computed as follows:

Type of Facility	Maximum Matchable Area Per One-Half Enrolled Student
Skill Centers	140 square feet

(4) Space allowance for state matching purposes—districts with senior or four-year high schools with fewer than four hundred students. Space allowance for districts with senior or four-year high schools with fewer than

four hundred students for state matching purposes shall be computed in accordance with the following formula:

Number of Headcount Student—Grades 9-12	Maximum Matchable Area Per Facility
0-100	37,000 square feet
101-200	42,000 square feet
201-300	48,000 square feet
301-((400)) or more	52,000 square feet

AMENDATORY SECTION (Amending Order 11-83, filed 10/17/83)

WAC 180-27-040 SQUARE FOOT AREA ANALYSIS. The square foot area analysis, when submitted for review by the superintendent of public instruction shall be calculated in accordance with the American Institute of Architects, Document D101, The Architectural Area and Volume of Buildings, January 1980 Edition, except for the following areas which shall not be counted:

- (1) Exterior covered walkways, cantilevered or supported; and
- (2) Exterior porches ((σ)), including loading platforms.

The analysis shall be reported on a form prepared by the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 11-83, filed 10/17/83)

WAC 180-27-060 DETERMINING THE AREA COST ALLOWANCE. The area cost allowance for state assistance shall apply to the cost of construction of the total facility and grounds including state sales and use taxes generally levied throughout the state of Washington and excluding those local option sales and use taxes levied by political subdivisions. The maximum area cost allowance used in calculating state financial assistance for construction of school facilities shall be determined by the superintendent of public instruction as follows:

(1) Commencing with the two-month period of July-August, 1981, a two-month area cost allowance is determined as follows: The average seven-city building cost index for commercial and factory buildings in Washington state reported by the E. H. Boeckh Company (Boeckh Index) for that two-month period (1,265.54) shall be multiplied by the 1950 area cost allowance (\$13.00). That product shall be divided by the 1950 area cost index (242.1).

(2) The calculation in subsection (1) of this section shall be made for each subsequent two-month period averaging six Washington cities and the Portland, Oregon metropolitan area reported by E. H. Boeckh Company.

(3) Each of the actual two-month area cost allowances calculated as set forth in subsections (1) and (2) of this section shall be recorded by the superintendent of public instruction.

(4) The average monthly rate of increase in the area cost allowance for the previous two years is determined as follows: Not later than August 31 of each year, the actual two-month area cost allowance calculated for the first two-month reporting period in the twenty-four month period ending August 31 shall be subtracted from the actual area cost allowance for the current two-month reporting period. This result shall be divided by twenty-four.

(5) The projected maximum monthly area cost allowances for the next ensuing school fiscal year are calculated as follows:

(a) The area cost allowance for July-August 1983 effective September 1, 1983 shall be the actual amount as calculated in subsections (1) and (2) of this section.

(b) The projected area cost allowance for the following twelve months will be the amount of the previous month plus the average monthly rate of increase as calculated in subsection (4) of this section.

(6) The projection process will be repeated no later than August 31 for each following school fiscal year.

WSR 84-11-048
PROPOSED RULES
STATE BOARD
OF EDUCATION
 [Filed May 17, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education intends to adopt, amend, or repeal rules concerning:

- New WAC 180-27-053 State assistance in providing school plant facilities—State moneys for studies and surveys.
- New WAC 180-27-054 State assistance in providing school plant facilities—Priorities—Effective July 1, 1985.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 19, 1984.

The authority under which these rules are proposed is RCW 28A.21.031.

This notice is connected to and continues the matter in Notice No. WSR 81-08-048 [84-08-048] filed with the code reviser's office on April 2, 1984.

Dated: May 17, 1984
 By: Monica Schmidt
 Secretary

NEW SECTION

WAC 180-27-053 STATE MONEYS FOR STUDIES AND SURVEYS. State moneys for school district studies and surveys conducted pursuant to chapter 180-25 WAC shall be available even though the superintendent of public instruction deems it necessary to institute priorities pursuant to WAC 180-27-054 or 180-27-055 or to withhold approval pursuant to WAC 180-27-107. At the beginning of each biennium, the superintendent of public instruction shall estimate the amount of moneys necessary for allocation to districts for studies and surveys and not make such moneys available for any other purpose. In the event the estimated amount proves to be insufficient, the superintendent shall set aside additional moneys.

NEW SECTION

WAC 180-27-054 STATE ASSISTANCE—PRIORITIES—EFFECTIVE JULY 1, 1985. Effective July 1, 1985, WAC 180-27-055 is repealed and school district projects shall receive state assistance as follows:

(1) Unless the superintendent of public instruction determines the need to institute priorities pursuant to subsection (2) of this section, the superintendent of public instruction shall approve all applications for state assistance pursuant to WAC 180-29-107. Once approved, the project shall have secured funding status and not be subject to any priority list.

(2) In the event the superintendent of public instruction determines there are or will be insufficient funds during a biennium to provide state assistance to all anticipated school facility projects, the superintendent of public instruction shall approve projects pursuant to WAC 180-29-107 in accordance with the following priority:

(a) Priority one: New construction and/or modernization projects in districts with unhoused students. Projects within this priority shall be ranked as follows: The project with the highest percentage of unhoused students in the district to current enrollment in the district by grade level on the date of project approval pursuant to WAC 180-25-040 shall be ranked highest. In the event two or more districts possess an equal percentage of unhoused students, the district with the greatest number of unhoused students shall be ranked the highest.

(b) Priority two: New construction and/or modernization projects related to racial imbalance pursuant to WAC 180-27-115(8) in districts with no unhoused students. Projects within this priority shall be ranked as follows: The project with the greatest number of students affected shall be ranked highest. In the event two or more projects possess an equal number of students affected, the highest ranking shall be given to the project with the earliest date of project approval pursuant to WAC 180-25-040.

(c) Priority three: Vocational-technical institutes and interdistrict cooperative facilities, excluding interdistrict transportation cooperatives. Projects within this priority shall be ranked as follows: The project with the earliest date of project approval pursuant to WAC 180-25-040 shall be ranked highest. In the event two or more projects possess the same project approval date, the project with the earliest date of application received in the office of superintendent of public instruction shall be ranked the highest.

(d) Priority four: New construction and/or modernization projects related to improved school district organization between two or more school districts pursuant to WAC 180-27-115(7) in districts with no unhoused students. Projects within this priority shall be ranked as follows: The project with the greatest number of students affected shall be ranked highest. In the event two or more projects possess an equal number of students affected, the highest ranking shall be given to the district with the earliest date of project approval pursuant to WAC 180-25-040.

(e) Priority five: Modernization projects in districts with no unhoused students and not covered by priorities two and four. Projects within this priority shall be ranked as follows: The project with the greatest percentage of projected enrollment to current housing capacity shall be ranked the highest. In the event two or more projects possess an equal percentage, the highest ranking shall be given to the project with the earliest date of project approval pursuant to WAC 180-25-040.

(f) Priority six: Interdistrict transportation cooperatives. Projects within this priority shall be ranked as follows: The project with the earliest date of project approval pursuant to WAC 180-25-040 shall be ranked the highest. In the event two or more projects possess the same project approval date, the project with the earliest date of application received in the office of superintendent of public instruction shall be ranked the highest.

(3) Once projects are ranked in accordance with the priority list established in subsection (2) of this section, the superintendent may approve from time to time as many projects as he deems advisable as long as the projects are approved in accordance with the ranking. Projects so approved shall receive secured funding status and not be subject to the priority list.

(4) In the event the superintendent of public instruction determines there are once again sufficient funds during a biennium to provide state assistance to all anticipated school facility projects pursuant to WAC 180-29-107, the priority list shall be discontinued.

WSR 84-11-049
ADOPTED RULES
STATE BOARD
OF EDUCATION

[Order 7-84—Filed May 17, 1984]

Be it resolved by the State Board of Education, acting at Pasco, Washington, that it does adopt the annexed rules relating to high school graduation requirements, chapter 180-51 WAC.

This action is taken pursuant to Notice No. WSR 84-08-076 filed with the code reviser on April 4, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 28A.05 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 11, 1984.

By Monica Schmidt
 Secretary

Chapter 180-51 WAC
HIGH SCHOOL GRADUATION REQUIREMENTS

NEW SECTION

WAC 180-51-005 **AUTHORITY.** The authority for this chapter is chapter 28A.05 RCW which authorizes the state board of education to establish high school graduation requirements or equivalencies for students who commence the ninth grade subsequent to July 1, 1985.

NEW SECTION

WAC 180-51-010 **PURPOSE.** The purpose of this chapter is to establish high school graduation requirements, including policies and procedures for equivalencies, for students who commence the ninth grade subsequent to July 1, 1985. Graduation requirements and policies and procedures for equivalencies for students who commence the ninth grade prior to July 1, 1985, are codified in chapter 180-56 WAC and, pursuant to WAC 180-51-035, shall remain in effect for such students even though such provisions in chapter 180-56 WAC are repealed.

NEW SECTION

WAC 180-51-015 **APPLICATION OF CHAPTER TO APPROVED PRIVATE SCHOOLS AND COMMUNITY COLLEGES.** High school diplomas granted by approved private schools and by community colleges shall meet the requirements of this chapter. References in this chapter to the board of directors of a school district shall apply to the governing board of the

approved private school or the community college district affected. References within this chapter to school district shall refer to the approved private school or community college district. References within this chapter to high school shall refer to each approved private school or each community college.

NEW SECTION

WAC 180-51-020 **ADDITIONAL LOCAL STANDARDS.** Nothing within this chapter shall preclude the board of directors of any district offering a high school diploma from establishing such additional course, credit, and test requirements as deemed desirable. A district may not adopt any policy which requires enrollment for either (a) a minimum number of semesters or trimesters or (b) a minimum number of courses in a semester or trimester which exceeds the enrollment time or courses necessary for a student to meet established course, credit, and test requirements for high school graduation.

NEW SECTION

WAC 180-51-025 **LOCAL APPLICATION OF STATE REQUIREMENTS.** The content of courses and the determination of which courses satisfy particular subject area requirements and whether a particular course may satisfy more than one subject area requirement for different students shall be determined locally in accordance with rules adopted by boards of directors of districts.

NEW SECTION

WAC 180-51-030 **NO HIGH SCHOOL CREDIT FOR COURSES TAKEN PRIOR TO ADMISSION TO NINTH GRADE.** No high school credit may be granted for any course taken prior to admission to the high school program as a ninth grade student.

NEW SECTION

WAC 180-51-035 **APPLICABLE STANDARDS FOR GRADUATION—AMENDMENTS TO THIS CHAPTER.** A student shall have the right to graduate in accordance with the standards in effect for the school of graduation for any year since such student commenced the ninth grade unless more than ten years has passed since such entry. In such case, the student shall have the right to graduate in accordance with the standards in effect for the school of graduation for any year within the last ten years. All subsequent amendment to this chapter and all subsequent local standards shall apply prospectively to the students who enter the ninth grade subsequent to the amendment.

NEW SECTION

WAC 180-51-040 **COPIES OF GRADUATION REQUIREMENTS FOR EACH YEAR.** Each high school shall keep on file for student and public inspection a copy of the state board of education rules and regulations regarding high school graduation requirements and procedures for equivalencies applicable for the school

year, including the preceding ten years. Any locally adopted high school graduation requirements and procedures for equivalencies shall also be kept on file with such state requirements. Copies of state requirements by year also shall be kept on file in the office of superintendent of public instruction.

NEW SECTION

WAC 180-51-045 NOTICE TO STUDENTS, PARENTS, AND GUARDIANS. Commencing with the beginning of the ninth grade and each year thereafter, each high school shall provide each student and his or her parents or guardians with a copy of the high school graduation requirements applicable to each student and a progress report at the close of each school year thereafter of each individual student's progress toward meeting those requirements. If a student is not making normal progress toward such requirements, the high school shall notify the student and parents or guardians of alternative education experiences, including summer school opportunities available in the community, if any, or in close proximity.

NEW SECTION

WAC 180-51-050 HIGH SCHOOL CREDIT—DEFINITION. As used in this chapter the term "high school credit" shall mean:

- (1) At the high school level, 60 (50 minute) hours of planned in-school instruction or 3,000 minutes (i.e., equals one high school credit);
- (2) At the adult education level, 60 (50 minute) hours of planned in-school instruction or 3,000 minutes or, in lieu thereof, 30 (50 minute) hours of planned in-school instruction with three hours of planned individual study (homework) substituted for each 50 minute hour of in-school instruction less than 60 (i.e., equals one high school credit); and
- (3) At the college or university level, three quarter or two semester hour credits (i.e., equals one high school credit).

NEW SECTION

WAC 180-51-055 MINIMUM CREDITS FOR HIGH SCHOOL GRADUATION. The minimum credits for high school graduation shall be fifty-four credits.

NEW SECTION

WAC 180-51-060 MINIMUM SUBJECT AREAS FOR HIGH SCHOOL GRADUATION. The minimum subject areas and credits therein shall be:

SUBJECT	CREDIT
English	9
Mathematics	6
Science	6
Social Studies	7-1/2
United States History and Government (3)	
Washington State History and Government (1-1/2*)	

Contemporary World History, Geography, and Problems (3*)	
Occupational Education	3
Physical Education	6

*See WAC 180-51-075 for equivalencies.

The remainder of the fifty-four minimum credits for high school graduation may be in elective subject areas, additional credits in required subjects or local requirements. As a general rule, three credits equal one year.

NEW SECTION

WAC 180-51-065 SEQUENTIAL REQUIREMENT FOR ENGLISH, MATHEMATICS, AND SCIENCE—EXCEPTION FOR TRANSFER STUDENTS FROM WITHOUT THE STATE, FOR STUDENTS WHO FAIL A REQUIRED COURSE, AND SPECIAL ACCOMMODATIONS. English, mathematics, and science credit shall not be applied toward the subject area requirements in WAC 180-51-060 at a rate exceeding one credit per trimester or one and one-half credits per semester. High schools may make exceptions to this sequentiating requirement for high school students:

- (1) Who transfer from without the state who have already earned fifteen or more credits but who will not be able to make normal progress toward graduation with their class without an exception; and
- (2) Who fail a course and jointly enroll in the failed course and another course in the same subject area if such other course does not require the failed course as a prerequisite and the students are not able to make normal progress toward graduation with their class without an exception.

Additional credits in these subjects in excess of the credit per trimester or semester rate of accumulation shall be counted toward the minimum state credit requirement or local requirements if applicable.

Special accommodations for an individual student, or in lieu thereof, exemption from any requirement in this section, if such requirement impedes the student's progress toward graduation and there is a direct relationship between the failure to meet the requirement and the student's ability.

NEW SECTION

WAC 180-51-070 LABORATORY SCIENCE REQUIREMENT. At least three credits of the six science credits shall be in a laboratory science.

NEW SECTION

WAC 180-51-075 SOCIAL STUDIES REQUIREMENT—MANDATORY COURSES—EQUIVALENCIES. The social studies requirement in WAC 180-51-060 shall consist of the following mandatory courses or equivalencies:

- (1) Pursuant to the provisions of RCW 28A.02.080 and 28A.05.050 three credits shall be required in United States history and government which shall include study of the Constitution of the United States. No other

course content may be substituted as an equivalency for this requirement;

(2) Pursuant to the provisions of RCW 28A.02.080 and 28A.05.050, one and one-half credits shall be required in Washington state history and government which shall include study of the Constitution of the state of Washington. Equivalency credit may be given a student who transfers from without the state for credit in northwest history and government. The Washington state history and government requirement for twelfth grade students who transfer from without the state who have or will have earned six credits in social studies at graduation but who will not be able to make normal progress toward graduation with their class without an exception may have this requirement waived by their principal;

(3) Pursuant to the provision of chapter 28A.05 RCW, three credits shall be required in contemporary world history, geography, and problems. Courses in economics, sociology, civics, political science, international relations, or related courses with emphasis on current problems may be accepted as equivalencies.

NEW SECTION

WAC 180-51-080 OCCUPATIONAL EDUCATION REQUIREMENT. The three credit occupational education requirement may be met by any approved vocational education course or any course which qualifies as a work skill pursuant to RCW 28A.58.754(1)(b).

NEW SECTION

WAC 180-51-085 PHYSICAL EDUCATION REQUIREMENT—EXCUSE. The six credit physical education requirement shall be met by physical education courses. Students shall be excused from physical education pursuant to RCW 28A.05.040. Such excused students shall be required to substitute equivalency credits in accordance with policies of boards of directors of districts.

NEW SECTION

WAC 180-51-100 TEMPORARY EXEMPTION FROM 1985 GRADUATION REQUIREMENTS FOR HIGH SCHOOLS WITH FEWER THAN FOUR HUNDRED STUDENTS. The board of directors of any school district containing a high school with fewer than four hundred students may petition the state board of education for a temporary delay in the implementation of the 1985 graduation requirements as provided in this chapter. A delay shall be granted for one year if such board of directors states within its petition that the high school affected does not currently have within its staff certified persons qualified to teach the additional courses required by the 1985 graduation requirements.

NEW SECTION

WAC 180-51-105 EXCEPTIONS TO GRADUATION REQUIREMENTS FOR FORMER EDUCATIONAL CLINIC STUDENTS. Pursuant to the

provisions of RCW 28A.97.030 and chapter 392-184 WAC, the provisions of this chapter are modified in order to provide for the exemptions required by RCW 28A.97.030 for former educational clinic students.

NEW SECTION

WAC 180-51-110 EQUIVALENCY CREDIT FOR ALTERNATIVE LEARNING EXPERIENCES, NONHIGH SCHOOL COURSES, WORK EXPERIENCE, AND CHALLENGES. The board of directors of a district offering a high school diploma shall adopt rules providing for the granting of high school graduation credit for alternative learning experiences, nonhigh school courses, work experience, and challenges. High school credits may be given for:

(1) Planned learning experiences conducted away from the school under the supervision or with the approval of the school;

(2) Work experience on the basis that one hundred thirty-five hours of work experience equals one credit;

(3) National guard high school career training;

(4) Postsecondary courses in accredited colleges and universities;

(5) Courses in accredited or approved vocational-technical institutes;

(6) Correspondence courses from accredited colleges and universities or schools approved by the National University Extension Association or the National Home Study Council;

(7) Other courses offered by any school or institution if specifically approved for credit by the district; and

(8) Credit based on competency testing, in lieu of enrollment or taking specific courses, may be granted by the district.

NEW SECTION

WAC 180-51-115 PROCEDURES FOR GRANTING HIGH SCHOOL GRADUATION CREDITS FOR STUDENTS WITH SPECIAL EDUCATIONAL NEEDS. No student shall be denied the opportunity to earn a high school diploma solely because of limitations on the student's ability. The board of directors of districts granting high school diplomas shall develop rules, including procedures, for meeting the unique limitations of each student. Such procedures may provide for:

(1) The extension of time the student remains in school up to and including the school year in which such student reaches twenty-one years of age;

(2) A special education program in accordance with chapter 28A.13 RCW if the student is eligible; and

(3) Special accommodations for individual students, or in lieu thereof, exemption from any requirement in this chapter, if such requirement impedes the student's progress toward graduation and there is a direct relationship between the failure to meet the requirement and the student's limitation.

WSR 84-11-050
ADOPTED RULES
STATE BOARD
OF EDUCATION

[Order 8-84—Filed May 17, 1984]

Be it resolved by the State Board of Education, acting at Pasco, Washington, that it does adopt the annexed rules relating to school accreditation, chapter 180-55 WAC.

This action is taken pursuant to Notice No. WSR 84-08-075 filed with the code reviser on April 4, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.04.120(4) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 11, 1984.

By Monica Schmidt
 Secretary

AMENDATORY SECTION (Amending Order 2-85, filed 3/26/81)

WAC 180-55-010 INTENT AND PURPOSES.

(1) Intent. It is the intent of the state board of education to establish accreditation procedures in which participation by schools is voluntary and by which such procedures:

(a) Enhance the quality of a school's educational program.

(b) Facilitate a comprehensive self-examination of the school including but not limited to: Program planning, program balance, human and material resources, services and facilities.

(c) Provide means whereby such self-examination may be validated by objective observers.

(d) Promote the subsequent implementation of an effective plan for program improvement.

(e) Provide maximum flexibility to the district and the school by making available different procedures for accreditation.

(f) Provide assurance to the public that students in an accredited elementary school have available a program containing a comprehensive foundation of knowledge and learning skills.

(g) Provide assurance to the public that students in an accredited middle school or junior high school have available a program containing an expanded and reinforced foundation of knowledge and learning skills, a variety of introductory and survey courses that offer exploratory opportunities to meet emerging individual student interests, and a suitable transitional experience designed to provide a bridge from elementary to secondary instructional organization.

(h) Provide assurance to the public that students in an accredited comprehensive secondary school have available a program in which they can prepare for the requirements of higher education and/or occupational opportunities.

(i) Provide assurance to the public that students in accredited vocational skill centers have available a program which, through dual enrollment in a high school and a skill center, provides the student with instruction that leads to a high school diploma granted by the student's cooperating high school and entry level job skills.

(j) Provide assurance to the public that students in accredited vocational-technical institutes have available vocational programs which prepare students for entry level employment, to upgrade the skills and knowledge required to continue or to retrain for job change.

(2) Purposes. The provision of school accreditation procedures by the state board of education is designed to serve the following purposes:

(a) Improve the general quality of the educational program at a school.

(b) Promote staff growth and commitment.

(c) Promote improved community awareness of and sensitivity to the school program.

(d) Provide a statement of accountability to the public.

(e) Fulfill such assessment and planning requirements as may exist.

AMENDATORY SECTION (Amending Order 2-85, filed 3/26/81)

WAC 180-55-015 DEFINITIONS. (1) An accredited school is a public or an approved private school that meets all statutory provisions for schools in the state of Washington and all regulations established by the state board of education, and one that has completed either self-study or standards-only accreditation procedures described by the state superintendent of public instruction pursuant to RCW 28A.04.120(4) and WAC 180-55-005 through 180-55-135.

(2) "Accredited" status shall be assigned to public or approved private schools that:

(a) Complete and meet fully the requirements for self-study accreditation procedures as described in WAC 180-55-040 through 180-55-065, or;

(b) Complete and meet substantially the requirements for standards-only accreditation procedures as described in WAC 180-55-070 through 180-55-135; or

(c) Participate and qualify in accordance with standards and procedures established by the Northwest Association of Schools and Colleges (NWASC).

(3) "Self-study" shall mean an approved comprehensive set of needs-assessment and program improvement plan procedures as described in WAC 180-55-040 through 180-55-065.

(4) "Standards-only" shall mean an appraisal whereby requirements established by the state board of education are applied to an individual school as described in WAC 180-55-070 through 180-55-135.

(5) "Plan for program improvement" shall mean a formal document produced as a result of the self-study procedure for implementation at an accredited school.

(6) "Validation" shall mean an objective, external review of self-study or standards-only activities for the purposes of establishing their correctness, accuracy and thoroughness, and in the case of self-study accreditation procedures, an objective, external review of the plan for program improvement in terms of its feasibility of operation, as described in WAC 180-55-035.

(7) "Northwest Association of Schools and Colleges alternative" shall mean the secondary and vocational-technical institute school accreditation activities provided through school membership in the NWASC and shall be accepted by the state board of education in lieu of state board accreditation procedures as described in WAC 180-55-025 through 180-55-135.

(8) "Approved private school" shall mean a school approved by the state board of education pursuant to chapter 180-90 WAC.

(9) "Vocational-technical institute" shall mean a specialized area nongraded vocational education facility established and operated for the purpose of offering comprehensive courses primarily oriented to the job market area for persons sixteen years of age or older without regard to residence, pursuant to laws and rules and regulations pertaining to the maintenance, operation, and funding of vocational-technical institutes. In applying the provisions of this chapter the terms "school" and "principal" shall mean a vocational-technical institute and director of such institute, respectively.

AMENDATORY SECTION (Amending Order 2-85, filed 3/26/81)

WAC 180-55-020 COMPLIANCE WITH REQUIREMENTS FOR ENTITLEMENT TO BASIC EDUCATION ALLOCATION FUNDS OR APPROVED PRIVATE SCHOOL STATUS. (1) Public schools.

(a) District compliance. Certification by the state board of education of compliance by a school district's program pursuant to provisions of "basic education allocation entitlement requirements" or receipt of waiver therefrom (WAC 180-16-191 through 180-16-225) shall be prerequisite to a public school's participation in accreditation activities and to a public school's receipt of any accreditation status from the state board of education. Such requirements hereby are included within the standards upon which accreditation is conditioned.

(b) School contribution to district compliance with requirements for entitlement to basic education allocation funds. Each school engaged in the state board of education's accreditation procedures must review the school's contribution to district compliance with such entitlement requirements (WAC 180-16-191 through 180-16-225). Although these entitlement requirements are enforced at the district level rather than at the individual school, the intent of this review shall be to serve the following purposes:

(i) Increase the awareness of and familiarity with such entitlement requirements by staff and community members.

(ii) Identify those instances where district compliance is affected adversely by the school.

(iii) Prepare rationale or proposals for corrective action in such instances.

(c) Assessment of school compliance with supplemental program standards. Supplemental program standards (WAC 180-16-240), if unmet, do not affect basic education allocations to the district. At the school level, however, failure to comply with these standards may create an adverse impact on the instructional program. Therefore, each school engaged in the state board of education's accreditation procedures must review the school's compliance with these standards in order to serve the following purposes:

(i) Increase the awareness of and familiarity with supplemental program standards by staff and community members.

(ii) Identify those instances where district compliance is affected adversely by the school.

(iii) Prepare rationale or proposals for corrective action in such instances.

(d) Vocational-technical institutes—Additional requirement. Certification by the state board of education of compliance with the program approval provisions of chapter 180-58 WAC shall be conditional to the receipt of accreditation status by a vocational-technical institute.

(2) Private schools. Certification by the state board of education of compliance by a private school with the approval requirements of chapter 180-90 WAC shall be prerequisite to a private school's participation in the state board of education's accreditation activities and to a private school's receipt of any accreditation status from the state board of education. Such requirements hereby are included within the standards upon which accreditation is conditioned.

AMENDATORY SECTION (Amending Order 2-85, filed 3/26/81)

WAC 180-55-050 SELF-STUDY—COMMON GUIDELINES. Each of the three types of state board of education's self-study accreditation procedures shall include at least the following:

(1) A coordinator generally responsible for the self-study.

(2) A steering committee generally responsible for guiding the self-study.

(3) Planned participation from the following individuals or groups: A district-level administrator, the principal, teachers, parents, and classified employees, and students (secondary only). For a vocational skill center or a vocational-technical institute the following individuals and groups also shall be included: Program supervisors, advisory committee members (industry representatives) and vocational-technical students, if applicable.

(4) The self-study shall be comprehensive in scope, with needs assessments conducted in the following areas: Instructional program, staff, services, materials and resources, and facilities.

(5) The product of the self-study procedure shall be a plan for program improvement which shall set priorities, identify constraints that may affect reaching the desired goals, include an implementation timeline, describe an

internal monitoring process, and provide for revisions and periodic updating.

WSR 84-11-051

ADOPTED RULES

DEPARTMENT OF AGRICULTURE

[Order 1825—Filed May 17, 1984]

I, M. Keith Ellis, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to potato certification, chapter 16-324 WAC.

This action is taken pursuant to Notice No. WSR 84-08-067 filed with the code reviser on April 4, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 15.14 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 14, 1984.

By M. Keith Ellis
Director

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-380 FEES. (1) Potato certification fees shall be (~~thirteen dollars and fifty cents~~) twenty-three dollars per acre.

Applications shall be accompanied by fifty percent of the total charge due and payable on or before June 15 of each year. Applications may be adjusted ten percent on or before July 15.

(2) Final payment of above fee is due and payable November 1 of each year(;;): **PROVIDED(;;):** That

(a) Fees for five acres or less must be paid in full at the time of application.

(b) Fee for two acres or less is forty dollars minimum to be paid in full at time of application.

(c) No fees will be charged, up to five acres, for regularly enrolled high school 4-H or FFA projects.

(3) Refunds of the application fee will be made only if the withdrawal form is received by the department prior to the first field inspection.

(4) Lots rejected on or before October 1 will not be subject to final fees.

(5) Failure to pay fees when due shall result in removing the applicant from this program.

(6) No application for any grower owing the Washington state department of agriculture for previous fees will be considered.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 16-324-350 PROMULGATION

WSR 84-11-052

ADOPTED RULES

DEPARTMENT OF TRANSPORTATION

(Transportation Commission)

[Order 42, Resolution Nos. 221 and 222—Filed May 17, 1984]

Be it resolved by the Washington State Transportation Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to the adoption of a revised schedule of tolls for the Washington state ferry system.

This action is taken pursuant to Notice Nos. WSR 84-06-050 and 84-10-001 filed with the code reviser on March 6, 1984, and April 20, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 47.60.326 which directs that the Department of Transportation has authority to implement the provisions of RCW 47.60.326.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 17, 1984.

By Richard Odabashian
Chairman

AMENDATORY SECTION (Amending Order 41, Resolution No. 218, filed 4/20/84)

WAC 468-300-010 FERRY PASSENGER TOLLS.

ROUTES	Full Fare One Way	Half Fare** One Way	COM-MU-TATION 20 Rides ****	PASSENGER SCHOOL COM-MU-TATION **** 20 Rides Ages	
				12-20	5-11
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow	((1.45 <u>1.50</u>	.75 <u>.75</u>	17.40 <u>18.00</u>	14.50 <u>15.00</u>	7.25)) <u>7.50</u>
Pt. Townsend-Keystone Edmonds-Kingston					
Fauntleroy-Vashon Southworth-Vashon	((1.80 <u>1.90</u>	.90 <u>1.00</u>	10.80 <u>11.40</u> *****	9.00 <u>9.50</u>	4.50)) <u>4.75</u>
Pt. Defiance-Tahlequah					
Mukilteo-Clinton (Lofall-Southpoint))	((.90 <u>.95</u>	.45 <u>.50</u>	10.80 <u>11.40</u>	9.00 <u>9.50</u>	4.50)) <u>4.75</u>
Anacortes to Lopez Shaw, Orcas or Friday Harbor (Sidney))	((1.75 ((1.95 <u>4.20</u> ((2.20 ((5.25) <u>5.50</u>	.90 <u>1.00</u> <u>2.10</u> ((2.65) <u>2.75</u>	21.00 23.40 <u>25.20</u> 26.40 N/A	17.50 19.50 <u>21.00</u> 22.00 N/A	8.75)) 9.75)) <u>10.50</u> 11.00)) N/A
Anacortes to Sidney and Sidney to all Destinations (Friday Harbor to Lopez, Shaw or Orcas	1.45	.75	17.40	14.50	7.25))
Between Lopez, Shaw, ((or) Orcas***** and Friday Harbor (Sidney to Lopez	((.90 <u>N/C</u>	.45 <u>N/C</u>	10.80 <u>N/C</u>	9.00 <u>N/C</u>	4.50)) <u>N/C</u>
From Lopez, Shaw, Orcas and Friday Harbor to Sidney (Shaw or Orcas Friday Harbor	3.80 <u>2.00</u>	1.90 <u>1.00</u>	17.40 <u>N/A</u>	14.50 <u>N/A</u>	7.25)) <u>N/A</u>
	3.50 <u>3.35</u>	1.75 <u>1.70</u>	N/A	N/A	N/A

*These routes operate on one-way only toll collection system.

**Half Fare

Senior Citizens - Passengers and driver, age 65 and over, with proper identification establishing proof of age, may travel at half-fare tolls on any route.

NOTE: Half-fare privilege does not include vehicle.

Children - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare.

Handicapped - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize Ferry System services, may travel at half-fare tolls on any route upon presentation of a WSF Handicapped Travel Permit at time of travel. In addition, those handicapped persons who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSF Handicapped Travel Permit and such endorsement shall allow the attendant to also travel at half fare.

NOTE: Half-fare privilege does not include vehicle.

***School Commutation Tickets - Tickets are for the exclusive use of bona fide students under twenty-one years of age attending grade, junior high, and high schools. Student shall be required to present credentials at time of purchase. A letter indicating school attendance signed by school principal or authorized representative shall be considered proper credentials. Tickets are valid for transportation on school days only.

****A combination Ferry/Bus Public Transit Passenger Monthly Reusable Ticket Rate may be available for a particular route in conjunction with a public transit operating authority whenever it is determined by the Transportation Commission that said ticket is a necessary element of a Transit Operating Plan designed to eliminate the necessity for assigning an additional ferry to such particular route; and that the resulting savings in Ferry System operating and amortized capital costs exceed the total revenue lost as a result of this reduced rate as projected during the period of time during which such transit operating plan is projected to eliminate the need for an additional ferry. The equivalent ferry fare per ride with this special rate shall be one-half the equivalent fare per ride with the standard commutation book, and shall assume 40 one-way trips per month. The total cost of the ticket shall be the cost of the ferry portion, calculated as described above plus the cost of the bus portion as determined by the Public Transit Operating Authority, subject to the approval of the Secretary of Transportation. The ticket shall be valid only for passengers on board a bus; or for walk-on passengers, on weekdays only, on those routes which have connecting bus service as part of the Transit Operating Plan. The assigning of an additional ferry to such particular route may be cause for removal of the special rate. If the conditions of eliminating the assignment of an additional ferry or realizing sufficient resulting savings cannot be met, the ticket may be sold for any route authorized by the Secretary of Transportation, at the full ferry commutation fare per ride based on forty one-way trips per month plus the cost of the bus portion.

*****On the Fauntleroy-Vashon route, a combination Ferry/Bus Public Transit Monthly Reuseable Ticket Rate shall apply.

*****Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

*****Inter-island passenger fares included in Anacortes tolls

PROMOTIONAL TOLLS

A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending Order 41, Resolution No. 218, filed 4/20/84)

WAC 468-300-020 AUTO, MOTORCYCLE AND BICYCLE FERRY TOLLS.

	AUTO** INCL. DRIVER		MOTORCYCLE INCL. DRIVER			BICYCLE & RIDER	
	One Way	Commutation 20 Rides ***	One Way	Commutation 20 Rides ***	Full Fare One Way	Half Fare One Way	Commutation 20 Rides ***
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone	(4.80) 5.05	76.80 80.80	2.60 2.75	34.65 36.65	2.00 2.10	1.30 1.35	20.00) 21.00
Edmonds-Kingston							
Fauntleroy-Vashon Southworth-Vashon	(6.50) 6.80	52.00 54.40	3.50 3.70	23.35 24.65	2.80 2.90	1.90 2.00	14.00) 14.50
Pt. Defiance-Tahlequah							
Mukilteo-Clinton (Lofall-Southpoint))	(3.25) 3.40	52.00 54.40	1.75 1.85	23.35 24.65	1.40 1.45	.95 1.00	14.00) 14.50
Anacortes to Lopez	(5.25) 10.55	42.00 42.20	3.10 6.50	41.35 43.35	2.40 2.70	1.55 1.75	24.00) 27.00)
Shaw, Orcas or Friday Harbor	(5.95) 12.55 (6.80) 14.35	47.60 50.20 54.40) 57.40	3.55) 7.45 4.10) 8.60	47.35) 49.65 54.65) 57.35	2.70) 5.65 3.10) 4.70	1.75) 3.55 2.00) 3.05	27.00) 28.25 31.00) 31.00)
((Sidney)) Anacortes to Sidney and Sidney to all Destinations	(22.60) 23.65	N/A	(11.35) 11.90	N/A	(7.40) 7.75	(4.80) 5.00	N/A
((Friday Harbor to Lopez, Shaw or Orcas	4.25)	34.00)	2.60)	34.65)	2.00)	1.30)	20.00)
Between Lopez, Shaw, ((or)) Orcas and Friday Harbor ****	(2.90) 6.00	23.20) 24.00	1.75) 2.00	23.35) N/A	1.40) 2.00	.95) 2.00	14.00) N/A
((Sidney to)) From Lopez, Shaw ((or)) Orcas	(17.90) (17.30)	N/A	8.55) (8.15)	N/A	5.25) (5.00)	3.35) (3.25)	N/A
and Friday Harbor to Sidney	(12.00) (16.55)		5.40) 7.65)		3.00) 4.70)	2.00) 3.05)	

*These routes operate on one-way only toll collection system.

****Vanpools** - A commuter vanpool which carries seven or more persons on a regular and expense-sharing basis for the purpose of travel to or from work or school and which is certified as such by a local organization approved by the Washington State Ferry System, may purchase for a \$10 fee, a permit valid for a three-month period on Mondays through Fridays only and valid only during the hours shown on the permit. The permit for commuter pool agency vanpools shall be valid for one year. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. The permit so purchased shall allow passage of the vehicle only during the valid periods. All riders in the van, including the driver, shall pay the applicable passenger fare. Except that the minimum total paid for all riders in the van shall not be less than the amount equal to seven times the applicable passenger fare.

*****Commutation tickets** shall be valid only for 90-days from date of purchase after which time the ticket shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

******Tolls collected westbound only**

SUMMER SURCHARGE

A 20% surcharge shall be applied during the summer schedule period (beginning the third Sunday in June and ending the third Saturday in September) to regular, noncommutation auto and oversized vehicle rates only.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

Overhang on passenger vehicles will be assessed a penalty charge of 10¢ per lineal foot of overhang in addition to regular applicable tolls, except that no charge for overhang will be assessed when overall length of vehicle and overhang is less than twenty feet. A fraction of a foot of overhang in excess of six inches will be counted as one foot in assessment of charge for overhang.

SPECIAL SCHOOL RATE

School groups when traveling in authorized school vehicles for institution-sponsored activities shall be assessed a flat fee of \$1.00 per vehicle load of students and/or advisors and staff. The flat fee shall be in addition to regular vehicle and drive toll. Private vehicles need letter of authorization.

NOTE: Special School Rate is \$2.00 on routes where one-way only toll systems are in effect. Special Student Rate not available on Anacortes-Sidney, B.C. route beginning the third Sunday in June and ending the third Saturday in September due to limited space.

PROMOTIONAL TOLLS

A promotional rate may be established at the discretion of the secretary of transportation for a specified discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending Order 41, Resolution No. 218, filed 4/20/84)

WAC 468-300-030 OVERSIZED VEHICLE, STAGE AND BUS, NEWSPAPER, EXPRESS SHIPMENT AND MEDICAL SUPPLIES FERRY TOLLS.

ROUTES	OVERSIZED VEHICLES** 18' TO UNDER 28' LONG		OVERSIZED VEHICLES** 28' OR LONGER		STAGES AND BUSES INCL. DRIVER***	
	One Way	Commutation 20 Rides *****	One Way	Commutation 20 Rides *****	One Way	Each Pass
Fauntleroy-Southworth	(7.20) <u>7.55</u>	115.20 <u>120.80</u>	9.75 <u>10.20</u>	156.00 <u>163.20</u>	10.60 <u>11.10</u>	.75) <u>.80</u>
Seattle-Bremerton						
Seattle-Winslow						
Edmonds-Kingston						
Pt. Townsend-Keystone						
Fauntleroy-Vashon	(9.90) <u>10.40</u>	79.20 <u>83.20</u>	13.70 <u>14.30</u>	109.60 <u>114.40</u>	13.60 <u>14.20</u>	1.00) <u>1.10</u>
Southworth-Vashon						
Pt. Defiance-Tahlequah						
Mukilteo-Clinton	(4.95) <u>5.20</u>	79.20 <u>83.20</u>	6.85 <u>7.15</u>	109.60 <u>114.40</u>	6.80 <u>7.10</u>	.50) <u>.55</u>
((Lofath-Southpoint))						
Anacortes to Lopez, Shaw, Orcas or Friday Harbor (Sidney)	(8.85) <u>18.55</u>	10 Rides 70.80 <u>74.20</u>	11.70 <u>24.50</u>	93.60 <u>98.00</u>	14.45 <u>30.25</u>	(.90) 1.00) <u>2.10</u> (1.10)
Anacortes to Sidney and Sidney to all Destinations						
((Friday Harbor to Lopez, Shaw or Orcas Between Lopez, Shaw ((or)) ₂ Orcas and Friday Harbor *****	(28.70) <u>30.05</u>	N/A	(33.65) <u>35.25</u>	N/A	(42.10) <u>44.05</u>	(2.65) <u>2.75</u>
	(6.15) <u>6.15</u>	49.20) <u>49.20</u>	7.90) <u>7.90</u>	63.20) <u>63.20</u>	10.60) <u>10.60</u>	.75) <u>.75</u>
	(4.35) <u>4.35</u>	34.80) <u>34.80</u>	5.85) <u>5.85</u>	46.80) <u>46.80</u>	6.80) <u>6.80</u>	.50) <u>.50</u>

ROUTES	OVERSIZED VEHICLES** 18' TO UNDER 28' LONG		OVERSIZED VEHICLES** 28' OR LONGER		STAGES AND BUSES INCL. DRIVER***	
	One Way	Commutation 20 Rides *****	One Way	Commutation 20 Rides *****	One Way	Each Pass
((Sidney to))	10.00	N/A	10.00	N/A	10.00	N/C
From Lopez,	} ((22.15))	N/A	((26.75))	N/A	((29.35))	((1.90))
Shaw, Orcas ((σ)) ₁						
and Friday Harbor to Sidney	J					((1.75))

(1) BULK NEWSPAPERS per 100 lbs. \$2.00

(Shipments exceeding 60,000 lbs. in any month shall be assessed .95¢ per 100 lbs.)

Daily Newspapers, in bundles, and medical supplies, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

(2) EXPRESS SHIPMENTS per 100 lbs. \$19.00

(Shipments exceeding 100 lbs. assessed \$7.50 for each 25 lbs. or fraction thereof.)

Express shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight requiring a minimum of handling by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

San Juan Inter-Island express shipments will be handled @ \$2.55 per 100 lbs.

(3) MEDICAL SUPPLIES per 100 lbs. \$1.00

(Medical supplies exceeding 100 lbs. shall be assessed express shipment rates.)

*These routes operate on one-way only toll collection system.

**Includes Motor Homes, and Mobile Campers that exceed eight feet in height and 18' in length. Excludes trucks licensed over 8,000 lbs., passenger busses and stages. All oversize vehicles under 18' in length will be considered as regular car and driver.

***Stages - A public transportation operator providing regularly scheduled week-day service for public necessity and convenience may pay a \$10 annual fee for each scheduled vehicle. This fee covers the fare for each trip of the vehicle and operator only. All occupants shall be assessed the applicable passenger rate per trip. The \$10 annual fee does not apply to vehicles providing chartered service or vehicles providing service for special events such as trips for recreational purposes.

- For vanpool fares, see WAC 468-300-020 under Auto.

****Half fare.

*****Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

*****Toll collected westbound only

SUMMER SURCHARGE

A 20% surcharge shall be applied during the summer schedule period (beginning the third Sunday in June and ending the third Saturday in September) to regular, noncommutation auto and oversized vehicle rates only.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

PROMOTIONAL DISCOUNTS

A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending Order 33, Resolution No. 175, filed 3/22/83)

WAC 468-300-040 TRUCKS AND TRUCKS WITH TRAILER FERRY TOLLS.

INCL. DRIVER
OVERALL UNIT LENGTH

ROUTES	Class I	Class II	Class III	Class IV	Class V	Class VI	Class VII	Class VIII	Cost Per
	*** Under 18'	18' to Under 28'	28' to Under 38'	38' to Under 48'	48' to Under 58'	58' to Under 68'	68' to Under 78'	Over 78'	Ft. over 78 Ft.
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow	(4.80) <u>5.05</u>	8.15 <u>8.55</u>	16.15 <u>16.90</u>	24.15 <u>25.30</u>	32.15 <u>33.65</u>	40.15 <u>42.05</u>	48.15 <u>50.40</u>	48.15 <u>50.40</u>	.65) <u>.70</u>
Pt. Townsend-Keystone Edmonds-Kingston									
Fauntleroy-Vashon Southworth-Vashon	(6.50) <u>6.80</u>	11.40 <u>11.90</u>	22.60 <u>23.70</u>	33.80 <u>35.40</u>	45.00 <u>47.10</u>	56.20 <u>58.80</u>	67.40 <u>70.60</u>	67.40) <u>70.60</u>	.90
Pt. Defiance-Tahlequah									
Mukilteo-Clinton (Lofall-Southpoint)	(3.25) <u>3.40</u>	5.70 <u>5.95</u>	11.30 <u>11.85</u>	16.90 <u>17.70</u>	22.50 <u>23.55</u>	28.10 <u>29.40</u>	33.70 <u>35.30</u>	33.70) <u>35.30</u>	.45
**Anacortes to Lopez	(5.25) <u>10.55</u>								
Shaw, Orcas or Friday Harbor	(5.95) <u>12.55</u>	9.75 <u>20.40</u>	19.35 <u>40.50</u>	28.95 <u>60.60</u>	38.55 <u>80.70</u>	48.15 <u>100.85</u>	57.75 <u>120.95</u>	57.75) <u>120.95</u>	.80) <u>1.70</u>
(Sidney)									
Anacortes to Sidney	(22.60) <u>23.65</u>	29.60 <u>31.00</u>	50.00 <u>52.35</u>	70.40 <u>73.70</u>	90.80 <u>95.05</u>	111.20 <u>116.45</u>	131.60 <u>137.80</u>	131.60) <u>137.80</u>	1.80) <u>1.90</u>
**and Sidney to all Destinations									
(**Friday Harbor to Lopez, Shaw or Orcas	4.25) <u>4.25</u>	6.65) <u>6.65</u>	13.05) <u>13.05</u>	19.45) <u>19.45</u>	25.85) <u>25.85</u>	32.25) <u>32.25</u>	38.65) <u>38.65</u>	38.65) <u>38.65</u>	.55) <u>.55)</u>
**Between Lopez, Shaw ((or), Orcas and Friday Harbor (Sidney to))	(2.90) <u>6.00</u>	4.90) <u>10.00</u>	9.70) <u>10.00</u>	14.50) <u>10.00</u>	19.30) <u>40.00</u>	24.10) <u>40.00</u>	28.90) <u>40.00</u>	28.90) <u>40.00</u>	.40) <u>N/A</u>
**From Lopez, Shaw ((or), Orcas and Friday Harbor to Sidney	(17.90) <u>12.55</u>	(17.30) <u>18.20</u>	(17.30) <u>30.80</u>	(17.30) <u>43.35</u>	(17.30) <u>55.90</u>	(17.30) <u>72.10</u>	(17.30) <u>88.30</u>	(17.30) <u>104.50</u>	(17.30) <u>104.50</u>

*These routes operate on one-way only toll collection system.

**Commercial trucks are allowed stop-over at intermediate points upon payment of \$2.50 per stop-over.

***Includes all trucks licensed 8,001 lbs. gross vehicle weight and above, except busses. Trucks under 8,001 lbs. will be classified as automobiles.

Also includes all trucks licensed 8,001 lbs. gross vehicle weight and above pulling trailers, unlicensed vehicles and road machinery on wheels. Vehicles not included in this class cannot be charged under this class.

****UNITED STATES GOVERNMENT SPECIAL RATE - Special rates are available to the United States Government through advance, bulk ticket purchase at the general offices of Washington State Ferries. The per unit price is the same as the 28' to under 38', class III rate.

*****Toll collected westbound only

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

DISCOUNT PERCENTAGES FROM REGULAR TOLL

12 or more, one-way crossings within any consecutive six day period 25%

Emergency trips during nonservice hours – while at locations where crew is on duty charge shall be equal to the cost of fuel consumed to make emergency trip. Such trips shall only be offered as a result of official requests from an emergency services agency and only in the case of no reasonable alternative.

AMENDATORY SECTION (Amending Order 33, Resolution No. 175, filed 3/22/83)

WAC 468-300-070 VEHICLE WITH TRAILER FERRY TOLLS.

		Vehicle with Trailer Ferry Tolls***				
		Under 18'	18' To 28'	28' To 38'	38' To 48'	48' And Over
Seattle-Winslow	}	(4.80)	7.20	9.75	13.75	17.75
Seattle-Bremerton		<u>5.05</u>	<u>7.55</u>	<u>10.20</u>	<u>14.40</u>	<u>18.60</u>
Edmonds-Kingston	}	(6.50)	9.90	13.70	19.30	24.90
Pt. Townsend-Keystone		<u>6.80</u>	<u>10.40</u>	<u>14.30</u>	<u>20.20</u>	<u>26.10</u>
Fauntleroy-Southworth	}	(3.25)	4.95	6.85	9.65	12.45
*Fauntleroy-Vashon		<u>3.40</u>	<u>5.20</u>	<u>7.15</u>	<u>10.10</u>	<u>13.05</u>
*Southworth-Vashon	}	(5.25)				
*Pt. Defiance-Tahlequah		<u>10.55</u>				
Mukilteo-Clinton	}	(5.95)	8.85	11.70	16.50	21.30
((Lofall-South Point))		<u>12.55</u>	<u>18.55</u>	<u>24.50</u>	<u>34.55</u>	<u>44.60</u>
Anacortes to Lopez	}	(6.80)				
Shaw, Orcas *		<u>14.35</u>				
or Friday Harbor	}	(22.60)	28.70	33.65	43.85	54.05
((Sidney))		<u>23.65</u>	<u>30.05</u>	<u>35.25</u>	<u>45.90</u>	<u>56.60</u>
Anacortes to Sidney and Sidney to all Destinations						
((Friday Harbor to Lopez Shaw, or Orcas		4.25	6.15	7.90	11.10	14.30
Between Lopez, Shaw ((and)), Orcas and Friday Harbor	****	(2.90)	4.35	5.85	8.25	10.65
((Sidney to))		<u>6.00</u>	<u>10.00</u>	<u>10.00</u>	<u>10.00</u>	<u>40.00</u>
From Lopez,		(17.90)				
Shaw ((or)), Orcas		(17.30)	22.15	26.75	34.85	42.95
and Friday Harbor to Sidney		<u>12.55</u>	<u>16.55</u>	<u>20.75</u>	<u>27.00</u>	<u>33.30</u>

*These routes operate on one-way only toll collection system.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

***INCLUDES THE FOLLOWING VEHICLES PULLING TRAILERS:

- Automobiles
- Trucks licensed under 8,001 lbs. (For trucks 8,001 lbs. and over, see WAC 468-300-020)
- Oversize vehicles
- Does not include motorcycles with trailers.

****Toll collected westbound only

Senior Citizen Discounts for the driver of the above vehicles shall apply.

Senior Citizen Discount is determined by subtracting full fare passenger rate and adding 1/2 passenger fare.

WSR 84-11-053
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
 [Order 409—Filed May 18, 1984]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington 98504, the annexed rules relating to the adoption of an emergency rule describing hazardous areas protected by the Department of Natural Resources which are closed to entry from midnight, June 5, 1984, through midnight, September 3, 1984, WAC 332-26-015.

I, Brian J. Boyle, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the above described forest areas contain an abnormal concentration of forest fuels and because of the usual summer increase in drying conditions, are particularly exposed to fire danger.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.140 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 18, 1984.

By Brian J. Boyle
 Commissioner of Public Lands

NEW SECTION

WAC 332-26-015 OLYMPIC AREA CLOSURES. *Grays Harbor County, Township 18 North, Range 10 West: Portions of SW 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SW 1/4, SW 1/4 SW 1/4, SE 1/4 SW 1/4 of Section 27; Portions of SW 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, SE 1/4 SE 1/4 of Section 28; Portions of SE 1/4 SW 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, SE 1/4 SE 1/4 of Section 32; Portions of NE 1/4 NE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, SE 1/4 SE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, E 1/2 SW 1/4, E 1/2 NW 1/4 of Section 33; Portions of NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4, SW 1/4 NW 1/4, SW 1/4 SE 1/4 of Section 34.*

Township 17 North, Range 10 West: NW 1/4 NE 1/4, NW 1/4 NE 1/4, S 1/2 NE 1/4 portions north of the Little Hoquiam River in Section 3; NW 1/4, NE 1/4 SW 1/4 North of Little Hoquiam River in Section 3; Lots 1 and 2 of Section 3; Portions of NW 1/4 NE 1/4, S 1/2 NE 1/4, N 1/2 NW 1/4, S 1/2 NW 1/4, N 1/2 SW 1/4, NE 1/4 SE 1/4, NW 1/4 NE 1/4 of Section 4; Lots 3 and 4 of Section 4; Portions of N 1/2 NE

1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 NW 1/4, SE 1/4, NW 1/4, N 1/2 SE 1/4 of Section 5.

For the protection of the above described areas against fire the following rule will be enforced:

"Entry into the area is prohibited except as provided by law with reference to permanent residents and industrial operations."

When, in the opinion of the Area Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, the Area Manager may suspend this notice by issuing a news release to the newspapers of general circulation in the area and to radio and television stations serving the area, specifying the date and time of the suspension, and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Area Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective from midnight, June 5, 1984 to midnight September 3, 1984.

WSR 84-11-054
EMERGENCY RULES
DEPARTMENT OF
EMERGENCY SERVICES
 [Order 118-03—Filed May 18, 1984]

I, Hugh H. Fowler, director of the Department of Emergency Services, do promulgate and adopt at 4220 East Martin Way, Olympia, WA, the annexed rules relating to amending permanent rules for permitted entry and/or occupancy of Mt. St. Helens restricted zone, chapter 118-03 WAC.

I, Hugh Fowler, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is governor's emergency proclamation - Mt. St. Helens.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapters 43.06 and 38.52 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 18, 1984.

By William Lokey
for Hugh Fowler
Director

WSR 84-11-055
PROPOSED RULES
DEPARTMENT OF
EMERGENCY SERVICES
[Filed May 18, 1984]

AMENDATORY SECTION (Amending Order 83-01, filed 7/27/83)

WAC 118-03-010 **PURPOSE.** The purpose of this chapter is to adopt rules, regulations, and guidelines to implement Executive Order ((83-08)) 84-07, prohibiting any person or persons with certain limited exceptions from entering the high risk danger zone known as the restricted zone of the Mt. St. Helens volcano as described in that executive order, and providing entry permit procedures for persons excepted. These rules may be amended from time to time as conditions warrant. The executive order issued by the governor effective ((June 14, 1983)) April 30, 1984, recognizes the continuing danger from additional eruptions, earthquakes, and other related events from Mt. St. Helens.

AMENDATORY SECTION (Amending Order 83-01, filed 7/27/83)

WAC 118-03-050 **EXEMPTED PERSONNEL.** Consistent with Executive Order ((83-08)) 84-07, the following shall be subject to a limited exception to the prohibition against entry or occupancy in the restricted zone.

(1) U.S. Geological Survey personnel who are performing official duties related to scientific evaluation and hazard assessments that require their presence in the restricted zone.

(2) U.S. Forest Service personnel who are performing official duties that require entry into the restricted zone.

(3) U.S. Army Corps of Engineers personnel who are performing official duties that require their presence in the restricted zone.

(4) Search and rescue personnel registered or identified pursuant to RCW 38.52.010(5) on official search and rescue missions within the restricted zone. The sheriffs of counties whose jurisdictions lie within the boundaries of the restricted zone or their designee(s) shall have the authority to approve entry and/or occupation by search and rescue personnel.

(5) Federal, state, county and local law enforcement and fire fighting personnel whose jurisdiction is within the restricted zone and who are on official business within the restricted zone.

(6) Federal, state, county or local administrative personnel on official business within the restricted zone.

(7) Individual(s) who own and/or control real property, or personal property being used as a residence, and whose official permanent residence is within the restricted zone.

(8) Individual(s) with a legitimate business reason for being within the restricted zone as determined by the director, department of emergency services, or his designee(s).

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Emergency Services intends to adopt, amend, or repeal rules concerning the amending of emergency rules for permitted entry and/or occupancy, Mt. St. Helens restricted zone, chapter 118-03 WAC. The amending involves only the implementing of Executive Order (EO 84-07) and the effective date (April 30, 1984) in WAC 118-03-010 and 118-03-050;

that the agency will at 10:00 a.m., Wednesday, June 27, 1984, in the State Emergency Operations Center, State Department of Emergency Services, 4220 East Martin Way, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is Executive Order 84-07.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 25, 1984.

Dated: May 17, 1984
By: William M. Lokey
Assistant Director

STATEMENT OF PURPOSE

Title: Mt. St. Helens closure—Rules for permitted entry and/or occupancy.

Description of Purpose: To provide rules and regulations to implement the governor's EO 83-08.

Statutory Authority: Chapters 43.06 and 38.52 RCW.

Summary of Rule: These rules provide for a permit application approval process for entry into the Mt. St. Helens restricted zone. They also establish the criteria for those persons allowed entry and the restrictions they must obey in order to enter the area.

Reasons Supporting Proposed Action: EO 84-07.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William Lokey and Ben Dew, 4220 East Martin Way, Olympia, Washington 98504, Phone: (206) 753-5255.

Organization Proposing Rule: Washington State Department of Emergency Services.

AMENDATORY SECTION (Amending Order 83-01, filed 7/27/83)

WAC 118-03-010 **PURPOSE.** The purpose of this chapter is to adopt rules, regulations, and guidelines to implement Executive Order ((83-08)) 84-07, prohibiting any person or persons with certain limited exceptions from entering the high risk danger zone known as the restricted zone of the Mt. St. Helens volcano as described in that executive order, and providing entry permit procedures for persons excepted. These rules may be amended from time to time as conditions warrant. The executive order issued by the governor effective ((June 14, 1983)) April 30, 1984, recognizes the continuing danger from additional eruptions, earthquakes, and other related events from Mt. St. Helens.

AMENDATORY SECTION (Amending Order 83-01, filed 7/27/83)

WAC 118-03-050 EXEMPTED PERSONNEL. Consistent with Executive Order ((83-08)) 84-07, the following shall be subject to a limited exception to the prohibition against entry or occupancy in the restricted zone.

- (1) U.S. Geological Survey personnel who are performing official duties related to scientific evaluation and hazard assessments that require their presence in the restricted zone.
- (2) U.S. Forest Service personnel who are performing official duties that require entry into the restricted zone.
- (3) U.S. Army Corps of Engineers personnel who are performing official duties that require their presence in the restricted zone.
- (4) Search and rescue personnel registered or identified pursuant to RCW 38.52.010(5) on official search and rescue missions within the restricted zone. The sheriffs of counties whose jurisdictions lie within the boundaries of the restricted zone or their designee(s) shall have the authority to approve entry and/or occupation by search and rescue personnel.
- (5) Federal, state, county and local law enforcement and fire fighting personnel whose jurisdiction is within the restricted zone and who are on official business within the restricted zone.
- (6) Federal, state, county or local administrative personnel on official business within the restricted zone.
- (7) Individual(s) who own and/or control real property, or personal property being used as a residence, and whose official permanent residence is within the restricted zone.
- (8) Individual(s) with a legitimate business reason for being within the restricted zone as determined by the director, department of emergency services, or his designee(s).

**WSR 84-11-056
ADOPTED RULES
BOARD OF**

PILOTAGE COMMISSIONERS

[Order 84-4, Resolution No. 84-4—Filed May 18, 1984]

Be it resolved by the Washington State Board of Pilotage Commissioners, acting at Coleman Dock, Seattle, Washington 98104, that it does adopt the annexed rules relating to collection of fees, WAC 296-116-070.

This action is taken pursuant to Notice No. WSR 84-07-027 filed with the code reviser on March 16, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 88.16.090 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 10, 1984.

By Ralph E. White
Chairman

AMENDATORY SECTION (Amending Order 828 [82-8], Resolution No. 828 [82-8], filed 11/18/82)

WAC 296-116-070 COLLECTION OF FEES. All pilots shall pay an annual license fee of eight hundred dollars for every year in which they perform any pilotage

services. If a licensed pilot does not perform pilotage services during a ((calendar)) license year, his fee for that year shall be reduced to four hundred dollars upon application to the board. The board of pilotage commissioners shall receive all fees for licenses or for other purposes and make proper accounting of same and transmit all such funds to the pilotage account.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 84-11-057
ADOPTED RULES
PARKS AND RECREATION
COMMISSION**

[Order 79—Filed May 18, 1984]

Be it resolved by the Washington State Parks and Recreation Commission, acting at Vancouver, Washington, that it does adopt the annexed rules relating to boating safety, chapter 352-60 WAC.

This action is taken pursuant to Notice No. WSR 84-08-063 filed with the code reviser on April 4, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.51.400 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 18, 1984.

By Jack R. Gustafson
Chairperson

**Chapter 352-60 WAC
BOATING SAFETY**

WAC

- 352-60-010 Purpose.
- 352-60-020 Definitions.
- 352-60-030 Personal flotation devices.
- 352-60-040 Visual distress signals.
- 352-60-050 Ventilation.
- 352-60-060 Navigation lights and shapes and sound and light signals.
- 352-60-070 Steering and sailing.
- 352-60-080 Fire extinguishing equipment.
- 352-60-090 Backfire flame control.
- 352-60-100 Liquefied petroleum gas.
- 352-60-110 Canadian vessels.

NEW SECTION

WAC 352-60-010 PURPOSE. This chapter is promulgated in order to establish boating safety standards in accordance with RCW 43.51.400.

NEW SECTION

WAC 352-60-020 DEFINITIONS. When used in this chapter the following words and phrases shall have the meanings designated in this section unless a different meaning is expressly provided or unless the context clearly indicates otherwise.

(1) "Boat" means any vessel manufactured or used primarily for noncommercial use; leased, rented, or chartered to another for the latter's noncommercial use; or engaged in the carrying of six or fewer passengers.

(2) "Coastal waters" means the high seas within the territorial limits of Washington state and the bays and sounds which empty into these waters. "Coastal waters" does not mean rivers, inside of a line drawn tangent to their headlands, unless the distance across a river is over two miles, in which case "coastal waters" means all portions of a river from the mouth to the point at which the river first narrows to two miles.

(3) "Inland waters" means the waters within the territorial limits of Washington state which are not governed by the international regulations for preventing collisions at sea, 1972, (72 COLREGS), Title 33, Code of Federal Regulations, part 81-72, appendix A.

(4) "Length" means a straight line measurement of the overall distance from the foremost point of a vessel to the aftermost part of a vessel, measured parallel to the centerline not including bow sprits, bumpkins, boomkins, rudders, outboard motor brackets, outdrive units, propellers, and similar fittings or attachments.

(5) "Motorboat" means any vessel identified in Title 46, Code of Federal Regulations, Table 24.05-1(a), Column 6, which is sixty-five feet or less in length and equipped with propulsion machinery, including vessels propelled with steam machinery, and including vessels which are temporarily or permanently equipped with a detachable motor.

(6) "Motor vessel" means any vessel which is more than sixty-five feet in length and propelled by machinery other than steam.

(7) "Passenger" means every person on board a vessel other than the following:

(a) The owner of a vessel or the representative of the owner;

(b) The operator of a vessel;

(c) The bona fide members of the crew of a vessel who are engaged in the business of a vessel, who have not contributed for their carriage, and who are paid for their services; and

(d) Guests who are on board a vessel which is being used exclusively for pleasure purposes and who have not contributed for their carriage.

(8) "Racing shell, rowing scull, and racing kayak" means any manually propelled boat that is recognized by a national or international racing association for use in competitive racing, in which all occupants row, scull, or paddle, with the exception of a coxswain, if one is provided, and which is not designed to carry and does not carry any equipment not solely for competitive racing.

(9) "Recreational boat" means any vessel manufactured or used primarily for noncommercial use; or

leased, rented, or chartered to another for the latter's noncommercial use. It does not include a vessel engaged in the carrying of six or fewer passengers.

(10) "Use" means to operate, navigate, moor or employ.

(11) "Vessel" means every watercraft used or capable of being used as a means of transportation on the water, other than a seaplane.

(12) "Waters of Washington state" means any waters within the territorial limits of Washington state.

(13) "Waters of Washington state which are governed by the international regulations for preventing collisions at sea, 1972, (72 COLREGS), Title 33, Code of Federal Regulations, part 81-72, appendix A," means the waters within the territorial limits of Washington state which are identified in Title 33, Code of Federal Regulations, 80.1365, 80.1370, 80.1375, 80.1380, 80.1385, 80.1390, and 80.1395.

NEW SECTION

WAC 352-60-030 PERSONAL FLOTATION DEVICES. When a person uses a recreational boat on the waters of Washington state that is propelled or controlled by machinery, sails, oars, paddles, poles, or another vessel, except racing shells, rowing sculls, and racing kayaks, such persons shall comply with Title 33, Code of Federal Regulations 175.3, 175.13, 175.15, 175.17, 175.19, 175.21, and 175.23.

NEW SECTION

WAC 352-60-040 VISUAL DISTRESS SIGNALS. When a person uses a boat on the coastal waters of Washington state such person shall comply with Title 33, Code of Federal Regulations, 175.3, 175.105(a), 175.110, 175.113, 175.115, 175.120, 175.125, 175.128, 175.130, and 175.140.

NEW SECTION

WAC 352-60-050 VENTILATION. When a person uses a boat on the waters of Washington state that has a gasoline engine for electrical generation, mechanical power, or propulsion such person shall comply with Title 33, Code of Federal Regulations, 175.3 and 175.201. When used on the waters of Washington state a motorboat or a motor vessel shall comply with Title 46, Code of Federal Regulations, 25.40-1.

NEW SECTION

WAC 352-60-060 NAVIGATION LIGHTS AND SHAPES AND SOUND AND LIGHT SIGNALS. (1) When used on the waters of Washington state which are governed by the international regulations for preventing collisions at sea, 1972, (72 COLREGS), Title 33, Code of Federal Regulations, part 81-72, appendix A, a vessel shall be equipped with the navigation lights and shapes and sound and light signals as required by such international rules and the COLREGS implementing rules, Title 33, Code of Federal Regulations, parts 81-72 and 82-72.

(2) When used on the inland waters of Washington state, a vessel shall be equipped either with the navigation lights and shapes and sound and light signals as required by the international regulations for preventing collisions at sea, 1972, (72 COLREGS), Title 33, Code of Federal Regulations, part 81-72, appendix A, and the COLREGS implementing rules, Title 33, Code of Federal Regulations, part 81-72 or as required by the inland navigational rules act of 1980, 33, United States Code, chapter 34, and the inland navigational rules, Title 33, Code of Federal Regulations, parts 84, 85, 86, 87, 88, and 89.

NEW SECTION

WAC 352-60-070 STEERING AND SAILING.

(1) When used on the waters of Washington state which are governed by the international regulations for preventing collisions at sea, 1972, (72 COLREGS), Title 33, Code of Federal Regulations, part 81-72, appendix A, a vessel shall comply with the steering and sailing rules of such international rules and the COLREGS implementing rules, Title 33, Code of Federal Regulations, part 81-72.

(2) When used on the inland waters of Washington state, a vessel shall comply with the steering and sailing rules of the inland navigational rules act of 1980, 33, United States Code, chapter 34.

NEW SECTION

WAC 352-60-080 FIRE EXTINGUISHING EQUIPMENT. When used on the waters of Washington state a motorboat or a motor vessel shall be equipped with the fire extinguishing equipment as required by Title 46, Code of Federal Regulations, subpart 25.30.

NEW SECTION

WAC 352-60-090 BACKFIRE FLAME CONTROL. When used on the waters of Washington state a motorboat or a motor vessel shall be equipped with the backfire flame control devices as required by Title 46, Code of Federal Regulations, subpart 25.35.

NEW SECTION

WAC 352-60-100 LIQUEFIED PETROLEUM GAS. When a vessel is used to carry persons for hire on the waters of Washington state the use on such vessel of any liquefied petroleum gas or certain flammable liquids for cooking, heating, or lighting is prohibited as required by Title 46, Code of Federal Regulations, subpart 25.45 and parts 146 and 147.

NEW SECTION

WAC 352-60-110 CANADIAN VESSELS. When used on the waters of Washington state for a period of less than sixty days all Canadian vessels which comply with the boating safety laws of the government of Canada shall be exempt from the provisions of chapter 352-60 WAC except for WAC 352-60-070.

WSR 84-11-058
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 84-40—Filed May 18, 1984]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to subsistence fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this order allows subsistence fisheries for chinook salmon.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.
APPROVED AND ADOPTED May 18, 1984.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-32-05500I OFF RESERVATION INDIAN SUBSISTENCE FISHING. Notwithstanding the provisions of WAC 220-32-055, it is unlawful for any Treaty Indian fishermen to fish for or possess salmon taken for ceremonial or subsistence purposes from the waters of the Columbia River or tributaries of the Columbia River except as provided for in this section:

(1) Effective immediately through June 10, 1984, those individuals possessing treaty fishing rights under the Yakima treaty may fish for and possess salmon for subsistence purposes with dip net gear from 12:00 noon Thursday, to 12:00 noon Monday in that portion of the Klickitat River between the swinging bridge, approximately one and one-half miles upstream, and a monument located in Section 25, Township 3N, Range 12E, a distance of 25 feet downstream from the entrance to the upper Klickitat Falls Fishway No. 5.

(2) Effective immediately the following Wanapum Indians may fish for and possess salmon taken for subsistence purposes on even numbered days in the lower most end of the spawning channel, ladder, and volunteer trap area of the Priest Rapids Salmon Hatchery under conditions of a permit issued by the Director:

Frank Buck	Lester Umtuch
Stanley Buck	Robert S. Tomanawah, Sr.
Willie Buck	Grant Wyena
Harry Buck	Douglas Wyena
Ken Buck	Jerry Wyena
Rex Buck, Jr.	Jimmy Wyena

Phillip Buck Patrick Wyena
Richard Buck

(3) Effective May 19, 1984, those individuals possessing treaty fishing rights under the Yakima Treaty may fish for and possess salmon taken for subsistence purposes on odd numbered days with pond seine and dip net gear from 8:00 a.m. to 5:00 p.m. in the lower most end of the spawning channel, ladder and volunteer trap area of the Priest Rapids Salmon Hatchery.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05000H CEREMONIAL AND
SUBSISTENCE FISHING (84-33)

WSR 84-11-059

ADOPTED RULES

DEPARTMENT OF LICENSING

(Board of Funeral Directors and Embalmers)

[Order PL 468—Filed May 18, 1984]

Be it resolved by the Washington State Board of Funeral Directors and Embalmers, acting at Olympia, Washington, that it does adopt the annexed rules relating to approval of embalming schools and accrediting associations, adding new section WAC 308-48-145.

This action is taken pursuant to Notice No. WSR 84-08-061 filed with the code reviser on April 4, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.39.175(4), 18.39.035(2) and 18.39.045 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 14, 1984.

By Ian D. Morrison
Chairman

NEW SECTION

WAC 308-48-145 APPROVAL OF EMBALMING SCHOOLS AND ACCREDITING ASSOCIATIONS. (1) The board, in approving courses of instruction in embalming schools pursuant to RCW 18.39.035(2), adopts the standards of the American Board of Funeral Service Education, Inc. which are relevant to the accreditation of embalming schools and current on April 23, 1983, and approves all and only those schools which were accredited by, and in good standing with, the Board of Funeral Service Education, Inc. pursuant to those standards or as subsequently revised, and approved by the board. Other embalming schools which apply for the board's approval and which

meet the standards to the board's satisfaction may be approved, but it is the responsibility of a school to apply for approval and of an applicant to ascertain whether or not a school has been approved by the board.

(2) The board, in approving associations accrediting schools, colleges or universities providing a two-year college course pursuant to RCW 18.39.045, approves of accrediting groups recognized by the Council on Post-secondary Accreditation (COPA). The board adopts the standards of COPA relevant to the recognition of accrediting groups as of May 15, 1982 and approves all and only those groups recognized and in good standing with COPA pursuant to those standards or as subsequently revised, and approved by the board. Other accrediting associations which apply for the board's approval and which meet the standards to the board's satisfaction may be approved, but it is the responsibility of an association to apply for approval and of an applicant to ascertain whether or not a school, college or university has been accredited by an association approved by the board.

(3) In both (1) and (2), the board reserves the right to withdraw approval of any course of instruction in an embalming school or any association accrediting a school, college or university providing a two-year college course which ceases to meet the approval of the board and/or the American Board of Funeral Service Education, Inc. or COPA.

WSR 84-11-060

ADOPTED RULES

DEPARTMENT OF LICENSING

[Order TL/RG-1—Filed May 18, 1984]

I, John Gonzalez, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to vessel registration and certificates of title, new WAC 308-93-650.

This action is taken pursuant to Notice No. WSR 84-06-056 filed with the code reviser on March 7, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 88.02.100 and 88.02.070 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 15, 1984.

By John Gonzalez
Director

NEW SECTION

WAC 308-93-650 TITLE PURPOSE ONLY. Nothing in title 82 or chapter 308-93 WAC shall be construed to prevent any person entitled thereto from

securing a certificate of title upon a vessel without securing a certificate of registration and vessel decal when, in the judgment of the director of licensing, it is proper to do so.

WSR 84-11-061
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
 [EO 84-09]

**CAPITOL CAMPUS DESIGN ADVISORY
 COMMITTEE**

I, John Spellman, Governor of the state of Washington, do hereby establish a Capitol Campus Design Advisory Committee to act as an advisory group to the Director of General Administration, to review plans of design and landscaping of state capitol facilities and grounds, and to make recommendations to the Director that will contribute to the attainment of architectural, aesthetic, functional, and environmental excellence in the design and maintenance of the State Capitol Campus in Olympia.

Composition and duties of the Committee shall consist of the following:

- A. **Committee Chairperson**
 An architect who will preside over the Committee and its meetings, call meetings as necessary, and establish the Committee's business.
- B. **Landscape Architect**
 A landscape architect who will review and advise on state capitol siting plans, planting proposals related to overall landscape treatment, placement of outdoor sculpture, and access to the capitol campus and buildings.
- C. **Urban Planner**
 An urban planner who will review and advise on the grouping and site of state facilities on the capitol campus as they serve the needs of state government, and as they relate to the local community.
- D. **Local Community Representative**
 An official from within the local communities of the state capitol campus area who will review overall state capitol plans as they relate to the host city of Olympia, the cities of Lacey and Tumwater, and Thurston County and their respective comprehensive plans for long-range urban development.
- E. **The Secretary of State**

The Committee shall review plans affecting the state capitol campus as they are developed by the Department of General Administration, and shall serve as expert critic of such proposals. Final approval authority of

plans shall rest with the Director of the Department of General Administration and with the State Capitol Committee, as appropriate and in accordance with applicable statutes.

Members of the Committee shall be appointed to serve without pay except for expenses of travel and meals.

IN WITNESS WHERE-
 OF, I have hereunto set my
 hand and caused the seal of
 the state of Washington to
 be affixed at Olympia this
 16th day of May, nineteen
 hundred and eighty-four.

John Spellman

 Governor of Washington

BY THE GOVERNOR:

Ralph Munro

 Secretary of State

WSR 84-11-062
PROPOSED RULES
UNIVERSITY OF WASHINGTON
 [Filed May 21, 1984]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the University of Washington intends to adopt, amend, or repeal rules concerning fees, amending WAC 478-116-600, and chapter 478-116 WAC containing the parking and traffic regulations of the University of Washington;

that the institution will at 11:30 a.m., Wednesday, July 11, 1984, in the 4th Floor Conference Room, Suzzallo Library, University of Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 20, 1984.

The authority under which these rules are proposed is RCW 28B.10.300, 28B.10.560 and 28B.20.130.

The specific statute these rules are intended to implement is RCW 28B.10.300, 28B.10.560 and 28B.20.130.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before July 11, 1984.

Dated: May 17, 1984

By: Elsa Kircher Cole
 Assistant Attorney General

STATEMENT OF PURPOSE

WAC 478-116-600.

Statutory Authority for the Rule(s): RCW 28B.10.300, 28B.10.560 and 28B.20.130.

Purpose of the Rule(s): Fees are imposed to control traffic, minimize traffic disturbances, facilitate the work of the university by assuring access to its vehicles, and to assure the most efficient use of limited parking space.

Summary of the Rule(s): The UW parking and traffic regulations regulate parking, and pedestrian and vehicular traffic on the university campus. Fees for campus parking are imposed to control traffic, minimize traffic disturbances, facilitate the work of the university by assuring access to its vehicles, and to assure the most efficient use of limited parking spaces.

Reasons Which Support the Proposed Action: To assure an adequate level of revenues to support parking system operations. Recent additions of new costs against the parking system are of sufficient magnitude to require added revenues to offset them, to insure the financial integrity of parking system operations.

Name of Person or Organization Proposing the Rule(s): J. F. Ryan, Vice President for Business and Finance, governmental.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule(s): J. F. Ryan, Vice President for Business and Finance, (206) 543-6410.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action, or State Court Action: No.

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule(s): [No information supplied by agency.]

AMENDATORY SECTION (Amending Order 82-1, filed 6/23/82)

WAC 478-116-600 FEES. (1) For purposes of this section the following lots are in:

- (a) Zone A -
 - (i) Central campus: C1, C3, C6, C7, C8, C9, C10, C12, C13, C14, C15, C16, C17, C18;
 - (ii) East campus: E3, E6, E7, E8, E13;
 - (iii) North campus: N2, N3, N4, N6, N7, N8, N9, N10, N11, N12, N13, N14, N15, N16, N18, N20, N21, N22, N23, N24, N26, N27, N28, N2E;
 - (iv) South campus: S1, S4, S5, S6, S7, S8, S9, S10;
 - (v) West campus: W3, W4, W5, W6, W7, W8, W9, W10, W11, W12, W13, W14, W18, W19, W20, W21, W22, W23, W24, W25, W34, W39, W41, W42.
- (b) Zone B -
 - (i) East campus: E2, E9, E10, E11, E12, E15;
 - (ii) North campus: N1, N5, N25;
 - (iii) South campus: S13;
 - (iv) West campus: W2, W26, W27, W28, W29, W30, W31, W32, W33, W35, W36, W38, W40, W43.

(2) The following schedule of parking fees is hereby established:

	PER AMOUNT
(a) Type of Permit -	
(i) Annual Permits:	
(A) Zone A Permits	Year ((156.00)) \$204.00
(B) Zone B Permits	Year ((14.00)) 150.00
(C) Reserved - General	Year ((300.00)) 420.00
(D) Wheelchair permits	Year ((14.00)) 150.00
(E) Motorcycle, Scooters and Mopeds	Year ((24.00)) 30.00
(F) Drive-through permits (Full-time Faculty and Staff only)	Year 6.00
(G) 24-hour storage, garages	Year ((180.00)) 240.00

		PER AMOUNT
(H) Carpool Permits	Year	((24.00)) 36.00
(I) Retiree Permits	Month	6.80
(ii) Quarterly Permits:		
(A) Zone A permits	Quarter	((39.00)) 51.00
(B) Zone B permits	Quarter	((28.50)) 37.50
(C) Reserved - General	Quarter	((75.00)) 105.00
(D) Wheelchair permits	Quarter	((28.50)) 37.50
(E) Drive-through permits (Full-time Faculty and Staff only)	Quarter	2.00
(F) Motorcycle, Scooter and Mopeds	Quarter	((6.00)) 7.50
(G) 24-hour storage, garages	Quarter	((45.00)) 60.00
(H) Carpool Permits	Quarter	((6.00)) 9.00
(I) Retiree Permits	Quarter	20.40
(iii) Night Permits (4:00 p.m. to 7:30 a.m. and Saturday a.m. only)		
(A) Zone A annual permits	Year	((72.00)) 96.00
(B) Zone B annual permits	Year	((42.00)) 54.00
(C) Zone A quarterly permits	Quarter	((18.00)) 24.00
(D) Zone B quarterly permits	Quarter	((16.50)) 13.50
(iv) Academic Year Permits (9 months - 24-hour Storage)		
(A) Zone A	Academic year	((17.00)) 153.00
(B) Zone B	Academic year	((85.50)) 112.50
(C) 24-hour storage-garages	Academic year	((135.00)) 180.00
(b) Hourly Parking Rates for Designated Areas on Main campus and South Campus (6:45 a.m. to 11:00 p.m. weekdays only) -		
(i) 0-15 minutes	No charge	
(ii) 15 minutes to 30 minutes		\$.75
(iii) to 1 hour		1.00
(iv) 1 hour to 2 hours		1.50
(v) 2 hours to 3 hours		1.75
(vi) over 3 hours		((2.00)) 3.00
(vii) gate issued	Week	((6.00)) 6.50
((1.75)) (c) Hourly Parking Rates for Designated Areas on the Periphery of Campus (6:45 a.m. to 11:00 p.m. weekdays only) -		
(i) 0-15 minutes	No charge	
(ii) 15 minutes to 1 hour		.50
(iii) 1 hour to 2 hours		1.00
(iv) over 2 hours		((1.25)) 1.75
((1.75)) (d) Evening Parking (4:00 p.m.-12:00 midnight)		
(i) 0-15 minutes	No charge	
(ii) 15-30 minutes		.50
(iii) over 30 minutes		1.00
((1.75)) (e) Special Permits -		
(i) Short term	Week	((4.00)) 4.50
(ii) Short-term Motorcycle	Day	((.35)) .50

	PER AMOUNT
(iii) Ticket Books (persons identified in WAC 478-116-240(6) and 478-116-250(1) only)	
(A) 5 ticket book - Dept./Indv.	((3-25)) 4.25
(B) 10 ticket book - Dept./Indiv.	((6-50)) 8.50
(C) 25 ticket book - Dept./Indiv.	((16-25)) 21.25
(iv) Steno Person (SP) and Special Services (SS)	
Year	((156-00)) 168.00
Quarter	((39-00)) 42.00
((f)) (f) Mechanically Controlled Parking Areas as Designated (Parking meters, ticket dispensers, automatic gates, etc.)	((10-75)) 25-75
((ff)) (g) Athletic Events -	
(i) Football	
(A) Automobiles	((2-00)) 3.00
(B) Motor homes	((4-00)) 6.00
(C) Buses	((6-00)) 10.00
(ii) All other events - Pavilion and Stadium lots	
(A) When staffed by attendants	((1-50)) 2.00
(B) When controlled by mechanical equipment (E1-only)	((-50)) .60
((fg)) (h) Miscellaneous Fees -	
(i) Transfer from one area to another by request of individual	2.00
(ii) Gate keycard replacement - not to exceed	((5-00)) 5.40
(iii) Vehicle ((Gatekey)) gate keycard deposit (Amount of deposit will be set by the Manager of the Parking Division. Deposit will be returned to individual when key is returned to Parking Division.)	Not to exceed 10.00
(iv) Permit Replacement	
(A) With signed certificate of destruction or theft	((1-00)) 1.10
(B) Without certificate of destruction	((2-00)) 2.15
(v) Impound Fee	At cost
(vi) Carpools - (Daily pay parking in certain designated areas. Two or more persons.)	.25-.50

NOTE: The schedule above includes applicable Washington state sales tax.

WSR 84-11-063
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE
[Order 1826—Filed May 21, 1984]

I, M. Keith Ellis, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the chemical ethylene dibromide (EDB), WAC 16-228-345.

I, M. Keith Ellis, find that an emergency exists and that this order is necessary for the preservation of the

public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the U.S. Environmental Protection Agency has suspended the sale and distribution of ethylene dibromide (EDB) registered for soil fumigation. The suspension allows applicators and/or farmers to use existing stocks. The Washington Department of Agriculture has received and reviewed a copy of the data upon which the suspension is based. The Washington Department of Social and Health Services Health Division has determined that EDB levels of 0.2 ppb or more in drinking water pose an unacceptable public health risk to consumers. EDB has the capability to leach through soil into shallow unprotected aquifers and detectable amounts of EDB have been found in such aquifers in western Washington. For these reasons it has been determined that the immediate prohibition of the distribution or use of EDB for soil fumigation is necessary to protect the public health, safety and welfare.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapters 15.58 and 17.21 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 21, 1984.

By M. Keith Ellis
Director

NEW SECTION

WAC 16-228-345 SALE, DISTRIBUTION, USE, OR APPLICATION OF THE CHEMICAL ETHYLENE DIBROMIDE (EDB). (1) For purposes of this section, EDB means all pesticide products containing the chemical ethylene dibromide.

(2) The sale or distribution of EDB labeled for soil fumigation is prohibited in the state of Washington.

(3) The use or application of EDB for soil fumigation is prohibited in all counties located west of the crest of the Cascade mountains.

WSR 84-11-064
PROPOSED RULES
COUNTY ROAD
ADMINISTRATION BOARD
[Filed May 22, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the County Road Administration Board intends to adopt, amend, or repeal rules concerning administration of the rural arterial program, chapters 136-100, 136-110, 136-120, 136-130, 136-150, 136-160, 136-170, 136-180, 136-200, 136-210, 136-220 and 136-250 WAC;

that such agency will at 1:45 p.m., Thursday, June 28, 1984, in the Everett Pacific Motel, 3105 Pine Street, Everett, WA 98201, conduct a hearing relative thereto, administration of the rural arterial program;

and that the adoption, amendment, or repeal of such rules will take place at 1:45 p.m., Thursday, June 28, 1984, in the Everett Pacific Motel, 3105 Pine Street, Everett, WA, 98201.

The authority under which these rules are proposed is chapter 36.78 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to June 21, 1984, and/or orally at 1:45 p.m., Thursday, June 28, 1984, Everett Pacific Motel, 3105 Pine Street, Everett, WA 98201.

Dated: May 21, 1984
By: Ernest Geissler
Director

STATEMENT OF PURPOSE

Title: Rural arterial program procedures.

Purpose: To adopt procedures for counties to follow in applying for rural arterial trust account funds.

Statutory Authority: Chapter 36.78 RCW, to implement House Bill 235.

Summary of Rules: Establishes guidelines for the distribution of 1/3 cent motor vehicle fuel tax to the counties of the state of Washington for use on rural roads.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ernest Geissler, Director, 6730 Martin Way N.E., Olympia, WA 98504, Phone: 459-6425.

These rules are not necessary because of federal law, federal court decision or state court decision.

NEW SECTION

WAC 136-100-010 PURPOSE. Section 19(5), chapter 49, Laws of 1983 1st ex. sess. (the act), provides that the county road administration board (CRABoard) shall administer the rural arterial program (RAP) established by chapter 36.79 RCW. This chapter describes the manner in which the CRABoard will implement the several provisions of the act.

NEW SECTION

WAC 136-100-020 ADOPTION OF RULES. The CRABoard shall adopt rules in accordance with the provisions of the act for purposes of administering the RAP regarding the following:

- (1) Apportionment of Rural Arterial Trust Account (RATA) funds to regions.
- (2) RAP projects in the six year program.
- (3) Regional prioritization of RAP projects.
- (4) Preparation of RAP budget and program.
- (5) Eligibility for RATA funds.
- (6) Allocation of RATA funds to approved RAP projects.
- (7) CRAB/County contract.
- (8) Processing of vouchers.
- (9) Audit responsibilities.
- (10) Functional classification.
- (11) Design standards for RAP projects.
- (12) Matching requirements.
- (13) Joint county RAP/Rural UAB projects.
- (14) Emergent projects.
- (15) Reports to the legislature.
- (16) Other matters deemed necessary by the CRABoard.

NEW SECTION

WAC 136-100-030 MAJOR COLLECTORS AND MINOR COLLECTORS. The act specifies that rural arterials classified as major collectors and rural arterials classified as minor collectors shall be eligible for RATA funding. In developing project priorities and in approving RAP projects the CRABoard shall prioritize all prospectus applications to determine the priority rating of each proposed project in each region in relation to all other proposed projects in each region without regard to their classification as major and minor collectors.

NEW SECTION

WAC 136-100-040 DELEGATION OF AUTHORITY. In order to assure effective and timely administration of the RAP, the CRABoard may delegate authority in specific matters to its director. Delegation may be relative to signing of contracts, approval of RAP project vouchers, approval of change of scope of a project and other matters as may be determined by the CRABoard.

NEW SECTION

WAC 136-110-010 PURPOSE. Section 4, chapter 49, Laws of 1983 1st ex. sess. provides that rural arterial trust account (RATA) funds available for expenditure by the CRABoard shall be apportioned to the five regions for expenditure upon county arterials in rural areas in the following manner:

- (1) One-third in the ratio which the land area of the rural areas of each region bears to the total land area of all rural areas of the state;
 - (2) Two-thirds in the ratio which the mileage of county major and minor collectors in rural areas of each region bears to the total mileage of county major and minor collectors in all rural areas of the state.
- This chapter describes how this statutory language will be implemented by the CRABoard.

NEW SECTION

WAC 136-110-020 COMPUTATION OF LAND AREA RATIO. The rural land areas of each region, and the ratio which they bear to the total rural land area of the state are shown as follows:

REGION	RURAL LAND AREA SQ. MILE	% OF TOTAL RURAL LAND AREA
Puget Sound	5,005	7.71
Northwest	8,069	12.43
Northeast	26,711	41.14
Southeast	14,748	22.72
Southwest	10,387	16.00
TOTAL	64,920	100.00

NEW SECTION

WAC 136-110-030 COMPUTATION OF ROAD MILEAGE RATIO. The ratio which the mileage of county major and minor collectors in rural areas of each region bears to the total mileage of county major and minor collectors in all rural areas of the state shall be computed from information shown in the county road log maintained by the secretary of transportation as of July 1, 1985 and each two years thereafter.

NEW SECTION

WAC 136-110-040 APPORTIONMENT PERCENTAGES ESTABLISHED. At the first CRABoard meeting of each biennium the CRABoard shall establish apportionment percentages for the five RAP regions based on the computations described in WAC 136-110-010 and 136-110-030. The apportionments so established shall remain in effect for the remainder of the biennium.

NEW SECTION

WAC 136-110-050 APPORTIONMENT TO REGIONS. The apportionment percentages established in accordance with WAC 136-110-040 shall be used once each quarter by the board to apportion funds credited to the rural arterial trust account (RATA) to the five regions. The funds so apportioned shall be allocated as described in chapter 136-160 WAC by the CRABoard to counties for construction of approved rural arterial projects.

NEW SECTION

WAC 136-120-010 PURPOSE. Sections 8 and 10, chapter 49, Laws of 1983 ex. sess., require that counties list prospective RAP projects in their respective six-year programs. This WAC chapter describes the manner in which the CRABoard will implement these provisions in its administration of the RAP program.

NEW SECTION

WAC 136-120-020 SIX-YEAR PROGRAM ADOPTION. The county's six-year program shall be prepared and adopted in accordance with RCW 36.81.121, and one copy forwarded to the CRAB office no later than August 1st.

NEW SECTION

WAC 136-120-030 RAP PROJECTS IN SIX-YEAR PROGRAM. The county's six-year program in each even-numbered year shall include, in its first and second year, all projects for which the county may request RATA funds during the succeeding biennium. Project cost estimates for RAP projects shall be considered preliminary, and subject to revision until a project application is submitted.

NEW SECTION

WAC 136-130-010 PURPOSE. Section 8, chapter 49, Laws of 1983 1st ex. sess. provides that the CRABoard shall determine the priority of specific improvement projects based upon the rating of each proposed improvement in relation to all other proposed improvements within each region, taking into account, but not limited to, the following five factors:

- (1) Its structural ability to carry loads upon it;
- (2) Its capacity to move traffic at reasonable speeds;
- (3) Its adequacy of alignment and related geometrics;
- (4) Its accident experience; and
- (5) Its fatal accident experience.

This chapter describes how this statutory language will be implemented by the CRABoard.

NEW SECTION

WAC 136-130-020 PRIORITIES BY REGION. The CRABoard has determined that the interests of the counties in the several regions will be best served by encouraging development of a distinct project priority rating system for each region. These rating systems, described in WAC 136-130-030, 136-130-040, 136-130-050, 136-130-060, and 136-130-070, shall be used in the prioritization of proposed projects requesting RATA funds submitted by counties in the respective regions. Detailed procedures for implementing the regional rating systems are published by the CRABoard in a pamphlet entitled: "Procedures for Priority Rating of Proposed RAP Project" (RAP Rating Procedures).

NEW SECTION

WAC 136-130-030 PROJECT PRIORITIZATION IN PUGET SOUND REGION (PSR). Each county in the PSR region may submit up to three projects requesting RATA funds. Each project shall be rated in accordance with the RAP rating procedures. PSR RAP rating points shall be assigned on the basis of one hundred points for a condition rating and fifty points for a service rating. The priority rating equals two and one-half times the product of the service rating to the 1.25 power and the common logarithm of the number obtained by dividing one hundred by the condition rating. Prioritization of PSR projects shall be on the basis of total PSR RAP rating points shown on the project worksheet and the prospectus form of the project application.

NEW SECTION

WAC 136-130-040 PROJECT PRIORITIZATION IN NORTHWEST REGION (NWR). Each county in the NWR may submit projects requesting RATA funds not to exceed two hundred fifty thousand dollars per project and three hundred seventy-five thousand dollars total. No bridge replacement projects will be funded. Each project shall be rated in accordance with the NWR RAP rating procedures. NWR RAP rating points shall be assigned on the basis of forty points for structural condition, forty points for geometrics, ten points

for traffic volume and ten points for traffic accidents and five points for any project on a major collector (07). Prioritization of NWR projects shall be on the basis of total NWR RAP rating points shown on the project worksheet and the prospectus form of the project application.

NEW SECTION

WAC 136-130-050 PROJECT PRIORITIZATION IN NORTHEAST REGION (NER). Each county in the NER may submit projects requesting RATA funds not to exceed five percent per project and fifteen percent of the NER biennial apportionment. Each project shall be rated in accordance with the NER RAP rating procedures. A RAP project may include a bridge when its cost does not exceed twenty percent of the total project cost. A stand-alone bridge project may be submitted provided that its priority rating has been computed by the same RAP rating procedures applied to all other projects, and provided further that RATA funds may be used only as a match for federal funds. NER RAP rating points shall be assigned on the basis of one hundred points for a condition rating and fifty points for a service rating. The priority rating equals two and one-half times the product of the service rating to the 1.25 power and the common logarithm of the number obtained by dividing one hundred by the condition rating. Prioritization of NER projects shall be on the basis of total NER RAP rating points shown on the project worksheet and the prospectus form of the project application.

NEW SECTION

WAC 136-130-060 PROJECT PRIORITIZATION IN SOUTHEAST REGION (SER). Each county in the SER may submit projects requesting RATA funds not to exceed five hundred thousand dollars per county. Each project shall be rated in accordance with the SER RAP rating procedures. Ten percent of the SER biennial apportionment shall be reserved for stand-alone bridge projects in each biennium. Whatever part of the bridge reserve has not been allocated to bridge projects by the first meeting in each biennium shall be available for allocation to other RAP projects. SER RAP rating points shall be assigned on the basis of forty points for structural condition, thirty points for geometrics, twenty points for traffic volume and ten points for traffic accidents. Prioritization of SER projects shall be on the basis of total SER RAP rating points shown on the project worksheet and the prospectus form of the project application.

NEW SECTION

WAC 136-130-070 PROJECT PRIORITIZATION IN SOUTHWEST REGION (SWR). Each county in the SWR may submit projects requesting RATA funds not to exceed two hundred thousand dollars per project and six hundred thousand dollars per county. RATA allocation shall not exceed four hundred thousand dollars per county. No bridge replacement projects will be funded. Each project shall be rated in accordance with the SWR RAP rating procedures. SWR RAP rating points shall be assigned on the basis of twenty-five points for structural condition, twenty-five points for road surface condition, thirty points for geometrics, ten points for traffic volume and ten points for traffic accidents. Except that Portland cement surfaces shall have fifty points for road surface condition and no points for structural condition. Points for surface condition will be assigned by one independent consultant retained by mutual consent of all counties in the region. Points for structural conditions will be assigned based on a method of pavement and/or subgrade structural adequacy evaluations, which is mutually acceptable by the counties in the region. Project pavement structures shall be designed for a minimum design life of ten years. Prioritization of SWR projects shall be on the basis of total SWR RAP rating points shown on the project worksheets and the prospectus form of the application.

NEW SECTION

WAC 136-130-080 LIMITATION ON RATING POINTS. In each of the project prioritization methods described in WAC 136-130-030, 136-130-040, 136-130-050, 136-130-060, and 136-130-070 rating points are assigned to a variety of structural and geometric conditions. For purposes of the RAP project prospectus submitted to the CRABoard, structural and geometric condition points shall be assigned only for those conditions which will be corrected by construction of the project.

NEW SECTION

WAC 136-150-010 PURPOSE. Language in section 14, chapter 49, Laws of 1983 1st ex. sess. was intended to make rural arterial trust account (RATA) funds available only to those counties which in the preceding twelve months did not expend county road property tax revenues for any purposes other than those allowed to the state by Article II, section 40 of the state Constitution. This chapter describes how this statutory language will be implemented by the CRABoard during the rural arterial program (RAP) funding process.

NEW SECTION

WAC 136-150-020 DETERMINING ELIGIBILITY. Only those counties which in the preceding twelve months did not expend county road property tax revenues for any purposes other than those allowed to the state by Article II, section 40 of the state Constitution shall be eligible to receive RATA funds.

NEW SECTION

WAC 136-150-030 CERTIFICATION REQUIRED. The contract between CRAB and a county relative to a RAP project shall contain a certification, signed by the county executive or chairman of the board of county commissioners, that the county is in compliance with the provisions of this chapter.

NEW SECTION

WAC 136-150-040 POST AUDIT/PENALTY. Every RAP project shall be subject to final examination and audit by the state auditor. In the event such an examination reveals an improper certification on the part of a county relative to compliance with provisions of this chapter, the matter shall be placed on the agenda of the next CRAB meeting and may be cause for the CRABoard to withdraw or deny the certificate of good practice of that county.

NEW SECTION

WAC 136-160-010 PURPOSE. Section 16, chapter 49, Laws of 1983 1st ex. sess. provides that the CRABoard shall allocate the rural arterial trust account (RATA) funds apportioned to each region to counties within the region for the construction of specific rural arterial projects. This chapter describes the manner in which a county may request RATA funds for specific rural arterial projects and the manner in which the CRABoard will approve such projects and allocate RATA funds.

NEW SECTION

WAC 136-160-020 THE PROJECT APPLICATION. Each application by a county for RATA funds shall be made on a prospectus form furnished by the CRABoard. The information submitted to the CRABoard shall include the prospectus form, a vicinity map and a sketch of a typical cross section. The project application shall also include a narrative which addresses the particular deficiency which caused the project to be submitted and explains how the proposed improvement would impact or correct the deficiency.

NEW SECTION

WAC 136-160-030 SUBMISSION OF THE PROJECT APPLICATION. Project applications for projects for which RATA funds are requested for any biennium must be submitted to the CRABoard no later than September 1, of the even-numbered year immediately preceding that biennium; provided that the CRABoard may request additional project applications at any time thereafter should additional funding become available. Project applications will not be accepted for projects which are not listed in the first and second year of the most recently adopted six-year program.

NEW SECTION

WAC 136-160-040 PREPARATION AND REVIEW OF REGIONAL PRIORITY ARRAY. The CRABoard shall prepare and review a regional priority array for each RAP region based on the initial project prioritization in each region described in WAC 136-130-030 through 136-130-070. Projects shall be listed in the order of total RAP rating points including the RATA funds requested for each project. Ties in total RAP rating points may be broken by the

CRABoard in favor of the county having the lesser amount of previously allocated RATA funds.

NEW SECTION

WAC 136-160-050 PROJECT APPROVAL AND RATA FUND ALLOCATION. The CRABoard will meet as soon as feasible after passage of each biennial budget by the legislature to approve RAP projects and allocate RATA funds. RAP projects shall be approved in each region, in order of their regional priority and RATA funds allocated up to a cumulative dollar amount no greater than ninety percent of the RATA construction appropriation included in the biennial budget. The remaining construction appropriation may be allocated to approved projects later in the biennium at a time deemed appropriate by the CRABoard.

NEW SECTION

WAC 136-160-060 LIMITATION ON USE OF RATA FUNDS. The RATA funds requested in the project application are intended to reimburse a county for eighty percent of its RAP construction costs up to the amount of the CRAB/County contract in all regions. RAP project RATA funds may be used to reimburse a county for eighty percent of its RAP project preliminary engineering costs only in the NER. RATA funds may not be used for right of way acquisition in any region.

NEW SECTION

WAC 136-170-010 PURPOSE. Section 16, chapter 49, Laws of 1983 1st ex. sess. provides that the CRABoard shall administer the rural arterial program (RAP). This chapter describes the individual project contract between the CRABoard and a county to be used to administer each approved RAP project.

NEW SECTION

WAC 136-170-020 NOTIFICATION OF COUNTIES. The CRABoard shall, within ten days of its RAP project approval meeting, notify each county having an approved project of such approval and of the amount of RATA funds allocated to each approved project. The CRABoard shall offer a contract for each such approved project setting forth the terms and conditions under which RATA funds will be provided.

NEW SECTION

WAC 136-170-030 TERMS OF CRAB/COUNTY CONTRACT. The CRAB/county contract shall include, but not be limited to, the following provisions:

(1) Such contract shall be valid and binding (and the county shall be entitled to receive RATA funds) only if such contract is signed and returned to the CRABoard within forty-five days of its mailing by the CRABoard.

(2) The county certifies that it is in compliance with the provisions of chapter 136-150 WAC.

(3) The project will be constructed in accordance with (a) the information furnished to the CRABoard, and (b) the plans and specifications prepared by the county engineer.

(4) The county will notify the CRABoard when a construction contract has been awarded and/or when construction has started, and when the project has been completed.

(5) The CRABoard will reimburse counties on the basis of monthly progress payment vouchers received and approved on individual projects in the order in which they are received in the CRAB office, and subject to the availability of RATA funds apportioned to the region.

(6) The county will reimburse the RATA in the event a project post-audit reveals improper expenditure of RATA funds.

NEW SECTION

WAC 136-180-010 PURPOSE. Section 17, chapter 49, Laws of 1983 ex. sess. provides that counties shall submit vouchers for payment of the RATA share of the cost of work completed on each RAP project. This WAC chapter describes the manner in which the CRABoard will implement the provisions of the act related to payment of vouchers.

NEW SECTION

WAC 136-180-020 VOUCHER FORM. The CRABoard shall prepare and distribute to all counties with approved RAP projects, voucher forms for use in requesting progress payments and final payment for each approved RAP project.

NEW SECTION

WAC 136-180-030 VOUCHER APPROVAL. The county constructing each RAP project may submit vouchers monthly as the work progresses and shall submit a final voucher after completion of each RAP project for the payment of the RATA share of the project cost. The chairman of the CRABoard or his designated agent(s) shall approve such vouchers for payment to the county submitting the voucher.

NEW SECTION

WAC 136-180-040 PAYMENT OF VOUCHERS. Upon approval of each RAP project voucher by the chairman of the CRABoard or his designated agent(s), it shall be transmitted to the department of transportation for payment to the county submitting the voucher. RATA warrants shall be transmitted directly to each county submitting a voucher.

NEW SECTION

WAC 136-200-010 PURPOSE. Section 2, chapter 49, Laws of 1983 ex. sess., provides that rural arterial trust account funds shall be expended for the construction and improvement of county major and minor collectors in rural areas. This WAC chapter describes that manner in which the major and minor collector designations are made. The source document is entitled: "Guidelines: For Amending Urban Boundaries, Functional Classification, and/or Federal Aid Systems, December 1982", by WSDOT, and includes all subsequent amendments.

NEW SECTION

WAC 136-200-020 FUNCTIONAL CLASSIFICATION. The Federal Highway Administration (FHWA) has developed a system of functional classification for highways, roads and streets which divides these facilities into groups having similar characteristics of providing mobility and/or land access. All rural roads are presently categorized into four functional classifications: Principal arterials, minor arterials, major and minor collectors, and local roads.

NEW SECTION

WAC 136-200-030 FUNCTIONAL CLASSIFICATION CHANGES. Requests to change a route's functional classification are developed by the county having jurisdiction over the route. For those routes extending into another jurisdiction, i.e., a route extending into another city or county, concurrence from the other affected agency is required unless the functional classification can logically be changed at the boundary between agencies. Functional classification changes may be requested in accordance with procedures outlined in the source document described in WAC 136-200-010 through appropriate DOT channels.

NEW SECTION

WAC 136-200-040 FUNCTIONAL CLASSIFICATION VERIFICATION. Each RAP project application submitted in accordance with WAC 136-160-020 shall show the functional classification of the road or roads included in the project. Prior to project approval the CRABoard shall verify that the road on which the RAP project is requested is classified as a major or minor collector in the latest functional class printout available from state aid division, DOT.

NEW SECTION

WAC 136-210-010 PURPOSE. Section 6, chapter 49, Laws of 1983 1st ex. sess. provides that the CRABoard shall adopt reasonable uniform design standards for county major and minor collectors that meet the requirements for trucks transporting commodities. This chapter describes how this statutory requirement will be implemented by the CRABoard.

NEW SECTION

WAC 136-210-020 APPLICABLE DESIGN STANDARDS. Geometric design of all RAP projects shall be in accordance with the local agency guidelines (LAG) manual published by the WSDOT, Division 13, Rural Area Design Standards.

NEW SECTION

WAC 136-210-030 DEVIATIONS FROM DESIGN STANDARDS. Deviation from the specified design standards may be requested by the county engineer in responsible charge of the project when circumstances exist which would make application of adopted standards exceedingly difficult. Whenever a deviation request is to be made on a project, it shall be so noted on the project application submitted in accordance with WAC 136-160-020. Request for deviation shall be made to the state aid engineer in accordance with the LAG manual.

NEW SECTION

WAC 136-210-040 REPORT OF STATE AID ENGINEER. Whenever the CRABoard meets to approve RAP projects the state aid engineer shall report on his action in response to deviation requests made on individual projects. Failure of the state aid engineer to report in response to a deviation request shall be considered as approval.

NEW SECTION

WAC 136-210-050 PROJECT APPROVAL WITH DEVIATION. After having received the report of the state aid engineer in response to deviation requests, the CRABoard shall proceed with RAP project approval in accordance with WAC 136-160-050. Proposed projects for which the deviation request has been denied shall not be approved.

NEW SECTION

WAC 136-220-010 PURPOSE. Section 12, chapter 49, Laws of 1983 1st ex. sess. provides that the CRABoard shall establish matching requirements for counties receiving funds from the rural arterial trust account (RATA). This chapter describes how this statutory requirement will be implemented by the CRABoard.

NEW SECTION

WAC 136-220-020 ESTABLISHMENT OF MATCHING REQUIREMENTS. The CRABoard finds that most counties have sufficient financial resources to match available federal funds for road and bridge construction. Counties will be required to match RATA funds with a minimum of twenty percent matching funds.

NEW SECTION

WAC 136-220-030 USE OF RATA FUNDS TO MATCH OTHER FUNDS. A county with an approved RAP project may use RATA funds to match any applicable funds available for such project, provided that the county will be required to match any RATA funds earmarked for the project with a minimum of twenty percent matching funds. Projects involving federal highway program funds will be administered through the state aid division of DOT except that reimbursement of RATA funds will be through the CRABoard.

NEW SECTION

WAC 136-250-010 PURPOSE. Section 5, chapter 53, Laws of 1983 ex. sess., requires the CRABoard to monitor expenditures by counties of county road levy revenues and to report all expenditures of these revenues for other than road construction and maintenance purposes annually to the legislative transportation committee (LTC). This chapter describes how the CRABoard intends to implement these provisions.

NEW SECTION

WAC 136-250-020 REPORT OF ROAD LEVY REVENUES. Annually, subsequent to the adoption of the county budgets in accordance with RCW 36.40.080, the county legislative authority is required to fix the amount of the levies necessary to raise the amount of estimated expenditures in accordance with RCW 36.40.090. The legislative authority may budget and expend any portion of the county road

property tax revenues for any service to be provided in the unincorporated area of the county in accordance with RCW 36.33.220. Annually, no later than February 1, each county shall submit to the CRABoard a report showing the amount of the county road levy, the estimated revenues generated by such levy, the amount of such levy budgeted for road purposes, and the amount or amounts budgeted for any service to be provided in the unincorporated area of the county, in accordance with RCW 36.33.220.

NEW SECTION

WAC 136-250-030 REPORT OF EXPENDITURES. Annually each county submits a report of road fund revenues and expenditures for the preceding year to the secretary of transportation. A duplicate copy of this report shall be transmitted to the CRABoard no later than April 1 of each year.

NEW SECTION

WAC 136-250-040 REPORT OF ROAD LEVY EXPENDITURES. Annually, no later than April 1, each county shall submit to the CRABoard a report showing the amounts of the county road levy revenues actually expended during the preceding year, in accordance with RCW 36.33.220, for other than the construction, maintenance, and administration of the county road system.

NEW SECTION

WAC 136-250-050 REPORT TO THE LEGISLATIVE TRANSPORTATION COMMITTEE. Annually, no later than May 1, the CRABoard shall submit to the legislative transportation committee a composite report on behalf of all counties showing the amounts specified in WAC 136-250-020 and 136-250-040.

WSR 84-11-065
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed May 22, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning:

New	WAC 458-53-163	Mobile homes—Use in study.
Amd	WAC 458-53-020	Definitions.
Amd	WAC 458-53-030	Stratification of assessment rolls—Real property.
Amd	WAC 458-53-070	Sales studies.
Amd	WAC 458-53-080	Sales samples.
Amd	WAC 458-53-090	Sales samples—Assessed valuation.
Amd	WAC 458-53-100	Use of county sales studies.
Amd	WAC 458-53-110	Property values used in the ratio study.
Amd	WAC 458-53-130	Real property appraisal studies.
Amd	WAC 458-53-140	Personal property audit studies.
Amd	WAC 458-53-141	Personal property audit selection.
Amd	WAC 458-53-150	Indicated real property ratio—Computation.
Amd	WAC 458-53-160	Indicated personal property ratio—Computation.
Amd	WAC 458-53-165	Property not properly valued—Use in study.
Amd	WAC 458-53-180	Use of indicated ratios.
Amd	WAC 458-53-200	Certification of county preliminary and indicated ratios—Review.
Amd	WAC 458-53-210	Appeals.
Rep	WAC 458-53-060	Stratification—Personal property.
Rep	WAC 458-53-170	Final indicated ratio—Computation.
Rep	WAC 458-53-190	County assessors review;

that the agency will at 10 a.m., Tuesday, June 26, 1984, in the Evergreen Plaza Building, Room 301, 711 South Capitol Way, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 84.48.075.

The specific statute these rules are intended to implement is RCW 84.08.075 [84.48.075].

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 26, 1984.

Dated: May 22, 1984
By: Trevor W. Thompson
Assistant Director

STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: Chapter 458-53 WAC, Property tax annual ratio study.

Purpose: To establish procedures for conducting the ratio study.

Statutory Authority: RCW 84.48.075 requires the Department of Revenue to establish rules and regulations pertinent to the determination of the indicated county ratio.

Summary and Reasons for the Rule: The new and amendatory sections are to streamline the study, provide for use classification of personal property, identify what kinds of property are to be used in the study and how they will be included. The amendments and repealers also delete obsolete and redundant language.

Drafter of the Rule, Implementation and Enforcement: Trevor W. Thompson, Director, Property Tax, Evergreen Plaza Building, Room 301, 711 South Capitol Way, Olympia, Washington 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: No federal laws involved or action required by the courts.

Small Business Impact: None.

AMENDATORY SECTION (Amending Order PT 79-3, filed 10/11/79)

WAC 458-53-020 DEFINITIONS. (1) "Advisory values" mean the true and fair value determinations by department appraisers or auditors made at the request of the county assessor.

(2) "Appraisal" means the determination of the true and fair value of real property by department appraisers or county appraisers certified under RCW 36.21.015.

(3) "Audit" means the determination of true and fair value of taxable personal property through examination of the records of the property owner by department auditors or county auditors of the assessor's staff who are qualified by training and experience in making such examinations.

(4) "Average assessed value" is the total county assessed value of a sample grouping or classification of real or personal property divided by the number of properties in the sample.

(5) "Average true and fair personal property value" is the total value of a sample grouping or classification as determined from personal property audits divided by the number of audits in the sample group.

(6) "Average market value" is the total sales price, (~~less five percent~~) as adjusted by WAC 458-53-070(3), of a sample grouping or classification of real property divided by the number of properties in the sample, or the total appraised value of a sample grouping or classification of real property divided by the number of appraisals in the same group.

- (7) "Department" means the department of revenue.
- (8) "Director" means the director of revenue.
- (9) "Land Use Code" as designated by the department means the identification of each real property parcel by numerical digits as representations of the actual major use of the property. This Land Use Code is derived from the Standard Land Use Coding Manual as prepared by the Federal Bureau of Public Roads.
- (10) "Personal property" for the purpose of the ratio rules means the items of personal property as identified on the county assessment roll, and it shall include all personal property required to be reported by the taxpayer under RCW 84.40.185, but excluding property owned by and assessed to another taxpayer.
- (11) "Ratio" is the percentage relationship of real property assessed value to the true and fair value of real property as determined by real property sales, by department appraisals, or by department approved county appraisals; or the percentage relationship of personal property assessed value to the true and fair value of personal property as determined from department audits or from department approved county audits.
- (12) "Ratio study" is the department's annual comparison of the relationship between the county assessed values of real and personal property with the true and fair value of that property as determined by the department's analysis of sales, appraisals, and/or audits.
- (13) "Sales study" is the comparison of the assessed value of real property with the selling price of the same property.
- (14) "Stratification" means the grouping of the real or personal property assessment records into specific assessed value classes and/or use code classes for measurement purposes.
- (15) "Stratum" refers to a single class of property with a given range of assessed value or having the same use code.
- (16) "Strata" refer to classes of property grouped by assessed value and/or use codes.
- (17) "Taxable real property parcels" means all real property parcels shown as subject to taxation on the county assessment record.
- (18) "Trending" consists of adjusting the sales price of a property or the appraisal value from the time of sale or appraisal to a specific point in time which is the January 1 assessment date of the study. Trending will be for time only and developed from market data only.
- (19) "True and fair value" means market value and has the same meaning as defined by WAC 458-12-300.

AMENDATORY SECTION (Amending Order PT 79-3, filed 10/11/79)

WAC 458-53-030 STRATIFICATION OF ASSESSMENT ROLLS—REAL PROPERTY. (1) The stratification process is the grouping of data into meaningful classifications for informational or analytical purposes. Stratification is used in determining the number of appraisals or audits needed for ratio study purposes and also is used in actual ratio computation. The latest available official county assessment roll values are used in ratio study stratification procedures.

Assessed valuation presently forms the basis for stratification of assessment rolls and is used because the nature of most assessors' records provides a state-wide uniformity for this characteristic. Also, the values in this classification generally are indicative of property types. By not later than the 1982 assessment year a land use classification system will replace the value stratification as assessors' records uniformly reflect properties according to their use.

(2) The stratification of the real property assessment rolls will include a parcel count of the taxable real property parcels less forest lands ((and)), current use properties, and state assessed properties. For the real property ratio study, the assessment roll will normally be stratified according to the following assessed value strata:

\$	0 - \$	9,999
	10,000 -	15,999
	16,000 -	29,999
	30,000 -	59,999
	60,000 -	99,999
	100,000 -	199,999
	200,000 -	399,999
	400,000 -	and over

Other higher strata than listed above may be used in counties having large numbers of high value properties.

(3) In counties for which real property high value strata, as listed in (2) above, do not number at least two hundred an appropriate upper limit (\$60,000 and over, \$100,000 and over) which will accommodate at least two hundred real property parcels, will be determined.

(4) The stratification process will be performed by the department or by the county with data processing capability adequate to meet the standards as provided by the department.

(5) A count of taxable real property parcels, less forest lands ((and)), current use properties, and state assessed properties, in each value stratification is necessary for computation of the county ratio. Multiplying an average sample sales value, an average sample appraisal value, or an average assessed value by the number of taxable parcels in the county produces an estimated total market value or total estimated assessed value used in ratio computation.

(6) In the stratification of county taxable real property parcels to be used in the ratio study, the count of these parcels ((should)) shall exclude designated and classified timber or forest lands ((and)), open space (current use) lands and improvements, and mobile homes as provided for in WAC 458-53-163(2). These ((lands)) are deleted from ((properties used)) use in the sales study and will be considered separately and included in ratio determinations after computations of sales data have been completed.

AMENDATORY SECTION (Amending Order PT 83-2, filed 8/1/83)

WAC 458-53-070 SALES STUDIES. (1) Real property sales data obtained from the real estate excise tax sales affidavits will form the basis of the sales study in each county. Validation of these sales as arms-length transactions will follow department criteria as provided in WAC 458-53-080.

(2) The department's sales study will be used as the basis for the real property ratios. In addition, the department will supplement the sales study results with appraisals in any assessed value stratum or Land Use Code classification where sales are judged to be insufficient to represent all properties in that stratum or land use class according to criteria set out in these rules.

(3) Five percent will be deducted from the sales price shown on the affidavit on ((and)) valid real property sales as an adjustment for values transferred that are not assessable as real property. This adjustment shall not apply to sales of bare land.

(4) Sales not deemed representative for use in the study, as defined by the deletion list in WAC 458-53-080 will be eliminated from consideration in ratio computation. Sales used in the study will include only those which occurred over an eight month period between August 1 preceding January 1 of the assessment year and March 31 of the assessment year.

(5) Individual valid sales having a resultant assessment sales ratio under twenty-five percent or over one hundred seventy-five percent shall be excluded from consideration in the study: PROVIDED, That this subsection shall not apply if the number of sales meeting this criteria exceeds ten percent of the total number of sales that would be used in the study subject to the provisions of this subsection: PROVIDED FURTHER, That this subsection shall not apply to any type of property not properly valued and subject to the provisions of WAC 458-53-165.

AMENDATORY SECTION (Amending Order PT 83-2, filed 8/1/83)

WAC 458-53-080 SALES SAMPLES. (1) The starting point for the sales studies will be a sampling of the real estate excise tax sales affidavits each month. Samples used in a current study will be sales during the last five months of the calendar year immediately preceding the current study assessment year and the first three months of the study assessment year.

A sampling plan will be developed by the department of revenue each year based on each county's previous year sales volume. The sampling will be conducted considering sales transferring via warranty deed or contract instruments as initially subject for inclusion in the study. All sales represented by other instruments such as tax deeds, quitclaim deeds, etc., will be excluded from consideration. ((Timber sales also will be excluded as the valuation of this type of real property is dictated by state law.)) Sales of timber and current use lands classified under chapters 84.28, 84.33 and 84.34 RCW will also be excluded from consideration. There are numerous reasons why a warranty deed or contract sale may also be excluded from the study. Conditions such as a sale between relatives, a forced sale or a sale to a nonprofit organization, for example, are sufficient to mark these transactions as being other than "arms-length" and therefore, not a valid indicator of

full "true and fair" value. A listing of such reasons and other conditions that will cause a sale to be excluded are shown on the deletion list contained in subsection (2) of this section.

(2) The following sales transactions are examples of sales to be excluded from the sales studies. Deviations from the numerical coding designations set forth in this example may be used as agreed to by individual counties and the department.

NUMERICAL CODE	TYPE OF TRANSACTION
1	Family - a sale between relatives.
2	Transfers within a corporation by its affiliates or subsidiaries.
3	Administrator, guardian or executor of an estate.
4	Receiver or trustee in bankruptcy or equity.
5	Sheriff or bailee.
6	Tax deed.
7	Properties exempt from taxation (nonprofit, government, etc.).
8	Individual sales with assessment-to-sales ratios of less than twenty-five percent or greater than one hundred seventy-five percent except as provided in WAC 458-53-100(4), 458-53-070(5) and 458-53-165.
9	Quitclaim deed.
10	Gift deed, love and affection deed.
11	Seller's or purchaser's assignment of contract or deed - transfer of interest.
12	Correction deed.
13	Trade - exchange of property between same parties.
14	Deeds involving partial interest in property, such as one-third or one-half interest. (If transfer involves total interest i.e., one hundred percent of the property, sale is valid.)
15	Forced sales - transfers in lieu of imminent foreclosure, condemnation or liquidation.
16	Easement or right of way.
17	Deed in fulfillment of contract (on a current transaction, a contract with a fulfillment deed is a valid sale).
18	Property physically improved after sale.
19	Timber or forest land.
20	Platted within last year, bare lots only - with less than twenty percent sold.
21	Plottage - where an adjoining property is sold at a price significantly different than for property of a similar type when a larger unit is being assembled.
22	\$1,000 sale or under.
23	Lease - assignment, option, leasehold.
24	Designated open space (as of date of sale).
25	Change of use where rezoning takes place.
26	Current year segregations that have not been appraised.
27	Other - necessary to identify reason, i.e., inclusion of personal property not separately identified, liquor license, etc.

AMENDATORY SECTION (Amending Order PT 83-2, filed 8/1/83)

WAC 458-53-090 SALES SAMPLES-ASSESSED VALUATION. (1) After the sampling of sales has been completed in Olympia, the assessed valuations of the properties remaining in the sample will be obtained by the department's sales analysts from official records retained by county officials. The assessed valuation total recorded will be the official figure as of January 1, the current ratio year assessment date. At this point, attention also will be given to factors which would indicate that a particular transaction is not suitable for inclusion in the study and any other factors which can be ascertained at this time are used to analyze whether sales may be deleted from the study as not being an indicator of full "true and fair" value.

The relationship of the assessed value for a real property parcel to a corresponding valid sale of this property within the time period established for the annual ratio sales study indicates the individual ratio for the property. The stratum averages for all such valid sales values and related assessed values in a county, when multiplied by the number of listings in the strata, determine the established real property totals on which the indicated real property ratio is based.

(2) In counties for which the department conducts the sales analysis and ratio studies a sales prelist will be provided to each assessor. These

prelists will identify valid sale properties to be used in computation of each county's real property ratio. Department personnel will review these prelists with assessors or their staffs to verify the validity of the sale properties identified and the values indicated.

Properties designated in the department-approved county revaluation plan relative to the current ratio study year, and properties on which new construction may be completed during a ratio study year, will be included in that year's ratio study. For these properties the available current county assessed valuation will be used. Assessors have until August 31st of each assessment year to place new construction values on such properties and these values in a corresponding ratio study are included after the close of the assessors' rolls on May 31st.

(3) Certain properties have limited exemptions in assessed value granted by law to persons owning those properties (senior citizens exemptions). In computing a ratio relative to the sale of such property, the full assessed value for the property, before exemption, must be used to determine a proper assessment-to-sales relationship.

(4) Average sample real property assessed values and true and fair values for each value or land use stratum in a county will be derived from sales and appraisal study results. These average values, as provided in WAC 458-53-150, will aid in determining the county real property indicated ratio.

AMENDATORY SECTION (Amending Order PT 83-2, filed 8/1/83)

WAC 458-53-100 USE OF COUNTY SALES STUDIES. (1) If agreed upon by the department and the assessor, the department will use a county sales study, providing it is made according to the standards specified in these rules. Any such agreement shall provide that counties generating their own sales studies will use all or an agreed upon percentage of sales validated by department standards, and that the county shall furnish the department with data from sales deemed invalid as well as those deemed valid and give the reason for deeming invalid any particular sale. All such county studies shall be subject to department audit.

(2) The county-generated sales study will include the following:

(a) All agreed to real property transactions occurring in a county shall be used in the study and shall be for a period of eight consecutive months. Sales transactions used will include only those which occur between August 1 preceding January 1 of the assessment year and March 31 of the assessment year.

(b) Sales of properties identified on the published department of revenue deletion list (WAC 458-53-080) will be removed from the sales analysis study and separately will be produced on a data processing machine listing. This listing will display for each deleted sale an appropriate parcel identification, the sales price, the assessed value, and a numerical code or narrative designation of the reason for deletion of the property from the study. The numerical code used ~~((should))~~ shall coincide with the department of revenue published deletion list (WAC 458-53-080) unless an agreement has been made with the department to use another code. Any numerical code 27 (miscellaneous) ~~((should))~~ shall be accompanied by a narrative reason for deletion.

(c) Sales remaining in the sales analysis study will be stratified and printed by assessed value strata. Necessary data for each sale property remaining in the study will be:

(i) Excise tax sales affidavit number, parcel number, or other file identification number.

(ii) The sales price of the transaction, lowered five percent to ninety-five percent of its original value except sales of bare land which shall be at the full sales price. Further adjustment of any individual sale may be made only if personal property is identified and its value is in excess of five percent of the sale price.

(iii) The current assessed value on the assessors' rolls for the property described on the sales affidavit.

(iv) A computed ratio based on the percent that the assessed valuation is to the adjusted sales price figure.

(3) As soon as practicable following the close of the assessors' rolls on May 31st, and prior to July 1st, the county sales-assessment ratio study ~~((should))~~ shall be submitted to the department of revenue. Adjustments for new construction will be made following the August 31st deadline for adding new construction values to the assessment rolls. This will allow time for departmental analysis, field review, and insertion of appraisal data, where appropriate, for ~~((final))~~ preliminary ratio determination by the ~~((last week of July, and ultimate ratio certification back to the assessor by August 1))~~ first Monday in August.

(4) Individual valid sales having a resultant assessment sales ratio under twenty-five percent or over one hundred seventy-five percent shall be excluded from consideration in the study: PROVIDED, That this subsection shall not apply if the number of sales meeting this criteria exceeds ten percent of the total number of sales that would be used in the study subject to the provisions of this subsection: PROVIDED FURTHER, That this subsection shall not apply to any type of property not properly valued and subject to the provisions of WAC 458-53-165.

AMENDATORY SECTION (Amending Order PT-81-15, filed 10/30/81)

WAC 458-53-110 PROPERTY VALUES USED IN THE RATIO STUDY. The following property values will be included in the ratio study as provided in these rules:

(1) Values established by law or required to be determined by the department by law, but excluding property valued under chapters 84.08, 84.12, and 84.16 RCW.

(2) Values determined by county assessors according to the provisions of chapter 84.41 RCW.

(3) Values of land classified under chapter(s) 84.33 (~~and 84.34~~) RCW.

(4) Values of land and improvements classified under chapter 84.34 RCW will be included in determination of the indicated real property ratios for counties whose current use land values are five percent or greater in proportion to the total county land value outside of cities and towns. Counties with less than five percent of total land value outside of cities and towns in current use property values may request inclusion of current use values in determination of their real property ratio: PROVIDED, That in order for current use values to be used, the request, in writing, must be submitted to the department prior to October 1 of each ratio study period for which current use consideration is desired.

(5) Advisory values supplied to the assessor by the department shall not be included in the ratio study unless the property falls within the sales study provided for in WAC 458-53-070 or 458-53-100 or is selected in the appraisal or audit study in accordance with WAC 458-53-130 and 458-53-140.

(6) Values of individual real properties which equal or exceed twenty-five percent of the total of all real property.

(7) Values of individual assessments of personal property which equal or exceed twenty-five percent of the total of all personal property.

(8) Values of mobile homes which are identified in WAC 458-53-163(2).

(9) Values of mobile homes which are identified in WAC 458-53-163(3).

(10) Before values in subsections (6) and (7) of this section can be included, a request in writing identifying the properties, must be submitted to the department prior to October 1st of each ratio study period.

AMENDATORY SECTION (Amending Order PT 79-3, filed 10/11/79)

WAC 458-53-130 REAL PROPERTY APPRAISAL STUDIES.

(1) The department will review a county's prior year's sales studies to determine which assessed value stratum or land use class may not have sufficient sales to produce a valid measurement of the level of assessment of the properties in that stratum or use class. Department appraisers then will appraise selected properties in those strata. The selection of properties to be appraised will be on a random basis. Random selection will use accepted statistical methods such as stated numerical sequence or random number tables to provide each parcel of real property in a universe of real property parcels an equal opportunity to be selected as a representative sample of that universe. The appraisal date will coincide with the assessment date of the ratio study.

(2) ~~((The starting point of the appraisal study is a stratified random sample of the real property listings, with the controlling factor being the assessed valuation of each parcel as of the current January 1 assessment date. Assessed valuation is used as the basis for stratification because the nature of the most assessors' records presently precludes the use of any other characteristic on a state-wide basis. The sample selection process is initiated by "stratification" of the real property roll.))~~ The appraisal study is started with a stratified sample of real

property parcels. The stratification process will be done using either the assessed value of the real property roll or land use codes broken into assessed value strata's as of the current January 1 assessment date. Land use stratification will be used exclusively in those counties possessing the necessary data processing capabilities. For counties not possessing data processing capabilities manual stratification by department of revenue staff involves the following: (a) Examination of each property listing and tallying it (by placing a mark in the appropriate value class or stratum) according to the magnitude of its assessed valuation, (b) random selection of properties from each class to be placed in a pool from which the ultimate selection of properties for appraisal will be made, and (c) recording on a take-off sheet, the assessed value and identification (account number, page, and line number, etc.) for the selected samples. The completed stratification provides a count of the listings on the roll by valuation class.

(3) The number of appraisals deemed necessary for each county value or land use stratum will be determined by application of statistical determination to the previous year county ratio study results.

Once the number of appraisals to be conducted in each value classification has been determined, the identification of each of the randomly selected appraisal samples to be used in the study will be obtained from county records. When the names, addresses, legal descriptions and other information necessary to conduct the appraisals are known, letters will be forwarded to the taxpayers involved. These letters will notify them of the impending visit by an appraiser from the department of revenue property tax division.

(4) The actual physical appraisals conducted by department personnel use the same tools that are available to the county assessors (state manuals, private(?) publications, etc.). The department's appraisers do not, however, use the so-called "mass appraisal" technique which is, of necessity, practiced by the various counties; but perform complete appraisals regardless of the amount of time required in order to assure that the most valid estimate of market value is reached.

Three approaches to value are considered; namely, cost, market and income. The cost approach utilizes an approved cost manual. When properly used, this manual gives an estimation of reproduction cost of the improvements to the property. The reproduction cost then is depreciated, taking into consideration all physical depreciation, functional and economic obsolescence. The end result is the depreciated value of the improvements. To this value is added the value of the land, resulting in the market value of the real property. The market approach uses sales of comparable properties for an indication of value. The income approach uses a capitalization rate developed from a comparison of typical income and the sale price of comparable properties.

This capitalization rate then is divided into the net income of the subject properties for a value indication of that property.

(5) When the appraisals in a county have been completed and reviewed by the supervisory staff of the department, they are reviewed individually with the assessor and his staff. At this time, changes may be made stemming from such factors as errors in the mathematical calculations, changes in use from the date of assessment to the date of the appraisal, the inclusion of items in the appraisal that are not included in the assessment (mainly personal property), etc. When the review process is completed and changes, if any are made, the appraisal data are considered as completely valid and ready for inclusion in the computation of the total real property ratio.

(6) When the department's sample appraisals fall within a county's current revaluation area and the assessor's appraisals, upon audit, are found to be a supportable estimate of market value, the department will accept the county's appraised values on those properties randomly selected for appraisal in the county.

(7) Department appraisals, required for assessment ratio determination, will be performed as indicated by department statistical determinations. Appraisals will complement sales to provide an adequate number of samples on which to base a ratio computation.

(8) When properties, classified by the department as industrial properties, are selected for inclusion in real or personal property ratio studies, the department's property audits and appraisals will be made on the total property, using department valuation procedures. Allocation of total industrial value for ratio purposes will be determined using each assessor's method of classifying real and personal property. Audit determinations for personal property will not include properties classified as real property by the assessor. Appraisal determinations for real property will not include properties classified as personal property by the assessor.

AMENDATORY SECTION (Amending Order PT 79-3, filed 10/11/79)

WAC 458-53-140 PERSONAL PROPERTY AUDIT STUDIES. (1) Personal property audits will be performed on those accounts selected at random within each use class or assessed value stratum used in the ratio study for each county. These audits will be the basis of the county's personal property ratio as provided in WAC 458-53-160.

The department may use county audit results as ratio study audits when department accepted audit procedures are used on accounts selected as sample audits and audited by the county audit staff as of the assessment date used in the department's ratio study.

(2) The general procedures for audits are similar to those followed in the appraisal-assessment study in that sample audits of personal property accounts will be used as the basis for determining total assessed value and estimated total true and fair value of personal property. The relationship of the total estimated assessed value to the total estimated true and fair value of personal property will indicate the personal property ratio.

(a) Stratification of rolls - the program is initiated by stratification of the personal property roll in the counties being audited. From this process is obtained: A count of the number of listings in each use class or assessed valuation class, an estimation of the total assessed value in each class, and a pool of samples in each class from which the ultimate listings to be audited are selected. The strata or assessed valuation classes have different limits than those used in the appraisal-assessment study. A listing of assessed value strata normally used ((WAC 458-53-060)) is as follows:

\$	0 - \$	9,999
	10,000 -	39,999
	40,000 -	79,999
	80,000 -	199,999
	200,000 -	499,999
	500,000 -	999,999
	1,000,000 -	1,999,999
	2,000,000 -	and over

The largest valuation stratum designated for each county will depend on the number of large value accounts in the county.

In counties for which personal property high value strata, as listed above, do not number at least two hundred, an appropriate upper limit (\$40,000 and over, \$80,000 and over) which will accommodate at least two hundred personal property accounts, will be determined.

The stratification process will be performed by the department or by the county according to the standards as provided in this section.

(b) Personal property sample audit selection - the number of audits to be performed is derived in the same general manner as in the appraisal-assessment procedure in that statistical determination is applied to county previous year's ratio study results to obtain a representative number of samples on which to base a county ratio.

Stratification procedures which determine the number of personal property audits needed for the current ratio study begin in the summer months of the calendar year immediately preceding the currently designated ratio study year.

The audits are conducted through ((June)) July of the designated ratio study year.

(3) The sample accounts to be audited in each use or valuation classification are randomly chosen using accepted statistical methods such as stated numerical sequence or random number tables to provide

each personal property account in a universe of personal property accounts an equal opportunity to be selected as a representative sample of that universe. Names and addresses of taxpayers for these accounts and copies of assessment detail sheets are obtained from county records.

Letters of intent to audit are mailed to each taxpayer selected.

(4) The personal property audits which are conducted to derive the true and fair value figures are made from an examination of the taxpayer's books and records. In valuation procedures, the department's auditors utilize the manuals and schedules which the department prepares and distributes to all assessors. The technique is generally one of trending forward historical cost data and the application of depreciation percentages to arrive at current worth or value.

(5) When the audits have been completed in a county, they are reviewed with the assessor and his staff. The primary emphasis at this meeting is to make sure that the property covered by the audit is comparable to the property covered by the assessment. The completion of the review and adjustments, if any, mark the audit data as valid for use in the computation of the personal property portion of the total indicated ratio.

(6) In a manner similar to that used for real property, sample personal property assessed values and true and fair values for each stratum are derived from audit results, the weighted sums of which are the basis for determining the personal property indicated ratio.

(7) If omitted property is discovered in a county, the results of the department's audit shall be placed in the strata indicated by the audit.

AMENDATORY SECTION (Amending Order PT 81-15, filed 10/30/81)

WAC 458-53-141 PERSONAL PROPERTY AUDIT SELECTION. (1) Beginning with 1982 assessments and thereafter, each county shall classify and code every personal property account based upon the following classification codes:

- (a) Agriculture, fishing, and forestry (not logging)
- (b) Mining, quarrying, and contract construction
- (c) Manufacturing
- (d) Retail - wholesale
- (e) Finance, insurance, real estate and services
- (f) Transportation, communication, utilities, improvements on exempt land, and all other not classified
- (g) Mobile homes
- ~~((h) Boats))~~

(2) Those accounts which contain property of more than one classification shall be coded based upon which class has the greatest value.

(3) ~~((The number selected for audit in each value stratum shall be based upon the classification code so that no one property class shall outweigh any others.))~~ For those counties with the ability to perform the stratification process by use classification, subject to department approval, use classes of property will be used for the purpose of determining the indicated personal property ratio. The classes of property shall follow the guidelines outlined in subsection (1) of this section and will be separated into value strata for the individual classification codes. The value strata may be subject to different parameters than normally used.

~~((4) ((Any county not conforming to the foregoing shall have the accounts selected on a random basis within each value stratum as provided for in WAC 458-53-140.)) Those counties who do not have the ability to prepare a ratio study by use classification shall use value stratas as shown in WAC 458-53-140.~~

AMENDATORY SECTION (Amending Order PT 82-3, filed 4/6/82)

WAC 458-53-150 INDICATED REAL PROPERTY RATIO—COMPUTATION. (1) For each real property value or land use stratum within a county average sample assessed value and average sample true and fair value will be determined from the results of selected sales and appraisal studies. Average sample assessed value and average sample true and fair value for each stratum will be multiplied by the total number of real property parcels in each corresponding stratum to derive an estimated total assessed value and a total estimated true and fair value for each stratum. Stratum estimated totals will be added to derive county estimated total assessed value and county estimated total true and fair value. When the ratio relationship between these two estimated values is applied to the actual county assessed value, as provided by the assessor in his current assessors' certificate of assessment rolls to the county board of equalization, and forest land and current use values are added to the actual assessed value and ratio-related market value, the totals will represent the county real property indicated ratio.

(2) Valid arms-length sales occurring in each county will be the basis for determining individual stratum ratios unless a representative number of samples for any one stratum requires the addition of department appraisals. In all strata where both sales and appraisal samples are present, assessment and market values for all valid appraisal samples will be combined with assessment and market values for all valid sales samples to derive a stratum ratio.

(3) ~~((Present county forest land assessed values (chapter 84.33 RCW) will be included in determination of the indicated real property ratios for each county. Current use assessed values (chapter 84.34 RCW) will be included in determination of the indicated real property ratios for counties whose current use land values are five percent or greater in proportion to the total county land value outside of cities and towns. Counties with less than five percent of total land value outside of cities and towns in current use property values may request inclusion of current use values in determination of their real property ratio: PROVIDED, That in order for current use values to be used, the request, in writing, must be submitted to the department prior to October 1 of each ratio study period for which current use consideration is desired.))~~ Department current use appraisals will be the basis for the assessment-to-appraisal values from which current use ratios are determined.

(4) Values from each county's assessor's certificate of assessment rolls to county board of equalization will be used in the computation of each county's indicated real property ratio except as provided in subsection (6) of this section.

(a) The county preliminary real property ratio, calculated from estimated totals of county sales and appraisal study results, will be applied to each county's certificate listing of total real property assessed value (excluding ~~((forest land and current use assessed values))~~ those properties identified in WAC 458-53-110 (1), (3), (4), (6), and (8) and WAC 458-53-165) to determine an estimated true and fair value which relates to the actual assessed real property value of a county.

(b) To the actual real property assessed value and ratio-related true and fair value totals for a county ~~((a) of this subsection)~~ are added certificate ~~((forest land and current use))~~ assessed values ~~((as provided in subsection (2) of this section))~~ of those properties identified in WAC 458-53-110 (1), (3), (4), (6), and (8) and WAC 458-53-165, and related true and fair values calculated by the ratio relationships determined for ~~((forest lands and current use))~~ those same properties.

(c) The sum of the total real property assessed and true and fair values, ~~((forest land assessed and true and fair values, and current use assessed and true and fair values (as provided in subsection (2) of this section))~~ as determined by (a) and (b) of this subsection shall be the basis for a county's indicated real property ratio. The sum total of assessed values will be divided by the sum total of true and fair values to derive the ratio.

(5) The following illustration, using simulated values and ratios, indicates simplified ratio study computation procedures for real property.

Step 1 - Determination of Average Sample Values

Stratum	(1) Number of Samples	(2) Total Assessed Value of Samples	(3) Average Assessed of Samples (Col. 2 ÷ Col. 1)	(4) Total Market Value of Samples	(5) Average Market Value of Samples (Col. 4 ÷ Col. 1)
\$ 0 - 9,999	10	\$ 60,000	\$ 6,000	\$ 80,000	\$ 8,000
10,000 -15,999	20	260,000	13,000	300,000	15,000
Over 15,999	5	200,000	40,000	250,000	50,000

Average values for real property sales samples, average real property appraisal samples, and average personal property audit samples all are determined in the same manner.

Step 2 - Weighting of Average Sample Values

Stratum	(1) Total Property Listings	(2) Average Sample Assessed Value	(3) Total Estimated Assessed Value (Col. 2 × Col. 1)	(4) Average Sample Market Value	(5) Total Estimated Market Value (Col. 4 × Col. 1)	(6) Ratio (Col. 3 ÷ Col. 5)
\$ 0 - 9,999	105	\$ 6,000	\$ 630,000	\$ 8,000	\$ 840,000	.7500
10,000 -15,999	211	13,000	2,743,000	15,000	3,165,000	.8667
Over 15,999	51	40,000	2,040,000	50,000	2,550,000	.8000
Outriders	2		1,000,000		1,201,800	.8321
		((5,413,000))	6,413,000	((6,555,000))	((7,765,800)) 7,765,800	.8258

Sample study weighted ratio (82.58%)

Average values for real property sales samples, average real property appraisal samples, and average personal property audit samples all are weighted in the same manner.

Step 3
Application of Sample Weighted Relationship to Actual Real
Property Assessed Value and ~~((addition of timber and forest
land values and open space))~~ Additional Values as Indicated.

	(1)	(2)	(3)
	Actual County Real Property Assessed Value (From Assessor's Certificate)	Determined Assessment to Market Ratio	County Real Property Market Value Related to Actual Assessed Value (Col. 1 ÷ Col. 2)
	\$ 6,544,000	.8258	\$ 7,924,437
Add:	((Simulated Value))	(from Step 2) ((82.58%))	
Timber and Forest Land	1,520,000	((from Step 2)) 1.0000	1,520,000
	((Simulated Value))	((100.00%))	
Open Space ((Where Applicable)) Open Space	400,000	.9000	444,444
	((Simulated Value))	((90.00%)) ((Simulated Ratio))	
Open Space Ratios Determined By Open Space Appraisals)			
<u>Open Space Improvements</u>	<u>100,000</u>	<u>.9500</u>	<u>105,263</u>
<u>Mobile Homes</u>	<u>50,000</u>	<u>.9900</u>	<u>50,505</u>
<u>Other</u> <u>(WAC 458-53-110(6) or</u> <u>WAC 458-53-165 Properties)</u>	<u>100,000</u>	<u>1.0000</u>	<u>100,000</u>
<u>Totals</u>	<u>\$ ((8,464,000))</u> <u>8,714,000</u>	<u>((+))</u> <u>÷</u>	<u>\$ ((9,888,881)) = ((.8559))</u> <u>10,144,649</u> <u>.8590</u>
County Indicated Real Property Ratio			<u>((85.59))%</u> <u>85.9</u>

(6) If a copy of the certification of current values is not received from an assessor in a timely manner for inclusion in ratio computation, the assessors abstract of assessed values from the previous year will be used as the information source for ratio computation.

(7) A copy of each county's certification of values to the county board of equalization (FORM REV 64-0051) will be filed with the department on or before the second Monday in July. The certification ~~((will show the total taxable assessed value of the real property roll (indicating separately the total value of forest land assessed pursuant to chapter 84.33 RCW and land classified under chapter 84.34 RCW - current use) and the total taxable assessed value of the personal property roll))~~ form will be properly completed with all required information.

(8) Valid ratio study individual assessed or true and fair values which either exceed or fall below the mean assessed or true and fair value by more than three times the average deviation of other values in a stratum, will be classified as "outriders" and shall be considered separately in average sample computation. Outriders are so treated to prevent the application of excess weight by nontypical sample values in determining average sample values and resulting total estimated assessed and total estimated true and fair values.

(9) The department may consider the relationship between the market value trends of real property and the assessed value increases or decreases made by the assessor during the year in each county as validity checks of the result of the sales and appraisal studies. The director may authorize modification of the results of the sales and appraisal study in any county where there is a demonstrable showing to the director that the sales and appraisal study is inconclusive or does not result in a reasonable and factual determination of the relationship of assessed values to true and fair value such that a significant variation results from the rates of the previous year not deemed by the director comparable with general trends in property values. Such modification shall be made only after notice to all assessors that information other than the sales and appraisal studies are being considered, and opportunity for a meeting has been made available for the director (or the director of property tax) and a representative committee authorized and appointed by the assessors to review the results of the sales and appraisal study and the proposal to modify the study results.

AMENDATORY SECTION (Amending Order PT 79-3, filed 10/11/79)

WAC 458-53-160 INDICATED PERSONAL PROPERTY RATIO—COMPUTATION. (1) For each personal property assessed value stratum ((in a county)), excluding properties identified in WAC 458-53-110 (7) and (9) and 458-53-165 and average sample assessed value and an average sample true and fair value will be determined from the results of selected audit studies. These average stratum sample values will be multiplied by the corresponding number of personal property accounts in each stratum to derive a stratum estimated total assessed value and a stratum estimated total true and fair value. These estimated stratum total estimated assessed and true and fair values will be added to provide a county total estimated assessed value and a county total estimated true and fair value. ((When these two total values are equated to the county actual assessed value, as provided on the Assessors' Certificate of Assessment Rolls to County Board of Equalization, their relationship will form the basis for the county indicated personal property ratio:))

(2) ((If reported to the department prior to July 15th of the study year, values added to the assessment roll resulting from the disclosure of unreported or under-reported personal property due to audits may be included, but only to the extent the department is satisfied the assessor is correcting omissions of a similar nature in personal property assessments generally:)) To the actual personal property assessed value and ratio-related true and fair value totals for a county (subsection (1) of this section) are added assessed values of those properties identified in WAC 458-53-110 (7) and (9) and 458-53-165 and related true and fair values calculated by the ratio relationships determined for those same properties.

(3) The sum of the total personal property assessed and true and fair values as determined by subsections (1) and (2) of this section shall be the basis for the county's indicated personal property ratio. The sum total of assessed values will be divided by the sum total of true and fair values to derive the ratio. Values from each county's Assessor's Certificate of Assessment Rolls to County Board of Equalization will be used in the computation of each county's indicated personal property ratio except as provided in WAC 458-53-150(6).

(4) The following illustration, using simulated values and ratios, indicates simplified ratio study computation procedures for personal property.

Step 1 - Determination of Average Sample Values

Stratum	(1) Number of Samples	(2) Total Assessed Value of Samples	(3) Average Assessed Value of Samples (Col. 2 ÷ Col. 1)	(4) Total Market Value of Samples	(5) Average Market Value of Samples (Col. 4 ÷ Col. 1)
\$ 0 - 9,999	15	\$ 75,000	\$ 5,000	\$100,000	\$ 6,667
10,000 - 39,999	20	400,000	20,000	500,000	25,000
Over 39,999	10	500,000	50,000	750,000	75,000

Step 2 - Weighting of Average Sample Values

Stratum	(1) Total Property Listings	(2) Average Sample Assessed Value	(3) Total Estimated Assessed Value (Col. 2 × Col. 1)	(4) Average Sample Market Value	(5) Total Estimated Market Value (Col. 4 × Col. 1)	(6) Ratio (Col. 3 ÷ Col. 5)
\$ 0 - 9,999	125	\$ 5,000	\$ 625,000	\$ 6,667	\$ 833,375	.7500
10,000 - 39,999	216	20,000	4,320,000	25,000	5,400,000	.8000
Over 39,999	79	50,000	3,950,000	75,000	5,925,000	.6667
Outriders	2		1,000,000		1,366,775	.7316
			\$(8,895,000) 9,895,000		\$(12,158,375) 13,525,150	.7316

Sample study weighted ratio.

(73.16%)

Step 3 - Application of Sample Weighted Relationship to Actual Assessed Value.

	(1)	(2)	(3)
	Actual County Assessed Value Personal Property (From Assessor's Certificate)	Determined Assessment(=) to(=)Market Ratio	County Market Value Related to Actual Assessed Value (Col. 1 ÷ Col. 2)
	\$ 9,100,000	.7316	\$12,438,491
<u>Add</u>	((Simulated Value))	(from Step 2)	
Mobile Homes	50,000	.9900	50,505
Other	100,000	1.000	100,000
<u>(WAC 458-53-110 (7) or 458-53-165 properties)</u>	((County indicated personal property ratio))	((73.16%))	
<u>Totals</u>	<u>\$ 9,250,000</u>	<u>÷</u>	<u>\$12,588,996 = .7348</u> <u>73.48%</u>
	<u>County indicated personal property ratio</u>		

(5) Individual assessed or true and fair personal property values, classified as "outriders" according to WAC 458-53-150(8), will be used in personal property ratio computation in a manner similar to that used for real property outriders in real property ratio computation.

NEW SECTION

WAC 458-53-163 MOBILE HOMES—USE IN STUDY. Sales and appraisals of mobile homes, properly stratified, shall be included in the ratio study in the following manner:

- (1) Mobile homes which are assessed as other real property and are intermixed with other real property on the real property rolls shall be included with all other real property in the study;
- (2) Mobile homes which are considered real property and are assessed upon a separate real property mobile home roll shall be included in the real property study as provided in WAC 458-53-150(4)(b);
- (3) Mobile homes which are assessed as personal property shall be included in the personal property ratio study as provided in WAC 458-53-160(2);
- (4) Sales of mobile homes which meet the criteria of the sales exclusion list contained in WAC 458-53-080(2) shall be excluded from the mobile home study.

AMENDATORY SECTION (Amending Order PT 83-2, filed 8/1/83)

WAC 458-53-165 PROPERTY NOT PROPERLY VALUED—USE IN STUDY. The department shall examine the procedures used by the assessor to assess real and personal property. If any examination by the department discloses other than market value is being listed on the assessment rolls of the county for a particular type of property and, after due notification by the department, is not corrected, the department shall adjust the ratio of that type of property, which adjustment shall be used in determining the counties indicated personal or real property ratios.

When a particular type of property is found to be at other than market value, that type property shall be separated from the other properties in the computation of the ratio. The department shall develop the total assessed value and total market value for that type of property, and it shall be ~~((added in at the end of))~~ included in the ratio ~~((computation in the same manner as open space and forest land per WAC 458-53-150))~~ as provided in WAC 458-53-150(4)(b) and 458-53-160(2).

AMENDATORY SECTION (Amending Order PT 79-3, filed 10/11/79)

WAC 458-53-180 USE OF INDICATED RATIOS. The indicated ratios will be used by the department as follows:

- ~~((+))~~ The value of properties assessed by the state under chapters 84.08, 84.12, and 84.16 RCW, will be certified to the county assessor using:
 - ~~((+))~~ (1) The indicated personal property ratio for personal property; and
 - ~~((+))~~ (2) The indicated real property ratio for real property.

~~((2) The final indicated ratio will be used for state levy purposes as required by RCW 84.52.065:))~~

AMENDATORY SECTION (Amending Order PT 79-3, filed 10/11/79)

WAC 458-53-200 CERTIFICATION OF COUNTY PRELIMINARY AND INDICATED RATIOS—REVIEW. (1) The department will annually determine the real property and personal property ~~((indicated))~~ preliminary ratios for each county and will certify these ratios to the county assessor on or before the first Monday in August ~~((, and revisions or corrections thereof may be made by the department after consideration of recommendations received from an assessor prior to the first Monday in August)).~~

(2) The department shall review the county's preliminary ratio with the assessor, a landowner, or an intercounty public utility or private car company, if requested to do so by said county, person, or company, between the first and third Mondays of August, and may make any changes indicated by such review: PROVIDED, That if the department does not certify the preliminary ratios as required by subsection (1) of this section, the review period shall extend for two weeks from the date of certification.

(3) Prior to equalization of assessments pursuant to RCW 84.48.080 and after the third Monday of August, the department shall certify to each county assessor the indicated real and personal property ratios for that county.

AMENDATORY SECTION (Amending Order PT 79-3, filed 10/11/79)

WAC 458-53-210 ~~((ASSESSOR'S))~~ APPEALS. If an assessor, landowner, or owner of an intercounty utility or private car company has reviewed the ratio study as provided in WAC ~~((458-53-190))~~ 458-53-200, ~~((the assessor))~~ that person or company may appeal the department's indicated ratio determination, as certified for that county, to the state board of tax appeals pursuant to RCW 82.03.130 (5)(a). The appeal to the state board of tax appeals must be filed ~~((on or before August 11))~~ not later than fifteen days after the date of certification.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 458-53-060 STRATIFICATION—PERSONAL PROPERTY.
- (2) WAC 458-53-170 FINAL INDICATED RATIO—COMPUTATION.
- (3) WAC 458-53-190 COUNTY ASSESSOR'S REVIEW.

WSR 84-11-066
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
 [EO 84-10]

AFFIRMATIVE ACTION IN STATE
GOVERNMENT SUPERSEDES EO 77-10, EO 79-08, EO 81-02

WHEREAS, the integrity and well-being of the state are based upon the participation and productivity of all its citizens in the economic mainstream, and the state of Washington as a major employer should offer leadership in the area of equal opportunity and affirmative action in order to affect both the impact and visibility of affirmative action programs across the state; and

WHEREAS, the state's leadership in affirmative action programs can provide a model for private business and local government employers to improve employment practices and eradicate artificial barriers to employment; and

WHEREAS, after many years of effort in addressing these problems, we have not yet completely achieve the goals of affirmative action and have not yet completely eliminated the inequities in state government; and

WHEREAS, analysis of current state government employment shows under-representation of women, ethnic minorities, handicapped persons, and Vietnam-era veterans in certain geographical areas and/or agencies and within various job categories, particularly those at higher levels of responsibilities; and

WHEREAS, corrective action is necessary as a method of achieving an employment profile in state government that is representative of our (available) work force; and

WHEREAS, the effort of all of our citizens and employers will be needed to achieve the goals we have set for ourselves in public policy, laws, and regulations for affirmative action;

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the power vested in me, do hereby:

Affirm my commitment to vigorously support equal employment opportunity in all areas of state government and to ensure freedom from discrimination based on race, creed, color, national origin, sex, marital status, or the presence of a physical, sensory, or mental handicap, in accordance with state and federal laws; and

Direct that barriers to employment of the handicapped be eliminated and that reasonable accommodations be made to ensure the inclusion of handicapped individuals in the work force; and

Direct that all state departments and agencies continue to improve the employment opportunities for Vietnam-era veterans; and

In an effort to employ designated under-represented groups in all job categories according to goals approved

by the Governor's Office in cooperation with the Department of Personnel (DOP) and the Higher Education Personnel Board (HEPB), and with consideration of the Affirmative Action Policy Committee recommendation, direct that all state departments and agencies and higher education institutions use corrective employment measures outlined under Washington Administrative Codes (WAC) covering employment based on Revised Code of Washington (RCW) 49.60, and comply with Federal Executive Order 11246 as amended by 11375, Vietnam Era Readjustment Action of 1974, Section 503 Vocational Rehabilitation Act of 1974, Age Discrimination Action of 1967 as amended, and such regulations, and implement them; and

Encourage private industry and business to join with state government in our continuing efforts to eradicate all forms of employment discrimination and to institute result-oriented Affirmative Action Procedures and Plans.

Accordingly, with these expressed policies and goals in mind, I make the following declarations:

- A. In order to achieve full agency participation in this effort, the Secretary, Director, President, or Chairperson of each state agency or higher education institution that has not already done so shall:
 1. Develop a policy statement reaffirming and strengthening the agency's/institution's commitment to ensure that equal employment opportunities exist within the agency/institution in accordance with the provisions of state and Federal laws regarding under-represented protected groups.
 2. Establish and maintain an affirmative action program for the agency/institution. The agency/institution shall establish goals and objectives for the employment and promotion of ethnic minorities, women, handicapped persons and disabled and Vietnam-era veterans, with target dates and supportive systems, and shall comply with all applicable RCWs and WACs and the Federal laws, rules, and regulations where appropriately applied.
 3. Appoint an official from existing staff at the Assistant Secretary, Deputy Director, Vice President, Vice Chairperson, or equivalent level who will be responsible for the development, implementation, and supervision of the agency's/institution's affirmative action program. The name and title of the person designated shall be reported to the Department of Personnel or the Higher Education Personnel Board within 30 days from the date of this order.

- B. The Governor's Affirmative Action Policy Committee is hereby established and shall have the following responsibilities:
1. Serve to advise the Governor on state affirmative action policies and submit recommendations to the Governor for any further action.
 2. Approve affirmative action plans submitted through the Department of Personnel which meet guidelines established by the Department of Personnel.
 3. Approve affirmative action plans submitted through the HEPB which meet guidelines established by the HEPB.
 4. Review and evaluate reports and guidelines submitted by the Department of Personnel and the Higher Education Personnel Board to determine the extent to which the state is meeting the employment needs of all protected groups and affirmative action obligations under Federal and state laws, regulations, and policies.
 5. Submit semi-annual reports to the Governor outlining the progress of the state in meeting its goals and timetables.
 6. Submit recommendations to the Governor for any further action which it deems appropriate.
- C. The Department of Personnel shall:
1. Provide agencies with guidelines and assistance for establishing and implementing an affirmative action program, such guidelines to be in accordance with all above-referenced state and Federal laws and regulations.
 2. Review agencies' affirmative action plans and progress reports against established guidelines and state policies. Recommend to the Affirmative Action Policy Committee approval of such plans or corrective action as needed.
 3. Develop and implement a positive hiring program to include additional target recruiting, verification of the job-relatedness of examinations, educational workshops, and other training programs.
 4. Develop a reporting system for monitoring the progress of each agency toward achieving its goals, including a statistical analysis of present work force.
5. Submit semi-annual reports to the Office of the Governor, the Affirmative Action Policy Committee, and the Human Rights Commission.
- D. The Higher Education Personnel Board shall:
1. Provide higher education institutions with guidelines and assistance for establishing and implementing an affirmative action program, such guidelines to be in accordance with all above-referenced state and Federal laws and regulations.
 2. Review institutions' affirmative action plans and progress reports against established guidelines and state policies. Recommend to the Affirmative Action Policy Committee approval of such plans or corrective action as needed.
 3. Assist higher education institutions in the development and implementation of a positive hiring program to include: target recruiting, verification of the job-relatedness of examinations, educational workshops, and other training programs.
 4. Develop a reporting system for monitoring the progress of each higher education institution toward achieving its goals, including a statistical analysis of present work forces.
 5. Submit semi-annual reports to the Office of the Governor, the Affirmative Action Policy Committee, and the Human Rights Commission.
- E. The Human Rights Commission shall:
1. Provide the Department of Personnel and the Higher Education Personnel Board with information to assist DOP and HEPB to establish and implement the state's affirmative action program, such information to be in accordance with all applicable state and Federal laws and regulations.
 2. Provide appropriate training in coordination with the Department of Personnel and the HEPB through workshops or other educational programs to state agencies/institutions regarding the interpretation and application of Federal and state laws and other regulations applying to equal employment opportunity.
 3. Review agencies'/institutions' affirmative action plans and progress reports and advise the Affirmative Action Policy Committee, Department of

Personnel, and HEPB regarding agencies'/institutions' compliance with applicable Federal and state laws, regulations, and policies.

- 4. Where consistent with the Commission authority, enforce all applicable Federal and state laws and regulations pertaining to nondiscrimination and laws affecting all protected groups to ensure compliance with the content and spirit of this Executive Order.

F. The Office of the Governor shall:

- 1. Review the state's affirmative action program plans and progress reports submitted through the Affirmative Action Policy Committee, Department of Personnel, the HEPB, and advice of commissions and other advisory groups concerned with issues affecting protected groups and interested in the overall affirmative action progress in state government.
- 2. Take such additional action as is deemed necessary to continue an effective affirmative action program for the state of Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of May, nineteen hundred and eighty-four.

John Spellman

Governor of Washington

BY THE GOVERNOR:

Ralph Munro

Secretary of State

WSR 84-11-067
PROPOSED RULES
DEPARTMENT OF CORRECTIONS
[Filed May 22, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Corrections intends to adopt, amend, or repeal rules concerning chapter 137-12A WAC entitled one-time impact funds available to qualifying political subdivisions, amending WAC 137-12A-010, 137-12A-020, 137-12A-030, 137-12A-040 and 137-12A-050.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 2, 1984.

The authority under which these rules are proposed is chapter 285, Laws of 1984 and RCW 72.02.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 26, 1984.

All correspondence regarding this publication should be referred to:

Robert W. Sampson, Administrator
Office of Contracts and Regulations
Division of Management and Budget
Mailstop FN-61
Scan 234-5770 or 753-5770

Dated: May 21, 1984

By: Amos E. Reed
Secretary

STATEMENT OF PURPOSE

Title and Purpose of Rule: To amend WAC 137-12A-010 Purpose, 137-12A-020 Definitions, 137-12A-030 Eligibility, 137-12A-040 Funding priority and 137-12A-050 Application procedure; of chapter 137-12A WAC entitled One-time impact funds available to qualifying political subdivisions.

Statutory Authority: Chapter 285, Laws of 1984 and RCW 72.02.040.

Summary of Rule and Reasons for Proposed Change: To implement amendment to legislative appropriation to provide for the payment of one-time impact funds to political subdivisions which experience an economic impact associated with locating an additional correctional facility within their boundaries or associated with other events designated by this legislation.

Person Responsible for Drafting the Rule: Robert W. Sampson, Administrator, Office of Contracts and Regulations, Department of Corrections, P.O. Box 9699, Olympia, Washington 98504, (206) 753-5770.

Person Responsible for Implementing and Enforcing the Rule: Robert E. Trimble, Deputy Secretary, Department of Corrections, P.O. Box 9699, Olympia, Washington 98504, (206) 753-1508.

Person or Organization Proposing the Rule: Department of Corrections.

Agency Comments and Recommendations: None.

The amendment of this rule is not necessitated by federal law or federal or state court action.

The amendment of this rule will have no economic impact on small businesses.

Chapter 137-12A WAC
ONE-TIME IMPACT FUNDS AVAILABLE TO QUALIFYING
POLITICAL SUBDIVISIONS

AMENDATORY SECTION (Amending Order 84-03, filed 2/27/84)

WAC 137-12A-010 PURPOSE. The ~~((legislature has appropriated \$1,480,000 solely for the one-time cost impact to communities))~~ purpose of this chapter is to implement the distribution of funds appropriated by the legislature to reimburse political subdivisions for the one-time cost impact associated with locating additional state correctional facilities within their boundaries or associated with other events specifically designated by the legislature. ~~((This chapter is intended to implement this appropriation by setting forth the procedure for applying for said funds:))~~

AMENDATORY SECTION (Amending Order 84-03, filed 2/27/84)

WAC 137-12A-020 DEFINITIONS. As used in this chapter, the following items shall have the following meanings:

(1) "Secretary" shall mean the secretary of the department of corrections.

(2) "Department" shall mean the department of corrections.

(3) "Inmate" shall mean an individual(s) sentenced to the custody of the department under state law and ((inmates)) an individual transferred from ((other)) another state(s) or the federal government.

(4) "Institution" shall mean ((all those facilities set forth)) a facility described in RCW 72.01.050(2), such other similar facility hereafter established and ((all)) a community ((residential programs under the department's jurisdiction)) residence operated pursuant to chapter 72-.65 RCW.

(5) "Political subdivision" shall mean any city, town, county or other unit of local government.

(6) "Additional correctional facility" shall mean (a) a new building(s) constructed at a new location for use in housing or servicing inmates; (b) a new building(s) constructed on the grounds of an existing institution for use in housing or servicing inmates; and/or (c) a preexisting building(s) heretofore not used by the department as a correctional facility which ((are)) is reopened for use in housing or servicing inmates.

(7) "One-time cost impact" shall mean an economic impact experienced by a political subdivision associated with locating an additional correctional facility within its boundaries or associated with such other event specifically designated by the legislature.

(8) All references to the singular shall include the plural unless noted otherwise.

AMENDATORY SECTION (Amending Order 84-03, filed 2/27/84)

WAC 137-12A-030 ELIGIBILITY. ((Counties, cities, and towns are)) (1) A political subdivision is eligible to apply for funding under this chapter if ((an additional correctional facility is located in their jurisdiction)) it experiences a one-time cost impact. Provided, however, application must be made prior to the last day of the state fiscal biennium in which the one-time cost impact occurred. Applications made after that date will be considered only if funds appropriated by the legislature are available.

(2) A political subdivision which has been reimbursed for a one-time cost impact is thereafter not eligible to apply for additional funding under this chapter based on the same event which gave rise to the one-time impact for which reimbursement has been received.

AMENDATORY SECTION (Amending Order 84-03, filed 2/27/84)

WAC 137-12A-040 FUNDING PRIORITY. The impact committee established herein shall establish a priority of funding under this chapter. ((Funding shall be limited to documented impacts associated with the locating of additional correctional facilities:))

AMENDATORY SECTION (Amending Order 84-03, filed 2/27/84)

WAC 137-12A-050 APPLICATION PROCEDURE. (1) ((Counties, cities, or towns)) A political subdivision must ((formally)) request funding under this chapter by submitting a written request to:

Department of Corrections
Office of Contracts and Regulations
P.O. Box 9699
Olympia, WA 98504

(2) Requests must ((include the documented)) document the one-time cost impact((s associated with the locating of the correctional facility in their jurisdiction. Impacts)) for which reimbursement is requested. Such documentation may include ((the following)) reference to:

- (a) Criminal justice costs ((or impacts)).
 - (b) Social service or human service ((impacts)) costs.
 - (c) Transportation, roads and utility ((impacts)) costs.
 - (d) Other ((documented impacts)) similar costs.
- (3) The burden of demonstrating the impact shall be on the requesting ((jurisdiction)) political subdivision.

WSR 84-11-068

PROPOSED RULES

DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Health)

[Filed May 22, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning advanced life support technicians, amending chapter 248-15 WAC;

that the agency will at 10:00 a.m., Friday, June 29, 1984, in the General Administration Building Auditorium, 11th and Columbia Streets, Olympia, Washington, and at 2:00 p.m., Monday, July 2, 1984, in the Yakima CSO Conference Rooms, Valley Mall, Union Gap, Washington, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 11, 1984.

The authority under which these rules are proposed is RCW 18.71.205.

The specific statute these rules are intended to implement is RCW 18.71.205.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 2, 1984.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director
Division of Administration and Personnel
Department of Social and Health Services
Mailstop OB 14
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by June 15, 1984. The meeting site is in a location which is barrier free.

Dated: May 16, 1984

By: David A. Hogan, Director
Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 248-15-020, 248-15-030, 248-15-080 and 248-15-100.

Purpose of the Rule Change: To effect compliance with chapter 112, Laws of 1983, amending chapters 18-.71 and 18.73 WAC.

The Reason These Rules are Necessary: As required in accordance with chapter 18.71 RCW.

Statutory Authority: RCW 18.73.080.

Summary of the Rule Change: WAC 248-15-020 Definitions, changes the title "approved licensed physician" to "approved emergency medical services medical program director" and clearly defines responsibilities. Adds definition of "local medical community" and

"medical control" in relation to emergency medical services systems. Justification: To conform to chapter 18.71 RCW.

WAC 248-15-030 Physician's trained mobile intravenous therapy technician—Airway management technician—Mobile intravenous care paramedic, selection, general training, and knowledge standards, add provision of approval of training facilities for advanced life support personnel. Change title of "licensed physician" to "approved EMS medical program director." Justification: To conform to chapter 18.71 RCW.

WAC 248-15-080 Certification and recertification, change title of "licensed physician" to "approved EMS medical program director." Justification: To conform to WAC 248-15-020. Change wording for ALS personnel performing in more than one county. Justification: For clarification.

WAC 248-15-100 Revocation, suspension or modification of certificate, adds a counseling procedure which may be initiated by an EMS medical program director for violations of written patient care protocols. Justification: To conform with local departmental procedures.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Howard Farley, Section Head, Emergency Medical Services, State Health Planning and Development, Division of Health, Phone: 753-2095, Mailstop: ET-34.

The organization which proposed these amendments is the Department of Social and Health Services in cooperation with the Washington State Medical Society, Emergency Medical Standards Committee. The amendments were also approved by the governor's EMS advisory committee on January 31, 1984, as prescribed in RCW 18.73.050.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

AMENDATORY SECTION (Amending Order 1718, filed 11/12/81)

WAC 248-15-020 DEFINITIONS. For the purpose of these rules and regulations, the following words, phrases, and abbreviations shall have the following meanings unless the context clearly indicates otherwise (also see WAC 248-17-020 for additional abbreviations and definitions applicable to this chapter).

(1) "Department" shall mean the department of social and health services.

(2) "Approved (~~licensed physician~~) emergency medical services (EMS) medical program director" shall mean a (~~licensed physician~~ who:

(a) Is knowledgeable in emergency medical services; and

(b) Has been accepted by the department as being qualified to the equivalent certification in advanced cardiac life support training by the American Heart Association; and

(c) Is designated as a physician program director, responsible for coordinating matters pertaining to an advanced life support system; or

(d) Is designated as a training physician, responsible for the training of physician's trained mobile intravenous therapy technicians, physician's trained mobile airway management technicians, or physician's trained mobile intensive care paramedics; or

(e) Is designated as a supervising physician, responsible for the control and direction of certified advanced life support personnel in the performance of their duties and who directs such advanced life support personnel by verbal communication or by standing orders; and

(f) Is approved by the department to perform such designated functions in emergency medical services;) doctor of medicine or osteopathy who has been approved by the department under RCW 18.71.205, and who:

(a) Is licensed to practice medicine and surgery in the state of Washington in accordance with chapter 18.57 or 18.71 RCW; and

(b) Is qualified and knowledgeable in the administration and management of emergency care and services including current certification as an advanced cardiac life support provider or equivalent; and

(c) Is responsible for the supervision of, or delegation of supervision of training of advanced life support mobile intravenous therapy technicians, mobile airway management technicians, and mobile intensive care paramedics; and

(d) Is responsible for the delegation of an advanced life support supervising physician(s) who is responsible for control and direction of certified advanced life support personnel in their duties and who directs such advanced life support personnel by verbal communication or by standing orders; and

(e) Is responsible for medical matters, training and medical control of basic life support personnel, as defined in chapter 18.73 RCW and chapter 248-17 WAC; and

(f) Is certified as the approved EMS medical program director by the department for a county or group of counties in coordination with recommendations by the local medical community and the local EMS council.

(3) "Emergency medical services committee" shall mean that committee appointed by the governor under RCW 18.73.040 which is responsible for advising and assisting the secretary on the identification of the requirements for prehospital emergency medical and ambulance services and practices and the formulation of implementation planning.

(4) "Emergency medical technician" (abbr. EMT) shall mean an individual who is certified according to chapter 18.73 RCW.

(5) "Physician's trained mobile intravenous therapy technician" (abbr. IV therapy technician) shall mean an individual who has successfully completed an (~~emergency medical technician~~) EMT training course; has been trained under the supervision of an approved (~~training physician~~) EMS medical program director to administer intravenous solutions under written or oral authorization of (~~an approved supervising physician and has been examined and certified as a physician's trained mobile intravenous~~) a delegated advanced life support supervising physician and has been examined and certified as an IV therapy technician by the department or the University of Washington's school of medicine.

(6) "Physician's trained mobile airway management technician" (abbr. airway management technician) shall mean an individual who has successfully completed an emergency medical technician training course; has been trained under the supervision of an approved (~~training physician~~) EMS medical program director to perform endotracheal airway management and other authorized aids to ventilation under written or oral authorization of (~~an approved~~) a delegated supervising physician(s) and has been examined and certified as (~~a physician's trained mobile~~) an airway management technician by the department or the University of Washington's school of medicine.

(7) "Physician's trained mobile intensive care paramedic" (abbr. paramedic) shall mean an individual who has successfully completed an (~~emergency medical technician~~) EMT training course; has been trained under the supervision of an approved (~~training physician~~) EMS medical program director to carry out all phases of prehospital advanced life support under written or oral authorization of (~~an approved~~) a delegated supervising physician(s) and has been examined and certified as a (~~physician's trained mobile intensive care~~) paramedic by the department or the University of Washington's school of medicine.

(8) "Secretary" shall mean the secretary of the department of social and health services.

(9) "Emergency medical services council" shall mean an organized council of emergency medical services providers recognized by the department of social and health services. The council may represent county or multicounty area.

(10) "Advanced life support technician" shall mean any level of technician certified under RCW 18.71.200.

(11) Local medical community shall mean the organized local medical society which exists in the general geographic area in which the advanced life support program is maintained or proposed or, in the absence of an organized medical society, majority physician consensus in the county or counties served by the advanced life support program.

(12) "Medical control" shall mean physician direction of medical matters that are involved in patient care, including responsibility for supervision of training programs, the establishment of field protocols, and the recommendation for certification, recertification and decertification of individuals certified under this chapter.

AMENDATORY SECTION (Amending Order 1718, filed 11/12/81)

WAC 248-15-030 PHYSICIAN'S TRAINED MOBILE INTRAVENOUS THERAPY TECHNICIAN—AIRWAY MANAGEMENT TECHNICIAN—MOBILE INTENSIVE CARE PARAMEDIC, SELECTION, GENERAL TRAINING, AND KNOWLEDGE STANDARDS. (1) Applicants for training as ~~((physician's trained mobile intravenous))~~ IV therapy technicians shall meet the following prerequisites:

(a) Successful completion of an ~~((emergency medical technician))~~ EMT course as described in chapter 18.73 RCW;

(b) A minimum of one year's current experience as an active ~~((emergency medical technician))~~ EMT;

(c) Be selected for training by the ~~((physician))~~ EMS medical program director and the academic facility used for such training;

(d) Successfully pass such pretraining written, practical and/or oral examinations required by the department.

(2) Academic facilities used for training of ~~((physician's trained mobile intravenous))~~ IV therapy technicians shall possess the following minimum criteria:

(a) Be approved by the local EMS medical program director on the forms provided by the department.

(b) The academic facility shall have written agreements with the department to perform the training. The forms (~~((advanced life support training application²))~~ provided by the department and the department's letter of approval shall constitute the written agreement;

~~((b))~~ (c) The academic facility shall have written agreements with the clinical facility if the clinical training is accomplished in a separate facility.

(3) Academic instructional personnel shall consist of the following categories:

(a) An approved ~~((licensed physician))~~ EMS medical program director who will be responsible for systems coordination.

(b) ~~((An approved licensed))~~ A designated training physician who will be responsible for the academic and clinical content of the course—the ~~((physician))~~ EMS medical program director and training physician may be combined into one responsibility.

(c) A course coordinator appointed by EMS medical program director and the academic facility who shall be responsible for processing applications and assist in the selection of students; maintain an inventory of all training equipment available; assist in the selection of instructors, schedule classes and assign instructors; conduct instructor and clinical preceptor orientation; schedule students for the in-hospital clinical experience; assist in the coordination of the examination sessions, including the preparation of evaluation materials; counsel trainees on an individual basis and other related duties under the training physician. The course coordinator need not be a physician.

(d) Instructional personnel consisting of such physicians, nurses, and allied health professionals knowledgeable in specific subject matter of a given lesson.

(4) Clinical facilities used for training of ~~((physician's trained mobile intravenous))~~ IV therapy technicians shall have as minimum qualifications, the following departments or sections, personnel and policies:

(a) Approved supervising physician coverage for emergency care in accordance with WAC 248-18-285;

(b) Have program approval in writing from the administrator and chief of staff;

(c) ~~((Appoint an approved training physician who will be available for consultative help to students for the duration of the course;~~

~~((d)))~~ Agree in writing to participate in continuing education;

~~((e))~~ (d) Provide clinical experience with supervision of students during the clinical portion of the training program;

~~((f))~~ (e) Have necessary radio equipment for voice communications between field personnel and clinical facility;

~~((g))~~ (f) Agree to provide an orientation program that will inform students as to the policies, procedures and general layout of the facility, as well as inform employees of the purpose and limits of the program.

(5) The course content shall consist of the following minimum knowledge standards or equivalent which each student must be able to meet:

STANDARD I—THE ADVANCED LIFE SUPPORT TECHNICIAN, HIS ROLE, RESPONSIBILITIES AND TRAINING

(a) Role of the advanced life support technician:

(i) Identify the activities performed by an advanced life support technician in the field;

(ii) Identify the role of the advanced life support technician in the emergency medical system in which he is functioning;

(b) Laws governing the advanced life support technician:

(i) Demonstrate a working knowledge of the Medical Practices Act of the state of Washington, the good samaritan law, Washington state legislation affecting emergency medical technicians and advanced life support technicians and the Washington Administrative Code rules for ambulance operation;

(ii) Demonstrate a knowledge and understanding of:

(A) Consent

(B) Abandonment

(C) Delegated practice (standing orders)

(D) Liability and malpractice

(E) Required records and reports for substantiating incidents.

(c) Orientation to the advanced life support program:

(i) Identify the skills required of an advanced life support technician;

(ii) Identify the requirements for:

(A) Emergency medical technician

(B) Physician's trained mobile intravenous therapy technician

(C) Physician's trained mobile airway management technician

(D) Physician's trained mobile intensive care paramedic

(E) The training level of all approved Washington state emergency care providers.

(d) Issues concerning the health professional. The advanced life support technician shall demonstrate a knowledge and understanding of:

(i) Ethics; professional conduct, confidentiality;

(ii) Legal requirements relating to advanced life support technicians;

(iii) The difference between ethical behavior and legal requirements.

(e) The student shall be able to identify the activity most appropriate in the handling of a dying patient, bystanders or the immediate relatives of the dying patient.

STANDARD II—HUMAN SYSTEMS AND PATIENT ASSESSMENT

(a) Medical terminology: Demonstrate a working knowledge of medical terminology and anatomical terms, including common prefixes and suffixes, and state their meanings.

(b) Human systems (anatomy and physiology)

(i) Recognize the differences and define the categories of:

(A) Anatomy

(B) Physiology

(C) Biochemistry

(D) Biophysics.

(ii) Demonstrate a knowledge of the basic principles of cell function, cell specialization and cell structure.

(iii) Recall and identify all common anatomic terms to include the anatomic terms relating to all medical subspecialties.

(iv) Identify and demonstrate a knowledge of the following systems, subsystems or organs of the body and recognize and associate the label for each system, subsystem or organ with the appropriate function:

(A) Muscles

(B) Skeleton

(C) Joints

(D) Respiratory system

(E) Lymphatic system

(F) Brain

(G) Spinal cord

(H) Peripheral nervous system

(I) Autonomic nervous system

(J) Renal system

(K) Liver

(L) Digestive system

(M) Endocrine system

(N) Circulatory system.

(c) Patient assessment:

(i) Describe and demonstrate how to conduct a primary survey;

(ii) Identify the steps required in the primary assessment of a communicative and noncommunicative patient;

(iii) Recall from memory the components of the secondary assessment;

(iv) Outline the information that must be obtained in:

(A) Immediate history

(B) Pertinent past medical history

(C) Pertinent family history

(v) Answer questions and describe in detail all components of a complete examination of a critically ill patient;

(vi) Demonstrate the ability to communicate information regarding patient assessment to the supervising physician at a remote medical facility and to the medical personnel receiving the patient.

AMENDATORY SECTION (Amending Order 1718, filed 11/12/81)

WAC 248-15-080 **CERTIFICATION AND RECERTIFICATION.** (1) Certification as ~~((a physician's trained mobile intravenous))~~ an IV therapy technician, ~~((physician's trained mobile))~~ airway management technician or ~~((physician's trained mobile intensive care))~~ paramedic shall be for two years and shall be based on successfully completing the course(s) and exam as approved by the University of Washington or the department and being recommended for such certification by the approved ~~((icensed))~~ EMS medical program director. Such recommendation shall be in writing and will include the name and address of the individual being recommended. The effective date of certification shall be the date of the letter of recommendation. The expiration date will be the last date of the month, two years following certification.

(2) Recertification will be based on successful completion of the following:

(a) Maintaining the skill according to the skill standards delineated in this chapter for the appropriate skill requirement as documented by the approved ~~((icensed))~~ EMS medical program director.

(b) Successfully passing such written, oral and/or practical recertification examinations as approved by the department or the University of Washington school of medicine.

(c) Written recommendation from the approved ~~((physician))~~ EMS medical program director.

Recertification shall be for two years and shall be effective from the date of the letter of recommendation from the approved EMS medical program director.

(3) Certifications and recertifications awarded under this chapter shall be valid in the following conditions:

- (a) In the county or counties indicated on the certification card;
- (b) In areas where formal mutual aid agreements are in force; and
- (c) In situations where the provider accompanies a patient in transit.

~~Individuals who ((are employed in other than their county of residence must have their certificates validated and revalidated by the physician program director of their county of employment before performing advanced life support skills))~~ routinely perform ALS skills in more than one county shall be certified in each county. New cards will be issued upon written recommendation of the ~~((physician))~~ approved EMS medical program director of the county of employment.

AMENDATORY SECTION (Amending Order 1329, filed 8/22/78)

WAC 248-15-100 **REVOCATION, SUSPENSION OR MODIFICATION OF CERTIFICATE.** (1) Grounds for revocation or suspension of ~~((a physician's trained mobile intravenous))~~ an IV therapy technician, ~~((physician's trained mobile))~~ airway management technician, or ~~((physician's trained mobile intensive care))~~ paramedic include but are not limited to proof that such certified individual:

~~((+))~~ (a) Has been guilty of misrepresentation in obtaining the certificate;

~~((+))~~ (b) Has engaged or attempted to engage in, or represented himself ~~((/herself))~~ as entitled to perform any service not authorized by the certificate;

~~((+))~~ (c) Has demonstrated incompetence or has shown himself ~~((/herself))~~ otherwise unable to provide adequate service;

~~((+))~~ (d) Has violated or aided and abetted in the violation of any provision of chapter 18.73 RCW or the rules and regulations promulgated thereunder;

~~((+))~~ (e) Has demonstrated unprofessional conduct in the course of providing services as determined by the department or the University of Washington school of medicine;

~~((+))~~ (f) Has failed to maintain skills;

(f) Has violated written patient care protocols which have been adopted by the approved EMS medical program director or delegate(s) and which have been acknowledged in writing by the certified individual;

(g) Has failed to maintain skills.

(2) The approved EMS medical program director may initiate a counseling procedure with a certified individual which may lead to a recommendation for revocation, suspension, or modification of certification. The counseling procedure, if initiated, shall include the following minimum standards:

(a) Oral counseling with the certified individual and his employer or delegate. Written documentation stating the reason(s) and results of the oral counseling shall be provided to participants;

(b) Written counseling with the certified individual and the employer or delegate, stating the reason(s) for counseling, the expectations for corrective action, and any agreed-upon time limits - copies provided to the participants;

(c) Final written resolution of counseling, which may include recommendation for revocation, suspension or modification of the individual's certificate.

(3) The approved EMS medical program director may summarily request that the secretary decertify a technician if he has reasonable cause to believe that continued certification will be detrimental to patient care.

WSR 84-11-069
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Filed May 22, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning ambulances, amending chapter 248-17 WAC;

that the agency will at 10:00 a.m., Friday, June 29, 1984, in the General Administration Building Auditorium, 11th and Columbia Streets, Olympia, Washington, and at 2:00 p.m., Monday, July 2, 1984, in the Yakima CSO Conference Rooms, Valley Mall, Union Gap, Washington, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 11, 1984.

The authority under which these rules are proposed is RCW 18.73.080.

The specific statute these rules are intended to implement is RCW 18.73.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 2, 1984.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director
Division of Administration and Personnel
Department of Social and Health Services
Mailstop OB 14
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by June 15, 1984. The meeting site is in a location which is barrier free.

Dated: May 16, 1984
By: David A. Hogan, Director
Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 248-17-020, 248-17-212, 248-17-213, 248-17-214, 248-17-220, and adding new sections WAC 248-17-250 through 248-17-275.

Purpose of the Rule Change: To effect compliance with chapter 112, Laws of 1983, amending chapters 18.73 and 18.71 RCW.

The Reason These Rules are Necessary: As required in accordance with chapter 18.73 RCW.

Statutory Authority: RCW 18.73.080.

Summary of the Rule Change: WAC 248-17-020 Definitions, add definitions of "EMS medical program director" and "medical control." Justification: To conform to RCW 18.73.030 (15) through (19).

WAC 248-17-212 EMT training—Course content, registration, and instructor qualifications, change "physician coordinator" to "EMS medical program director." Justification: To conform to WAC 248-17-020.

WAC 248-17-213 EMT—Certification and recertification, change "physician coordinator" to "EMS medical program director." Justification: To conform to WAC 248-17-020. Correct "EMS administrator" to "EMS coordinator." Justification: To correct error in title.

WAC 248-17-214 EMT—Reciprocity and challenges, change "physician coordinator" to "EMS medical program director." Justification: To conform to WAC 248-17-020.

WAC 248-17-220 Revocation, suspension or modification of certificate, adds a counseling procedure which may be initiated by an EMS medical program director for violations of written patient care protocols. Justification: To conform with local departmental procedures.

WAC 248-17-250 through 248-17-275, First responder, adds new section. Justification: To conform to RCW 18.73.205.

The Person Responsible for the Drafting, Implementation and Enforcement of the Rule: Howard Farley, Section Head, Emergency Medical Services, State Health Planning and Development, Division of Health, Phone: 753-2095, Mailstop: ET-34.

The organization which proposed these amendments is the Department of Social and Health Services in cooperation with the Washington State Medical Society, Emergency Medical Standards Committee. The amendments were also approved by the governor's EMS advisory committee on January 31, 1984, as prescribed in RCW 18.73.050.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

AMENDATORY SECTION (Amending Order 1881, filed 9/21/82)

WAC 248-17-020 DEFINITIONS. For the purpose of these regulations, the following words and phrases shall have the following meaning unless the context clearly indicates otherwise.

(1) "Air ambulance" means a fixed or rotary winged aircraft that is currently certified under Federal Aviation Administration as an air taxi; that may be configured to accommodate a minimum of one litter and two medical attendants with sufficient space to provide intensive and life saving patient care without interfering with the performance

of the flight crew; that has sufficient medical supplies and equipment to provide necessary medical treatment at the patient's origin and during flight; has radio equipment capable of two way communication ground-to-air, air-to-air, and air-to-ground including communication with physicians responsible for patient management; has been designed to avoid aggravating the patients condition as to cabin comfort, noise levels* and cabin pressurization*; has aboard survival equipment in sufficient quantity to accommodate crew and passengers; that has been inspected and licensed by the department as an air ambulance. *Not applicable to rotary winged aircraft.

(2) "Air ambulance service" means a service that is currently certified under Federal Aviation Administration (FAA) rules, 14 CFR Part 135, (Air Taxi Operators and Commercial Operators of Small Aircraft); has been inspected by the department and licensed as an air ambulance service and meets the minimum requirements for personnel and equipment as described elsewhere in this chapter.

(3) "Ambulance" means an emergency vehicle designed and used to transport the ill and injured and to provide facilities and equipment to treat patients before and during transportation.

(4) "Attending physician" as applies to aeromedical evacuation, means a licensed doctor of medicine or osteopathy who provides direction for management of the patient either by attending the patient enroute, by ground-to-air radio communication or by written orders pertaining to inflight medical care. An attending physician must retain responsibility for the medical care of the patient until final destination is reached.

(5) "First aid vehicle" means a vehicle used to carry first aid equipment and individuals trained in first aid or emergency medical procedures.

(6) "Emergency medical technician (EMT)" means a person who has successfully completed a prescribed course of instruction and who has achieved a demonstrable level of performance and competence to treat victims of severe injury or other emergent conditions.

(7) "Advanced first aid" means a course of instruction recognized by the American Red Cross, Department of Labor and Industry, the U.S. Bureau of Mines, or Fire Services training program.

(8) "Standard first aid" means such a prescribed course of instruction recognized and offered by the American Red Cross, Department of Labor and Industries, the U.S. Bureau of Mines, or Fire Services training program.

(9) "Ambulance driver" means that person who drives an ambulance.

(10) "Ambulance attendant" means that person who has responsibility for the care of patients both before and during transportation.

(11) "Ambulance operator" means a person who owns one or more ambulances and operates them as a private business.

(12) "Ambulance director" means a person who is a director of a service which operates one or more ambulances provided by a volunteer organization or governmental agency.

(13) "First aid vehicle operator" means a person who owns one or more (firstaid) first aid vehicles and operates them as a private business.

(14) "First aid director" means a person who is a director of a service which operates one or more first aid vehicles provided by a volunteer organization or governmental agency.

(15) "Communications system" means a radio or landline network connected with a dispatch center which makes possible the alerting and coordination of personnel, equipment and facilities.

(16) "Department" means the department of social and health services.

(17) "Shall" means compliance is mandatory.

(18) "Should" means a suggestion or recommendation, but not a requirement.

(19) "Committee" means the emergency medical services committee.

(20) "Approved emergency medical services (EMS) medical program director" means a doctor of medicine or osteopathy who has been certified by the department under RCW 18.71.205 and WAC 248-15-020.

(21) "Medical control" means physician responsibility for supervision of EMT training programs, the establishment of field protocols, and the recommendation for certification and decertification of EMT's certified under this chapter.

(22) Medical control as defined above does not include first responders.

AMENDATORY SECTION (Amending Order 1752, filed 1/29/82)

WAC 248-17-212 EMERGENCY MEDICAL TECHNICIAN TRAINING—COURSE CONTENT, REGISTRATION, AND INSTRUCTOR QUALIFICATIONS. (1) The National Training Course, Emergency Medical Technician – Ambulance, United States Department of Transportation, National Highway Traffic Administration, shall be used in the course presentation. The course shall consist of a minimum of seventy-one hours classroom didactic and practical instruction and ten hours of hospital observation as described in the national course guide.

(2) (~~Emergency medical technician~~) EMT training courses shall normally be conducted by approved training agencies which have written agreements with the department to provide such training. If the local or regional (~~emergency medical services~~) EMS council recommends another entity to conduct a course in a region, the council shall notify the department of this decision and request approval.

(3) Registration for (~~emergency medical technician~~) EMT training courses shall be submitted to the department at least two weeks prior to the beginning of the course. Registrations shall be completed on the forms supplied by the department. The registration shall consist of a completed registration form, a lesson outline indicating the names of the instructors and a supply requisition form (if course supplies are needed). No course will be certified without an approved registration.

(4) Course instructional and administrative personnel shall consist of:

(a) A course coordinator who shall be responsible for the registration of the course, classroom location, scheduling of instructional personnel, arranging for the ten-hour hospital experience, compliance with contractual conditions and all other administrative matters not involving instruction. The course coordinator need not be a physician or approved lay instructor.

(b) (~~A physician coordinator who shall be a doctor of medicine or osteopathy who has been approved by the department. The physician coordinator~~) The approved EMS medical program director or delegate(s) who shall be responsible for:

(i) Overall supervision of the didactic and practical training aspects of the course;

(ii) The instruction of those lessons requiring a physician and for making arrangements, for guest lecturers as desired;

(iii) For counseling students as needed and to allow only those students who have successfully completed all the requirements of the course to be admitted to the final written and skill examination;

(iv) The final examination of skills of all students enrolled in the class after they complete a final written examination. The (~~physician coordinator~~) approved EMS medical program director shall have the authority to deny certification to a student when, in his(~~her~~) professional judgment, the student is unable to function as an effective EMT irrespective of successful completion of the course.

(c) A senior lay instructor who shall be approved by the (~~physician coordinator~~) EMS medical program director and the department, who is a currently certified (~~emergency medical technician~~) EMT or currently certified in advanced life support skills and who is currently certified as a cardiopulmonary resuscitation instructor by the Washington State Heart Association or the American Red Cross. The senior lay instructor shall:

(i) Assist the (~~physician coordinator~~) EMS medical program director as needed;

(ii) Be responsible for the conduct and scheduling of all nonphysician instructors and evaluators participating in an (~~emergency medical technician~~) EMT training course;

(iii) Maintain all registration and other necessary forms for the enrolled students, including the record of attendance of students and instructors;

(iv) Supervise the distribution of textbooks and other course material to the students;

(v) See that all written examinations are graded, discussed with the (~~physician coordinator~~) EMS medical program director and that graduation lists are forwarded to the department not later than thirty days following completion of a course;

(vi) The senior lay instructor may be the course coordinator.

(d) Other instructional personnel employed in a course of instruction shall consist of:

(i) Adequate numbers of experienced (~~emergency medical technicians~~) EMT's to provide a ratio of one evaluator to six students during practical skills examinations;

(ii) Other qualified individuals such as registered nurses, experts in legal affairs, experts in extrication and driving safety who may act in the capacity of guest lecturers and practical skills evaluators.

(e) Any instruction given in cardiopulmonary resuscitation must be accomplished by an individual who is currently certified as a cardiopulmonary resuscitation instructor by the Washington State Heart Association or the American Red Cross.

(f) Course materials used in the conduct of an (~~emergency medical technician~~) EMT course shall consist of those textbooks, reference materials, visual aids and medical supplies that have been approved by the department.

(g) Testing shall occur periodically throughout the course. There shall be a minimum of a first quarter, mid-term, third quarter and final written examination. The final written examination may be administered through state testing procedures or through the National Registry of Emergency Medical Technicians (NREMT). If the NREMT examination is used, each student is responsible for the testing fee.

(h) The practical examination shall be administered on examination forms supplied by the department and shall be scored as pass or fail. Percentage points shall not be used. Failure in areas of the practical examination that are designated as life-threatening conditions (~~shaded areas~~) shall be considered as failure of the examination. In situations where regional or county EMS councils employ test teams, such teams shall accomplish the practical testing procedures.

(i) A student who fails the state written and/or the practical examination may be retested within two months of the failure. A second failure shall require a repeat of the course.

(j) Rules governing class attendance shall be at the option of the (~~physician coordinator~~) approved EMS medical program director. However, any student missing three sessions (nine hours of instruction) shall be considered to have withdrawn from the course.

AMENDATORY SECTION (Amending Order 1881, filed 9/21/82)

WAC 248-17-213 EMERGENCY MEDICAL TECHNICIAN—CERTIFICATION AND RECERTIFICATION. (1) Upon successful completion of an (~~emergency medical technician~~) EMT course, the department shall certify those eligible graduates who have passed either the state written examination or the (~~National Registry of Emergency Medical Technicians~~) NREMT written examination and the state practical examination and who have been recommended for certification by the physician coordinator.

(2) The period of certification shall be (~~valid~~) for three years (~~and shall terminate on the last day of the month on the third anniversary of completion of the course~~).

(3) Recertification of currently certified (~~emergency medical technicians~~) EMT's eligible for such recertification under WAC 248-17-211, shall be accomplished in the following manner:

(a) Completion of a minimum of thirty hours of continuing education during the period of certification consisting of the following mandatory and optional subject matter as indicated and under physician supervision.

(i) Cardiopulmonary resuscitation update of at least one hour per year including both adult and infant manikins using one and two person techniques administered under the supervision of a certified CPR instructor (mandatory).

(ii) Vehicle extrication techniques employing skill knowledge of wrecking tools used in gaining access to victims and use of short and long board extrication. A minimum of one hour per year administered under the supervision of a senior EMT instructor (mandatory).

(iii) Formal inservice training sessions covering basic life support knowledge skills such as bandaging and splinting, emergency child birth, recognition and treatment of shock, cold and heat caused injuries, patient handling and other basic life support skills using physicians, senior EMT instructors, audio-visual aids or other technical experts. Four hours per year minimum required and verified by a senior EMT instructor (mandatory). Attendance at workshops or seminars approved by the department may satisfy this requirement when authorized by the regional EMS (~~administrator~~) coordinator.

(iv) Emergency ambulance/aid car runs involving the application of emergency care techniques may be used for credit at one hour per twenty-five emergency runs not to exceed five total hours during a period of certification when verified by emergency department staff or official run records and used as formal critique (optional).

NOTE: EMT dispatchers, employed by central dispatching centers, may substitute dispatches involving emergency, life-threatening responses when instructions on emergency medical care are given by phone/radio to persons attending the victim.

(v) Hospital emergency department, ICU, CCU or OB delivery room experience may be credited not to exceed two hours per year when verified by hospital or clinic department head (optional).

(vi) Membership in a national EMS organization where such membership includes subscriptions to professional journals and/or newsletters may be used for a maximum of one hour credit per year when proof of membership is verified by a senior EMT instructor (optional).

(vii) Completion of formal courses such as dispatcher training, extrication training, emergency vehicle defensive driving, EMT/defibrillation, inflatable trousers or other EMS-related topics. Five hours total per period of certification. Verified by course instructor (optional).

NOTE: It is recommended that a minimum of ten hours of continuing education be accomplished annually. Failure to complete thirty hours of continuing education during a period of certification shall result in termination of certification.

(b) Pass the state written and practical examination and being recommended for recertification by the ~~((physician-coordinator))~~ approved EMS medical program director.

NOTE: Currently certified senior EMT instructors who have fulfilled the provisions of the senior EMT instructor agreement may recertify by passing the written recertification examination and by being recommended by the ~~((physician-coordinator))~~ approved EMS medical program director.

(4) Certification by the department as an EMT does not warrant future performance of the individuals certified. It will indicate that the cognitive and performance capabilities met the requirements for certification established for the course at the time testing was performed.

AMENDATORY SECTION (Amending Order 1752, filed 1/29/82)

WAC 248-17-214 EMERGENCY MEDICAL TECHNICIAN—RECIPROCITY AND CHALLENGES. (1) Reciprocity as a Washington state ~~((emergency-medical-technician))~~ EMT may be granted to a currently certified EMT from another state or territory if the applicant has proof of completion of the department of transportation's eighty-one hour ~~((emergency-medical-technician))~~ EMT course.

(2) An individual certified by the National Registry of Emergency Medical Technicians (or other similar national certifying agency) may be considered for reciprocity only under the following conditions:

(a) The applicant must have completed the minimum of an eighty-one hour department of transportation ~~((emergency-medical-technician))~~ EMT course (equivalent training for certification is not acceptable);

(b) The category of the national certification must be "EMT-Ambulance";

(c) The candidate must be fully certified – provisional certification is not acceptable;

(d) The former state of the individual must accept the national certification or must require both state and national certification.

(3) Certification by reciprocity shall be based on need and shall be for the duration of the former state's certification but in no case will exceed two year's duration.

(4) An individual who wishes to challenge the ~~((emergency-medical-technician))~~ EMT examination must meet the following conditions of eligibility:

(a) There must be proof of need for certification as specified by WAC 248-17-211;

(b) The candidate must show the testing agency proof of equivalent training and/or experience, including the ten-hour hospital experience required for initial certification.

(5) Reinstatements are recertifications for individuals who have let their certifications lapse before applying for such recertification. Reinstatements may be accomplished in the following manner:

(a) An individual whose expiration of certification is less than one year old may, at the option of the ~~((physician-coordinator))~~ approved EMS medical program director, be allowed to credit prior continuing education and take the practical and written recertification examinations;

(b) An individual whose expiration of certification is more than one year old at the time of application, must retake the basic minimum eighty-one hour course as described in WAC 248-17-212.

AMENDATORY SECTION (Amending Order 1881, filed 9/21/82)

WAC 248-17-220 REVOCATION, SUSPENSION OR MODIFICATION OF CERTIFICATE. (1) Grounds for denial, revocation, or suspension of an ~~((emergency-medical-technician))~~ EMT certificate include but are not limited to proof that such ~~((emergency-medical-technician))~~ EMT:

(a) Has been guilty of misrepresentation in obtaining the certificate;

(b) Has engaged or attempted to engage in, or represented himself as entitled to perform, any service not authorized by the certificate;

(c) Has demonstrated incompetence or has shown himself otherwise unable to provide adequate service;

(d) Has violated or aided and abetted in the violation of any provision of chapter 18.73 RCW or the rules and regulations promulgated thereunder;

(e) Has demonstrated unprofessional conduct in the course of providing services; ~~((or))~~

~~((f))~~ ~~((Has failed to complete a minimum of six hours of mandatory continuing education in a calendar year as described in WAC 248-17-213(3), or failed to complete thirty hours of continuing education in a three-year period of certification:))~~ Has violated written patient care protocols which have been adopted by the approved EMS medical program director or delegate(s) and which have been acknowledged in writing by the certified individual;

~~((g))~~ Has failed to maintain skills.

(2) The approved EMS medical program director may initiate a counseling procedure with a certified individual which may lead to a recommendation for revocation, suspension, or modification of certification. The counseling procedure, if initiated, shall include the following minimum standards:

(a) Oral counseling with the certified individual and his employer or delegate. Written documentation stating the reason(s) and results of the oral counseling shall be provided to participants;

(b) Written counseling with the certified individual and the employer or delegate, stating the reason(s) for counseling, the expectations for corrective action, and any agreed upon time limits – copies provided to the participants;

(c) Final written resolution of counseling, which may include recommendation for revocation, suspension or modification of the individual's certificate.

(3) The approved EMS medical program director may summarily request that the department decertify an EMT if he has reasonable cause to believe that continued certification will be detrimental to patient care.

NEW SECTION

WAC 248-17-250 FIRST RESPONDER QUALIFICATIONS AND TRAINING. (1) Applicants for training as first responders shall meet the following prerequisites:

(a) Be at least sixteen years of age at the beginning of the course enrollment;

(b) Be affiliated with one of the following entities:

(i) Paid or volunteer fire fighters or first aid providers of medical services to the general public, but do not attend the patients in a transport vehicle;

(ii) Municipal, county, or state law enforcement officers;

(iii) Members of organizations that do not actively participate in emergency medical care on a continuous basis but require training because of employment or volunteer services in areas of seasonal high density population, such as members of ski patrols, park rangers, and search and rescue personnel;

(iv) School bus drivers, highway and postal employees, and other public service employees.

(2) Approved training agencies shall accomplish the screening of students and shall have the authority to approve or deny applicants for training. First priority should be given to fire fighters and law enforcement agencies.

(3) Waivers for enrollment in the course may be recommended to the department by the approved training agencies; or

(4) In counties where emergency medical services training responsibilities are established by county ordinances, the agency named in the ordinance shall have the same authority as approved training agencies.

NEW SECTION

WAC 248-17-255 FIRST RESPONDER TRAINING COURSE CONTENTS, REGISTRATION AND INSTRUCTOR QUALIFICATION. The current National Training Course, First Responder Training Course, United States Department of Transportation, National Highway Traffic Safety Administration (or equivalent course) shall be the accepted training course.

(1) First responder training courses shall be conducted by approved organizations who have written agreements with the department.

(2) The department will provide a procedures and guidelines package with all the administrative forms and information necessary to conduct an approved course.

(a) The function and responsibilities of the course instructional personnel will be identified in the course procedures and guidelines.

(b) Written and practical skills examination forms will be provided by the department.

NEW SECTION

WAC 248-17-260 FIRST RESPONDER, CERTIFICATION AND RECERTIFICATION. (1) The department shall certify eligible graduates for a period of three years.

(2) Recertification of eligible first responders shall be for three years providing that:

(a) The applicants have completed a minimum of fifteen hours of approved continuing education identified in the procedures and guidelines; and

(b) The applicant shall successfully complete required written and practical examinations.

NEW SECTION

WAC 248-17-265 FIRST RESPONDER—RECIPROCITY, CHALLENGES AND REINSTATEMENT. (1) Reciprocal certification may be granted to an individual certified from another state. The individual must be eligible as specified in the procedures and guidelines, and successfully complete the final written examination.

(2) Requirements for reinstatements for an individual whose certification has expired will be identified in the course procedures and guidelines.

(3) State agencies utilizing training programs equivalent to the department's standards and policies may be awarded reciprocal certification.

NEW SECTION

WAC 248-17-270 FIRST RESPONDER—SCOPE OF CARE AUTHORIZED, PROHIBITED. A certified first responder shall be authorized to provide only those services contained in the curriculum of the course.

NEW SECTION

WAC 248-17-275 FIRST RESPONDER—REVOCATION OR SUSPENSION OF CERTIFICATE. Grounds for revocation or suspension of a first responder certificate include, but are not limited to, proof that such first responder:

(1) Has been guilty of misrepresentation in obtaining the certificate;

(2) Has engaged or attempted to engage in, or represented himself as entitled to perform any service not authorized by the certificate;

(3) Has demonstrated incompetence or has shown himself otherwise unable to provide adequate services;

(4) Has violated or aided and abetted in the violation of any provision of chapter 18.73 RCW or the rules and regulations promulgated thereunder;

(5) Has demonstrated unprofessional conduct in the course of providing services; or

(6) Has failed to complete fifteen hours of continuing education during a three-year period of certification as specified in procedures and guidelines.

WSR 84-11-070
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2099—Filed May 22, 1984]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Payment—Hospital care, amending WAC 388-87-070.

This action is taken pursuant to Notice No. WSR 84-08-039 filed with the code reviser on March 30, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 16, 1984.

By David A. Hogan, Director
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2015, filed 8/23/83)

WAC 388-87-070 PAYMENT—HOSPITAL CARE. The department will pay hospital costs of eligible persons who are patients in general hospitals when such hospitals meet the criteria as defined in RCW 70.41.020.

(1) Recipients must have been approved as financially and medically eligible for hospitalization. They are:

(a) Categorically needy recipients;

(b) Limited casualty program recipients;

(i) Medically needy recipients;

(ii) Medically indigent recipients;

(c) Recipients of continuing general assistance.

(2) Except for nonallowable revenue codes, reimbursable cost will be determined by the application of the ratio of hospital commission approved operating expense and total rate setting revenue. For all administrative days, days of hospitalization in which medical necessity is below that appropriate for acute hospital care, the departments maximum reimbursement level will be the adjusted state-wide average per diem rate for skilled nursing facilities.

(3) However, for the period February 15, 1983, through June 30, 1983, reductions in the payment rate will be applied to services provided to persons eligible for the medically indigent component of the limited casualty program and recipients of continuing general assistance. For these two eligibility groups, hospitals will be statistically clustered into groupings on their base of full-charge paying patients. A different reduction in the payment rate will be applied to each group of hospitals as follows:

Hospital Group	Percent Revenue from Full-Charge Paying Patients	Percentage Point Reduction in Payment Rate	Percent Reduction Total Rate Setting Revenue
1	40.33 or less	4.4	0.30
2	40.34 - 45.98	17.9	0.36
3	45.99 - 57.28	18.7	0.42
4	57.29 - 68.59	28.0	0.48
5	68.60 or more	20.1	0.54

(4) However, for the period April 1, 1984, through June 30, 1985, reductions in the payment rate will be applied to services provided to persons eligible for the medically indigent component of the limited casualty program and recipients of continuing general assistance. For these two eligibility groups, hospitals will be statistically clustered into groupings on their base of full-charge paying patients. A different reduction in the payment rate will be applied to each group of hospitals as follows:

Hospital Group	Percent Revenue from Full-Charge Paying Patients	Percentage Point Reduction in Payment Rate	Percent Reduction Total Rate Setting Revenue
1	39.39 or less*	2.7	0.274
2	39.40 - 44.48	11.5	0.313
3	44.49 - 48.51	10.2	0.352
4	48.52 - 56.28	17.8	0.391
5	56.29 or more	22.9	0.430

* Plus Psychiatric Hospitals

WSR 84-11-071
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2100—Filed May 22, 1984—Eff. July 1, 1984]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to funeral expense, amending chapter 388-42 WAC.

This action is taken pursuant to Notice Nos. WSR 83-24-066, 84-03-053, 84-06-039 and 84-09-070 filed with the code reviser on December 7, 1983, January 18, 1984, March 2, 1984, and April 18, 1984. These rules shall take effect at a later date, such date being July 1, 1984.

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 16, 1984.

By David A. Hogan, Director
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1691, filed 8/12/81)

WAC 388-42-020 FUNERAL ((EXPENSES)) AND INTERMENT ASSISTANCE—DEFINITIONS ((AND STANDARDS)). (1) "Funeral" ((shall)) means

the proper preparation, transportation within the local service area, ((and)) care, and disposition of the remains of a deceased person with needed facilities and appropriate memorial services.

(2) "Interment" means disposition of the remains of a deceased person by burial or cremation, and marking of the grave or repository of the cremated remains.

(3) "Local service area ((shall))" means ((an area whose boundaries are seventy-five miles from the mortuary)) the state of Washington.

(4) "Mortuary services" means the services provided by the funeral director and the mortuary.

(5) "Funeral/memorial service" means a service facilitated by the funeral director to commemorate the deceased, whether held at the mortuary, in a church, or at the graveside.

~~((2))~~ (6) "Burial ((shall)) services" ((mean necessary costs of a lot or cremation and)) means all services related to ((interment)) burial and ((the customary memorial)) marking of a grave.

~~((3))~~ Two types of funeral services shall be available: A minimum standard service and a minimum service:

(a) The minimum service shall include:

(i) Transportation of the body from place of death to mortuary within the local service area;

(ii) Proper preparation and care of the remains of the deceased person for immediate disposition by cremation or burial;

~~((iii))~~ Preparation and filing of death certificate and permits;

(iv) A wooden container of sufficient durability to transport the remains from the mortuary to the crematorium or cemetery;

~~((v))~~ Transportation of the remains from the mortuary to the crematorium or cemetery within the local service area;

(vi) Use of the funeral director's staff and facilities when requested for a memorial service.

(b) The minimum standard service shall include all the services of the minimum service plus:

(i) Embalming and care of the body;

(ii) Casket of octagon shape cut panel board top, or of rectangular shape with raised top, covered with crepe or flannel cloth, trimmed with full art lining and six bail handles;

~~((iii))~~ Use of reposing rooms, chapel, casket coach, one car for family and personal services.

(4) Payment for the minimum standard service shall be authorized only upon request by someone who wishes the deceased to have a minimum standard funeral service and who plans to attend the service. Otherwise, only the minimum service shall be authorized.

(5) Disposition of the body shall be by cremation or burial:

(a) Burial services shall include:

(i) Burial plot if not previously provided;

(ii) Minimum grave marker;

~~((iii))~~ Liner and endowed care if either or both are required;

(iv) Cost of the lot purchased within thirty days prior to burial shall be included in cemetery costs;

(v) Opening and closing grave;

~~(vi) Items available under a prepaid plan shall be utilized for the purpose intended.~~

~~(b) Cremation services shall include:~~

~~(i) Cremation;~~

~~(ii) An urn of metal or other substantial material;~~

~~(iii) Marker;~~

~~(iv) Space for disposition of the remains either in a mausoleum or cemetery;~~

~~(v) Disposition of cremated remains.~~

~~(6) Payment made for any funeral or burial service by relatives, friends, or any other third party shall be deducted from the payment made by the department.)~~

~~(7) ((Donated flowers, music, and ministerial service shall not be deducted from the department's payment. However, if these services are provided by the funeral director they are considered as part of the funeral director's services and their cost must be included in the department's standard)) "Cremation services" means all services related to cremating the remains of the deceased, disposing of the remains, and the customary memorial marking of the repository of the cremated remains.~~

NEW SECTION

WAC 388-42-025 AVAILABLE SERVICES. (1) Mortuary services.

(a) Essential services shall include:

(i) Transportation of the body from place of death to mortuary;

(ii) Preparation and care of the remains of the deceased for disposition by cremation or burial;

(iii) Preparation and filing of death certificate and permits;

(iv) A casket or container of sufficient durability to transport the remains to a crematorium or cemetery;

(v) Transportation of the remains to the crematorium or cemetery; and

(vi) Refrigeration or embalming.

(b) Funeral/memorial services shall include:

(i) Use of the funeral director's staff and facilities for a funeral/memorial service; and

(ii) Use of repose rooms, chapel, casket coach, and one car for family of the deceased.

(2) Burial services. Interment shall be by burial or cremation.

(a) Burial only shall include:

(i) Minimum grave marker;

(ii) Grave liner if required; and

(iii) Interment and recording.

(b) Burial services may include burial plot and endowment care if not previously provided or purchased.

(3) Cremation services.

(a) Cremation only shall include:

(i) Cremation; and

(ii) A container of a substantial material.

(b) Cremation and disposition shall also include:

(i) Space for disposition of the remains in a cemetery or columbarium;

(ii) Disposition of the remains; and

(iii) Minimum marker.

AMENDATORY SECTION (Amending Order 1691, filed 8/12/81)

WAC 388-42-030 ~~((FUNERAL EXPENSES=~~ GENERAL ELIGIBILITY ((STANDARDS))). (1) Pursuant to RCW 74.08.120, public assistance funds may be used to pay for the funeral expenses of a deceased person to the extent his or her estate and available resources (including resources of surviving spouse and dependent children, contributions from ((spouse,)) relatives, friends, or other sources) are not wholly sufficient to defray the funeral expenses according to department policies and standards ~~((in WAC 388-42-020 and 388-42-150 and when the conditions))~~ in this ~~((section are met))~~ chapter.

(2) The department's legal responsibility for a deceased person does not extend beyond the responsibility of providing funds to meet the funeral expenses. In no case does the department authorize the funeral, burial, cremation, or other disposition of a deceased person. Such authority is vested by statute in other individuals, including the county commissioner in the case of an unclaimed body.

(3) Neither funeral, nor cemetery, nor crematorium costs shall be paid by the department when~~((:));~~:

(a) Charges for ~~((any of))~~ these services exceed ~~((any one of))~~ the maximum standards in ~~((WAC 388-42-150))~~ this chapter, or ((when))

(b) The funeral, burial, or cremation takes place outside the state of Washington. However, exception to out-of-state payment rule is made for funerals in areas in bordering states which are normal trade areas of a border area of this state.

~~((3) Funeral costs shall be paid only when authorized prior to the funeral services and burial or cremation unless for religious reasons the body must be disposed of immediately and it is not possible to apply before the funeral. In such case, application must be made on the first working day after the funeral.))~~

(4) All assets of the deceased are considered available for funeral expenses ~~((However, if the deceased was a public assistance recipient when he died, assets left to a surviving spouse and/or minor children are considered according to WAC 388-42-040)),~~ except as provided for in this chapter.

(5) ~~((All assets of a surviving spouse or surviving parents of a minor child are considered available for funeral expenses except those resources which are exempt for a public assistance applicant and income needed to meet the monthly maintenance needs of the surviving individual and his dependents computed according to the department's continuing assistance standards))~~ Payment for any funeral or interment services made by relatives, friends, or any third party shall be deducted from the department's standards.

(6) Donated flowers, music, and ministerial services shall not be deducted from department standards. However, if these services are provided by the funeral director, they are considered part of the mortuary services and their cost must be included toward the department standard.

(7) Payment for a funeral/memorial service shall be made only upon request of a relative or friend of the deceased wishing to have a funeral/memorial service and planning to attend. The funeral director and his or her representatives or associates are precluded from applying for a funeral/memorial service.

(8) Persons applying for funeral ((expenses)) and interment assistance shall be required, except for a ((social security;)) Veterans' Administration(;) or railroad retirement board death benefit, to apply for any death benefits to which the deceased may be entitled from other public or private agencies or organization.

~~((7) When a body is claimed for scientific purposes no funeral expenses shall be authorized for payment from public assistance funds.))~~

AMENDATORY SECTION (Amending Order 1691, filed 8/12/81)

WAC 388-42-040 ((FUNERAL EXPENSES=))RESOURCES ((CONSIDERED)). (1) The resources available for funeral expenses must be taken into consideration in determining eligibility ((for)) and amount of payment ((from department's funds)).

(2) Resources available for funeral expenses may include, but are not limited to((, the following third party payments)):

(a) A ((burial)) death benefit from the United States Veterans' Administration;

(b) Washington state workmen's compensation;

(c) ((A lump sum death benefit for the social security administration

~~(d))~~ A death benefit from the railroad retirement board;

~~((e))~~ (d) Life or burial insurance proceeds;

~~((f))~~ (e) Decedent's estate;

~~((g))~~ (f) Excess resources and income of a surviving spouse, surviving minor children, or surviving parents of a minor child ((as defined by WAC 388-42-030(5)).

(i) Resources that would be exempt if the survivors were receiving general assistance shall be excluded.

(ii) Income sufficient to meet the survivors' monthly needs according to the department's need standards shall be excluded.

(iii) The status of resources and income shall be determined according to the department's rules for the general assistance-unemployable program.

(3) ((Use of resources and income available to surviving spouses shall be directed by WAC 388-28-482.

~~(4))~~ Third-party death benefits shall be considered available whether paid, directly payable to, or deposited with a funeral director or any other vendor providing ((funeral)) mortuary, burial, or cremation services.

(4) Proceeds from a prepaid plan shall be used for the purposes intended.

(5) The department will be responsible for claiming and collecting the death benefit from the railroad retirement board.

(6) The department may pay the cost of funeral expenses when the deceased leaves assets((, if the assets are left)) to a surviving spouse and/or to minor children ((and if these assets are resources which would be exempt in determining eligibility for public assistance)).

The department, when ~~((it furnishes))~~ furnishing funeral assistance, shall have a lien against said assets. The lien shall be valid for six years from the date of filing with the county auditor and shall have preference to all other claims except prior secured creditors. If the assets remain exempt or if no probate is commenced, the lien shall automatically terminate without further action six years after filing.

~~((Cash or certificates of ownership found among the effects of a deceased recipient left with a friend, nursing home or hospital belong to the estate of the deceased and may be disposed of only in the manner provided by law))~~ Ineligibility due to transferring property to qualify for assistance with funeral expenses shall be directed by chapter 388-28 WAC.

AMENDATORY SECTION (Amending Order 1176, filed 12/23/76)

WAC 388-42-100 DECEDENT'S ESTATE. (1) The estate of a deceased person consists of all of his or her real and personal property. Any value in the estate of the deceased which can be readily determined shall be considered a resource available to meet the funeral expenses according to the rules in this ((section)) chapter.

~~((The department may pay the cost of funeral expenses when the deceased leaves assets, if the assets are left to a surviving spouse and/or to minor children and if these assets are resources which would be exempt in determining eligibility for public assistance. The department when it furnishes funeral assistance shall have and shall file a lien against said assets. The lien shall be valid for six years from the date of filing with the county auditor and shall have preference to all other claims except prior secured creditors. If the assets remain exempt or if no probate is commenced, the lien shall automatically terminate without further action six years after filing.~~

~~((3) When the estate is insufficient to meet the total expense of a minimum standard funeral, the ESSO should reach agreement with the funeral director and cemetery (or crematorium) operator as to the amount to be considered as currently available for payment from the estate.))~~ The ((state office)) department claims reimbursement from any remainder in the estate after funeral expenses are paid for any prior overpayment of public assistance according to ((WAC 388-44-160 for any amount authorized by the ESSO for the payment of funeral expenses)) chapter 388-44 WAC.

~~((4))~~ (3) Cash or certificates of ownership found among the effects of ((a)) the deceased ((recipient)) left with a friend, nursing home, or hospital belong to the estate of the deceased and may be disposed of only in the manner provided by law. ((Such assets are generally turned over to the nearest relative or to the administrator of the estate by the friend, nursing home or hospital.

~~((5) On occasion the ESSO may find itself in possession of funds or other property of a deceased recipient. Property held in custody by the ESSO shall be disposed of in one of the following ways:~~

~~((a) If an executor or administrator appears, the cash and any other property in the custody of the ESSO shall be released to him and a receipt taken.~~

(b) If the property is cash and the department has paid the funeral expenses, the cash is applied as a partial or complete refund of the funeral expenditure.

(c) If the property is cash and the department has not paid the funeral expenses or the amount exceeds the funeral expenditure and the deceased recipient was indebted to the department for assistance received contrary to law, the cash is applied as a credit to the indebtedness.

(d) If the property is not disposed of according to subsection (5)(a)(b)(c) the ESSO shall notify the SO of the possession of the property and retain the property pending disposition instructions from the SO).

(4) When the estate is insufficient to defray wholly the funeral expenses, the department shall:

- (a) Determine the amount available from the estate;
- (b) Allocate that amount to the vendor or vendors; and
- (c) Deduct that amount from the department's standards before authorizing payment of public assistance funds.

AMENDATORY SECTION (Amending Order 1691, filed 8/12/81)

WAC 388-42-110 ((FUNERAL EXPENSES=))INTERMENT OF TWO OR MORE BODIES IN ONE GRAVE. The department pays for ((public assistance)) burials of two or more bodies in one grave, provided:

(1) This type of burial is accepted practice in a cemetery and is available to the general public, or

(2) ((When a body is claimed by relatives or church organizations, permission to bury two or more bodies in one grave is obtained in writing (filed with the CSO) from such relatives or church representatives)) The applicant agrees to multiple interment.

((If the body is unclaimed, written permission shall be secured from the board of county commissioners, or its duly appointed representative, and filed with the CSO.

Relatives or friends of the deceased, the county commissioners, or other persons are not to be led to believe that the department's rules limit interment to this type burial. It should be impressed upon such persons that they, rather than the department, are responsible for interment or burial.))

AMENDATORY SECTION (Amending Order 1691, filed 8/12/81)

WAC 388-42-115 ((FUNERAL EXPENSES=))APPLICATION. (1) ((The department's legal responsibility for a deceased person does not extend beyond the responsibility of providing funds to meet the funeral expenses. In no case does the department authorize the funeral, burial, or any other disposition of a deceased person. The authority to authorize funerals and burials is vested by statute in other designated individuals including the county commissioners in the case of an unclaimed body.

(2)) Application for the payment of funeral expenses ((shall)) may be made by the funeral director, any relative, friend, or church organization claiming the remains

or, if no such person or organization exists, by the board of county commissioners, or its duly appointed representative.

(2) Application for assistance with funeral expenses must be made before the funeral is held, unless for health or religious reasons the remains must be disposed of immediately. In such cases, application must be made the first working day after the funeral.

(3) For the purposes of this section, transporting the remains from the place of death to the mortuary does not constitute a funeral. Application may be made after the deceased has been transported from the place of death.

AMENDATORY SECTION (Amending Order 1691, filed 8/12/81)

WAC 388-42-125 ((FUNERAL EXPENSES=))FAIR HEARING. ((Relatives or friends of the deceased who apply for payment of funeral expenses shall have the right to a fair hearing if dissatisfied with the CSO decision on their request)) Applicants or recipients aggrieved by a decision made by the department and based on the rules in this chapter can request a fair hearing as provided for in chapter 388-08 WAC.

AMENDATORY SECTION (Amending Order 1772, filed 3/3/82)

WAC 388-42-150 MAXIMUM COST STANDARDS ((FOR FUNERAL DIRECTOR'S SERVICES AND BURIAL OR CREMATION SERVICES)). (1) ((Funeral director's)) Mortuary services—Actual ((charges)) costs, but not to exceed:

- (a) ((Minimum)) Essential services only \$250
 ((Adult or older child (casket 5 feet or larger) \$250
 Child (casket 2 feet 6 inches, less than 5 feet) \$195
 Child (casket less than 2 feet 6 inches) \$ 94))

- (b) ((Minimum standard)) Essential services plus funeral/memorial service \$573
 ((Adult or older child (casket 5 feet or larger) \$573
 Child (casket 2 feet 6 inches, less than 5 feet) \$242
 Child (casket less than 2 feet 6 inches) \$ 94))

(2) Burial ((or cremation)) services—Actual costs, but not to exceed:

- (a) Burial only, no plot included \$((258)) 314
 ((Burial in grave of another \$258
 Burial with lot included \$290))

- (b) ((Cremation only)) Burial with plot included, single or multiple interment \$((258)) 362
 ((Cremation with burial place included \$265))

(3) Cremation services—Actual costs, but not to exceed:

- (a) Cremation only \$149
- (b) Cremation and disposition \$222

(4) These standards include all applicable taxes.
 ((+4)) (5) These standards shall be effective ((January 1, 1982)) July 1, 1984.

WSR 84-11-072
PROPOSED RULES
INSURANCE COMMISSIONER
FIRE MARSHAL
 [Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner/State Fire Marshal intends to adopt, amend, or repeal rules concerning Group care facilities for severely and multiply-handicapped children—Standards for fire protection, chapter 212-70 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 25, 1984.

The authority under which these rules are proposed is chapter 74.15 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 25, 1984.

This notice is connected to and continues the matter in Notice No. WSR 84-09-038 filed with the code reviser's office on April 16, 1984.

Dated: May 22, 1984
 By: Thomas R. Brace
 Director, Division of State Fire Marshal

WSR 84-11-073
PROPOSED RULES
NUCLEAR WASTE BOARD
 [Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Nuclear Waste Board intends to adopt, amend, or repeal rules concerning disclosure of public records;

that the agency will at 1:30 p.m., Monday, June 18, 1984, in the EFSEC Hearings Room, Rowsix, Building 1, 4224 Sixth Avenue S.E., Lacey, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 43.200.070.

The specific statute these rules are intended to implement is chapter 43.200 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 8, 1984.

This notice is connected to and continues the matter in Notice No. WSR 84-10-035 filed with the code reviser's office on May 1, 1984.

Dated: May 22, 1984
 By: Warren A. Bishop
 Chair

WSR 84-11-074
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning general assistance, amending chapter 388-37 WAC;

that the agency will at 10:00 a.m., Wednesday, June 27, 1984, in the Third Floor Conference Room, H-19, OB 2, Olympia, and at 9:00 a.m., Thursday, June 28, 1984, in the Downstairs Cafeteria, Capitol Hill CSO, 1700 East Cherry Street, Seattle, WA, and at 3:30 p.m., Monday, July 2, 1984, in the Yakima CSO Meeting Rooms, Valley Mall, Union Gap, Washington, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 11, 1984.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.08 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 2, 1984.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director
 Division of Administration and Personnel
 Department of Social and Health Services
 Mailstop OB 14
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by June 13, 1984. The meeting site is in a location which is barrier free.

Dated: May 22, 1983 [1984]
 By: David A. Hogan, Director
 Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Chapter 388-37 WAC, General assistance—Unemployable.

The Purpose of the Rule Change: To revise procedures for determining incapacity.

The Reason These Rules are Necessary: To establish statewide standards for incapacity, and to comply with provisions in the 1983 Legislative Appropriations Act.

Statutory Authority: RCW 74.08.090.

Summary of the Rule Change: Revises requirements for medical evidence, incorporates legislative provisos regarding the treatment of medical opinion and criteria for terminating GAU recipients, and describes the progressive evaluation process for determining incapacity.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule Change: Cecile Anderson, Community Services Program Manager, Division of Income Assistance, Mailstop: OB 31C, Phone: 753-0478.

These rules are not necessary as a result of federal law, federal court decision or state court decision.

AMENDATORY SECTION (Amending Order 2034, filed 10/6/83)

WAC 388-37-010 CONTINUING GENERAL ASSISTANCE—EXCLUSIONS. (1) Continuing general assistance is a state-financed program providing for the needs of some persons not eligible for a federal aid grant by reason other than resource and income eligibility. Continuing general assistance cannot be granted to a person eligible for or receiving AFDC or to a person eligible for or whose needs are being met by Supplemental Security Income, except as provided in WAC 388-37-010 (2) through (5).

(2) An AFDC parent in need of intensive treatment (thirty days or less) in an approved alcoholic treatment facility may be granted continuing general assistance for the cost of treatment. This payment is made through the vendor billing procedure.

(3) Effective August 23, 1983, an SSI recipient whose need is not being met by SSI because of separation from a spouse may be eligible to receive GAU in the amount necessary to supplement his or her need up to the level of the existing GAU payment standard.

(4) An SSI recipient whose SSI check has been lost, stolen, missent, or otherwise delayed, may be granted GAU provided the recipient agrees in writing to repay the amount of GAU assistance issued, and the applicant meets all other GAU eligibility requirements. When an SSI check is lost in the mail system, issuance of GAU will be held in abeyance for ten working days from the first of the month in which the check was issued to allow the warrant to be returned or delivered. If the recipient has an emergent need, the ten-day period may be waived by the CSO administrator.

(5) An applicant appearing to be eligible for SSI may receive continuing general assistance payments until the date of receipt of the initial SSI payment provided that:

- (a) The applicant applies;
- (b) The applicant assigns the initial SSI payment to DSHS up to the amount of the GAU provided to the applicant pending approval of the SSI application;
- (c) The applicant meets all other general assistance eligibility requirements.

(6) When determining the amount of the initial SSI payment, do not include any advance payment or payment based upon presumptive disability or presumptive blindness. These payments are not considered SSI benefit payments for interim assistance purposes.

(a) The state cannot be reimbursed for any GAU authorized during the time period these payments cover.

(b) If the amount of the initial SSI payment recovered by DSHS prior to the payment of attorney's fees in subsection (7) of this section does not meet the amount paid as GAU, the balance must be treated as an overpayment. The period covered by any advance or presumptive payments is not included in this computation.

If the SSI benefit is less than the GAU payment standard because the SSI is based on a different living arrangement than authorized under the GAU program, the difference will not be considered an overpayment, provided the applicant has appealed the SSI determination and lost the final appeal.

(7) Any agreement between the department and a supplemental security income applicant providing for the reimbursement of interim assistance to the department shall provide, if the applicant has been represented by an attorney, that twenty-five percent of the reimbursement received shall be withheld by the department and all or such portion thereof as has been approved as a fee by the United States Department of Health and Human Services shall be released directly to the applicant's attorney. The secretary may maintain such records as are deemed appropriate to measure the cost and effectiveness of such agreements and may make recommendations concerning the continued use of such agreements to the legislature. Reimbursement is limited to cases ((accepted by the attorney)) where the aforesaid agreement between the applicant and the department was entered into on or after August 23, 1983.

(8) Continuing general assistance cannot be granted to an individual eligible for or receiving AFDC or SSI when he or she is subject to any sanction for failure to comply with AFDC or SSI requirements.

AMENDATORY SECTION (Amending Order 2034, filed 10/6/83)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility has been established, continuing general assistance shall be granted to:

(1) Incapacitated persons. As used in this section, incapacitated person means a person physically, emotionally, or mentally unable to work as a result of a condition expected to continue for at least sixty days from date of application, except as provided in WAC 388-37-038 (1) through (4). Incapacity refers to the individual's capacity to earn income by employment. It does not refer to the availability or lack of job opportunities.

(a) Eligible individuals are:

(i) An incapacitated single person age eighteen or older.

(ii) A married couple if both persons are incapacitated.

(iii) The incapacitated spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described in WAC 388-28-500 (2)(a) and (b).

~~((iv) Persons in approved drug or alcoholism treatment programs may be eligible for less than a sixty-day period in accordance with the terms of their treatment plan, as provided in WAC 388-37-038 (3) and (4).))~~

(b) An incapacitated individual must accept and follow through on required available medical treatment, which can reasonably be expected to render him or her able to work, unless there is good cause for failure to do so. ~~((††))~~ The ~~((CSO incapacity review team))~~ department shall make the "good cause" determination based on the criteria in WAC 388-37-037(4).

~~((†††) Individuals found to be incapacitated due to alcoholism or drug abuse must be participating in an approved alcoholism or certified drug treatment program, unless there is good cause for failure to do so.))~~

(c) An incapacitated individual may also receive medical services provided under the state-financed medical care services program as defined in WAC 388-86-120.

(2) Effective August 23, 1983, pregnant women who:

(a) Meet all income and resource eligibility criteria for the federal aid to dependent children program; and

(b) Are in their first or second trimester of pregnancy and categorically eligible for a federal aid medical assistance program; or

(c) Are members of two-parent households during a time when the aid to dependent children-employable program is in effect, but do not meet categorical eligibility for AFDC-E. These women may receive a continuing general assistance grant and medical assistance under the state-financed medical care services program for the duration of their pregnancy.

AMENDATORY SECTION (Amending Order 1955, filed 3/30/83)

WAC 388-37-032 CONTINUING GENERAL ASSISTANCE—DETERMINATION OF INCAPACITY. (1) Eligibility due to incapacity shall be determined by a ~~((CSO incapacity review team))~~ progressive evaluation process in accordance with the criteria in WAC ~~((388-37-035))~~ 388-37-100 through 388-37-190.

(2) The ~~((incapacity review team))~~ department shall:

(a) Consider medical and other related evidence of the incapacitating condition and make a decision confirming or denying the existence of eligibility due to incapacity within forty-five days of the date of application, except in circumstances beyond the control of the agency such as failure or delay in securing necessary information or documentation on the part of the applicant, the examining physician or other source of documentation.

(b) Request additional information when necessary.

(c) Determine probable duration of incapacity. The probable duration shall be related to the prognosis for the condition as predicted by the medical evidence but shall not exceed twelve months without a re-determination of incapacity.

(d) Require available medical treatment which can reasonably be expected to render the client able to work.

(e) Recommend available medical services, provided under the state-financed medical care services program as defined in WAC 388-86-120.

(3) Eligibility cannot be established if an applicant fails to cooperate in obtaining information documenting incapacity. Continued failure to so cooperate during the ten-day period following the mailing of a letter to the applicant's last known address specifically citing the required

cooperation shall be grounds for denial of the application for assistance (see WAC 388-38-265).

(4) Redetermination of eligibility for general assistance due to incapacity is based on ~~((available))~~ current medical evidence. If the ~~((available))~~ current medical evidence does not substantiate incapacity, then continued eligibility is denied.

(5) Cost of necessary medical reports to determine incapacity shall be paid by the department. Payment for such reports shall not be made to DSHS agencies.

AMENDATORY SECTION (Amending Order 2034, filed 10/6/83)

WAC 388-37-035 INCAPACITY—~~((DETERMINATION OF INCAPACITY))~~ MEDICAL EVIDENCE. (1) The term "incapacity" refers to the existence of a physiological, emotional, or mental impairment rendering the person incapable of gainful employment.

(a) Such incapacity must be verified by medical evidence as specified in WAC 388-37-035(2).

(b) The person must be substantially prevented by reason of the impairment from engaging in gainful employment. ~~((Reasons for unemployment other than incapacity, such as individual employer preferences, business, and economic conditions, etc., are not factors to be considered in determining his or her inability to obtain and continue in employment.))~~

(2) The primary source of evidence for physiological incapacity will be a written report from a physician, a certified registered nurse (CRN) in their area of certification, or the chief of medical administration, or his or her designee, of the Veterans' Administration as authorized in federal law. The primary source of evidence for a mental incapacity ~~((may))~~ will be a report from a psychiatrist, licensed clinical psychologist, or other mental health professional designated by the local community mental health agency as defined in RCW 71.05.020, except that a physician can evaluate a mental condition at the department's discretion. Any of the aforementioned may be used as primary sources of evidence for incapacity due to alcoholism or drug addiction. Supplemental medical evidence may be obtained from ~~((a))~~ other treating practitioners, to include a chiropractor, nurse (practitioner), physician's assistant, or DSHS institutions and agencies from which the individual is receiving or has received services. Such reports must include a diagnosis and prognosis for the incapacitating condition and the effect of the condition on the individual's ability to ~~((function))~~ perform work-related activities, along with relevant medical history and sufficient medical documentation to support any conclusions of incapacity.

(3) An individual's report of symptoms will not have a significant effect on an incapacity determination unless medical findings show that a medical condition is present that could reasonably be expected to produce the symptoms which are reported. Objective clinical findings which can be used to support conclusions about the existence and persistence of the symptom(s) and about its effect on the individual's ability to function must be present.

(4) The determination of incapacity will be made on the facts of each case. This requires evaluation of the severity of the impairment and its effect on the individual so it can be determined whether there remains a capacity to engage in gainful employment. The primary reason for incapacity must be a medical impairment, but vocational factors, i.e., age, education, and work skills, may also be considered. Reasons for unemployment other than incapacity, such as individual employer preferences, business and economic conditions, etc., are not factors to be considered in determining his or her inability to obtain and continue in employment.

(5) The determination of incapacity shall be made solely by the department based on the medical evidence received and in accordance with the criteria in WAC 388-37-100 through 388-37-190. Any decision of incapacity or unemployment made by another agency or person is not binding on the department.

AMENDATORY SECTION (Amending Order 1955, filed 3/30/83)

WAC 388-37-037 CONTINUING GENERAL ASSISTANCE—REFUSAL TO ACCEPT AVAILABLE AND REQUIRED MEDICAL TREATMENT. (1) A continuing general assistance applicant or recipient who refuses without good cause to accept available required medical treatment, which can reasonably be expected to render him or her able to work shall be ineligible. The decision that the client has refused such treatment without good cause is based on the best objective judgment of the ~~((CSO-incapacity-review-team))~~ department.

(2) "Available medical treatment" shall mean and include medical, surgical, alcoholism, drug or mental health services, or any combination thereof.

(3) "Reasonably be expected to render him or her able to work" shall mean that in the opinion of the ~~((incapacity-review-team))~~ department, the required treatment will restore or substantially improve the individual's ability to work for pay in a regular and predictable manner.

(4) For the purposes of this section, an applicant or recipient has good cause to refuse required medical treatment when ~~((in the judgment of the incapacity-review-team))~~ such refusal is based upon one or more of the following conditions:

(a) The individual is genuinely fearful of undergoing required treatment. Such fear may appear to be unrealistic or irrational; however, fear exists in such a degree that treatment would be adversely affected;

(b) The individual could lose a faculty, or the remaining use of faculty he or she now has, and refuses to accept the risk;

(c) Because of his or her definitely stated religious scruples, the individual will not accept required medical treatment.

(d) The individual is temporarily unable to participate in required medical treatment, due to an intervening incapacity. The temporary inability to participate must be documented by medical evidence. The requirement to participate is again imposed as soon as the person is able to participate.

(5) Refusal to follow through with available required medical treatment without good cause shall result in termination until the person agrees to cooperate in accepting such treatment and subject to the following ~~((ineligibility periods have passed))~~ maximum periods of ineligibility after reapplication:

(a) First refusal – one week;

(b) Second refusal within six months – one month;

(c) Third and subsequent refusals within one year – two months.

AMENDATORY SECTION (Amending Order 1955, filed 3/30/83)

WAC 388-37-038 INCAPACITY—~~((INCAPACITY REVIEW TEAM DECISION))~~ WAIVER OF MEDICAL DOCUMENTATION. (1) Incapacity will be considered to be established without ~~((an incapacity-review-team-decision))~~ medical documentation when the person:

(a) Has been determined to be eligible for any benefits based on Social Security administration disability criteria;

(b) Is eligible for services from the division of developmental disabilities;

(c) Is sixty-five years of age or older.

(2) Incapacity will be considered established for a period of sixty days without ~~((an incapacity-review-team-decision))~~ a psychiatric/psychological evaluation when the person is being released from inpatient psychiatric treatment and is participating in direct treatment services to meet his or her mental health needs as described in WAC 275-56-015(17), with the exception of:

(a) Clients admitted under the Involuntary Treatment Act (ITA), who are subsequently released without participating in direct treatment services;

(b) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for evaluation and diagnosis only, who are released without participating in direct treatment services;

(c) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for an acute, short-term episode, who are released without participating in direct treatment services; and

(d) Clients who leave ongoing inpatient psychiatric treatment against medical advice.

(3) Incapacity due to alcoholism will be considered to be established when an individual is admitted as a resident of a licensed alcoholism treatment facility, including intensive ~~((or long-term treatment at an alcoholism treatment center, a halfway house or))~~ inpatient treatment or treatment at a recovery house or extended care recovery house as defined in WAC 275-19-020, according to the time limits in WAC 388-37-060.

(4) Incapacity due to abuse of drugs other than alcohol will be considered to be established for a designated period when an individual is admitted as a resident into a certified residential drug treatment program, or certified detoxification program or is accepted into a certified methadone (or approved substitute) maintenance program.

(a) In accordance with the criteria, in subsection (4) of this section incapacity will be considered to be established for the following maximum periods of time:

(i) Detoxification—thirty days.

- (ii) Maintenance—sixty days.
- (iii) Residential treatment—sixty days.
- (b) Assistance shall not be continued beyond the initial period of time described in subsection (4)(a) of this section without ~~((an incapacity review team decision))~~ documented medical evidence of incapacity.

AMENDATORY SECTION (Amending Order 1894, filed 10/26/82)

WAC 388-37-040 CONTINUING GENERAL ASSISTANCE—STANDARDS FOR REQUIREMENTS—AUTHORIZATION. (1) The rules and procedures for payment of federal aid grants shall apply to continuing general assistance except that vendor payments may be made when payment by warrant is not possible or practical.

(2)(a) When incapacity is established a continuing grant shall be authorized to continue for the probable duration of the incapacity. The recipient shall be notified of the termination date at the time the grant is opened.

(b) If more than forty-five days are required to determine incapacity, and if incapacity is determined to have existed on the date of application, assistance shall be granted effective the forty-fifth day after application, per WAC 388-33-115.

A continuing grant shall not be authorized until incapacity is established by the ~~((ESO incapacity review team))~~ department.

(3) Continuing assistance shall not be authorized following the termination date specified in subsection (2) of this section until continuing incapacity has been redetermined by the ~~((ESO incapacity review team))~~ department.

(4) If a recipient is terminated due to lack or insufficiency of medical evidence to establish incapacity, he/she shall be reinstated the day following the date of termination, if all the following conditions are met:

(a) The lack or insufficiency of medical evidence is not due to failure of the recipient to cooperate in gathering said evidence; and

(b) Additional medical evidence is provided subsequent to the termination, which establishes that the recipient has been, and continues to be, incapacitated since the date of termination; and

(c) The additional medical evidence substantiates incapacity as specified in WAC 388-37-010(1) and 388-37-035.

AMENDATORY SECTION (Amending Order 1955, filed 3/30/83)

WAC 388-37-050 CONTINUING GENERAL ASSISTANCE—REDETERMINATION OF ELIGIBILITY. (1) Continuing general assistance recipients shall have their continued financial eligibility for such assistance redetermined at least once every six months of continuous receipt of assistance.

(2) ~~((When an unemployable recipient of general assistance becomes employable, his or her eligibility ceases. This decision is made by the ESO incapacity review team:))~~ Before a recipient of GAU can be determined ineligible on the basis that he or she is no longer incapacitated, at least one of the following conditions must be met:

(a) New evidence must show a clear improvement in the medical condition. Clear improvement means that, since the last decision, the physical or mental impairment(s) upon which the decision was based has decreased in severity; or the effect of that impairment has been significantly diminished (through therapy, medication, rehabilitation, etc.) to the point where the individual is capable of gainful employment.

(b) It can be established that the previous decision was based on faulty or insufficient information or erroneous procedure based on the WAC in effect at the time.

(3) Whenever a general assistance recipient becomes eligible for AFDC or SSI benefits, he or she becomes ineligible for continuing general assistance.

(4) Acceptance of available medical treatment. WAC 388-37-030 and 388-37-037 apply to a recipient as well as to an applicant.

(5) Recipients of continuing general assistance shall be screened to determine appropriateness of referral to other agencies, i.e., SSA, SSI, DVR, VA, which can reasonably be expected to reduce their need for assistance. ~~((The decision to refer to other agencies is made by the ESO incapacity specialist or incapacity review team:))~~ A recipient who has been referred and refuses, without good cause to accept referral to other agencies shall be ineligible. ~~((The decision on whether the client had good cause to refuse referral to another agency is made by the ESO incapacity review team:))~~ Refusal to accept referral to other agencies without good cause shall result in termination until the person

agrees to cooperate in accepting such referral ~~((and the following ineligibility periods have passed))~~ subject to the following periods of ineligibility after reapplication:

(a) First refusal – one week;

(b) Second refusal within six months – one month;

(c) Third and subsequent refusals within one year – two months.

AMENDATORY SECTION (Amending Order 1955, filed 3/30/83)

WAC 388-37-060 CONGREGATE CARE—ALCOHOLISM TREATMENT. (1) For persons eligible for congregate care, see WAC 388-15-562.

(2) Alcoholism treatment is provided to the detoxified alcoholic in congregate care facilities for which the treatment program has been approved by the state. Treatment may be:

(a) Intensive inpatient treatment services for thirty days or less.

(b) Long-term services in a nonintensive program in ~~((a residential setting))~~ an extended care recovery house for one hundred and eighty days. This program may be extended in individual cases.

(c) Residential rehabilitative services in a ~~((halfway house or))~~ recovery house setting for up to sixty days.

(3) An individual's need for alcoholism treatment in either a privately or publicly operated facility shall be determined by:

(a) Evaluation and recommendation of a state-approved community alcoholism center, or

(b) A court order.

(4) Persons receiving services in an intensive alcoholism treatment program shall not be required to participate in the cost of care. Following the month of admission income of individuals receiving ~~((long-term or))~~ recovery house or extended care recovery house rehabilitative services shall be considered according to the rules applicable to the program under which the benefits are received.

NEW SECTION

WAC 388-37-100 PROGRESSIVE EVALUATION PROCESS.

(1) Unless medical documentation requirements have been waived, the department will determine the existence, severity, and duration of incapacity for the general assistance-unemployable (GAU) program using a progressive evaluation process.

(2) Upon receipt of the completed medical evaluation form(s), the department will determine if there is sufficient information upon which to base a decision. If the information received is not sufficient to determine incapacity, the department can require complete information before any incapacity decision is made.

(3) When determining incapacity, the department will take into consideration opinions of the treating or consulting physicians or health care professionals regarding incapacity. Any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(4) There are seven steps to the progressive evaluation process. Each individual will be evaluated using the same sequence of steps as set forth in WAC 388-37-110 through 388-37-190 and using as many steps as necessary to reach a decision as to whether or not incapacity exists.

(a) Step I involves a review of the medical evidence received to ensure the requirements are met in accordance with WAC 388-37-035.

(b) Steps II and III are used to assign "severity ratings" to diagnosed mental and/or physical impairments.

(i) Step II is used to assign an overall mental severity rating.

(ii) Step III is used to assign physical severity ratings.

(c) Step IV assigns one overall severity rating for each individual when a combination of impairments exists.

(d) Step V is used to determine the present mental and/or physical functional capacities of the individual.

(e) Step VI reviews the possibility that the individual can still do some type of relevant past work.

(f) Step VII assesses the ability of the individual to perform other work when the individual is not capable of doing any relevant past work and is less than fifty-five years of age.

NEW SECTION

WAC 388-37-110 DETERMINATION OF SEVERITY. (1) Severity of a medical impairment is defined as the degree to which an individual is restricted in ability to perform basic work-related activities as measured on a scale from one to five.

(2) Basic work-related activities are: Sitting, standing, walking, lifting, carrying, handling, seeing, hearing, communicating, and understanding and following instructions.

(3) The five severity ratings are defined as follows:

(a) A severity rating of "01" means no impairment has been identified by objective medical evidence. The ability to engage in the basic work-related activities is not restricted.

(b) A severity rating of "02" means a mild impairment exists which would not significantly interfere with the basic work-related activities.

(c) A severity rating of "03" means a moderate impairment exists, resulting in a significant interference with one or more of the basic work-related activities.

(d) A severity rating of "04" means a marked impairment exists, resulting in a very significant restriction of the ability to perform one or more of the basic work-related activities.

(e) A severity rating of "05" means the ability to perform one or more of the basic work-related activities is absent.

(4) One overall severity rating is determined for each individual based on an assessment of the severity of each diagnosed impairment.

(a) Individuals with an overall severity rating of "01" or "02" shall be considered capable of gainful employment and shall not be eligible for GAU, subject to the provisions in WAC 388-37-050(2).

(b) Individuals with an overall severity rating of "03" or "04" may or may not be incapacitated from gainful employment, depending on a further assessment of functional capacities and vocational factors.

(c) Individuals with an overall severity rating of "05" shall be considered incapacitated and eligible for GAU.

NEW SECTION

WAC 388-37-120 PROGRESSIVE EVALUATION PROCESS STEP II: SEVERITY OF MENTAL IMPAIRMENTS. The severity rating of a mental or emotional disorder shall be determined on the basis of psychosocial and treatment history, clinical findings, results of special tests, and professionally observed symptomatology which indicate impairment of ability to perform basic work-related activities.

(1) A diagnosis of mental retardation shall be assigned a severity rating as follows:

(a) An IQ of 85 or above will be considered within normal limits and will be rated "01".

(b) An IQ of 70 to 84 will be considered as borderline intellectual functioning and will be rated "03".

(c) An IQ of 69 or below will be rated "05".

(d) When more than one IQ score (e.g., verbal and performance scores) is reported on a standardized IQ test, the severity rating will be based on the lowest of these scores.

(2) Individuals diagnosed as having organic brain damage shall be assigned a rating based on the most severe of the following three areas of impairment:

(a) Marked memory defect for recent events.

(b) Impoverished, slowed, perseverative thinking, with confusion or disorientation.

(c) Labile, shallow, or coarse affect.

(3) The severity of a functional psychotic or nonpsychotic disorder shall be based on a clinical assessment of these twelve symptoms: Depressed mood, suicidal trends, expression of anxiety or fear, expression of anger, social withdrawal, motor agitation, motor retardation, paranoid behavior, hallucinations, thought disorder, hyperactivity/elation, and physical complaints; and an overall assessment of the intensity and pervasiveness of these symptoms and their effect on ability to perform work-related activities.

(a) An individual shall be assigned a minimum rating of "03" when at least one of the above symptoms is present and one or more of the following conditions are met:

(i) A diagnosis of psychotic disorder has been made; or

(ii) The individual has been hospitalized for psychiatric reasons two or more times within the preceding two years; or

(iii) The individual has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months duration within the preceding two years; or

(iv) The individual is considered as at least moderately impaired by three or more of the symptoms listed above; or

(v) The individual is considered as at least moderately impaired in the overall assessment of intensity and pervasiveness of these symptoms.

(b) An individual shall be assigned a minimum rating of "04" when the overall assessment of the intensity and pervasiveness of these

symptoms is marked, or when it is moderate and three or more of the above symptoms are present to a marked degree or more.

(c) An individual shall be assigned a rating of "05" when the overall assessment of the intensity and pervasiveness of these symptoms is severe or when it is marked and three or more of the above symptoms are present to a severe degree.

(4) When an individual is diagnosed as being impaired in more than one area (i.e., mental retardation, organic brain damage, or functional disorder), one mental rating shall be assigned based on ratings in each of the three areas according to the following tables:

Degree of Severity (Any Combination of Three Areas)	Degree of Severity		Overall Mental Severity
5	-	-	05
4	4	4	05
4	4	3	05
4	4	-	05
4	3	3	05
4	3	-	04
4	-	-	04
3	3	3	04
3	3	-	04
3	-	-	03
2	2	2	02

NEW SECTION

WAC 388-37-130 PROGRESSIVE EVALUATION PROCESS STEP III: SEVERITY OF PHYSICAL IMPAIRMENTS. (1) The severity rating of a physical impairment shall be determined on the basis of current medical evidence which provides an objective description of an individual's medical condition.

(2) Each diagnosed impairment shall be assigned a severity rating based on the following method:

(a) The examining physician's estimated severity rating will be used when the following three conditions are met:

(i) The doctor's rating is substantiated by and is consistent with the medical evidence provided; and

(ii) The doctor's assessment of functional capacities is consistent with the given severity rating as defined in WAC 388-37-110; and

(iii) No evidence to the contrary exists either within the same evaluation or another current evaluation on the same individual.

(b) When the doctor has not assigned a severity rating or that rating does not meet the conditions in (a) of this subsection, the department shall assign a rating based on the medical assessment of functional capacities in conjunction with the severity ratings as defined in WAC 388-37-110.

NEW SECTION

WAC 388-37-135 ALCOHOLISM/DRUG ADDICTION. (1) Unless otherwise exempted by WAC 388-37-038(3) or (4), individuals claiming incapacity due to alcoholism or drug addiction will be required to provide medical evidence in accordance with WAC 388-37-035 which substantiates impaired ability to perform basic work-related activities. Supplemental evidence from a professional alcohol or drug counselor may be requested as needed to further assess the condition(s) and/or to recommend appropriate treatment.

(2) Severity of physical impairments associated with alcoholism or drug addiction shall be assessed according to WAC 388-37-130.

(3) Severity of organic brain syndrome associated with alcoholism or drug addiction shall be assessed according to WAC 388-37-120(2).

(4) Severity of functional nonpsychotic mental and emotional disorders associated with alcoholism or drug addiction shall be assessed according to WAC 388-37-120(3).

(5) Individuals found to be incapacitated due to alcoholism or drug addiction must be participating in an approved alcoholism or certified drug treatment program, unless there is good cause for failure to do so.

NEW SECTION

WAC 388-37-140 PROGRESSIVE EVALUATION PROCESS STEP IV: MULTIPLE IMPAIRMENTS. (1) When an applicant has more than one diagnosed impairment rated "03" or "04," but none rated "05," one overall rating shall be determined as follows:

(a) Each diagnosis shall be classified according to body system based upon International Classification of Diseases (ICD), 9th Revision.

(b) If all the diagnosed impairments are classified within the same body system, the overall severity rating will be equal to the highest rated impairment within that system.

(2) If more than one body system is involved (including mental disorders), the overall severity will be determined by the following table, using the highest rating from each body system:

5 -- = 05	4 3 -- = 04
4 4 4 = 05	4 -- = 04
4 4 3 = 05	3 3 3 = 04
4 4 -- = 05	3 3 -- = 04
	3 -- = 03

NEW SECTION

WAC 388-37-150 PROGRESSIVE EVALUATION PROCESS STEP V: FUNCTIONAL CAPACITIES—MENTAL IMPAIRMENTS. (1) Functional capacities of persons with mental impairments are evaluated in terms of two factors:

(a) Cognitive factors include the ability to understand, remember, and follow instructions; learn new tasks; exercise judgment and make decisions; and perform routine tasks without undue supervision.

(b) Social factors include ability to relate appropriately to co-workers and supervisors, interact appropriately in public contacts, tolerate the pressures of a work setting, care for self and maintain appropriate behavior in a work setting.

(2) If an individual is at least moderately impaired in his/her ability to understand, remember and follow simple instructions and is at least moderately limited in his/her ability to learn new tasks, exercise judgment, and make decisions, and perform routine tasks without undue supervision, the individual is considered eligible for GAU. If no moderate impairment exists in these areas, social factors will be assessed.

(3) If the individual can understand, remember, and follow simple one or two step instructions, but is at least moderately impaired in his/her ability to understand, remember, and follow complex three or more step instructions, and is markedly limited in his/her ability to learn new tasks, exercise judgment and make decisions, and perform routine tasks without undue supervision, the individual is considered eligible for GAU. If no marked limitation exists in these areas, social factors will be assessed.

(4) If there is not at least a moderate impairment in the ability of the individual to understand, remember and follow either simple or complex instructions, social factors will be assessed.

(5) Responses given by the psychiatrist or mental health professional concerning the applicant's social functional limitations are assessed by the department. If a combination of significant limitations exists in the area of social functioning which preclude gainful employment, the individual is considered eligible for GAU.

NEW SECTION

WAC 388-37-160 PROGRESSIVE EVALUATION PROCESS STEP V: FUNCTIONAL CAPACITIES—PHYSICAL IMPAIRMENTS. For physically impaired individuals with a severity rating of "03" or "04," the department shall consider the effect of the physical impairment(s) on the ability to perform work-related activities. Functional capacities will be assessed in the basis of the individual's exertional and nonexertional limitation.

(1) Physical impairments which limit exertion are those which result in the restriction of activities such as sitting, standing, walking, lifting, and carrying. Levels of exertion are divided into the following four categories:

(a) Sedentary: A person is in this category when capable of lifting ten pounds maximum or severely restricted in ability to stand and/or walk for a total of six hours in an eight-hour work day.

(b) Light: A person is in this category when capable of occasionally lifting twenty pounds maximum with frequent lifting and/or carrying of objects weighing up to ten pounds, or moderately restricted in ability to stand and/or walk for a total of six hours in an eight-hour work day.

(c) Medium: A person is in this category when capable of occasionally lifting fifty pounds maximum with frequent lifting and/or carrying of objects weighing up to twenty-five pounds and is unrestricted or mildly restricted in ability to stand and/or walk for a total of six hours in an eight-hour day.

(d) Heavy: A person is in this category when capable of occasionally lifting one hundred pounds or more, with frequent lifting and/or carrying of objects weighing up to fifty pounds, and is unrestricted in

ability to stand and/or walk a total of six hours in an eight-hour work day.

(2) Physical impairments which may limit nonexertional abilities are those which cause restrictions in activities such as balancing, handling, stooping, pulling, pushing, reaching, and other physical limitations as identified by the physician.

NEW SECTION

WAC 388-37-170 VOCATIONAL FACTORS. (1) The vocational factors used in determining incapacity are age, education, and work experience.

(2) Vocational factors are considered only when an overall severity rating of an "03" or "04" has been determined.

(3) Educational factors refer primarily to formal schooling or other training which contributes to the individual's ability to meet vocational requirements. The following classifications are used when evaluating the educational level of an individual:

(a) Illiteracy refers to the inability to read or write. An individual who is able to sign his or her name, but cannot read or write a simple communication (e.g., instructions, inventory lists) is considered illiterate. Generally, an illiterate person has little or no formal schooling (six years or less).

(b) Limited education. Absent evidence to the contrary, a seventh grade through the eleventh grade of formal education is considered a limited education.

(c) High school education and above. Absent evidence to the contrary, these educational capacities qualify an individual for work at a semi-skilled through skilled level of job complexity. A General Education Equivalency Degree (GED) falls into this category.

(4) Work experience.

(a) Work experience is evaluated to see if it constitutes relevant past work. Relevant past work is any work normally done for pay or profit in the past ten years. To be "relevant," a job must have been done for a period long enough to show that the worker had the ability to do that type of work on an ongoing basis (i.e., at least thirty days for unskilled work; at least three months for semi-skilled work; at least six months for skilled work).

(b) Jobs held for very brief periods of time (less than thirty days), work done in a sheltered workshop or with other special considerations, and the duties of a student or housewife are not counted as relevant work experience.

(c) A job history which includes many jobs held for short periods of time, even though long enough to meet the time criteria for the skill level of the job, may or may not constitute relevant past work. Consideration must be given to the reasons for frequent job changes and the nature of the work or skill involved.

NEW SECTION

WAC 388-37-180 PROGRESSIVE EVALUATION PROCESS STEP VI: ASSESSMENT OF CAPACITY TO PERFORM PAST WORK. (1) Prior to considering age and educational factors, the ability of an individual to perform relevant past work will be assessed in relation to current functional capacities.

(2) All of the individual's relevant past work shall be evaluated to determine exertional and skill requirements for each job.

(a) If the individual is currently able to perform at the exertional and skill levels of one or more of his/her relevant past jobs, other social skills and/or nonexertional requirements of the job will be considered.

(b) Subject to the provisions in WAC 388-37-050(2), an individual will be ineligible for GAU if he or she is still capable of performing the necessary physical and/or mental activities required of a relevant past job or other work for which he or she has recently acquired specific skills through successful completion of vocational training.

(c) An individual at least moderately impaired and age fifty-five or older who is unable to meet the physical or mental demands of any relevant past work, or has no relevant past work, shall be considered incapacitated and eligible for GAU.

(d) If the individual is currently unable to meet the mental and physical demands of any of his/her past jobs and is under age fifty-five, he/she is assessed for capacity to do other work.

NEW SECTION

WAC 388-37-190 PROGRESSIVE EVALUATION PROCESS STEP VII: ASSESSMENT OF CAPACITY TO PERFORM

OTHER WORK. (1) If the individual has no relevant past work, or when the individual cannot perform any of his/her relevant past work, the following tables are used to determine GAU eligibility. Eligibility will be determined according to the first table which meets the description of the individual's functional capacities.

(a) Table 1:

Physical capacity: Either has no significant exertional limitation or has been found capable of doing "heavy" work.

Mental capacity: Can at least understand simple instructions.

Age	Education	Relevant Past Work	Decision
Over 54	N/A	N/A	Approve
18 - 54	N/A	N/A	Deny

(b) Table 2:

Physical capacity: Limited to "medium" work.

Mental capacity: Can understand and follow complex instructions.

Age	Education	Relevant Past Work	Decision
Over 54	N/A	N/A	Approve
50 - 54	11 or less	None	Approve
50 - 54	11 or less	Some	Deny
50 - 54	12 or more	N/A	Deny
18 - 49	N/A	N/A	Deny

(c) Table 3:

Physical capacity: Limited to "medium" work.

Mental capacity: Can only understand and follow simple instructions.

Age	Education	Relevant Past Work	Decision
Over 49	N/A	N/A	Approve
18 - 49	11 or less	None	Approve
18 - 49	11 or less	Some	Deny
18 - 49	12 or more	N/A	Deny

(d) Table 4:

Physical capacity: Limited to "light" work.

Mental capacity: Can understand and follow complex instructions.

Age	Education	Relevant Past Work	Decision
Over 49	N/A	N/A	Approve
35 - 49	No English	N/A	Approve
18 - 49	11 or less	None	Approve
18 - 49	11 or less	Some	Deny
18 - 49	12 or more	N/A	Deny

(e) Table 5:

Physical capacity: Limited to "light" work.

Mental capacity: Can only understand and follow simple instructions.

Age	Education	Relevant Past Work	Decision
Over 49	N/A	N/A	Approve
35 - 49	No English	N/A	Approve
18 - 49	11 or less	N/A	Approve
18 - 49	12 or more	None	Approve
18 - 49	12 or more	Some	Deny

(f) Table 6:

Physical capacity: Limited to less than "light" work (sedentary or less).

Mental capacity: Can at least understand simple instructions.

Age	Education	Relevant Past Work	Decision
N/A	N/A	N/A	Approve

(2) Ineligibility for GAU based on these tables will be subject to the provisions in WAC 388-37-050(2).

REPEALER (Amending Order 1955, filed 3/30/83)

The following section of the Washington Administrative Code is repealed:

WAC 388-37-036 INCAPACITY—FUNCTIONAL, MENTAL, AND EMOTIONAL DISORDERS.

**WSR 84-11-075
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed May 23, 1984]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning AFDC—Deprivation due to incapacity, amending WAC 388-24-065;

that the agency will at 10:00 a.m., Wednesday, June 27, 1984, in the Third Floor Conference Room, H-19, OB-2, Olympia, and at 9:00 a.m., Thursday, June 28, 1984, in the Downstairs Cafeteria, Capitol Hill CSO, 1700 East Cherry Street, Seattle, WA, and at 3:30 p.m., Monday, July 2, 1984, in the Yakima CSO Meeting Rooms, Valley Mall, Union Gap, Washington, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 11, 1984.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.08 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 2, 1983 [1984].

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director
Division of Administration and Personnel
Department of Social and Health Services
Mailstop OB 14
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by June 13, 1984. The meeting site is in a location which is barrier free.

Dated: May 22, 1984
By: David A. Hogan, Director
Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: WAC 388-24-065, AFDC-R; deprivation due to incapacity.

The Purpose of the Rule Change: To revise procedures for determining incapacity.

The Reason These Rules are Necessary: To bring medical evidence requirements into conformity with GA-U and to make the incapacity determination process more compatible.

Statutory Authority: RCW 74.08.090.

Summary of the Rule Change: Revises requirements for medical evidence, modifies language relating to mental disorders and alcohol/drug addiction, and eliminates reference to the incapacity review team.

Person Responsible for Drafting, Implementation and Enforcement of the Rule Change: Cecile Anderson, Community Services Program Manager, Division of Income Assistance, Mailstop: OB 31C, Telephone: 753-0478.

These rules are not necessary as a result of federal law, federal court decision or state court decision.

AMENDATORY SECTION (Amending Order 1644, filed 4/27/81)

WAC 388-24-065 AID TO FAMILIES WITH DEPENDENT CHILDREN—DEPRIVATION DUE TO INCAPACITY. (1) A child is considered to be deprived of parental support and care by reason of parental incapacity when ~~((he/she))~~ he or she lives with two natural or adoptive parents or one natural or adoptive parent and one stepparent and one or both parents are substantially incapacitated.

(2) "Incapacity" refers to the existence of a physiological, emotional, and/or mental impairment, defect, illness, or loss.

(a) "Substantially incapacitated" shall mean ~~((that))~~ the person can be expected to work at gainful employment for no more than one-half the time customarily required of fully employable persons; or ~~((that))~~ the person cannot perform necessary homemaking activities and/or provide adequate care for the children without help from other individuals.

(b) An exception to the rule in ~~((subdivision))~~ subsection (2)(a) of this section may be made when a person with limited skill and abilities is working more than half time in a special workshop or special work arrangement for handicapped individuals and the work is not fully competitive. Incapacity may continue to exist if the person is incapable of work in competitive work arrangements with full wages.

(c) Incapacity can be of a permanent or temporary nature, but must be expected to last for a period of at least thirty days from the date of application.

(3) A claim of incapacity shall be substantiated by ~~((competent))~~ medical ~~((testimony))~~ evidence.

(a) ~~((A physiological incapacity will be documented by a report from a physician or chiropractor))~~ The primary source of evidence for a physical incapacity will be a written report from a physician, a certified registered nurse (CRN) if within area of certification, or the chief of medical administration, or his or her designee, of the Veterans' Administration as authorized in federal law.

(b) ~~((A mental or emotional incapacity will be documented by))~~ The primary source of evidence for a mental incapacity must be a report from a psychiatrist, a clinical psychologist, or a mental health ~~((clinic when the report is signed by the clinic director))~~ professional designated by the local community mental health agency as defined in RCW 71.05.020, except a physician may evaluate a mental condition at the department's discretion.

(c) ~~((All medical testimony shall be in writing and must include a diagnosis and prognosis for the incapacity and a description of the effect of the condition on the individual's ability to function))~~ Any of the aforementioned may be used as primary sources of evidence for incapacity due to alcoholism or drug addiction.

(d) Supplemental evidence may be obtained from other treating practitioners, to include a chiropractor, nurse, physician's assistant, or DSHS institutions or agencies from which the individual is receiving or has received services.

(e) These reports must include a diagnosis and prognosis for the incapacitating condition and the effect of the condition on the individual's ability to function, along with relevant medical history and sufficient medical documentation to support any conclusions of incapacity.

(4) ~~((Mental or emotional))~~ Incapacity due to mental or emotional disorders (including addictive dependence on alcohol or drugs) shall be determined on the basis of distinct impairments ~~((which))~~ substantially ~~((reduce))~~ reducing a parent's ability to engage in activities necessary to carry on full-time specified responsibilities, such as employment, home management and/or adequate care of children. Evidence of ~~((any one or a combination of the following conditions))~~ inability to understand, remember, and follow instructions or inability to communicate appropriately with others may be sufficient to establish incapacity~~(:)~~

~~((a))~~ Inability to exercise judgment, make decisions, sustain an adequate attention span, follow directions or learn to the degree necessary to sustain full-time employment, homemaking activities or care of the children:

~~(b) Bizarre or inappropriate behavior beyond his/her capability to control:~~

~~(c) Significant loss of physical and motor control:~~

~~(d) Inadequate perception and memory:~~

~~(e) Use of medication which impairs functioning:~~

~~(5) Incapacity due to alcoholism or drug addiction shall be determined by medical evidence that:~~

~~(a) Pathological or organic damage has resulted from chronic alcohol and/or drug abuse, or~~

~~(b) The use of alcohol or drugs has substantially reduced the parent's ability to engage in full-time employment or homemaking activities).~~

~~((6))~~ (5) Individuals ~~((who are))~~ determined to be incapacitated due to alcoholism or drug abuse shall be required to accept referral to a community alcoholism or drug treatment program for evaluation and recommendation for treatment. (See subsection ~~((12))~~ (11) of this section.)

~~((7))~~ (6) The medical ~~((testimony))~~ evidence shall be supported by an objective appraisal of all factors relevant to the individual's situation.

(a) Consideration shall be given to the individual's age, emotional health, aptitudes, adjustment to and acceptance of the incapacity, family circumstances, employment history, education, and the extent to which the individual is able to carry out specified responsibilities such as employment or homemaking. Social or educational deficiencies do not of themselves establish incapacity but may have a bearing on an individual's ability to overcome an incapacity.

(b) If an individual has an obvious incapacity for which medical evidence verifies inability to engage in gainful employment, such an appraisal is not required.

~~((8))~~ (7) Deprivation due to incapacity shall be determined by the ~~((ESO incapacity review team))~~ department in accordance with the criteria in subsections (1) through ~~((7))~~ (6) of this section. The ~~((review team))~~ department shall:

(a) Consider medical and other related evidence of the incapacitating condition and make a decision confirming or denying the existence of incapacity within thirty days of the date of application, except in circumstances beyond the control of the agency such as delay on the part of the applicant, the examining physician or other source of documentation.

(b) Request additional information when necessary.

(c) Consult with the medical consultant as necessary for evaluation of medical data.

(d) Determine probable duration of incapacity. The probable duration shall be related to the prognosis for the condition as predicted by the medical evidence but shall not exceed twelve months without a re-determination of incapacity.

~~((9))~~ (8) Eligibility cannot be established if an applicant or recipient fails to cooperate in obtaining information documenting incapacity.

~~((10))~~ (9) Cost of necessary medical reports to determine incapacity shall be paid by the department. Payment for such reports shall not be made to DSHS agencies.

~~((11))~~ (10) Eligibility of either parent or stepparent in the home for veterans' benefits based on disability of fifty percent or more or for any Social Security Administration benefit based on disability shall establish incapacity for aid to families with dependent children benefits, without further medical documentation ~~((or referral to the incapacity review team)).~~

~~((12))~~ (11) Acceptance of available medical treatment:

(a) Deprivation cannot be established when an AFDC parent or stepparent whose incapacity deprives ~~((his/her child(ren)))~~ his or her child or children or ~~((stepchild(ren)))~~ stepchild or stepchildren of parental support or care, refuses without good cause to accept available medical treatment which would reasonably be expected to render ~~((him/her))~~ him or her employable.

(i) "Available medical treatment" shall mean and include medical, surgical, psychiatric therapy, treatment in an alcoholism or drug treatment center, or any combination thereof.

(ii) "Reasonably be expected to render ~~((him/her))~~ him or her employable" shall mean that, in the opinion of the ~~((medical consultant))~~ department, the recommended medical, surgical, or psychiatric therapy, or any combination thereof, is of such a nature and prognosis that, in the specific instance of the individual involved, medical experience indicates ~~((that))~~ the recommended treatment will restore or substantially improve the individual's ability to work for pay in a regular and predictable manner, or to resume care of the home or children.

(iii) "Refuses without good cause" shall mean ~~((that)) the ((CSO)) department shall determine whether the individual is justified in refusing recommended medical treatment.~~

(b) An individual is justified in refusing recommended available medical treatment when, according to the best objective judgment of the ~~((CSO review team confirmed by the CSO administrator and the medical consultant))~~ department, such refusal is based upon one or more of the following conditions:

(i) The individual is genuinely fearful of undergoing recommended treatment even though such fear may appear to be unrealistic or irrational;

(ii) The individual could lose a faculty, or the remaining use of a faculty he or she now has, and refuses to accept the risk;

(iii) The individual will not accept recommended medical treatment because of religious scruples.

(iv) The individual is temporarily unable to participate in medical treatment due to an intervening incapacity.

WSR 84-11-076
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—General apportionment, chapter 392-121 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.41.170 and 28A.41.055.

This notice is connected to and continues the matter in Notice No. WSR 84-10-076 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
 By: Frank Brouillet
 Superintendent of Public Instruction

WSR 84-11-077
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—Categorical apportionment, chapter 392-122 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.41.170.

This notice is connected to and continues the matter in Notice No. WSR 84-10-065 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
 By: Frank Brouillet
 Superintendent of Public Instruction

WSR 84-11-078
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—School district budgeting, chapter 392-123 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.65.465.

This notice is connected to and continues the matter in Notice No. WSR 84-10-066 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
 By: Frank Brouillet
 Superintendent of Public Instruction

WSR 84-11-079
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—Educational service district budgeting, chapter 392-125 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.21.135.

This notice is connected to and continues the matter in Notice No. WSR 84-10-067 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
 By: Frank Brouillet
 Superintendent of Public Instruction

WSR 84-11-080
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—Emergency school closure, chapter 392-129 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.41.170.

This notice is connected to and continues the matter in Notice No. WSR 84-10-068 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
By: Frank Brouillet
Superintendent of Public Instruction

WSR 84-11-081
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—Nonhigh participatory finance—Including transfer of M & O levy authority from high to nonhigh districts, chapter 392-132 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.44.230 and 84.52.053(7).

This notice is connected to and continues the matter in Notice No. WSR 84-10-069 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
By: Frank Brouillet
Superintendent of Public Instruction

WSR 84-11-082
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—Associated student body moneys, chapter 392-138 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.58.115.

This notice is connected to and continues the matter in Notice No. WSR 84-10-070 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
By: Frank Brouillet
Superintendent of Public Instruction

WSR 84-11-083
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Transportation—Replacement and depreciation allocation, chapter 392-142 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.41.170.

This notice is connected to and continues the matter in Notice No. WSR 84-10-071 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
By: Frank Brouillet
Superintendent of Public Instruction

WSR 84-11-084
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Special service program—Remediation assistance, chapter 392-162 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.41.408.

This notice is connected to and continues the matter in Notice No. WSR 84-10-073 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
By: Frank Brouillet
Superintendent of Public Instruction

WSR 85-11-085
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning transitional bilingual instruction program, chapter 392-160 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.58.800 through 28A.58.810.

This notice is connected to and continues the matter in Notice No. WSR 84-10-072 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
By: Frank Brouillet
Superintendent of Public Instruction

WSR 86-11-086
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Special service program—Highly capable students, chapter 392-170 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is chapter 28A.16 RCW.

This notice is connected to and continues the matter in Notice No. WSR 84-10-074 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
By: Frank Brouillet
Superintendent of Public Instruction

WSR 84-11-087
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Special education program—Education for all handicapped children, chapter 392-171 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 13, 1984.

The authority under which these rules are proposed is RCW 28A.13.070(7).

This notice is connected to and continues the matter in Notice No. WSR 84-10-075 filed with the code reviser's office on May 2, 1984.

Dated: May 22, 1984
By: Frank Brouillet
Superintendent of Public Instruction

WSR 84-11-088
NOTICE OF PUBLIC MEETINGS
BOARD FOR
COMMUNITY COLLEGE EDUCATION
[Memorandum—May 8, 1984]

The Washington State Board for Community College Education, by resolution adopted May 4, 1984, wishes to amend its memorandum of November 30, 1983, and WSR 83-24-040 to establish June 27-28 as the dates for its regular meeting to be held at North Seattle Community College. This meeting was originally scheduled for June 13-14, 1984.

WSR 84-11-089
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Agriculture intends to adopt, amend, or repeal rules regarding Grain, hay, beans and peas—Inspection fees, chapter 16-212 WAC;

that the agency will at 10:00 a.m., Tuesday, June 26, 1984, in the Conference Room, 2728 Westmoor Court, Suite B, Olympia, WA 98502, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 2, 1984.

The authority under which these rules are proposed is chapter 22.09 RCW.

The specific statute these rules are intended to implement is RCW 22.09.700 through 22.09.870.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 26, 1984.

Dated: May 23, 1984
By: Norval G. Johanson
Assistant Director

STATEMENT OF PURPOSE

Title: Chapter 16-212 WAC regarding Grain, hay, beans, and peas—Inspection fees.

Description of Purpose: The purpose of chapter 16-212 WAC is to specify standards and criteria for assessment of fees for the services provided by the Department of Agriculture for grain and commodities inspection services, as well as identifying the authority and inspection points utilized for the services.

Statutory Authority: Chapter 22.09 RCW.

Summary of Rules: Proposed changes are to increase the department's grain and commodity inspection fees schedule to reflect current costs of inspection to the department at current operating levels; to adjust and clarify the fee schedule format to conform to Federal Grain Inspection Service requirements; and to make minor grammatical and punctuation corrections.

Reasons Supporting Proposed Actions: Without the fee increase the fiscal impact and the continued erosion

on the grain inspection fund will impair the department's ability to provide timely service to the grain industry.

Drafting, Implementation and Enforcement: J. Allen Stine, Grain Inspection Program Supervisor, Washington State Department of Agriculture, 406 General Administration Building, AX-41, Olympia, Washington 98504, (206) 753-5066.

Person or Organization Proposing Rule Whether Public, Private, or Governmental: Washington State Department of Agriculture.

Agency Comments: None.

These rules are not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: This agency has determined that there would be no economic impact upon small business in the state of Washington by the adoption of these amendments or new rules.

AMENDATORY SECTION (Amending Order 1789, filed 3/2/83)

WAC 16-212-010 DEFINITIONS. (1) "Department" means the Washington state department of agriculture.

(2) "Ton" means ~~(2,000)~~ two thousand pounds avoirdupois.

(3) "Overtime" means any time worked on Saturdays, Sundays, or holidays and all time worked before 8:00 a.m. or after 5:00 p.m. on Monday through Friday ~~(- Overtime fees may be waived by the department where industry operates on a regular basis other than specified herein)~~ unless alternate work schedules have been established at inspection sites.

(4) "Fees" means any charge made by the department for inspection and handling of any commodity or for services related to weighing or storage of grains or commodities.

(5) "Occasional work stoppage" means the union stop work meetings usually held once per month.

AMENDATORY SECTION (Amending Order 1789, filed 3/2/83)

WAC 16-212-030 GENERAL PROVISIONS FOR HOURLY CHARGES.

(1) Straight time, rate per hour ~~(\$18.00)~~ \$ 23.00

This hourly rate shall be applied on any job where the fee is not sufficient to provide revenue of ~~(\$18.00)~~ \$23.00 per hour per ~~((man))~~ employee and where no other hourly rate or fee is specified in the schedule of fees and charges. Whenever the lot size or workload is not of sufficient size to generate \$23.00 per hour per employee, an additional fee shall be assessed so that total revenue generated is equal to the \$23.00 rate.

(2) Overtime, and night shift rate per hour: ~~(\$8.00)~~ \$ 6.00

Whenever a service is requested before or after regularly scheduled working hours, Monday through Friday, or anytime on Saturdays, Sundays or holidays, a fee of ~~(\$8.00)~~ \$6.00 per hour per ~~((man))~~ employee shall be charged in addition to the regular inspection and weighing fees ~~(- PROVIDED, That whenever an employee is called from his home after regular working hours, or on Saturdays, Sundays or holidays, a minimum of four hours shall be charged at the rate of \$8.00 per hour).~~

(a) Requests for service on Saturdays, Sundays, or holidays, or for work shifts other than 8:00 a.m. to 5:00 p.m., Monday through Friday, must be received by the inspection office no later than 2:00 p.m. of the last regularly scheduled working day prior to the requested service. When the request is not received by 2:00 p.m., service will be provided where personnel are available, but an additional fee of \$4.00 per hour, per employee, will be assessed for that shift.

(b) Requests for service which is beyond the scope or volume normally provided at an inspection site must be received by the inspection office no later than 2:00 p.m. of the last regularly scheduled working day prior to the date of the requested service in order for the department to guarantee to have adequate staff available to perform the service.

(c) Whenever an employee is called from home after regular working hours, or on a Saturday, Sunday or holiday, a minimum of two

additional hours shall be charged at the rate of \$10.00 per hour and added to other fees charged.

~~((3))~~ (d) Scheduled night shifts.

At all designated inspection points, for night shifts, Monday through Friday (usually from 6:00 p.m. to 3:00 a.m.) that are, or will be, continuous for a period of one month or longer, with only an occasional work stoppage, additional overtime fees per hour will not apply: PROVIDED, That the workload is sufficient in size so that inspection and weighing fees generated that shift will defray the department's cost of ~~(\$18.00)~~ \$23.00 per hour per ~~((man))~~ employee. If not, an additional ~~((overtime))~~ charge shall be assessed to equal ~~(\$18.00)~~ \$23.00 per hour per ~~((man))~~ employee.

(i) The department shall be given at least seven calendar days notice, in writing, to establish a scheduled night shift. If notice is not given, a fee of \$6.00 per hour, per employee, shall be assessed until the seven day notice period has elapsed.

~~((a))~~ (ii) The department shall be given at least twenty-one calendar days' notice, in writing, of cancellation of any scheduled night shift operation. If such notice is not given, a fee of \$6.00 per hour, per employee, shall be assessed for each hour under the regular night shift schedule that would have been worked until the twenty-one day notice period has elapsed.

~~((b))~~ The term "occasional work stoppage" shall mean union stop work meetings usually held once per month.

~~((4))~~ (3) Standby rate per hour ~~(\$20.00)~~ \$ 25.00

Whenever a service is requested before or after working hours, Monday through Friday or anytime on Saturdays, Sundays or holidays, and service cannot be performed through no fault of the department, a ~~((standby rate of \$20.00 per hour per man shall be charged. Before or after regular working hours, Monday through Friday, a minimum of two hours shall be charged. Anytime on Saturdays, Sundays or holidays a minimum of four hours shall be charged))~~ minimum of four hours at the standby rate of \$25.00 per hour per employee shall be charged. Whenever a service is requested before or after working hours or anytime on a Saturday, Sunday or holiday, and a cancellation of such request is not received by 2:00 p.m. of the last regularly scheduled working day prior to the requested service, the four hour standby charge shall be applied.

(4) Guarantee of expense. When a service is requested that requires assignment of personnel at a facility where the volume of work at the established fees may not be adequate to pay the cost of providing the service, a guarantee of the expense of providing the service may be required. These facilities may enter into agreement with the department at guaranteed staffing levels and negotiated minimum hours and unit fees.

AMENDATORY SECTION (Amending Order 1789, filed 3/2/83)

WAC 16-212-060 OFFICIAL INSPECTION AND/OR WEIGHING FEES UNDER THE UNITED STATES GRAIN STANDARDS ACT.

(1) Combination inspection and weighing fees. Ships, barges and transfers of bulk grain.

- (a) From vessel to elevator ~~((.....))~~, per ton \$ 0.12
 - (b) Bin transfers ~~((.....))~~, per ton \$ 0.12
 - (c) From elevator to vessel ~~((.....))~~, per ton \$ 0.12
- ~~((Inspection = \$0.065 per ton))~~
~~((Weighing = \$0.055 per ton))~~

(2) Inspection only of railroad boxcars, open hopper-type cars or covered hopper-type cars, original inspection. ~~((Sample, inspect, grade and certificate:))~~

- (a) Railroad boxcars or open hopper-type cars at designated hold tracks or at plants for original and all subsequent original inspections per car \$ 12.00
- (b) Covered hopper-type cars which are sampled by United States Department of Agriculture approved mechanical belt, spout, or leg-type samplers at plants per car \$ 12.00
- (c) Covered hopper-type cars sampled by methods other than by (b) above for original and all subsequent original inspections per car \$ 19.00
- (d) Additional factors requested (that do not affect the grade)
 - (i) Added to existing certifications per factor \$ 2.00
 - (ii) Factor certification only per certificate (maximum two factors) \$ 2.45

- (c) Reinspection of rail boxcars and covered hopper-type cars on the basis of file sample... per reinspection \$ 7.00
 - (In case of a material error in grade, a corrected certificate will be issued without a fee.)
 - (f) If a new sample is requested..... (refer to (2) above):
 - (3) Weigh only:
 - (a) From railroad boxcars, covered hopper-type cars, or vessels to elevator per ton (grain only) \$ 0.10
 - (b) From elevator to railroad boxcars, covered hopper-type cars or vessels per ton (grain only) \$ 0.10
 - (c) Bin transfers per ton (grain only) \$ 0.10
 - (d) Weigh only (other than grain) per ton \$ 0.11
 - (e) Weigh (grain by-products into maximum 30-ton portable containers, fitness inspection of container, weigh by-product and sample) per container \$ 8.00
 - (4) Submitted samples: Inspection, factor information only, and file review \$ 5.75
 - (Example of factor information only—where the submitted sample is less than 1,000 grams in size, factor information may be provided on request for the above fee.))
 - (a) When sampled by United States department of agriculture approved mechanical belt, spout or leg type samplers at plants, per car \$14.50
 - (b) When sampled by United States department of agriculture approved grain trier, original and subsequent original inspections, per car \$23.00
 - (3) Inspection only of trucks, per truck \$14.00
 - (4) Reinspections of railroad boxcars, open hopper-type cars, covered hopper-type cars, ship subplot samples, barge lots, and truck lots.
 - (a) When based on an official file sample, per reinspection \$ 8.50
 - (b) When based on a new sample, for railcars only, per reinspection \$23.00
 - (c) When based on a new sample, for trucks only, per reinspection \$14.00
 - (5) Submitted samples, inspection or reinspection, per inspection \$6.25
 - (6) Factor analysis and/or certification.
 - (a) Factors added to existing certificates, or requested on ship subplot analyses, that do not affect the grade, per factor \$ 2.50
 - (b) Factor certification only (maximum of two factors), per certificate \$ 3.00
 - (i) Additional factors added to a factor certificate, per factor \$ 2.50.
 - (A maximum of \$6.25 will be charged for grading factors only.)
 - (ii) When submitted samples are not of sufficient size to provide official grade analysis, obtainable factors will be provided, upon request of the applicant, at the factor only rate.
 - (7) Official (NIR) protein analysis.
 - (a) Protein in conjunction with official inspection for grade \$ 6.25
 - (b) Protein only, submitted sample or reinspection \$ 8.50
 - (c) Protein based on official sample, add applicable sampling charges.
 - (8) Inspection of sacked grain at inspection points, per cwt \$ 0.06
 - (9) Checkloading sacked grain, per manhour \$23.00
 - (10) Waxy corn determination, on request, per determination \$12.00
 - ((5)) (11) Stowage examinations - ships, barges or vessels.
 - (a) Per ((hold)) stowage space and/or tank, per examination ((\$ 21.00)) \$ 22.50
 - (b) Initial inspection, minimum charge ((\$108.00)) \$112.00
 - (c) Subsequent inspections, minimum charge \$ 67.50
 - ((c) Holds and/or tank condition inspections)) (d) Stowage examinations will be made on ships or vessels at anchor in midstream when requested.
 - (i) It is the responsibility of the applicant to provide safe transportation by licensed tug or water taxi to and from the vessel.

- (ii) A minimum of two hours of regular time at ((\$18.00)) \$23.00 per hour (one ((man)) inspector) for general cargo vessels and a minimum of four hours of regular time at ((\$18.00)) \$23.00 per hour (two ((men)) inspectors) shall be charged for tankers in addition to the established inspection fee.
 - ((iii) These)) (iii) Inspections can only be made at the convenience of the grain inspection office, during daylight hours, under safe working conditions, when weather conditions permit.
 - ((iii) These)) (iv) Inspections can only be made within the area of the designated tidewater grain inspection office.
 - ((iv)) (v) A ship's or vessel's officer or company agent shall accompany the licensed shiphold inspector(s).
 - ((6) Trucks:
 - (a) Inspect only per truck \$ 11.50
 - (b) Weigh only per truck \$ 5.75
 - (7) Inspection of sacked grains at inspection points per cwt \$ 0.04))
 - (e) A minimum of four hours per inspector at the applicable overtime rate shall also be assessed on Saturdays, Sundays, or holidays.
 - (12) Other stowage examinations.
 - (a) Sea van-type containers (when checkloading is not required) \$7.60
 - (b) Railroad cars, trucks and other containers, not in conjunction with loading, per container \$7.60
 - (13) Checktesting of diverter and mechanical samplers, per manhour \$23.00
 - (14) Ship samples.
 - (a) Ship composite samples.
 - (i) Initial set of samples to applicant (maximum of three samples) no charge
 - (ii) Additional samples or samples at the request of other interested parties, per sample (two sample minimum when not requested with initial set) \$5.00
 - (b) Ship samples on a subplot basis, per sample \$5.00
 - (15) Weighing services.
 - (a) Class X weighing services.
 - (i) From railroad boxcars, open or covered hopper-type cars (without inspection required) or vessels to elevator (grain only), per ton \$0.10
 - (ii) From elevator to boxcars, open or covered hopper-type cars, barges (without inspection required) or vessels (without inspection, grain only), per ton \$0.10
 - (iii) Bin transfers (grain only), per ton \$0.10
 - (iv) Trucks, per truck or weight lot \$7.00
 - (b) Class Y weighing services, per manhour \$23.00
 - (c) Checkweighing of sacked grain, per manhour \$23.00
 - (d) Scale certification/checktesting of official weighing scales.
 - (i) Weights and measures scale specialist, per manhour \$31.50
 - (ii) Grain inspection personnel, per manhour \$23.00

AMENDATORY SECTION (Amending Order 1789, filed 3/2/83)

WAC 16-212-070 ((INSPECTION OF COMMODITIES)) OFFICIAL SERVICES UNDER THE AGRICULTURAL MARKETING ACT OF 1946.

- (1) Hay inspection.
 - (a) Complete inspection (minimum charge \$ 30.00) per ton \$ 1.00
 - (b) Factor inspection (minimum charge \$20.00) per ton \$ 1.00
 - (c) Submitted sample inspection per sample \$ 5.00
- (2) Inspection ((or reinspection)) of beans, dry peas, lentils, and similar commodities (((minimum charge)) \$ 18.00))
 - (a) Inspection ((or reinspection)) of ((bags)) bagged commodities at inspection points per cwt ((\$ 0.045)) \$ 0.06
 - (b) Bulk commodity inspection ((or reinspection)) at inspection points, per ton ((\$ 0.21)) \$ 0.28
 - (c) Minimum charge for bulk or bagged commodities (one hour) \$ 23.00
 - (d) Submitted sample inspection ((or reinspection)) per sample ((\$ 11.00)) \$ 13.00
- (3) Weighing and combination inspection/weighing services for bulk commodities.
 - (a) Weighing only, other than grain, per ton \$0.11
 - (b) Combination inspection/weighing of bulk commodities under federal grade standards, state standards, or for factor determinations, per ton \$0.12

(c) Weigh grain by-products into portable containers including fitness examination of the container, weigh and sample the by-product (thirty ton maximum) \$14.00

(4) Factor analysis.
(a) Moisture only \$5.00

(b) Additional factors, the determination of which are not required to establish grade, or otherwise not required by regulation, added to an existing certificate, per factor \$2.50

(c) Certification, factor only (maximum two factors), per certificate \$3.00

(d) Additional factors added to a factor certificate, per factor \$2.50

(A maximum of \$13.00 will be charged for grading factors only.)

(5) Sampling only, bulk commodities.
(a) ((Minimum charge)) Trucks or containers, per carrier ((~~\$ 10.00~~)) \$ 14.00

(b) Boxcars, open or covered hopper-type cars, per car ((~~\$ 12.00~~)) \$ 23.00

((~~4~~) Whenever the lot size or workload is not of sufficient size so that inspection and/or weighing fees generated will defray the department's cost of \$18.00 per hour per man, an additional fee shall be assessed to equal \$18.00 per hour per man.

(5) Whenever service is required at points other than at the designated inspection point, car mileage fees as per WAC 16-212-080(3) shall be charged and added to inspection and weighing charges.)

(6) Processed commodity and defense personnel support center (DPSC) inspection fees.

(a) Per manhour, two hour minimum, rate per hour \$23.00

(b) In addition to the charges, if any, for sampling and other requested service, a fee will be assessed for each laboratory analysis or test identical with the amount charged by the federal grain inspection service for laboratory tests performed under authority of the Agricultural Marketing Act and for any postage or other costs of mailing not included in these fees.

(7) Sanitation inspections.

(a) Initial inspection no charge

(b) Reinspections, four hour minimum, per manhour \$23.00

(8) Stowage examinations under the Agricultural Marketing Act.

(a) Ships and vessels.
(i) Initial inspection, basic fee \$150.00

(ii) Subsequent inspections, basic fee \$100.00

(iii) In addition to the basic fee, there shall be levied a fee of \$23.00 per hour, per inspector.

(iv) These inspections shall be subject to the same restrictions and conditions as ship stowage examinations under the United States Grain Standards Act, as per WAC 16-212-060(11)(d) (i) through (iv).

(b) Other stowage examinations shall be at the rate prescribed for containers listed in WAC 16-212-060(12).

(9) Aflatoxin testing fees.

(a) Blacklight and/or minicolumn determinations, per hour, per inspector \$23.00

(b) Minicolumn determination, per test \$15.60

(c) Thin layer chromatography fees and/or minicolumn fees, if applicable, will be assessed for laboratory analyses identical with the amount charged by the federal grain inspection service for that test.

(10) Falling numbers determinations, per determination . . . \$12.00

AMENDATORY SECTION (Amending Order 1789, filed 3/2/83)

WAC 16-212-080 MISCELLANEOUS FEES.

(1) Mailing of samples shall be charged at actual mailing costs, minimum charge ((~~\$ 1.00~~)) \$ 2.00 ((~~(actual cost if greater than minimum)~~)

(2) Fee for pickup of samples on routes established by the department per sample ((~~\$ 0.50~~)) \$ 0.60

(3) ((Car mileage per mile ~~\$ 0.185~~))

(4) In all cases where no fee has been established for services, the charge for such service shall be as provided in WAC 16-212-030, hourly charges.

(5) Any charges made in addition to the basic fees provided for in WAC 16-212-030 through 16-212-070 shall be classified as additional charges.) Fees for services performed at places other than established grain and commodity inspection points.

(a) Travel time, per employee, will be charged at the applicable straight time or overtime rate from office to inspection point and return.

(b) Car mileage will be charged at the current published department of general administration (motor pool) rates, except where suitable transportation is provided by the applicant.

(c) If the travel is of sufficient duration to require payment of subsistence or per diem to the employee, an amount equal to the established subsistence and/or per diem rate shall be assessed, except where applicable subsistence and lodging are furnished, or paid, by the applicant.

(d) Incidental costs of telephone, mailing, etc. shall be at actual cost.

(4) Certificate charges for certificates under the United States Grain Standards Act or the Agricultural Marketing Act of 1946.

(a) Divided original certificates, per certificate \$1.50

(b) Extra copies of inspection, protein, weight, falling number, commodity or aflatoxin certificates, per copy \$3.00

(5) Timely payment. Payment of fees and charges is due within thirty days after the date of the statement.

(a) If payment is not received within thirty days, service may be withheld until the delinquent account is paid; or

(b) In the case of such delinquent accounts, cash payment for subsequent service may be required; and

(c) A penalty of twelve percent per annum shall be assessed on the delinquent account balance.

NEW SECTION

WAC 16-212-082 FEES FOR SERVICES PERFORMED UNDER STATE REGULATION. (1) Inspection of cultivated buckwheat and safflower under Washington state standards shall be at the rate applicable for the same type of sample under the fees for services under the United States Grain Standards Act.

(2) Cracked corn, corn screenings, and mixed grain screenings shall be inspected and/or weighed under the tonnage rate applicable for standardized grains as per WAC 16-212-060.

(3) Unofficial (NIR) protein analysis (barley, mixed grain, etc.), per determination \$ 6.25

(4) Set of ten protein reference samples (one class) standardized with the state monitoring machine, per set \$ 25.00

(5) Unofficial (NIR) oil determination for sunflower seed, per determination \$ 12.00

NEW SECTION

WAC 16-212-086 FEES FOR WAREHOUSE AUDIT AND RELATED SERVICES. These fees shall be applied to the following services:

(1) Measurement of new construction and/or outside grain storage facilities (with less than two weeks notice), per manhour \$ 23.00

(2) Special year end audits that require remeasurement due to consolidation, per manhour \$ 23.00

(3) Commodity Credit Corporation samples will be drawn by grain division personnel at the established sampling rate.

(4) Appropriate hourly straight time and overtime charges, mileage, and travel charges shall be assessed.

AMENDATORY SECTION (Amending Order 1789, filed 3/2/83)

WAC 16-212-120 GRADES AND STANDARDS. The grades and standards established by the United States department of agriculture as of ((April)) August 1, ((+1983)) 1984, for all grains and commodities included within the provisions of this chapter are hereby adopted ((as the grades and standards for such grains and commodities in)). In addition, the procedures to sample, grade, test and weigh grains and commodities, established by the regulations and instructions under the United States Grain Standards Act and the Agricultural Marketing Act of 1946, are hereby adopted for this state.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-212-050 CERTIFICATES.
- (2) WAC 16-212-065 MISCELLANEOUS SAMPLING, TESTING, INSPECTION AND CERTIFICATION OF GRAINS AND COMMODITIES.

(3) WAC 16-212-090 SERVICES RENDERED AWAY FROM INSPECTION POINTS.

**WSR 84-11-090
PROPOSED RULES
OFFICE OF
FINANCIAL MANAGEMENT**
[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of Financial Management intends to adopt, amend, or repeal rules concerning this notice proposes to amend WAC 82-50-021, official lagged, semimonthly paydates established, by adding to the section the official semimonthly paydates for use in calendar year 1985;

that the agency will at 9:30 a.m., Tuesday, June 26, 1984, in the 4th Floor Conference Room, Insurance Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on Friday, June 29, 1984.

The authority under which these rules are proposed is RCW 42.16.010(1) and 42.16.017.

The specific statute these rules are intended to implement is RCW 42.16.010(1) and 42.16.017.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Friday, June 22, 1984.

The agency reserves the right to modify the text of these proposed rules before the hearing or in response to written or oral comments received before or during the hearing.

The agency may need to change the date for hearing or adoption on short notice. To ascertain that the hearing or adoption will take place as stated in this notice, an interested person may contact the person named below.

Correspondence relating to this notice and the proposed rules should be addressed to:

Mr. Collum C. Liska
Accounting and Fiscal Services Division
4th Floor, Insurance Building
Mailstop AQ-44
Olympia, Washington 98504
(206) 753-7723
Scan 234-7723

Dated: May 23, 1984
By: Joe A. Taller
Director

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): Chapter 83-50 WAC, Paydates for state employees, consisting of the following: The amendment of WAC 82-50-021 Official lagged, semimonthly paydates established.

Statutory Authority: RCW 42.16.010(1) and 42.16.017.

Specific Statute that the Rule is Intended to Implement: RCW 42.16.010(1) and 42.16.017.

Summary of the Rules: This notice proposes to do one thing: Add to existing WAC 82-50-021 the official semimonthly paydates for use in calendar year 1985.

Reason Supporting the Proposed Rules: RCW 42.16.010(1) requires the director of the Office of Financial Management to establish official paydates six months prior to the beginning of each subsequent calendar year.

Involved Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mr. Collum C. Liska, Senior Executive Policy Coordinator, Accounting and Fiscal Services Division, Office of Financial Management, 4th Floor, Insurance Building, MS AQ-44, Olympia, Washington 98504, Phone: (206) 753-7723.

Name of Involved Agency Proposing the Rules: Office of Financial Management.

Agency Comments: None.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Other Information: None.

Small Business Economic Impact Statement: Not attached since these proposed rules are not applicable to the Regulatory Fairness Act.

AMENDATORY SECTION (Amending Order 83-59, filed 8/24/83)

WAC 82-50-021 OFFICIAL LAGGED, SEMIMONTHLY PAY DATES ESTABLISHED. Unless exempted otherwise under the provisions of WAC 82-50-031, the salaries of all state officers and employees shall be paid on a lagged, semimonthly basis for the official twice-a-month pay periods established in RCW 42.16.010(1) that begin January 1, 1984. The following are the official lagged, semimonthly pay dates for calendar years 1984 and 1985:

CALENDAR YEAR 1984

Wednesday, January 25, 1984
Friday, February 10, 1984
Friday, February 24, 1984
Friday, March 9, 1984
Monday, March 26, 1984
Tuesday, April 10, 1984
Wednesday, April 25, 1984
Thursday, May 10, 1984
Friday, May 25, 1984
Monday, June 11, 1984
Monday, June 25, 1984
Tuesday, July 10, 1984
Wednesday, July 25, 1984
Friday, August 10, 1984
Friday, August 24, 1984
Monday, September 10, 1984
Tuesday, September 25, 1984
Wednesday, October 10, 1984
Thursday, October 25, 1984
Friday, November 9, 1984
Monday, November 26, 1984
Monday, December 10, 1984
Monday, December 24, 1984

CALENDAR YEAR 1985

Thursday, January 10, 1985
Friday, January 25, 1985
Monday, February 11, 1985
Monday, February 25, 1985
Monday, March 11, 1985
Monday, March 25, 1985
Wednesday, April 10, 1985
Thursday, April 25, 1985
Friday, May 10, 1985
Friday, May 24, 1985
Monday, June 10, 1985
Monday, June 24, 1985
Wednesday, July 10, 1985
Thursday, July 25, 1985
Friday, August 9, 1985
Monday, August 26, 1985
Tuesday, September 10, 1985
Wednesday, September 25, 1985
Thursday, October 10, 1985
Friday, October 25, 1985
Friday, November 8, 1985
Monday, November 25, 1985
Monday, December 9, 1985
Monday, December 23, 1985



**DEPARTMENT OF PERSONNEL
(Personnel Board)**

[Order 204—Filed May 23, 1984—Eff. September 1, 1984]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA 98504, that it does adopt the annexed rules relating to:

Amd	WAC 356-06-050	Exempt service.
Amd	WAC 356-06-055	Exempt—Classified service—Movement between.
Amd	WAC 356-26-030	Register designation.
Amd	WAC 356-26-070	Certification—Registers—Order of rank—Exceptions.
Amd	WAC 356-30-305	Trial service period—Provision.
Amd	WAC 356-30-320	Trial service—Reversion—Status.
New	WAC 356-49-010	Inter-system employment—Purpose.
New	WAC 356-49-020	Application of rules.
New	WAC 356-49-030	Eligibility—Higher Education Personnel Board permanent classified employee—Definition.
New	WAC 356-49-040	Inter-system movement between Higher Education Personnel Board/State Personnel Board jurisdiction.

This action is taken pursuant to Notice No. WSR 84-09-049 filed with the code reviser on April 16 [17], 1984. These rules shall take effect at a later date, such date being September 1, 1984.

This rule is promulgated pursuant to RCW 41.06.150 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 10, 1984.

By Leonard Nord
Secretary

AMENDATORY SECTION (Amending Order 36, filed 7/1/71, effective 8/1/71)

WAC 356-06-050 EXEMPT SERVICE. The exempt service includes only the positions and agencies, officers and employees listed in WAC 356-06-020 who do not have appeal rights to a personnel board when demoted or separated by dismissal or reduction-in-force. Appointments to any exempt position in branches, departments, or agencies not exempted by statute shall be reported by the director of personnel to the personnel board and shall include such information as may be required to ascertain that the position is properly included in the exempt service. The director of personnel may at any time study the duties of a position in this service to determine the propriety of its continued inclusion in this service.

AMENDATORY SECTION (Amending Order 183, filed 4/15/83)

WAC 356-06-055 EXEMPT—CLASSIFIED SERVICE—MOVEMENT BETWEEN. (1) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right to return to the highest class of position in which the employee previously held permanent status, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position. However, (a) upon the prior request of the appointing authority of the exempt position, the personnel board may approve one extension of no more than four years; and (b) if an appointment was accepted prior

to July 10, 1982, then the four-year period shall begin as of that date. Such employee must apply to return to classified service within 30 calendar days of:

(i) Termination of employment in such exempt position, or

(ii) Termination of employment in any other exempt position in which the employee subsequently served provided there was no break in his/her service with the state of more than 30 calendar days.

(2) Any classified employee who holds a position in the classified service which is subsequently exempted and who previously held permanent status in another classified position shall have a right to return to the highest classified position in which the employee previously held permanent status or to a similar position. Such employee must apply to return to classified service within 30 calendar days of:

(a) Termination of employment in such exempt position, or

(b) Termination of employment in any other exempt position in which the employee subsequently served provided there was no break in his/her service with the state of more than 30 calendar days.

(3) Employees exercising return rights within the time specified, as provided in WAC 356-06-055, shall return:

(a) At the time of separation or application, whichever is later.

(b) To a salary not less than the salary they left, adjusted according to salary changes made in the interim.

(c) With the same status they last held at the time they left the classified service.

(d) With their seniority credited with the full time of their absence from the classified service and with no break in service.

(4) An employee's continuation in a position that has been exempted shall constitute the acceptance of an exempt appointment. The employee who accepts an appointment in this manner shall have the right of return as specified in subsection (1) of this section.

(5) Present or past employees of the exempt service who have not previously left the classified service specifically to take an exempt position shall not be entitled to move back into the classified service under the provisions of this section or WAC 356-30-330.

(6) Classified employees under the jurisdiction of the higher education personnel board who are otherwise exempt from the right by WAC 356-06-020, and have been or are going to be separated because of reduction in force action shall be certified to any vacant classified positions under the jurisdiction of the state personnel board provided:

(a) The employees are qualified as determined by the director of personnel, or designee; and

(b) No other employees under the jurisdiction of the state personnel board are eligible to be certified from the reduction in force registers, or transferred, or promoted into vacancies; and

(c) The employees have greater seniority than other such qualified employees under the jurisdiction of the higher education personnel board involved in reduction in force action; and

(d) The employees are being offered the opportunity according to the department of personnel procedure established for that purpose.

(7) Employees may replace incumbents currently in the positions to which they are returning. The replaced incumbents are entitled to the rights and options of the reduction-in-force procedures of their agency.

Employees in the classified service whose positions have been exempted from the civil service law in accordance with RCW 41.06.070 (21) or (22) and have not previously held other classified positions may return to the classified service in any vacant positions in their respective departments provided the employees:

(a) Meet the minimum qualifications;

(b) Have greater seniority than other employees who would be offered the vacancy(ies) as a reduction-in-force option or certifications from the reduction-in-force register.

(8) Permanent classified employees of the higher education personnel board may promote, transfer, or voluntarily demote to positions under the jurisdiction of the state personnel board as provided in chapter 356-49 WAC and other applicable merit system rules.

AMENDATORY SECTION (Amending Order 179, filed 12/22/82)

WAC 356-26-030 REGISTER DESIGNATION.

(1) Agency reduction in force.

(a) Composition.

(i) The agency reduction in force register will consist of classes and the names of all employees who hold or have held permanent status in those classes and: (A) Have been notified they are scheduled for reduction in force; or (B) held permanent status prior to separation due to a reduction in force; or (C) who have accepted a voluntary demotion in a class in lieu of a reduction in force; or (D) were in a trial service period with another department and separated due to reduction in force; or (E) employees requesting to be placed on this register for classes held immediately prior to the position being reallocated downward; or (F) who were separated due to disability within the last year as provided in WAC 356-35-010 and who have submitted to the director of personnel a current physician's statement that they are physically able to perform the duties of the class for which the register is established.

(ii) The employee's name shall appear for all classifications for which he/she is not disabled in which he/she held permanent status since the employee's last separation other than a reduction in force, or in which he/she served more than six months on a position which would have meant permanent status had it been under the jurisdiction of the state personnel board at the time.

(b) Method of ranking.

(i) This register will be ranked according to seniority.

(c) Life of register.

(i) An eligible's name will normally remain on this register for three years.

(d) Special provisions.

(i) Employees appointed from this register will assume the same status they held prior to the reduction in force.

Persons on this register will indicate the geographic areas in which they are available. Appointment of persons from this register to seasonal positions will be as provided in WAC 356-30-130.

(ii) Employee's names shall not appear for classes at or below the range level of a class in which the employees are serving on a permanent fulltime basis, except when the employees have accepted options beyond a reasonable commuting distance in lieu of separation due to reduction in force. In the excepted cases, the employees' names may appear for classes at the same or lower range levels when the availability would return the employees back to their previous work locations.

(2) Service-wide reduction in force.

(a) Composition.

(i) This register will consist of the same names as the agency reduction in force register, except for those requesting to be on the agency reduction in force register following a reallocation downward.

(b) Method of ranking.

(i) This register will be ranked according to seniority.

(c) Life of register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special provisions.

(i) Employees appointed from this register will assume the same status they held prior to the reduction in force. Persons on this register will indicate the geographic areas and departments for which they are available. Appointment of persons from this register to seasonal positions will be as provided in WAC 356-30-130.

(3) Dual-agency reversion.

(a) Composition.

(i) This register will contain the names of employees who while serving a trial service period in another agency or in a position under the jurisdiction of the higher education personnel board were either voluntarily or involuntarily reverted to their former class and status.

(b) Method of ranking.

(i) This register will be ranked according to total unbroken classified service.

(c) Life of register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special provisions.

(i) This register refers to the agency from which promoted and the agency from which reverted. Employees appointed from this register will assume the status they held prior to promotion. Persons on this register will indicate the geographic area in which they are available.

(4) Agency promotional.

(a) Composition.

(i) This register will be established by appropriate classes and shall include the names of those employees who have served six months of a probationary period, or past permanent employees who have been separated due to reduction in force within the last year and who have received a passing final grade in the total promotional examination and are eligible to be certified. The names of past permanent employees who were separated due to disability within the last year as provided in WAC 356-35-010 shall also be included on this register provided

that they submit to the director of personnel a physician's statement that they are physically able to perform the duties of the class for which the register is established and they have received a passing final grade as required for other promotional applicants.

(b) Method of ranking.

(i) This register shall be ranked according to final score from the highest to the lowest.

(c) Life of register.

(i) An eligible's name will normally remain on this register for an indefinite period unless replaced by a register established by the use of a substantially new examination.

(d) Special provisions.

(i) An employee may convert any current open competitive rating to this register after six months.

(5) Service-wide reversion.

(a) Composition.

(i) This register will contain the names of employees who while serving a trial service period in another agency or in a position under the jurisdiction of the higher education personnel board were either voluntarily or involuntarily reverted to their former class and status.

(b) Method of ranking.

(i) This register will be ranked according to total unbroken classified service.

(c) Life of register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special provisions.

(i) This register refers to all agencies, except the two which are involved with the dual-agency transaction. Persons on this register will indicate the geographic areas and agencies for which they are available.

(6) Transfer.

(a) Composition.

(i) This register shall contain the names of all permanent employees who have submitted a request to be considered for transfer.

(b) Method of ranking.

(i) This register will be unranked.

(c) Life of register.

(i) An eligible's name shall normally remain on this register for one year.

(d) Special provisions.

(i) To use this register, the employee must transfer either within the same class or the same pay range having the same salary range number.

(7) Voluntary demotion.

(a) Composition.

(i) This register shall contain the names of all permanent employees who have submitted a request for and are eligible under the rules to be considered for a voluntary demotion.

(b) Method of ranking.

(i) This register shall be unranked. However, employees subject to reduction in force shall have priority.

(c) Life of register.

(i) An eligible's name shall normally remain on this register for one year.

(d) Special provisions.

(i) Employees appointed from this register to a class not previously held will serve a trial service period. All examination ratings for the class from which demoted shall be nullified; however, the employee may be elevated to the class from which demoted with permanent status without benefit of certification provided permanent status was achieved at the higher level.

(8) Service-wide promotional.

(a) Composition.

(i) This register shall contain the names of those employees who have served six months of a probationary period or past permanent employees who have been separated due to reduction in force within the last year who have obtained a passing final grade in the total promotional examination. The names of past permanent employees who were separated due to disability within the last year as provided in WAC 356-35-010 shall also be included on this register provided that they submit to the director of personnel a physician's statement that they are physically able to perform the duties of the class for which the register is established and they have received a passing final score as required for other promotional applicants.

(b) Method of ranking.

(i) This register shall be ranked according to final score, from the highest to the lowest.

(c) Life of register.

(i) An eligible's name will normally remain on this register for an indefinite period unless replaced by a register established by the use of a substantially new examination.

(d) Special provisions.

(i) An employee may convert any current open competitive rating to this register after six months. Persons on this register will indicate the geographic areas and agencies for which they are available.

(9) Reemployment.

(a) Composition.

(i) This register shall contain the names of all past permanent employees who have submitted a request and an application for reemployment within two years from the date of separation, provided that the names of employees separated for cause while performing similar duties shall not be placed on this register except with the approval of the agency from which they were separated for cause. This register shall also contain the names of those employees who have been in reversion or reduction in force status and have been offered and declined employment. The director of personnel may extend the time during which an employee may apply for reemployment if the director of personnel has determined that a need for eligibles exists in a certain class and/or geographical area.

(b) Method of ranking.

(i) This register shall be unranked.

(c) Life of register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special provisions.

(i) Persons reemployed from this register will serve a probationary period. The former employee may limit or

enlarge upon his/her area of availability either by department or geographic area.

(10) Inter-system employment.

(a) Composition. This register shall contain the names of permanent classified employees under the jurisdiction of the higher education personnel board who have submitted an application and who have passed the required examination.

(b) Method of ranking. This register shall be ranked according to final passing score from the highest to the lowest.

(c) Life of register. An eligible's name will normally remain on this register for one year.

(d) Special provisions. Employees appointed from this register will serve a six month trial service period.

(11) Open competitive.

(a) Composition.

(i) This register will contain the names of all persons who have passed the entrance examination.

(b) Method of ranking.

(i) This register shall be ranked by the final score.

(c) Life of register.

(i) An eligible's name will normally remain on this register for one year unless changed by the director of personnel.

(d) Special provisions.

(i) Persons on this register will indicate the geographic areas for which they are available.

AMENDATORY SECTION (Amending Order 183, filed 4/15/83)

WAC 356-26-070 CERTIFICATION—REGISTERS—ORDER OF RANK—EXCEPTION. The director of personnel will normally certify names from the registers in the following order:

- (1) Agency reduction in force register.
- (2) Service-wide reduction in force register.
- (3) Dual-agency reversion register.
- (4) Agency promotional register.
- (5) Service-wide reversion register.
- (6) Transfer register.
- (7) Voluntary demotion register.
- (8) Service-wide promotional register.
- (9) Reemployment unranked register.
- (10) Inter-system employment register.
- (11) Open competitive register.

However, if the director of personnel and appointing authority establish that it is in the best interest of the state to broaden the competition, agencies may request the director of personnel to certify names combined from registers (4), (8), ~~((and))~~ (10), and (11) provided:

(a) That the written request to the director shall be evidence of assurance that:

(i) Such a request will not harmfully affect utilization of protected group members who are applicants for this class.

(ii) If the position is within a collective bargaining unit, the exclusive representative will be provided copy of the request.

(iii) That the request is in the best interest of the state and not solely intended to circumvent the policy of promotion from within the state as provided in WAC 356-30-150.

(b) Request for combined registers must be made on a position-by position or a class basis and prior to recruitment.

AMENDATORY SECTION (Amending Order 175, filed 9/22/82)

WAC 356-30-305 TRIAL SERVICE PERIOD—PROVISION. (1) Employees (~~((who are promoted, demoted, or who are))~~) appointed from a voluntary demotion register to a class not previously held, a promotional register, or from the inter-system employment register shall serve a trial service period of six months. The trial service period will provide the appointing authority with the opportunity to observe the employee's work and to train and aid the employee in adjustment to the position, and to revert such an employee whose work performance fails to meet required standards. Reversions shall be under the provisions of WAC 356-30-320.

(2) When an employee is appointed to a higher class while serving in a trial service period, the trial service period for the lower class and the new trial service period for the higher class shall overlap provided that the higher and lower classes are in the same or a closely related field. The employee shall complete the terms of the original trial service period and be given permanent status in the lower class. Such employees will also be granted the rights normally accruing to trial service for the remainder of the trial service period in the higher class.

AMENDATORY SECTION (Amending Order 147, filed 9/16/80)

WAC 356-30-320 TRIAL SERVICE—REVERSION—STATUS. (1) An employee who was (~~((either promoted, demoted, or))~~) appointed from a voluntary demotion register to a class not previously held or from a promotional register within an agency and fails to satisfactorily complete the trial service period shall automatically revert to a position in the former classification.

(2) An employee who was (~~((promoted, demoted, or))~~) appointed from a voluntary demotion register to a class not previously held or from a promotional register into another agency and who fails to satisfactorily complete the trial service period shall be given 15 calendar days' written notice and placed on the dual-agency reversion register and the service-wide reversion register for his or her former class. Employees who are reverted do not have the right of appeal. If an employee elects not to accept the first offer of employment, his/her name is then placed on the reemployment register.

(3) Former permanent employees who have promoted, demoted, or transferred to a position under the jurisdiction of the higher education personnel board in accordance with provisions of their rules and fail to complete their trial service period may be placed on the dual-agency reversion register and service-wide reversion register for his/her former class.

(4) Employees who are reemployed from the service-wide reversion registers shall enter a trial service period. Names of employees reverted during this period will be placed on the register from which they came.

((4)) (5) Employees who voluntarily revert to their former class may request of the director of personnel reactivation of their promotional score for the class from which reverted. Employees involuntarily reverted to their former class shall have all examination grades for the class from which they are reverted nullified.

NEW SECTION

WAC 356-49-010 INTER-SYSTEM EMPLOYMENT—PURPOSE. The general purpose of this chapter is to permit permanent classified employees of the higher education personnel board to promote, transfer, or voluntarily demote to permanent classified positions under the jurisdiction of the state personnel board via the inter-system employment register.

NEW SECTION

WAC 356-49-020 APPLICATION OF RULES. Insofar as they do not conflict with the provisions of chapter 356-49 WAC, upon movement into the classified service under the jurisdiction of the state personnel board, the remainder of the merit system rules will apply.

NEW SECTION

WAC 356-49-030 ELIGIBILITY—HIGHER EDUCATION PERSONNEL BOARD PERMANENT CLASSIFIED EMPLOYEE—DEFINITION. An employee who is currently employed and who has gained permanent status at an institution governed by the higher education personnel board.

NEW SECTION

WAC 356-49-040 INTER-SYSTEM MOVEMENT BETWEEN HIGHER EDUCATION PERSONNEL BOARD/STATE PERSONNEL BOARD JURISDICTION. (1) Permanent classified employees desiring to promote, transfer, or voluntarily demote to state personnel board classified positions must:

(a) Submit a Washington state application for employment in accordance with a current examination announcement.

(b) Successfully complete the designated examination.

(c) Have their name placed on the appropriate register as provided in WAC 356-26-070.

(d) Be certified to vacancy(ies) as provided in WAC 356-26-070.

(e) Serve a trial service period of six months. If the trial service period is not satisfactorily completed, the employee shall be placed on the appropriate eligible list as provided by the higher education personnel board rules (Title 251 WAC).

(2) Permanent classified employees desiring to promote, transfer, or voluntarily demote to state personnel board classified positions will:

(a) Be unable to bump if laid off during such trial service period even though layoff seniority will move with employees to the new position.

(b) Bring their accumulated vacation leave, sick leave and seniority with them; however, continued accumulation will be governed by the appropriate merit system rules.

(c) Retain their former periodic increment date except upon promotion as provided by WAC 356-14-120.

WSR 84-11-092

ADOPTED RULES

LIQUOR CONTROL BOARD

[Order 142, Resolution No. 151—Filed May 23, 1984]

Be it resolved by the Washington State Liquor Control Board, acting at the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA, that it does adopt the annexed rules relating to Service limited to license and order—Removal of liquor in open containers—Room service—Price list, WAC 314-16-040.

This action is taken pursuant to Notice No. WSR 84-01-022 filed with the code reviser on April 11, 1984. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Liquor Control Board as authorized in RCW 66.08.030, 66.98.070 and chapter 34.04 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 23, 1984.

By Robert D. Hannah
Chairman

AMENDATORY SECTION (Amending Order 69, Resolution 78, filed 1/23/80)

WAC 314-16-040 SERVICE LIMITED TO LICENSE AND ORDER—REMOVAL OF LIQUOR IN OPEN CONTAINERS—ROOM SERVICE—PRICE LIST. (1) No retail licensee shall possess or allow any person to consume or possess any liquor other than that permitted by his license in or on the licensed premises, or on any public premises adjacent thereto which are under his control except under authority of a banquet permit.

(2) Beer and/or wine only licensees may keep spirituous liquor on the premises for use in the manufacture of confection or food products provided a permit is obtained pursuant to RCW 66.20.010(5), all confection or food products manufactured contain one percent or less of alcohol by weight, and customers are made aware that such confection or food products contain liquor and

the alcohol content is one percent or less of the weight of the product.

(3) No retail licensee or employee thereof shall permit the removal of any liquor in an open container from the licensed premises except that liquor brought on a licensed premises under authority of a banquet permit shall be recorked, recapped or resealed in its original container and shall be removed at the termination of such banquet permit function. Further, wine may be removed as authorized by RCW 66.24.340 and 66.24.400.

~~((3))~~ (4) No holder of a Class H license shall be permitted to hold any other class of retail license covering the premises so licensed. Upon the granting of a Class H license, all other classes of retail licenses which may be held by such new Class H licensee at that time at the premises to be so licensed must be surrendered to the board for cancellation.

~~((4))~~ (5) Hotel room service is included in on-premises licenses.

~~((5))~~ (6) No Class H licensee shall sell or serve any spirituous liquor other than ordered, or substitute a non-alcoholic beverage when an alcoholic beverage has been ordered. Such licensee shall display prices for all liquor either by posting a price list or by using menus listing such prices, or by both.

~~((6))~~ (7) No holder of a Class C license shall advertise for sale, nor sell, any mixed drink under the name of "Old Fashioned," "Whiskey Sour," "Singapore Sling," "Martini," "Manhattan," nor any other name which, by long and general usage, has become associated in the public mind as being the name of a mixed drink made from spirituous liquor, nor under any name which is so similar to the above prohibited names as to be readily confused therewith in the public mind. Nor shall any holder of a Class C license, in the mixing or compounding of any mixed drink, use any mixer or other substance whatsoever which contains any of the aromatic compounds and/or essential oils which give to any spirituous liquor its distinctive characteristics of aroma, bouquet and flavor. Nothing in this section shall deny to any holder of a Class C license the right to advertise for sale, mix, compound or sell upon order, mixed drinks made from one or more wines under a name which does not conflict with this section.

WSR 84-11-093

ADOPTED RULES

LIQUOR CONTROL BOARD

[Order 144, Resolution No. 153—Filed May 23, 1984]

Be it resolved by the Washington State Liquor Control Board, acting at the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, that it does adopt the annexed rules relating to near beer, repealing WAC 314-12-160.

This action is taken pursuant to Notice No. WSR 84-09-062 filed with the code reviser on April 18, 1984. These rules shall take effect thirty days after they are

filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Liquor Control Board as authorized in RCW 66.08.030 and 66.98.070.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 23, 1984.

By Robert D. Hannah
Chairman

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 314-12-160 NEAR BEER.

WSR 84-11-094

PROPOSED RULES

DEPARTMENT OF GAME

(Game Commission)

[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Game Commission intends to adopt, amend, or repeal rules concerning:

New	WAC 232-28-507	1984-85	Trapping Seasons and Regulations.
Rep	WAC 232-28-506	1983-84	Trapping Seasons and Regulations;

that the agency will at 9:00 a.m., Monday, July 9, 1984, in the Yakima Holiday Inn, 9 North 9th Street, Yakima, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 9, 1984.

The authority under which these rules are proposed is RCW 77.12.040.

The specific statute these rules are intended to implement is RCW 77.12.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 6, 1984.

Dated: May 23, 1984

By: Kenneth R. Tupper
for Richard J. Poelker, Chief
Wildlife Management Division

STATEMENT OF PURPOSE

Title and Number of Rule Section: New section WAC 232-28-507, 1984-85 Trapping Seasons and Regulations.

Statutory Authority: RCW 77.12.040.

Specific Statute that Rule is Intended to Implement: RCW 77.12.040.

Summary of the Rule: Trapping seasons and regulations will be established in the manner outlined in the 1983-84 pamphlet, on file at the code reviser's office.

Reasons Supporting the Proposed Rule: Resource management.

The Agency Personnel Responsible for Drafting and Implementation: Richard J. Poelker, Administrator, Wildlife Management Division, Department of Game, 600 North Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5728; and Enforcement: R. B. Rasmussen, Chief, Wildlife Enforcement Division, Department of Game, 600 North Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5740.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Game.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: No comments.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

A small business economic impact statement is not required.

NEW SECTION

WAC 232-28-507 1984-1985 TRAPPING SEASONS AND REGULATIONS. Reviser's note: The text and accompanying pamphlet comprising the 1984-1985 Trapping Seasons and Regulations proposed by the Department of Game have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 232-28-506 1983-84 TRAPPING SEASONS AND REGULATIONS

**WSR 84-11-095
PROPOSED RULES
DEPARTMENT OF GAME
(Game Commission)
[Filed May 23, 1984]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Game Commission intends to adopt, amend, or repeal rules concerning report required of licensed trappers, amending WAC 232-12-134;

that the agency will at 9:00 a.m., Monday, July 9, 1984, in the Yakima Holiday Inn, 9 North 9th Street,

Yakima, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 9, 1984.

The authority under which these rules are proposed is RCW 77.12.040.

The specific statute these rules are intended to implement is RCW 77.12.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 6, 1984.

Dated: May 23, 1984

By: Kenneth R. Tupper
for Richard J. Poelker, Administrator
Wildlife Management Division

STATEMENT OF PURPOSE

Title and Number of Rule Section: WAC 232-12-134 Report required of licensed trappers.

Statutory Authority: RCW 77.12.040.

Specific Statute that Rule is Intended to Implement: RCW 77.12.040.

Summary of the Rule: Requires all trappers to report harvest data which is critical to furbearer management programs.

Reasons Supporting the Proposed Rule: Resource management.

The Agency Personnel Responsible for Drafting and Implementation: Richard J. Poelker, Administrator, Wildlife Management Division, Department of Game, 600 North Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5728; and Enforcement: R. B. Rasmussen, Chief, Wildlife Enforcement Division, Department of Game, 600 North Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5740.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Game.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: No comments.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

A small business economic impact statement is not required.

AMENDATORY SECTION (Amending Order 174, filed 10/22/81)

WAC 232-12-134 REPORT REQUIRED OF LICENSED TRAPPERS. It is unlawful for ~~a any~~ licensed trapper to fail to report complete and submit to the department, ~~within thirty days after the close of the trapping season,~~ a trappers report on ~~a the~~ form supplied by the department, ~~the number of each species of animal taken: on or before April 10 of each year.~~

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 84-11-096
PROPOSED RULES
DEPARTMENT OF GAME
(Game Commission)
[Filed May 23, 1984]

STATEMENT OF PURPOSE

Title and Number of Rule Section: WAC 232-28-107
1984 Upland migratory game bird seasons.
Statutory Authority: RCW 77.12.040.
Specific Statute that Rule is Intended to Implement:
RCW 77.12.040.

Summary of the Rule: Seasons will be established in
the manner outlined in the 1983 seasons handout.

Reasons Supporting the Proposed Rule: Resource
management.

The Agency Personnel Responsible for Drafting and
Implementation: Richard J. Poelker, Administrator,
Wildlife Management Division, Department of Game,
600 North Capitol Way, Olympia, WA 98504, Tele-
phone: (206) 753-5728; and Enforcement: R. B.
Rasmussen, Chief, Wildlife Enforcement Division, De-
partment of Game, 600 North Capitol Way, Olympia,
WA 98504, Telephone: (206) 753-5740.

Name of the Person or Organization Whether Private,
Public, or Governmental, that is Proposing the Rule:
Department of Game.

Agency Comments or Recommendations, if any,
Regarding Statutory Language, Implementation, En-
forcement and Fiscal Matters Pertaining to the Rule:
No comments.

The rule is not necessary to comply with a federal law
or a federal or state court decision.

Any Other Information that may be of Assistance in
Identifying the Rule or its Purpose: None.

A small business economic impact statement is not
required.

Notice is hereby given in accordance with the provi-
sions of RCW 34.04.025, that the State Game Commis-
sion intends to adopt, amend, or repeal rules concerning:

- New WAC 232-28-107 1984 Upland migratory game bird
seasons.
Rep WAC 232-28-106 1983 Upland migratory game bird
seasons;

that the agency will at 9:00 a.m., Monday, July 9,
1984, in the Yakima Holiday Inn, 9 North 9th Street,
Yakima, WA, conduct a public hearing on the proposed
rules.

The formal decision regarding adoption, amendment,
or repeal of the rules will take place on July 9, 1984.

The authority under which these rules are proposed is
RCW 77.12.040.

The specific statute these rules are intended to imple-
ment is RCW 77.12.040.

Interested persons may submit data, views, or argu-
ments to this agency in writing to be received by this
agency before July 6, 1984.

Dated: May 23, 1984
By: Kenneth R. Tupper
for Richard J. Poelker, Administrator
Wildlife Management Division

NEW SECTION

WAC 232-28-107 1984 UPLAND MIGRATORY GAME BIRD SEASONS.

1983 Upland Migratory Game Bird Seasons

-Statewide-

MOURNING DOVE:

September 1 - September 15, inclusive
Daily bag limit: 10
Possession limit: 20

BAND-TAILED PIGEON:

September 1 - September 30, inclusive
Daily bag limit: 5
Possession limit: 5

SHOOTING HOURS as follows: (Daylight Saving Time)

Table with 4 columns: DATES INCLUSIVE, Eastern Washington (From A.M., To P.M.), Western Washington (From A.M., To P.M.). Rows include dates from Sept 1 to Sept 30 with corresponding shooting hours.

Reviser's note: The typographical errors in the above section oc-
curred in the copy filed by the agency and appear herein pursuant to
the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington Administrative Code is
hereby repealed:

WAC 232-28-106 1983 UPLAND MIGRATORY GAME
BIRD SEASONS

WSR 84-11-097
PROPOSED RULES
DEPARTMENT OF FISHERIES

[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Fisheries intends to adopt, amend, or repeal rules concerning commercial fishing rules;

that the agency will at 7:00 p.m., Wednesday, June 27, 1984, in the South Bend Community Center, South Bend, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 5, 1984.

The authority under which these rules are proposed is RCW 75.08.080.

The specific statute these rules are intended to implement is RCW 75.08.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 27, 1984.

Dated: May 23, 1984

By: Russell W. Cahill
for William R. Wilkerson
Director

STATEMENT OF PURPOSE

Title: WAC 220-22-020, 220-36-021, 220-36-022, 220-36-024, 220-40-021, 220-40-022, 220-40-024 and 220-40-030.

Description of Purpose: Modify Coast, Willapa Harbor, Grays Harbor Salmon Management and Catch Reporting Area boundaries; modify rules effecting Grays Harbor and Willapa Harbor commercial salmon fisheries for the 1984 season.

Statutory Authority: RCW 75.08.080.

Summary of Rule: WAC 220-22-020, changes western boundary of Area 2B; changes boundary between Areas 2G and 2H; WAC 220-36-021, changes Grays Harbor seasonal openings; requires hold inspection; WAC 220-36-022, changes Grays Harbor weekly openings; WAC 220-36-024, changes Grays Harbor gear date and mesh restrictions; WAC 220-40-021, changes Willapa Harbor seasonal openings; WAC 220-40-022, allows continuous fishery in Willapa Harbor open areas; WAC 220-40-024, changes Willapa Harbor gear date and mesh restrictions; and WAC 220-40-030, allows incidental sturgeon catch in Area 2M.

Reasons Supporting Proposed Action: WAC 220-22-020, the 2B boundary change is necessary to allow visibility of the line from the water while fishing. The 2G/2H boundary change provides for a clearly defined enforceable demarcation; chapter 220-36 WAC, changes needed to allow harvest of Grays Harbor salmon, incidental sturgeon, and differentiation between wild and hatchery origin coho salmon; and chapter 220-40

WAC, changes needed to allow harvest of Willapa Harbor salmon and incidental sturgeon.

Agency Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, Washington, 754-2429; Implementation: Edward P. Manary, 115 General Administration Building, Olympia, Washington, 753-6631; and Enforcement: James W. McKillip, 115 General Administration Building, Olympia, Washington, 753-6585.

These rules are proposed by the Washington State Department of Fisheries.

Comments: None.

These rules are not the result of federal law or any court order.

Small Business Economic Impact Statement: These rules effect the taking of foodfish for commercial purposes and have no economic impact other than that imposed by closures for conservation purposes.

AMENDATORY SECTION (Amending Order 82-63, filed 6/11/82)

WAC 220-22-020 COAST, WILLAPA HARBOR, GRAYS HARBOR SALMON MANAGEMENT AND CATCH REPORTING AREAS. ~~((+))~~ (1) Area 1 shall include those waters of District 1 and the Oregon coast westerly of a line projected from the inshore end of the north Columbia River jetty in the state of Washington to the knuckle of the south Columbia River jetty in the state of Oregon, northerly of a line projected true west from Tillamook Head in Oregon and southerly of a line projected true west from Leadbetter Point in Washington.

(2) Area 2 shall include those waters of District 1 northerly of a line projected true west from Leadbetter Point and southerly of a line projected true west from the Queets River mouth.

(3) Area 2A shall include those waters of Grays Harbor and the Chehalis River estuary upstream from the Union Pacific Railroad Bridge ~~((at))~~ at Aberdeen to a line projected from the Standard Oil Dock at a right angle to the thread of the stream to a fishing boundary marker set on the opposite shore.

(4) Area 2B shall include those waters of Grays Harbor lying easterly of a straight line projected from the Point Chehalis light, located 123 feet above mean high water at Westport, through ~~((lighted buoy 13 to where it intersects with the shore at))~~ the Coast Guard look out tower to the shore near Point Brown, southerly of a line projected from a fishing boundary marker at Ocean Shores Marina, to a fishing boundary marker on Sand Island and thence to the tripod station at Brackenridge Bluff, westerly of a line projected from the tripod station at Brackenridge Bluff southward and extending through channel marker 8 in the south channel at the mouth of Johns River to the mainland, and northerly of the Bay City Bridge.

(5) Area 2C shall include those waters of Grays Harbor northerly of a line projected from a fishing boundary marker at Ocean Shores Marina to a fishing boundary marker on Sand Island to the tripod station at Brackenridge Bluff and westerly of a line starting at a monument located at the point of Holman Bluff near the mouth of Grass Creek and projected to a monument set on Point New, exclusive of those waters within 1/4 mile of a monument set on the beach near the mouth of Chenois Creek and those waters northerly of a line starting at a monument located near the beach in front of the Giles Hogan residence located west of the mouth of the Humptulips River, thence projected in a southeasterly direction to a monument set on the most southerly tip of the grass spit at the mouth of the Humptulips River, thence projected in an easterly direction to a point on Chenois Bluff at 47° 0' 32" N latitude, 124° 1' W longitude.

(6) Area 2D shall include those waters of Grays Harbor and the Chehalis River estuary easterly of a line projected from the tripod station at Brackenridge Bluff southward and through channel marker 8 at the mouth of Johns River in the south channel to the mainland and westerly of the Union Pacific Railroad Bridge in Aberdeen and westerly (downstream) of the Highway 105 Bridge on Johns River.

(7) Area 2G shall include those waters of Willapa Harbor northerly of a line projected from Needle Point approximately 285° true to the Island Sands light approximately 2 miles south of Riddle Spit light No. 10 and thence true west to the North Beach Peninsula, westerly of

a line projected from Needle Point northerly to day beacon No. 14 and thence to Ramsey Point, outside and westerly of a line projected from Stony Point to the Bay Center Channel light (Fl 4 seconds, 16 feet) to the northern tip of Goose Point, downstream and westerly of a line projected 235 degrees true from the ~~((outermost tip of Johnson Point to a fishing boundary marker on))~~ north shore of the Willapa ~~((River's))~~ River through Willapa River light number 33 to the south ~~((bank))~~ shore, outside and southerly of a line commencing at a boundary marker on the west shore of the North River projected 82 degrees true through channel marker No. 16 to a boundary marker on the east shore, outside and southerly of a line projected from the Cedar River's meander corner between Section 31, Township 15N, and Section 6, Township 14N, Range 10W, W.M., to the meander corner between Sections 36, Township 15N, and Section 1, Township 14N, Range 11W, W.M., and inside and easterly of a straight line projected from the Cape Shoalwater light through buoy 8A, located between buoy 8 and buoy 10, approximately 1,500 yards from Cape Shoalwater light on a line 171° true, to Leadbetter Point.

(8) Area 2H shall include those waters of Willapa Harbor and the Willapa River estuary ~~((tying upstream from a line projected from the outermost tip of Johnson Point to a fishing boundary marker on the river's south bank))~~ easterly of Area 2G and downstream from a line projected true north ~~((across the river))~~ from ~~((a fishing boundary marker on))~~ the ~~((section line between Section 27 and 28, Township 14N, Range 9W))~~ Standard Oil dock in South Bend to the opposite shore of the Willapa River.

(9) Area 2J shall include those waters of Willapa Harbor lying southerly and westerly of a line projected from Diamond Point to the Island Sands light, approximately 2 miles south of Riddle Spit light No. 10, and thence due west to the North Beach Peninsula, and northerly of a line projected true east-west through marker 20 between Long Island and the North Beach Peninsula.

(10) Area 2K shall include those waters of Willapa Harbor easterly of a line projected from the northern tip of Goose Point to the Bay Center Channel light (Fl 4 seconds, 16 feet) to Stony Point and westerly of the Palix River Highway 101 Bridge.

(11) Area 2M shall include those waters of Willapa Harbor lying southerly and easterly of a line projected from Needle Point approximately 285° true to the Island Sands light, approximately 2 miles south of Riddle Spit light No. 10, and south to Diamond Point, downstream and westerly of the Highway 101 Bridge over the Naselle River, and northerly and easterly of a line from Stanley Point to Paradise Point.

(12) Area 3 shall include those waters of District 1 northerly of a line projected true west from the Queets River mouth and southerly of a line projected true west from Cape Alava.

(13) Area 4 shall include those waters of District 1 northerly of a line projected true west from Cape Alava, westerly of lines projected from the northern tip of Portage Head to the southern tip of Waatch Point and from the Tatoosh Island light to Bonilla Point and southerly of a line projected true west from the intersection of the Bonilla-Tatoosh line with the U.S.-Canada International Boundary Line.

(14) Area 4A shall include those waters easterly and inside of a line projected from the northern tip of Portage Head to the southern tip of Waatch Point, outside and westerly of the mouth of any river or stream flowing to the sea.

AMENDATORY SECTION (Amending Order 83-53, filed 6/15/83)

WAC 220-36-021 SALMON FISHING AREAS—GILL NET—SEASONS. It is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Grays Harbor fishing areas except during the seasons provided for hereinafter in each respective fishing area:

Area 2A

~~((6:00 p.m. October 2 to 6:00 p.m. October 7, 1983))~~
Closed during 1984 season.

Area(s) 2B(~~(, 2C and 2D))~~ -

6:00 p.m. July 5 to 6:00 p.m. August 15, ~~((1983))~~ 1984, in those waters east of a line drawn true north-south through lighted piling Number 16 (Fl.R.4 sec. 15 ft.) on Whitcomb Flats.

~~((6:00 p.m.))~~ 8:00 a.m. October ~~((2))~~ 28 to ~~((6:00))~~ 8:00 p.m. October ~~((7))~~ 28, ~~((1983))~~ 1984, except that it is unlawful to fail to submit to a hold inspection before beginning to fish and upon completion of fishing in the waters of the Westport Boat Basin on October 28, 1984.

Areas 2C and 2D -

6:00 p.m. July 5 to 6:00 p.m. August 15, 1984.

AMENDATORY SECTION (Amending Order 83-53, filed 6/15/83)

WAC 220-36-022 SALMON FISHING AREAS—WEEKLY PERIODS. It is unlawful to take, fish for or possess salmon taken with gill net gear except during the weekly open periods hereinafter designated in the following Grays Harbor fishing areas:

Area 2A

~~((6:00 p.m. October 2 to 6:00 p.m. October 7, 1983: Open continuously))~~ Closed during 1984 season.

Areas 2B, 2C and 2D

6:00 p.m. July 5 to 6:00 p.m. August 15, ~~((1983))~~ 1984: Open continuously except that no chinook salmon may be retained or possessed.

~~((6:00 p.m.))~~ 8:00 a.m. October ~~((2))~~ 28 to ~~((6:00))~~ 8:00 p.m. October ~~((7))~~ 28, ~~((1983))~~ 1984: Open continuously.

AMENDATORY SECTION (Amending Order 83-53, filed 6/15/83)

WAC 220-36-024 SALMON FISHING AREAS—MESH SIZES—GEAR. (1) It is unlawful to take, fish for or possess salmon with gill net gear containing mesh smaller than the minimum sizes or larger than the maximum size stretch measure as hereinafter designated in the following Grays Harbor fishing areas:

Areas ~~((2A,))~~ 2B, 2C and 2D

For the period ~~((October 2))~~ July 5 to ~~((October 7, 1983))~~ August 15, 1984: ~~((5))~~ 9-inch minimum ~~((and 6-1/2-inch maximum))~~ mesh.

(2) It is unlawful to fish in Grays Harbor with gill net gear containing meshes less than 5 inches stretch measure or longer than 1,500 feet in length.

AMENDATORY SECTION (Amending Order 83-53, filed 6/15/83)

WAC 220-40-021 WILLAPA HARBOR—GILL NET—SEASONS. It is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Willapa Harbor fishing areas, except during the seasons provided for hereinafter in each respective fishing area:

Area 2G ~~((inclusive))~~—6:00 p.m. July 5 to 6:00 p.m. August 20 ~~((:))~~ in those waters east of a line from Toke Point to Goose Point and south of a line from Leadbetter Point to Goose Point; 6:00 p.m. ~~((October 17))~~ September 28, to 6:00 p.m. October ~~((18;))~~ 14; or 6:00 p.m. September 23 to 6:00 p.m. October 14 in those waters west of a line drawn true north and south through Willapa River Channel Light 10 and north of a line drawn true east and west through Nahcotta Channel Light 10 and 6:00 p.m. September 30 to 6:00 p.m. October 14, in those waters east of a line drawn true north and south through Willapa River Channel Light 10 and south of a line drawn true east and west through Nahcotta Channel Light 10; 6:00 p.m. ~~((October 24 to 6:00 p.m. October 25, and 6:00 p.m.))~~ November 1 to 11:59 p.m. November 30, ~~((1983))~~ 1984.

~~((Area 2G west of a line drawn true north-south through Willapa River Light Number 13—6:00 p.m. September 13 to 6:00 p.m. September 18, 6:00 p.m. September 19 to 6:00 p.m. September 24, 6:00 p.m. September 26 to 6:00 p.m. October 1, 6:00 p.m. October 3 to 6:00 p.m. October 8, 1983:))~~

Area 2H—~~((6:00 p.m. October 17 to 6:00 p.m. October 18, 6:00 p.m. October 24 to 6:00 p.m. October 25, and))~~ 6:00 p.m. November 1 to 11:59 p.m. November 30, ~~((1983))~~ 1984.

Areas 2J and 2K—6:00 p.m. July 5 to 6:00 p.m. August 20((;)); 6:00 p.m. September ((+3)) 28 to 6:00 p.m. ((September 14, 6:00 p.m. September 16 to 6:00 p.m. September 17, 6:00 p.m. September 19 to 6:00 p.m. September 20, 6:00 p.m. September 22 to 6:00 p.m. September 23, 6:00 p.m. September 26 to 6:00 p.m. September 27, 6:00 p.m. September 29 to 6:00 p.m. September 30, 6:00 p.m.)) October ((3 to)) 14; or 6:00 p.m. September 30 to 6:00 p.m. October ((4, 6:00 p.m. October 6 to 6:00 p.m. October 7, 6:00 p.m. October 17 to 6:00 p.m. October 18, 6:00 p.m. October 24 to 6:00 p.m. October 25 and)) 14; 6:00 p.m. November 1 to 11:59 p.m. November 30, ((1983)) 1984.

Area 2M—6:00 p.m. July 5 to 6:00 p.m. July 31((, 6:00 p.m. September 13 to 6:00 p.m. September 18, 6:00 p.m. September 19 to 6:00 p.m. September 24, 6:00 p.m. September 26 to 6:00 p.m. October 1, 6:00 p.m. October 3 to 6:00 p.m. October 8, 6:00 p.m. October 17 to 6:00 p.m. October 18, 6:00 p.m. October 24 to 6:00 p.m. October 25, and)); 6:00 p.m. November 1 to 11:59 p.m. November 30, ((1983)) 1984.

AMENDATORY SECTION (Amending Order 83-53, filed 6/15/83)

WAC 220-40-022 WILLAPA HARBOR—WEEKLY PERIODS. It is unlawful to take, fish for or possess salmon taken with gill net gear, except during the weekly open periods hereafter designated in the following Willapa Harbor fishing areas:

- ((Area 2G inclusive
July 5, 6:00 p.m. to August 20, 1983, 6:00 p.m.—Open continuously:
October 17 to October 25, 1983—6:00 p.m. Monday to 6:00 p.m. Tuesday:
November 1, 6:00 p.m. to 11:59 p.m. November 30, 1983—Open continuously:
- Area 2G west of a line drawn true north-south through Willapa River Light Number 13—September 13 to September 18, 1983—6:00 p.m. Tuesday to 6:00 p.m. Sunday:
September 19 to October 8, 1983—6:00 p.m. Monday to 6:00 p.m. Saturday:
- Area 2H
October 17 to October 25, 1983—6:00 p.m. Monday to 6:00 p.m. Tuesday:
November 1, 6:00 p.m. to 11:59 p.m. November 30, 1983—Open continuously:
- Areas 2J and 2K
July 5, 6:00 p.m. to August 20, 1983, 6:00 p.m.—Open continuously:
September 13 to September 17, 1983—6:00 p.m. Tuesday to 6:00 p.m. Wednesday and 6:00 p.m. Friday to 6:00 p.m. Saturday:
September 19 to October 7, 1983—6:00 p.m. Monday to 6:00 p.m. Tuesday and 6:00 p.m. Thursday to 6:00 p.m. Friday:
October 17 to October 25, 1983—6:00 p.m. Monday to 6:00 p.m. Tuesday:
November 1, 6:00 p.m. to 11:59 p.m. November 30, 1983—Open continuously:
- Area 2M
July 5, 6:00 p.m. to 6:00 p.m. July 31, 1983—Open continuously:
September 13 to September 18, 1983—6:00 p.m. Tuesday to 6:00 p.m. Sunday:
September 19 to October 8, 1983—6:00 p.m. Monday to 6:00 p.m. Saturday:
October 17 to October 25, 1983—6:00 p.m. Monday to 6:00 p.m. Tuesday:
November 1, 6:00 p.m. to 11:59 p.m. November 30, 1983)) All Areas—Open continuously.

AMENDATORY SECTION (Amending Order 83-53, filed 6/15/83)

WAC 220-40-024 WILLAPA HARBOR—MESH SIZES—GEAR. (1) It is unlawful to take, fish for or possess salmon with gill net gear containing mesh smaller than the minimum or larger than the maximum size stretch measure as hereinafter designated in the following Willapa Harbor fishing areas:

Areas 2G, 2H, 2J, 2K, and 2M

For the period ((September 13)) July 5 to ((October 25, 1983)) August 20, 1984: ((5))9-inch minimum ((to 6 1/2-inch maximum)) mesh except that no chinook salmon may be retained or possessed.

For the period September 23, to October 14, 1984: 5-inch minimum to 6-1/2 inch maximum mesh.

For the period 12:01 a.m. November 19 to 11:59 p.m. November 30, ((1983)) 1984: 7-1/2-inch minimum mesh.

(2) It is unlawful to fish in Willapa Harbor with gill net gear containing meshes less than 5 inches stretch measure or longer than 1,500 feet in length.

AMENDATORY SECTION (Amending Order 84-24, filed 3/27/84)

WAC 220-40-030 SEASONS AND LAWFUL GEAR—OTHER VARIETIES. (1) It shall be lawful to take and fish for any other species of food fish, except sturgeon and salmon, with purse seine or lampara gear not exceeding 900 feet in length and having meshes of not less than one-half inch stretch measure, and with drag seine gear not exceeding 700 feet in length and having meshes of not less than 4-1/2 inches stretch measure, except as provided in WAC 220-40-030(3).

(2) It shall be lawful to take, fish for and possess sturgeon for commercial purposes in Willapa Harbor Salmon Management and Catch Reporting Areas 2G and 2J, and bottomfish in Marine Fish-Shellfish Management and Catch Reporting Area 60C, at anytime with set line and hand line jig gears.

(3)(a) June 1 through October 31 - It shall be lawful to fish for, take and possess herring, anchovy, candlefish, or pilchards with purse seine or lampara in the waters of Willapa Bay, provided such gear shall not exceed 1,400 feet in length or contain meshes less than one-half inch stretch measure. All species of fish other than herring, anchovy, candlefish and pilchard taken in operation with such purse seine or lampara gear must be immediately, with care, returned to the water.

(b) February 1 through March 15 - Closed to all commercial herring, anchovy, candlefish or pilchard fishing except dip bag net.

(c) It shall be lawful to fish for, take and possess herring, anchovy, candlefish, or pilchards with dip bag net gear at any time in the waters of Willapa Bay.

(4) It shall be lawful to retain for commercial purposes sturgeon and species of bottomfish defined as such in WAC 220-16-340 taken incidental to any lawful commercial salmon fishery in Willapa Harbor Management and Catch Reporting Areas 2G, 2H, 2J, ((and)) 2K, and 2M. Sturgeon must be of lawful commercial size as provided in WAC 220-20-020.

(5) It shall be lawful to take, fish for and possess smelt taken with hand dip nets in any of the waters of Willapa Harbor except during weekly closed periods extending from 8:00 a.m. Thursday to 8:00 p.m. Saturday.

(6) It shall be lawful to take bottom fish with drag seine in Marine Fish-Shellfish Management and Catch Reporting Area 60C from March 1 through June 30.

WSR 84-11-098 PROPOSED RULES DEPARTMENT OF FISHERIES [Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Fisheries intends to adopt, amend, or repeal rules concerning commercial fishing rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 11, 1984.

The authority under which these rules are proposed is RCW 75.08.080.

The specific statute these rules are intended to implement is RCW 75.08.080.

This notice is connected to and continues the matter in Notice No. WSR 84-08-065 filed with the code reviser's office on April 4, 1984.

Dated: May 23, 1984
By: Russell W. Cahill
for William R. Wilkerson
Director

WSR 84-11-099
PROPOSED RULES
HORSE RACING COMMISSION
[Filed May 23, 1984]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Horse Racing Commission intends to adopt, amend, or repeal rules concerning:

- Amd WAC 260-32-160 Physical examinations for jockeys and all licensees.
- Amd WAC 260-56-030 Costs and expenses for protests.
- Amd WAC 260-84-010 Imposition of fines and suspensions;

that the agency will at 11:00 a.m., Tuesday, June 26, 1984, in the Marriott Hotel, Sea-Tac, 3201 South 176th Street, Seattle, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 26, 1984.

The authority under which these rules are proposed is RCW 67.16.020 and 67.16.040.

The specific statute these rules are intended to implement is RCW 67.16.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before June 18, 1984.

Dated: May 21, 1984
Blaine Johnson
Executive Secretary
By: Larry Watters

STATEMENT OF PURPOSE

In the matter of amending WAC 260-32-160, 260-56-030 and 260-84-010 relating to the rules of horse racing.

WAC 260-32-160, 260-56-030 and 260-84-010 are proposed for amendment as indicated in the notice of intention to adopt rules filed this date with the code reviser.

These amendments to the existing rules are proposed pursuant to RCW 67.16.020 and 67.16.040 under the general rule-making authority of the Washington Horse Racing Commission.

The amendments to the existing rules are for the following reasons: The proposed amendment to WAC 260-32-160 is intended to clarify the authority that the stewards have in regard to medical examinations of jockeys and all other licensees at race tracks. The rule is intended to specify that the stewards may require an examination by a physician at their request and that this examination must also be accompanied by the taking of a blood or urine sample for analysis by a laboratory

where the stewards request it. The rule is intended to specify that this must only be done by a licensed physician, who has been designated by the stewards and this physician must have first been approved by the commission. The amendment to the rule is specifically drafted to cover all commission employees, management employees and other licensees so that no one group is singled out. The rule is designed to insure that any disabling defects, contagious disease or other medical problems are discovered and monitored by the stewards for the protection of the individuals involved, the integrity of racing and the public at large.

The proposed amendment to WAC 260-56-030 is intended to clarify the costs and expenses in regard to protests that are filed with the stewards. The amendment is designed to increase the amount of the deposit currently required from \$50.00 to \$100.00. The basis for this increase is that the costs of the stewards and the costs of the commission have increased over the years such that the administration of all protests and cases that come up is more expensive. For the time involved in dealing with a protest and the personnel that it requires to review one, including the necessary paperwork, it is believed that the increase is a reasonable amount.

The amendment due the existing rule is also designed to clarify some of the language that is ambiguous. The way the rule is written now, it is unclear as to who is responsible for costs and expenses incurred in the matter. The amendment specifically states that the costs and expenses incurred in deciding the matter are paid by the person lodging the protest unless his objection or protest is upheld and in that situation, the party whose conduct gave rise to the protest is responsible for them. This amendment is basically a question of making the rule more definite and certain.

The proposed amendment to WAC 260-84-010 is designed to eliminate any possible conflict between two existing rules. The way WAC 260-84-010 is written now, it seems to indicate that only the stewards can impose a fine or suspension. However, under another rule, WAC 260-12-100, it is clear that the commission may independently punish any misconduct related to racing. The amendment to the rule clarifies that in addition to the stewards having the ability to impose a fine or suspension, the commission may independently increase or decrease a fine or suspension and thus remain consistent with WAC 260-12-100. This amendment clarifies for everyone that a person who appeals a ruling by the stewards must have the ruling reviewed by the commission which may then take its own action in regard to whether a penalty is appropriate or not under all the circumstances of the appeal.

Blaine Johnson, Executive Secretary, Suites B and C, 210 East Union Avenue, Olympia, Washington 98504, telephone number: 753-3741, and members of the commission staff were responsible for the drafting of the proposed amendments to these rules and they are to be responsible for the implementation and enforcement of them.

The proponent of the rules is the Washington Horse Racing Commission, Will Bachofner, Chairman.

The Washington Horse Racing Commission recommends the adoption of the rules. They were drafted in consultation with the commission staff, and its attorney, in the hope that the ambiguities that are present now can be eliminated.

The rules are not necessary as the result of any federal law, state law or court action.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and three copies of this statement are this date being forwarded to the Secretary of the Senate and to the Chief Clerk of the House of Representatives.

Small Business Economic Impact Statement: The amendments to WAC 260-32-160, 260-56-030 and 260-84-010 are not anticipated to affect more than 20% of all industries, nor more than 10% of any one industry as defined by section 2(3), chapter 6, Laws of 1982. Therefore, a small business economic impact statement has not been prepared.

AMENDATORY SECTION (Amending Rules of racing, filed 4/21/61)

WAC 260-32-160 PHYSICAL EXAMINATIONS. Before the commencement of a meeting all jockeys must be examined by a licensed physician, designated by the board of stewards in order to establish their physical condition and freedom from disabling defects or contagious disease. During the conduct of a meeting, the board of stewards may require that any jockey be reexamined and may refuse to allow said jockey to ride until he successfully passes such examination.

The board of stewards may require that any commission employee, management employee, or licensee provide blood or urine samples for analysis by a laboratory upon request to a licensed physician, designated by the stewards. This physician must be approved by the commission.

AMENDATORY SECTION (Amending Rules of racing, filed 4/21/61)

WAC 260-56-030 COSTS AND EXPENSES. (1) Before the consideration for a protest, the stewards may demand a deposit of ~~(((\$50.00))~~ \$100.00 to be made with the racing commission. This deposit shall be applied to the costs and expenses, as provided in subsection (2) of this section. Any excess shall be refunded unless the protest is found to be frivolous, in which case the deposit may be assessed as a fine.

(2) A person or persons lodging a protest must pay all costs and expenses incurred in ~~((determining))~~ deciding the ~~((object))~~ matter unless his objection is upheld, in which case the cost shall be paid by the ~~((offender))~~ party whose conduct gave rise to the protest.

AMENDATORY SECTION (Amending Order 75.7, filed 4/30/76)

WAC 260-84-010 WHO MAY IMPOSE. No racing official other than stewards or the starter, with the permission of the stewards, shall have the right to impose a fine or suspension, except that the commission may independently increase or decrease a fine or suspension, which is reviewed by them in an appeal, consistent with WAC 260-12-100.

WSR 84-11-100

NOTICE OF PUBLIC MEETINGS
HOUSING FINANCE COMMISSION

[Memorandum—May 23, 1984]

The Washington State Housing Finance Commission (the "commission") will hold an open public hearing on Tuesday, June 19, 1984, at 9:00 a.m. in the Fifth Floor Conference Room, 9th and Columbia Building, Olympia, Washington, for the purpose of considering the issuance by the commission of its multifamily revenue bonds (the "bonds") to be issued in several series. The bonds will be issued pursuant to the authority of the commission under chapter 43.180 RCW and the Internal Revenue Code of 1954, as amended (the "code").

The proceeds of the proposed bonds will be used to provide financing for the development, acquisition, construction and/or rehabilitation of multifamily residential rental projects comprised of separate and complete dwelling units containing living, eating, cooking and sanitation facilities. Twenty percent of the dwelling units (15% in targeted areas, as defined by the code) in each project will be reserved for rental to persons or families of low or moderate income as defined by the code. All projects must comply with local land use, environmental and building code requirements and underwriting standards established by mortgage lenders, including the Federal National Mortgage Association for some projects.

Written comments with respect to the proposed housing projects and the proposed bonds may be mailed to the Washington State Housing Finance Commission in care of Jay A. Reich, Preston, Thorgrimson, Ellis & Holman, 2000 IBM Building, Seattle, Washington 98101, for receipt no later than June 16, 1984. Public testimony will be heard from all interested members of the public attending the hearing.

Below is a list of projects for which applications have been received and which will be considered for financing through the issuance of the bonds. Only those projects which meet local requirements, strict underwriting standards and are determined to be financially feasible will be considered for financing. The commission will consider the public testimony and written comments in determining which projects will receive financing.

Pursuant to the code, the commission is required to state the estimated aggregate face amount of the bonds. If all the projects meet the above requirements and were funded in several series of bonds, the maximum aggregate face amount of the bonds would be approximately \$700 million dollars.

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-2A	Lang Brothers	25	750,000	Clark	9111 and 9101 N.E. 15th Avenue, Vancouver, Washington
84-2B	Ninth Avenue Joint Venture	36	1,500,000	King	4233-4243 9th Avenue N.E., Seattle, Washington
84-2C	Urban Investments Company	9	350,000	King	7432 4th Avenue N.E., Seattle, Washington
84-2D	University Group JV	56	2,500,000	King	4323 Eighth Avenue N.E., Seattle, Washington
84-2E	Urban Investments Company	6	250,000	King	3660 Whitman Avenue N., Seattle, Washington
84-2F	Bill Goodwin & Joe Carpinito	110	4,500,000	King	11410 Kent Kangley Road, Kent, Washington
84-2G	Crown Royale Assoc	120	2,800,000	Clark	N.E. 9th Avenue and 106th Street, Vancouver, Washington
84-2H	Jang/Kindred	100	3,500,000	Snohomish	3400 204th S.W., Lynnwood, Washington
84-2I	Cheyenne Apartment Venture	64	1,600,000	Pierce	South 56th and Cheyenne Loop Road, Tacoma, Washington
84-2J	Unicume Investments	200	5,000,000	Spokane	Wedgwood and Colton, Spokane, Washington
84-2K	Benchmark Construction Company, Inc	36	1,400,000	King	9202-9210 Greenwood Avenue N., Seattle, Washington
84-2L	Thomas D. Hamilton	110	3,500,000	Spokane	Pines and Marietta, Spokane, Washington

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-2M	Wolfland, Inc	25	800,000	Spokane	the northwest corner of Pines Road and Marietta, Spokane, Washington
84-2N	Division Street Foods	25	800,000	Spokane	the southeast corner of Atlantic and Nora, Spokane, Washington
84-2O	Stoneridge Partnership	50	1,500,000	Spokane	East 12000 Marietta, Spokane, Washington
84-2P	Equitable Investors, Inc	100	3,000,000	Spokane	South 200 Sullivan Road, Spokane, Washington
84-2Q	Affiliated Development, Inc	66	2,500,000	Kitsap	the northeast corner of Fairgrounds Road and South Central Valley Road, Kitsap County
84-2R	Lincoln Property Company N.C., Inc	160	7,200,000	King	the 2800 block of Lake Washington Boulevard S.E., Bellevue, Washington
84-2S	Lincoln Property Company N.C., Inc.	337	15,500,000	King	2000 Lake Washington Blvd., Renton, Washington
84-2T	Lincoln Property Company N.C., Inc.	181	8,200,000	King	the southwest corner of S. 216th and Hwy. 99, Des Moines, Washington
84-2U	Lincoln Property Company N.C., Inc.	360	16,200,000	King	N.E. 195th at 120th N.E., Bothell, Washington
84-2V	Lincoln Property Company N.C., Inc.	326	15,000,000	King	the 4900 Block of 148th Ave., N.E. Bellevue, Washington

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Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-2W	Pacific Coast Development	65	3,000,000	King	3445 - 148th Avenue N.E. at N.E. 36th Street, Bellevue, Washington
84-2X	James W. Jacobson and O. L. Jacobson	62	2,800,000	King	the east side of 126th Ave. N.E. and N.E. 85th (Redmond/Kirkland Hwy.), Kirkland, Washington
84-2BB	Dartmouth Enterprises	50	1,400,000	Spokane	the northwest corner of 12th Ave. and Houk Street, Spokane Valley, Washington
84-2CC	Northwood Properties, Inc.	206	6,400,000	Spokane	three blocks west of Pine, five blocks north of I-90, Wilbur Road on the west, and Perrine Street on the east, in unincorporated Spokane County, Washington
84-2DD	Somerset Partnership	75	3,200,000	King	the northeast corner of 13th Ave. and Republican, Seattle, Washington
84-2EE	Ridgecrest Garden Partnership	40	1,250,000	King	Ridgecrest Gardens, west of the intersection of 5th N.E. and N.E. 165th, Seattle, Washington
84-2FF	Shoreview Partnership	22	700,000	King	the northeast corner of 35th Ave. N.E. and N.E. 125th, Seattle, Washington
84-2GG	Elliott View Partnership	20	650,000	King	the southeast corner of N.W. 70th Street and Mary Ave. N.W., Seattle, Washington

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-211	Greenlake View Partnership	18	550,000	King	N.E. 95th and Linden, Seattle, Washington
84-2JJ	Hillcourt Partnership	77	2,400,000	King	3022 N.E. 140th Street, Seattle, Washington
84-2KK	Michele Apartments Partnership	55	1,700,000	King	940 North 98th Street, Seattle, Washington
84-200	Rodney C. Tedrow	50	1,500,000	Spokane	East 11707 Fourth Avenue, Spokane, Washington
84-2QQ	Harbor Homes, Inc.	16	540,000	Kitsap	101 West Lippert Drive, Port Orchard, Washington
84-2RR	Harbor Homes, Inc.	55	1,856,250	Pierce	1019 South 102nd Street, Tacoma, Washington
84-2SS	Harbor Homes, Inc.	44	1,485,000	Snohomish	612 Center Road, Everett, Washington
84-2TT	Harbor Homes, Inc.	70	2,362,500	Thurston	the Northwest corner of State Route 101 and Black Lake Blvd., Olympia, Washington
84-2ZZ	Carolyn Otten and Ray Otten	20	750,000	King	9606 Northeast 188th Street, Bothell, Washington
84-2AAA	Meadowview Associates I	35	1,575,000	Kitsap	20602 Bond Road N.E., 1/2 mile west of the intersection of Highway 305, and Bond Road, Poulsbo, Washington
84-2BBB	Urban Investments Company	70	3,150,000	King	the vacant land south of 1751 Dexter Avenue No., Seattle, Washington

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Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-2CCC	University Group JV	28	1,250,000	King	4335 Eighth N.E., Seattle, Washington
84-2DDD	Etruria Group JV	27	1,250,000	King	23 Etruria Street, Seattle, Washington
84-2EEE	Urban Investments Company	50	2,250,000	King	459 and 461 N.E. Maple Leaf Place, Seattle, Washington
84-2HHH	Village Fair Limited Partnership	120	3,612,000	Kitsap	south of Fairgrounds Road and east of Central Valley Road, Silverdale, Washington
84-2Z	Dujardin Development Company	100	4,000,000	Kitsap	between Bucklin Hill Road and the future Ridgetop Boulevard, Silverdale, Washington
84-2SSS	Crownpoint Development Limited Partnership	198	6,150,000	King	the northeast corner of NE 4th Street, between Union Avenue NE and Monroe Avenue NE, Renton, Washington
84-2RRR	Springfield Development Limited Partnership	175	5,775,000	King	the northeast corner of 185th Northeast and Redmond/Fall City Road, Redmond, Washington
84-2LLL	The Centron Partnership	200	6,175,000	King	north of Northeast 175th Street and the Woodinville-Duvall Road, Woodinville, Washington
84-2MMM	Hidden Hills Limited Partnership	216	6,280,000	Pierce	the property east of Morrison Road at 35th Street West, Pierce County, Washington
84-2NNN	Sunrise Point Limited Partnership	167	5,177,000	King	the north side of Southeast 256th Street and 108th Southeast, Kent, Washington

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-2000	Willows Road Limited Partnership	350	11,550,000	King	Northeast 87th Street and Willows Road, Redmond, Washington
84-2KKK	Olympia Highlands Limited Partnership	180	5,580,000	Thurston	the southwest corner of Cooper Point Road and Harrison Avenue, Olympia, Washington
84-2JJJ	The Centron Corporation	134	4,150,000	King	15424 8th Avenue South, Burien, Washington
84-2III	The Centron Partnership	180	5,580,000	King	South Frager Road and Russell Road south along the Green River, Kent, Washington
84-2WW	Ralph Guthrie	28	900,000	Spokane	south of Trent on the west side of Pines Road due west of the Trentwood School, Spokane Valley, Washington
84-2VV	North Park Construction Co	78	1,800,000	Spokane	one block northeast of the corner of Magnesium Road and Division Street in Spokane, Washington
84-2MM	James S. Black & Co	39	1,000,000	Spokane	the southeast corner of 31st Street and Cook in Spokane, Washington
84-2PP	Larry Guthrie	6	200,000	Spokane	north of 32nd Avenue and approximately 600 feet west of Highway 27 in Spokane Valley, Washington
84-2NN	Schneider Homes	156	4,950,000	King	the northwest corner of SE 132nd Street and 240th Street SE, Kent, Washington

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-2LL	Gerald E. Schneider	180	5,880,000	King	the southeast corner of Sixth and Monroe Streets, Renton, Washington
84-2PPP	Kingsgate Limited Partnership	155	4,800,000	King	Northeast 144th Street and Northeast 144th Way, in unincorporated King County, Washington
84-2QQQ	Firdale Development Limited Partnership	200	6,600,000	Snohomish	244th Street Southwest and 96th Place West, Snohomish County, Washington
84-2Y	Dujardin Development Company	40	1,800,000	King	51st Avenue South and South Gazelle Street, Seattle, Washington
84-2HH	Kenmore Village Partnership	62	2,000,000	King	immediately north of the northeast corner of 80th NE and Bothell Way, Kenmore, Washington
84-2AA	Dujardin Development Company	64	2,750,000	Snohomish	402 102nd Drive SE, Everett, Washington
84-2CCCC	K.L.S. Commercial Development	32	1,105,122	Pierce	2405 $\frac{1}{2}$ Pacific Avenue, Tacoma, Washington
84-2BBBB	Dan McDonough and George Berry	200	8,000,000	Pierce	the northeast corner of North 37th and Pearl Street, Tacoma, Washington,
84-2AAAA	Delco Property Investment Company	250	6,000,000	King	21st Avenue SW and 356th Street, Federal Way, Washington
84-2WWW	Pineview Apartments, a Limited Partnership	65	2,275,000	Spokane	the southeast corner of 30th and Perry, Spokane, Washington

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-2VVV	Huntington Park Builders, Inc	60	2,370,000	King	27th Avenue Southwest and Barton Street, Seattle, Washington
84-2YYY	Pacific Northwest Properties, Inc	190	8,550,000	King	9805 Avondale Road, Redmond, Washington
84-2ZZZ	Yedor Development Company	24	960,000	King	140th SE and SE 6th Street, Bellevue, Washington
84-2UUU	Housing Authority of Thurston County	18	325,000	Thurston	at Franklin and 4th Avenue, Olympia, Washington
84-2XXX	E. A. Curtis	90	3,600,000	Benton	the southeast corner of Seventh and Auburn, Kennewick, Washington
84-2NNNN	United Builders of Washington, Inc	4	130,000	Yakima	the corner of 12th Avenue and West Pierce Street, Yakima, Washington
84-2MMM	United Builders of Washington, Inc	8	260,000	Yakima	the corner of 40th Avenue and West Storm Avenue, Yakima, Washington
84-20000	United Builders of Washington, Inc	8	260,000	Yakima	the corner of South Ledwich Avenue and McNeff Lane, Yakima, Washington
84-2HHHH	A. J. Mullally	43	1,720,000	King	14019 - 29 15th Avenue NE, Seattle, Washington
84-2IIII	A. J. Mullally	68	2,720,000	King	10701-10711 Meridian Avenue North, Seattle, Washington
84-2JJJJ	A. J. Mullally	42	1,680,000	King	1802 N. 107th Street, Seattle, Washington

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Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-2K K K K	G & F Investments, Inc	22	732,000	Yakima	the land beginning 180 feet south of the intersection of Third Street and Washington Street in Union Gap, Washington
84-2L L L L	Brookside Limited Partnership	158	5,500,000	King	24th Avenue SW and SW Holden Street, West Seattle, Washington
84-2W W W	Richardson-Vander Staay Associates	40	1,125,000	Kitsap	the east side of Rickey Road, approximately 300 feet south of Sylvan Way, Bremerton, Washington
84-2T T T T	John D. Griffin	10	425,000	King	13407 100th Avenue NE, Kirkland, Washington
84-2S S S S	Overson and Young Enterprises	100	3,000,000	King	26221 Pacific Highway South, Seattle, Washington
84-2R R R R	William J. Pancake and Leslie C. Broom	53	1,100,000	Walla Walla	the northwest corner of Roosevelt Street and Melrose Street, Walla Walla, Washington
84-2P P P P	The Centron Corporation	280	8,960,000	King	Edmonds Avenue Northeast between Northeast 3rd and Northeast 4th, Renton, Washington
84-2U U	Harbor Homes, Inc.	48	1,620,000	Kitsap	the southwest corner of Pine and Riddeil Road, Bremerton, Washington
84-2G G G	Gordon Capretto and Michael Williams	72	2,155,000	King	the southeast corner of Ballinger Road N.E. and N.E. 195th, Seattle, Washington

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-2FFF	Earthtone Properties	25	626,560	Whitman	the 900 block of Klemgard Boulevard, adjacent to Earthtone Village, in the City of Pullman, Washington
84-2YY	Gottlieb & Company	100	2,700,000	Whitman	NE 1405 Merman Drive, Pullman, Washington
84-2GGGG	Homotech	95	2,500,000	King	1000 Pike Street, Seattle, Washington
84-2EEEE	CHG International, Inc.	244	9,600,000	King	SE Petrovitsky Road and 152nd Street, in unincorporated King County, Washington
84-2QQQQ	Henrikson-Wilson Co.	37	2,000,000	King	750 NW 185th, Seattle, Washington
84-2UUUU	Braun and Smith	69	1,250,000	Snohomish	approximately 8th and 128th S.W., North Edmonds, Washington
84-2VVVV	Robert S. Miller	38	2,000,000	King	8.03 acres lying on the westerly side of Juanita Drive Northeast between approximately Northeast 158th and Northeast 162nd Streets, Kenmore, Washington
84-2XXXX	CHG International, Inc.	144	5,700,000	King	1st Avenue South and South 348th, Western Hill 2 Apartments, Federal Way, Washington
84-2TTT	Pacific Partners	72	2,800,000	King	27900 Pacific Highway South, Federal Way, Washington

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-2FFFF	CHG International, Inc.	233	9,200,000	King	Sunset Boulevard and Lind Avenue, Renton, Washington
84-2DDDD	CHG International, Inc.	192	7,850,000	King	Sunset Boulevard and Lind Avenue, Renton, Washington
84-3A	Joseph Carpinito and William Goodwin	64	2,500,000	King	3100 So. 208th Street, Seattle, Washington
84-3B	Investco/American North Pacific	142	3,750,000	Pierce	the 5800 block of Hanna Pierce Road, in unincorporated Pierce County, Washington
84-3F	Delco Developments Ltd.	100	2,300,000	King	4.13 acres lying on the south side of S.E. 312th Street, 355 feet east of 124th Avenue S.E. in Auburn, Washington
84-3G	Delco Developments, Ltd.	110	3,000,000	King	21st Avenue S.W. near 356th Street, Federal Way, Washington
84-3H	William D. Crawford Co.	12	375,000	King	1910 12th Avenue West, Seattle, Washington
84-3I	William D. Crawford Co.	12	375,000	King	1909 11th Avenue West, Seattle, Washington
84-3J	Lincoln Property Company N.C., Inc.	400	24,000,000	King	the southeast corner of Newport Way at West Lake, Sammamish Parkway, unincorporated King County, Washington
84-3K	Lincoln Property Company N.C., Inc.	600	36,000,000	King	southwest of the intersection of 116th Avenue N.E. and N.E. 116th Avenue, Kirkland, Washington

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-3L	Lincoln Property Company N.C., Inc.	420	25,200,000	King	Petrovitsky Road and 151st Avenue S.E., Fairwood Area of unincorporated King County, Washington
84-3LL	M. R. Mastro	42	950,000	Snohomish	72nd and 212th S.W., Edmonds, Washington
84-3MM	First City Developments Corp.	81	2,300,000	King	the northeast corner of 175th N.E. and Linden Avenue North, in unincorporated King County, Washington
84-3NN	N & D Properties	11	530,000	Snohomish	1221 Pacific, Everett, Washington
84-300	Jackson Development, Inc.	60	2,400,000	King	23405 16th Avenue South, Des Moines, Washington
84-3PP	Jackson Development, Inc.	73	3,000,000	King	1835 South 216th, Des Moines, Washington
84-3QQ	Jackson Development, Inc.	80	3,200,000	King	260th and Pacific Highway South, Seattle, Washington
84-3RR	Jackson Development, Inc.	163	6,520,000	King	208th and 32nd South, Des Moines, Washington
84-3UU	Russell Jones Investments	25	851,625	King	615 and 619 Federal Avenue East, Seattle, Washington
84-3WW	Silverwood Associates	33	1,320,000	Snohomish	44th West and 156th S.W., Lynnwood, Washington
84-3XX	Wallace Drayton	6	300,000	King	2212 East Alder, Seattle, Washington

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Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-3YY	Mueller Development Co.	98	3,430,000	King	2075 Kent/Des Moines Road, Des Moines, Washington
84-3ZZ	Mueller Development Co.	85	2,975,000	King	201 South 177th Place, Burien, Washington
84-3KK	M. R. Mastro	206	4,500,000	King	11212 Kent-Kangley Road, Kent, Washington
84-3AAA	Mueller Development Co.	160	5,600,000	King	31551 25th Place South, Federal Way, Washington
84-3BBB	Mueller Development Co.	180	6,300,000	King	11812 S.E. Petrovitsky Road, Renton, Washington
84-3N	Inline Construction, Inc.	14	375,000	Yakima	the northeast corner of 17th Avenue and Stewart Avenue, Yakima, Washington
84-3P	GRS Construction Co.	144	5,760,000	King	the southwest corner of 8th Avenue South and 100th, Seattle, Washington
84-3Q	M & H Investment, a Partnership	84	3,700,000	King	South 102nd Street and 6th Avenue Place South, Seattle, Washington
84-3R	Centron Corporation	138	4,700,000	Kitsap	northeast Fairgrounds Road, east of Central Valley Road, in unincorporated Kitsap County, Washington
84-3S	Mercer View Terrace II, a Partnership	45	2,200,000	King	76th Avenue S.E., north of S.E. 29th, Mercer Island, Washington
84-3T	Richtone Investments Ltd.	54	1,200,000	Whatcom	Ferry and 31st Streets, Bellingham, Washington
			-13-	JAR224 84/05/22	

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-3U	Rigg/Chiarottino	16	720,000	Snohomish	711 Hawthorne Street, Everett, Washington
84-3W	Rigg/Chiarottino	12	540,000	Snohomish	the southwest corner of 13th and Chestnut Street, Everett, Washington
84-3X	Rigg/Chiarottino	20	900,000	Pierce	133rd Street and Brookdale Avenue, Parkland, Washington
84-3Y	Harlan D. Douglass	69	2,760,000	Spokane	901 East Lyons, Spokane, Washington
84-3Z	Dally Development Corporation	30	990,000	King	19928 Ballinger Road in unincorporated King County, Washington
84-3BB	Northward Properties-Inglewood	224	7,000,000	King	the northeast corner of Juanita Drive N.E. and N.E. 141st Street, in unincorporated King County, Washington
84-3AA	Harlan D. Douglass	125	5,000,000	Spokane	approximately 600 East Magnesium, Spokane, Washington
84-3II	Michael Mastro	42	1,260,000	Snohomish	72nd and 212th S.W., Edmonds, Washington
84-3HH	J. B. Wright Corporation	120	4,800,000	King	South 154th and 40th South, in unincorporated King County, Washington
84-3GG	J. B. Wright Corporation	550	22,000,000	King	the 23,000 block S.E. and North Central Avenue, Kent, Washington
84-3JJ	First City Developments Corp.	84	2,650,000	King	13435 15th N.E., Seattle, Washington
			-14-	JAR224 84/05/22	

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-3CC	Vito A. Labellarte	28	800,000	King	18012 15th Avenue N.E., Seattle, Washington
84-3C	Investco	20	475,000	Pierce	521, 523, 525 11th St. N.W., Puyallup, Washington
84-3D	Harlan D. Douglass	15	525,000	Spokane	6008 No. Ruby, Spokane, Washington
84-3E	Harlan D. Douglass	25	875,000	Spokane	N 10024 Colfax Road, North Spokane, Washington
84-3M	Lincoln Property Company N.C., Inc.	230	13,800,000	King	the southeast quadrant of Lake Hills Connector and Richards Road, Bellevue, Washington
84-3O	Kitsap County Consolidated Housing Authority	43	2,300,000	Kitsap	the old Poulsbo Union High School, First Avenue and Sunset, Poulsbo, Washington
84-3V	Jack Lillywhite	17	1,062,500	King	the 162nd Block of Northrup Way, Bellevue, Washington
84-3DD	J. B. Wright Corporation	60	2,400,000	King	Hall Road, one block east of Bothell Way, Bothell, Washington
84-3EE	J. B. Wright Corporation	308	12,320,000	King	South 272nd, one block west of Interstate 5, Federal Way, Washington
84-3FF	J. B. Wright Corporation	80	3,200,000	King	South 152nd, East of MacAdam Road, Tukwila, Washington
84-3VV	M. Gregg Smith	120	4,250,000	Thurston	Black Lake Boulevard and Ninth, Olympia, Washington

Resolution Number	Name of Initial Owner	Units	Loan Amount	County of Location	Description of Location
84-3SS	Totem Creek, Inc.	66	2,013,000	King	NE 128th Street south at approximately 112th NE, unincorporated King County, Washington
84-3TT	Woodsong, Inc.	30	91,500	King	south of Coal Creek Parkway and west of 125th Avenue SE, unincorporated King County, Washington
84-3CCC	Katmandu	61	1,250,000	Pierce	1215 7th Street SE, Puyallup, Washington
84-3DDD	Westgate Partnership	48	1,100,000	Pierce	the southeast corner of North Pearl and No. 35th Street, Tacoma, Washington

WSR 84-11-101
NOTICE OF PUBLIC MEETINGS
PLANNING AND COMMUNITY
AFFAIRS AGENCY
[Memorandum—May 23, 1984]

Purpose: To hear public response to draft guidelines proposed for the Local Economic Development Matching Fund Program

Wednesday, June 20, 1984

10 a.m. – 3 p.m.

Terminal Building, Conference Room
Grant County Airport, Moses Lake

Thursday, June 21, 1984

10 a.m. – 3 p.m.

Main Terminal Building
Host International Auditorium
Mezzanine Level
Seattle-Tacoma Airport

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- REP = Repeal of existing section
- READOPT = Readoption of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
4-25-020	AMD	84-06-021	16-228-010	AMD-P	84-05-014	16-230-020	REP-P	84-05-066
16-86-005	AMD-P	84-04-083	16-228-010	AMD	84-09-011	16-230-020	REP	84-09-012
16-86-005	AMD	84-08-037	16-228-115	AMD-P	84-05-014	16-230-030	AMD-P	84-05-066
16-86-006	REP-P	84-04-083	16-228-115	AMD	84-09-011	16-230-030	AMD	84-09-012
16-86-006	REP	84-08-037	16-228-125	AMD-P	84-05-014	16-230-040	REP-P	84-05-066
16-86-007	REP-P	84-04-083	16-228-125	AMD	84-09-011	16-230-040	REP	84-09-012
16-86-007	REP	84-08-037	16-228-130	AMD-P	84-05-014	16-230-050	REP-P	84-05-066
16-86-009	REP-P	84-04-083	16-228-130	AMD	84-09-011	16-230-050	REP	84-09-012
16-86-009	REP	84-08-037	16-228-155	AMD-P	84-05-014	16-230-060	REP-P	84-05-066
16-86-011	REP-P	84-04-083	16-228-155	AMD	84-09-011	16-230-060	REP	84-09-012
16-86-011	REP	84-08-037	16-228-160	AMD-P	84-05-014	16-230-075	AMD-P	84-05-066
16-86-012	REP-P	84-04-083	16-228-160	AMD	84-09-011	16-230-075	AMD	84-09-012
16-86-012	REP	84-08-037	16-228-161	NEW-P	84-05-014	16-230-076	NEW-P	84-05-066
16-86-015	AMD-P	84-04-083	16-228-161	NEW	84-09-011	16-230-076	NEW	84-09-012
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137-12-070	REP	84-06-009	172-148-050	REP-P	84-09-030	173-216-020	AMD-P	84-02-070
137-12-080	REP-P	84-03-014	172-148-060	REP-P	84-09-030	173-216-020	AMD	84-06-023
137-12-080	REP	84-06-009	172-148-070	REP-P	84-09-030	173-218-010	NEW-P	84-02-070
137-12-090	REP-P	84-03-014	172-148-080	REP-P	84-09-030	173-218-010	NEW	84-06-023
137-12-090	REP	84-06-009	172-148-090	REP-P	84-09-030	173-218-020	NEW-P	84-02-070
137-12A-010	NEW-P	84-03-014	172-148-100	REP-P	84-09-030	173-218-020	NEW	84-06-023
137-12A-010	NEW	84-06-009	172-148-110	REP-P	84-09-030	173-218-030	NEW-P	84-02-070
137-12A-010	AMD-P	84-11-067	172-148-120	REP-P	84-09-030	173-218-030	NEW	84-06-023
137-12A-020	NEW-P	84-03-014	172-148-130	REP-P	84-09-030	173-218-040	NEW-P	84-02-070
137-12A-020	NEW	84-06-009	172-148-140	REP-P	84-09-030	173-218-040	NEW	84-06-023
137-12A-020	AMD-P	84-11-067	172-148-150	REP-P	84-09-030	173-218-050	NEW-P	84-02-070
137-12A-030	NEW-P	84-03-014	172-148-160	REP-P	84-09-030	173-218-050	NEW	84-06-023
137-12A-030	NEW	84-06-009	172-148-170	REP-P	84-09-030	173-218-060	NEW-P	84-02-070
137-12A-030	AMD-P	84-11-067	172-148-180	REP-P	84-09-030	173-218-060	NEW	84-06-023
137-12A-040	NEW-P	84-03-014	172-148-190	REP-P	84-09-030	173-218-070	NEW-P	84-02-070
137-12A-040	NEW	84-06-009	172-148-200	REP-P	84-09-030	173-218-070	NEW	84-06-023
137-12A-040	AMD-P	84-11-067	172-148-210	REP-P	84-09-030	173-218-080	NEW-P	84-02-070
137-12A-050	NEW-P	84-03-014	172-148-220	REP-P	84-09-030	173-218-080	NEW	84-06-023
137-12A-050	NEW	84-06-009	172-148-230	REP-P	84-09-030	173-218-090	NEW-P	84-02-070
137-12A-050	AMD-P	84-11-067	172-148-240	REP-P	84-09-030	173-218-090	NEW	84-06-023
137-12A-060	NEW-P	84-03-014	172-148-990	REP-P	84-09-030	173-218-100	NEW-P	84-02-070
137-12A-060	NEW	84-06-009	172-150-010	AMD-P	84-09-030	173-218-100	NEW	84-06-023
137-12A-070	NEW-P	84-03-014	172-150-020	AMD-P	84-09-030	173-218-110	NEW-P	84-02-070
137-12A-070	NEW	84-06-009	172-150-035	AMD-P	84-09-030	173-218-110	NEW	84-06-023
137-12A-080	NEW-P	84-03-014	172-150-040	AMD-P	84-09-030	173-220-030	AMD-E	84-07-058
137-12A-080	NEW	84-06-009	172-150-050	AMD-P	84-09-030	173-220-030	AMD-P	84-08-078
137-12A-090	NEW-P	84-03-014	172-150-060	AMD-P	84-09-030	173-220-030	AMD	84-11-024
137-12A-090	NEW	84-06-009	172-150-070	AMD-P	84-09-030	173-220-130	AMD-E	84-07-058
137-48-020	AMD-P	84-04-045	172-150-080	AMD-P	84-09-030	173-220-130	AMD-P	84-08-078
137-48-020	AMD-E	84-04-046	172-150-090	AMD-P	84-09-030	173-220-130	AMD-C	84-11-023

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173-220-150	AMD-P 84-08-078	173-303-600	AMD 84-09-088	173-549-100	NEW-P 84-07-056
173-220-150	AMD 84-11-024	173-303-610	AMD-P 84-09-083	173-549-900	NEW-P 84-07-056
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173-220-210	AMD-P 84-08-078	173-303-630	AMD 84-09-088	173-801-020	REP-P 84-09-081
173-220-210	AMD 84-11-024	173-303-640	AMD 84-09-088	173-801-030	REP-P 84-09-081
173-220-220	AMD-E 84-07-058	173-303-645	NEW 84-09-088	173-801-040	REP-P 84-09-081
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173-220-220	AMD 84-11-024	173-303-655	NEW 84-09-088	173-801-050	REP-P 84-09-081
173-303	AMD-C 84-04-075	173-303-660	AMD 84-09-088	173-801-060	REP-P 84-09-081
173-303	AMD-C 84-07-057	173-303-665	NEW 84-09-088	173-801-070	REP-P 84-09-081
173-303-010	AMD 84-09-088	173-303-670	AMD 84-09-088	173-801-080	REP-P 84-09-081
173-303-016	NEW-P 84-09-083	173-303-700	AMD 84-09-088	173-801-090	REP-P 84-09-081
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173-303-020	AMD 84-09-088	173-303-801	AMD 84-09-088	173-801-110	REP-P 84-09-081
173-303-030	AMD 84-09-088	173-303-802	NEW 84-09-088	173-801-120	REP-P 84-09-081
173-303-040	AMD 84-09-088	173-303-804	NEW 84-09-088	173-801-130	REP-P 84-09-081
173-303-045	AMD 84-09-088	173-303-805	AMD 84-09-088	173-802-010	NEW-P 84-09-081
173-303-050	AMD 84-09-088	173-303-806	NEW 84-09-088	173-802-020	NEW-P 84-09-081
173-303-060	AMD 84-09-088	173-303-807	NEW 84-09-088	173-802-030	NEW-P 84-09-081
173-303-070	AMD-P 84-09-083	173-303-808	NEW 84-09-088	173-802-040	NEW-P 84-09-081
173-303-071	AMD 84-09-088	173-303-809	NEW-P 84-09-083	173-802-050	NEW-P 84-09-081
173-303-072	NEW-P 84-09-083	173-303-810	AMD 84-09-088	173-802-060	NEW-P 84-09-081
173-303-075	AMD 84-09-088	173-303-815	AMD 84-09-088	173-802-070	NEW-P 84-09-081
173-303-081	AMD 84-09-088	173-303-820	AMD 84-09-088	173-802-080	NEW-P 84-09-081
173-303-082	AMD 84-09-088	173-303-825	AMD 84-09-088	173-802-090	NEW-P 84-09-081
173-303-084	AMD 84-09-088	173-303-830	AMD 84-09-088	173-802-100	NEW-P 84-09-081
173-303-090	AMD-P 84-09-083	173-303-840	AMD-P 84-09-083	173-802-110	NEW-P 84-09-081
173-303-100	AMD 84-09-088	173-303-910	AMD-P 84-09-083	173-802-120	NEW-P 84-09-081
173-303-101	AMD 84-09-088	173-303-950	NEW 84-09-088	173-802-130	NEW-P 84-09-081
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173-303-104	AMD-P 84-09-083	173-303-9904	AMD 84-09-088	173-802-190	NEW-P 84-09-081
173-303-110	AMD-P 84-09-083	173-303-9905	AMD 84-09-088	173-805-010	REP-P 84-10-049
173-303-120	AMD-P 84-09-083	173-305-010	NEW 84-05-012	173-805-020	REP-P 84-10-049
173-303-121	NEW 84-09-088	173-305-015	NEW 84-05-012	173-805-030	REP-P 84-10-049
173-303-140	AMD 84-09-088	173-305-020	NEW 84-05-012	173-805-040	REP-P 84-10-049
173-303-141	AMD 84-09-088	173-305-030	NEW 84-05-012	173-805-050	REP-P 84-10-049
173-303-145	AMD 84-09-088	173-305-040	NEW 84-05-012	173-805-060	REP-P 84-10-049
173-303-160	AMD 84-09-088	173-305-050	NEW 84-05-012	173-805-070	REP-P 84-10-049
173-303-161	NEW 84-09-088	173-305-060	NEW 84-05-012	173-805-080	REP-P 84-10-049
173-303-170	AMD 84-09-088	173-305-070	NEW 84-05-012	173-805-090	REP-P 84-10-049
173-303-180	AMD-P 84-09-083	173-305-080	NEW 84-05-012	173-805-100	REP-P 84-10-049
173-303-190	AMD 84-09-088	173-305-090	NEW 84-05-012	173-805-105	REP-P 84-10-049
173-303-200	AMD-P 84-09-083	173-330-010	NEW-P 84-10-061	173-805-110	REP-P 84-10-049
173-303-210	AMD 84-09-088	173-330-020	NEW-P 84-10-061	173-805-115	REP-P 84-10-049
173-303-220	AMD 84-09-088	173-330-030	NEW-P 84-10-061	173-805-120	REP-P 84-10-049
173-303-230	AMD 84-09-088	173-330-040	NEW-P 84-10-061	173-805-121	REP-P 84-10-049
173-303-240	AMD-P 84-09-083	173-330-050	NEW-P 84-10-061	173-805-130	REP-P 84-10-049
173-303-250	AMD 84-09-088	173-330-060	NEW-P 84-10-061	173-805-135	REP-P 84-10-049
173-303-260	AMD 84-09-088	173-330-070	NEW-P 84-10-061	173-805-140	REP-P 84-10-049
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173-303-275	REP-P 84-09-083	173-400-075	AMD-P 84-04-076	173-806-020	NEW-P 84-10-049
173-303-280	AMD 84-09-088	173-400-075	AMD 84-10-019	173-806-030	NEW-P 84-10-049
173-303-290	AMD 84-09-088	173-422-050	AMD-P 84-03-056	173-806-040	NEW-P 84-10-049
173-303-300	AMD 84-09-088	173-422-050	AMD 84-09-087	173-806-045	NEW-P 84-10-049
173-303-310	AMD 84-09-088	173-514-010	NEW 84-04-014	173-806-050	NEW-P 84-10-049
173-303-320	AMD 84-09-088	173-514-020	NEW 84-04-014	173-806-060	NEW-P 84-10-049
173-303-330	AMD 84-09-088	173-514-030	NEW 84-04-014	173-806-070	NEW-P 84-10-049
173-303-340	AMD 84-09-088	173-514-040	NEW 84-04-014	173-806-080	NEW-P 84-10-049
173-303-350	AMD 84-09-088	173-514-050	NEW 84-04-014	173-806-090	NEW-P 84-10-049
173-303-360	AMD 84-09-088	173-514-060	NEW 84-04-014	173-806-100	NEW-P 84-10-049
173-303-370	AMD 84-09-088	173-514-070	NEW 84-04-014	173-806-120	NEW-P 84-10-049
173-303-380	AMD 84-09-088	173-514-080	NEW 84-04-014	173-806-125	NEW-P 84-10-049
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173-303-400	AMD 84-09-088	173-549-015	NEW-P 84-07-056	173-806-150	NEW-P 84-10-049
173-303-420	NEW 84-09-088	173-549-020	AMD-P 84-07-056	173-806-160	NEW-P 84-10-049
173-303-430	NEW 84-09-088	173-549-025	NEW-P 84-07-056	173-806-170	NEW-P 84-10-049
173-303-440	NEW 84-09-088	173-549-027	NEW-P 84-07-056	173-806-180	NEW-P 84-10-049
173-303-500	AMD-P 84-09-083	173-549-030	REP-P 84-07-056	173-806-190	NEW-P 84-10-049
173-303-505	NEW 84-09-088	173-549-035	NEW-P 84-07-056	173-806-200	NEW-P 84-10-049
173-303-510	AMD-P 84-09-083	173-549-040	REP-P 84-07-056	173-806-210	NEW-P 84-10-049
173-303-515	NEW-P 84-09-083	173-549-050	REP-P 84-07-056	173-806-220	NEW-P 84-10-049
173-303-520	AMD-P 84-09-083	173-549-060	AMD-P 84-07-056	174-104-010	AMD-C 84-04-017
173-303-550	NEW 84-09-088	173-549-070	AMD-P 84-07-056	174-104-010	AMD-C 84-09-051
173-303-560	NEW 84-09-088	173-549-080	NEW-P 84-07-056	174-109-010	NEW-P 84-08-064

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174-109-020	NEW-P	84-08-064	180-16-225	AMD	84-11-043	180-23-078	NEW-P	84-08-050
174-109-020	NEW-C	84-11-020	180-16-240	AMD-P	84-08-051	180-23-078	NEW	84-11-045
174-109-030	NEW-P	84-08-064	180-16-240	AMD	84-11-043	180-23-080	NEW-P	84-08-050
174-109-030	NEW-C	84-11-020	180-22-100	NEW-P	84-08-047	180-23-080	NEW	84-11-045
174-109-040	NEW-P	84-08-064	180-22-100	NEW-W	84-08-058	180-23-085	NEW-P	84-08-050
174-109-040	NEW-C	84-11-020	180-22-105	NEW-P	84-08-047	180-23-085	NEW	84-11-045
174-109-050	NEW-P	84-08-064	180-22-105	NEW-W	84-08-058	180-23-090	NEW-P	84-08-050
174-109-050	NEW-C	84-11-020	180-22-140	NEW-P	84-08-047	180-23-090	NEW	84-11-045
174-109-060	NEW-P	84-08-064	180-22-140	NEW-W	84-08-058	180-23-095	NEW-P	84-08-050
174-109-060	NEW-C	84-11-020	180-22-150	AMD-P	84-08-047	180-23-095	NEW	84-11-045
174-109-070	NEW-P	84-08-064	180-22-150	AMD-W	84-08-058	180-23-100	NEW-P	84-08-050
174-109-070	NEW-C	84-11-020	180-22-200	REP-P	84-08-047	180-23-100	NEW	84-11-045
174-109-080	NEW-P	84-08-064	180-22-200	REP-W	84-08-058	180-23-105	NEW-P	84-08-050
174-109-080	NEW-C	84-11-020	180-22-250	REP-P	84-08-047	180-23-105	NEW	84-11-045
174-109-090	NEW-P	84-08-064	180-22-250	REP-W	84-08-058	180-23-110	NEW-P	84-08-050
174-109-090	NEW-C	84-11-020	180-22-250	REP-P	84-08-059	180-23-110	NEW	84-11-045
174-109-100	NEW-P	84-08-064	180-22-250	REP	84-11-044	180-23-115	NEW-P	84-08-050
174-109-100	NEW-C	84-11-020	180-22-255	REP-P	84-08-047	180-23-115	NEW	84-11-045
174-109-200	NEW-P	84-08-064	180-22-255	REP-W	84-08-058	180-23-120	NEW-P	84-08-050
174-109-200	NEW-C	84-11-020	180-22-255	REP-P	84-08-059	180-23-120	NEW	84-11-045
174-109-300	NEW-P	84-08-064	180-22-260	REP-P	84-08-047	180-26-025	AMD-P	84-08-049
174-109-300	NEW-C	84-11-020	180-22-260	REP-W	84-08-058	180-26-025	AMD	84-11-046
174-109-400	NEW-P	84-08-064	180-22-260	REP-P	84-08-059	180-27-035	AMD-P	84-08-048
174-109-400	NEW-C	84-11-020	180-22-260	REP	84-11-044	180-27-035	AMD	84-11-047
174-109-500	NEW-P	84-08-064	180-22-260	REP	84-11-044	180-27-040	AMD-P	84-08-048
174-109-500	NEW-C	84-11-020	180-22-265	REP-P	84-08-047	180-27-040	AMD	84-11-047
174-116-011	AMD-P	84-10-047	180-22-265	REP-W	84-08-058	180-27-053	NEW-P	84-08-048
174-116-040	AMD-P	84-10-047	180-22-265	REP-P	84-08-059	180-27-053	NEW-C	84-11-048
174-116-044	AMD-P	84-10-047	180-22-265	REP	84-11-044	180-27-054	NEW-P	84-08-048
174-116-119	AMD-P	84-10-047	180-22-270	REP-P	84-08-047	180-27-054	NEW-C	84-11-048
174-116-122	AMD-P	84-10-047	180-22-270	REP-W	84-08-058	180-27-060	AMD-P	84-08-048
174-116-123	AMD-P	84-10-047	180-22-270	REP-P	84-08-059	180-27-060	AMD	84-11-047
174-148-010	REP-P	84-08-064	180-22-270	REP	84-11-044	180-27-070	AMD-P	84-04-084
174-148-010	REP-C	84-11-020	180-22-275	REP-P	84-08-047	180-27-070	AMD	84-07-036
174-148-015	REP-P	84-08-064	180-22-275	REP-W	84-08-058	180-51-005	NEW-P	84-08-076
174-148-015	REP-C	84-11-020	180-22-275	REP-P	84-08-059	180-51-005	NEW	84-11-049
174-148-030	REP-P	84-08-064	180-22-275	REP	84-11-044	180-51-010	NEW-P	84-08-076
174-148-030	REP-C	84-11-020	180-22-280	REP-P	84-08-047	180-51-010	NEW	84-11-049
174-148-040	REP-P	84-08-064	180-22-280	REP-W	84-08-058	180-51-015	NEW-P	84-08-076
174-148-040	REP-C	84-11-020	180-22-280	REP-P	84-08-059	180-51-015	NEW	84-11-049
174-148-050	REP-P	84-08-064	180-22-280	REP	84-11-044	180-51-020	NEW-P	84-08-076
174-148-050	REP-C	84-11-020	180-22-285	REP-P	84-08-047	180-51-020	NEW	84-11-049
174-148-060	REP-P	84-08-064	180-22-285	REP-W	84-08-058	180-51-025	NEW-P	84-08-076
174-148-060	REP-C	84-11-020	180-22-285	REP-P	84-08-059	180-51-025	NEW	84-11-049
174-148-070	REP-P	84-08-064	180-22-285	REP	84-11-044	180-51-030	NEW-P	84-08-076
174-148-070	REP-C	84-11-020	180-22-290	REP-P	84-08-047	180-51-030	NEW	84-11-049
174-148-080	REP-P	84-08-064	180-22-290	REP-W	84-08-058	180-51-035	NEW-P	84-08-076
174-148-080	REP-C	84-11-020	180-22-290	REP-P	84-08-059	180-51-035	NEW	84-11-049
174-148-085	REP-P	84-08-064	180-22-290	REP	84-11-044	180-51-040	NEW-P	84-08-076
174-148-085	REP-C	84-11-020	180-22-295	REP-P	84-08-047	180-51-040	NEW	84-11-049
174-148-090	REP-P	84-08-064	180-22-295	REP-W	84-08-058	180-51-045	NEW-P	84-08-076
174-148-090	REP-C	84-11-020	180-22-295	REP-P	84-08-059	180-51-045	NEW	84-11-049
174-148-100	REP-P	84-08-064	180-22-295	REP	84-11-044	180-51-050	NEW-P	84-08-076
174-148-100	REP-C	84-11-020	180-23-037	NEW-P	84-08-050	180-51-050	NEW	84-11-049
174-148-110	REP-P	84-08-064	180-23-037	NEW	84-11-045	180-51-055	NEW-P	84-08-076
174-148-110	REP-C	84-11-020	180-23-040	NEW-P	84-08-050	180-51-055	NEW	84-11-049
174-148-120	REP-P	84-08-064	180-23-040	NEW	84-11-045	180-51-060	NEW-P	84-08-076
174-148-120	REP-C	84-11-020	180-23-043	NEW-P	84-08-050	180-51-060	NEW	84-11-049
180-16-002	NEW-P	84-08-051	180-23-043	NEW	84-11-045	180-51-065	NEW-P	84-08-076
180-16-002	NEW	84-11-043	180-23-047	NEW-P	84-08-050	180-51-065	NEW	84-11-049
180-16-003	REP-P	84-08-051	180-23-047	NEW	84-11-045	180-51-070	NEW-P	84-08-076
180-16-003	REP	84-11-043	180-23-050	NEW-P	84-08-050	180-51-070	NEW	84-11-049
180-16-006	NEW-P	84-08-051	180-23-050	NEW	84-11-045	180-51-075	NEW-P	84-08-076
180-16-006	NEW	84-11-043	180-23-055	NEW-P	84-08-050	180-51-075	NEW	84-11-049
180-16-191	AMD-P	84-08-051	180-23-055	NEW	84-11-045	180-51-080	NEW-P	84-08-076
180-16-191	AMD	84-11-043	180-23-058	NEW-P	84-08-050	180-51-080	NEW	84-11-049
180-16-195	AMD-P	84-08-051	180-23-058	NEW	84-11-045	180-51-085	NEW-P	84-08-076
180-16-195	AMD	84-11-043	180-23-060	NEW-P	84-08-050	180-51-085	NEW	84-11-049
180-16-200	AMD-P	84-08-051	180-23-060	NEW	84-11-045	180-51-100	NEW-P	84-08-076
180-16-200	AMD	84-11-043	180-23-065	NEW-P	84-08-050	180-51-100	NEW	84-11-049
180-16-205	AMD-P	84-08-051	180-23-065	NEW	84-11-045	180-51-105	NEW-P	84-08-076
180-16-205	AMD	84-11-043	180-23-070	NEW-P	84-08-050	180-51-105	NEW	84-11-049
180-16-210	AMD-P	84-08-051	180-23-070	NEW	84-11-045	180-51-110	NEW-P	84-08-076
180-16-210	AMD	84-11-043	180-23-075	NEW-P	84-08-050	180-51-110	NEW	84-11-049
180-16-220	AMD-P	84-08-051	180-23-075	NEW	84-11-045	180-51-115	NEW-P	84-08-076
180-16-220	AMD	84-11-043	180-23-077	NEW-P	84-08-050	180-51-115	NEW	84-11-049

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
180-55-010	AMD-P 84-08-075	192-23-800	NEW-E 84-10-023	197-10-420	REP 84-05-021
180-55-010	AMD 84-11-050	192-23-810	NEW-P 84-10-022	197-10-425	REP 84-05-021
180-55-015	AMD-P 84-08-075	192-23-810	NEW-E 84-10-023	197-10-440	REP 84-05-021
180-55-015	AMD 84-11-050	192-23-820	NEW-P 84-10-022	197-10-442	REP 84-05-021
180-55-020	AMD-P 84-08-075	192-23-820	NEW-E 84-10-023	197-10-444	REP 84-05-021
180-55-020	AMD 84-11-050	192-23-900	NEW-P 84-10-022	197-10-446	REP 84-05-021
180-55-050	AMD-P 84-08-075	192-23-900	NEW-E 84-10-023	197-10-450	REP 84-05-021
180-55-050	AMD 84-11-050	192-24-001	NEW-P 84-10-022	197-10-455	REP 84-05-021
182-08-140	REP-E 84-04-063	192-24-010	NEW-P 84-10-022	197-10-460	REP 84-05-021
182-08-140	REP-P 84-05-029	192-24-020	NEW-P 84-10-022	197-10-465	REP 84-05-021
182-08-140	REP 84-09-043	192-24-030	NEW-P 84-10-022	197-10-470	REP 84-05-021
182-08-140	REP-E 84-09-060	196-08-085	AMD 84-04-027	197-10-480	REP 84-05-021
182-08-150	REP-E 84-04-063	196-12-010	AMD 84-04-027	197-10-485	REP 84-05-021
182-08-150	REP-P 84-05-029	196-12-020	AMD 84-04-027	197-10-490	REP 84-05-021
182-08-150	REP 84-09-043	196-12-030	AMD 84-04-027	197-10-495	REP 84-05-021
182-08-150	REP-E 84-09-060	196-12-050	AMD 84-04-027	197-10-500	REP 84-05-021
182-08-195	NEW-E 84-04-063	196-12-060	AMD 84-04-027	197-10-510	REP 84-05-021
182-08-195	NEW-P 84-05-029	196-12-085	AMD 84-04-027	197-10-520	REP 84-05-021
182-08-195	NEW 84-09-043	196-16-007	AMD 84-04-027	197-10-530	REP 84-05-021
182-08-195	NEW-E 84-09-060	196-16-010	AMD 84-04-027	197-10-535	REP 84-05-021
182-12-125	AMD-E 84-04-063	196-16-020	AMD 84-04-027	197-10-540	REP 84-05-021
182-12-125	AMD-P 84-05-029	196-16-031	AMD 84-04-027	197-10-545	REP 84-05-021
182-12-125	AMD 84-09-043	196-20-010	AMD 84-04-027	197-10-550	REP 84-05-021
182-12-125	REP-E 84-09-044	196-20-030	AMD 84-04-027	197-10-570	REP 84-05-021
182-12-125	REP-P 84-10-020	196-24-030	AMD 84-04-027	197-10-580	REP 84-05-021
192-12-131	NEW 84-02-061	196-24-040	AMD 84-04-027	197-10-600	REP 84-05-021
192-12-131	REP-E 84-09-033	196-24-050	AMD 84-04-027	197-10-650	REP 84-05-021
192-12-131	REP-P 84-09-034	196-24-080	AMD 84-04-027	197-10-652	REP 84-05-021
192-12-132	NEW 84-02-061	196-27-010	NEW 84-04-027	197-10-660	REP 84-05-021
192-12-132	REP-E 84-09-033	196-27-020	NEW 84-04-027	197-10-690	REP 84-05-021
192-12-132	REP-P 84-09-034	197-10-010	REP 84-05-021	197-10-695	REP 84-05-021
192-12-134	NEW 84-02-061	197-10-020	REP 84-05-021	197-10-700	REP 84-05-021
192-12-151	NEW-E 84-09-033	197-10-025	REP 84-05-021	197-10-710	REP 84-05-021
192-12-151	NEW-P 84-09-034	197-10-030	REP 84-05-021	197-10-800	REP 84-05-021
192-23-001	NEW-P 84-10-022	197-10-040	REP 84-05-021	197-10-805	REP 84-05-021
192-23-001	NEW-E 84-10-023	197-10-050	REP 84-05-021	197-10-810	REP 84-05-021
192-23-002	NEW-P 84-10-022	197-10-055	REP 84-05-021	197-10-820	REP 84-05-021
192-23-002	NEW-E 84-10-023	197-10-060	REP 84-05-021	197-10-825	REP 84-05-021
192-23-011	NEW-P 84-10-022	197-10-100	REP 84-05-021	197-10-831	REP 84-05-021
192-23-011	NEW-E 84-10-023	197-10-150	REP 84-05-021	197-10-840	REP 84-05-021
192-23-012	NEW-P 84-10-022	197-10-160	REP 84-05-021	197-10-860	REP 84-05-021
192-23-012	NEW-E 84-10-023	197-10-170	REP 84-05-021	197-10-900	REP 84-05-021
192-23-013	NEW-P 84-10-022	197-10-175	REP 84-05-021	197-10-910	REP 84-05-021
192-23-013	NEW-E 84-10-023	197-10-177	REP 84-05-021	197-11-010	NEW 84-05-020
192-23-014	NEW-P 84-10-022	197-10-180	REP 84-05-021	197-11-020	NEW 84-05-020
192-23-014	NEW-E 84-10-023	197-10-190	REP 84-05-021	197-11-030	NEW 84-05-020
192-23-015	NEW-P 84-10-022	197-10-200	REP 84-05-021	197-11-040	NEW 84-05-020
192-23-015	NEW-E 84-10-023	197-10-203	REP 84-05-021	197-11-050	NEW 84-05-020
192-23-016	NEW-P 84-10-022	197-10-205	REP 84-05-021	197-11-055	NEW 84-05-020
192-23-016	NEW-E 84-10-023	197-10-210	REP 84-05-021	197-11-060	NEW 84-05-020
192-23-017	NEW-P 84-10-022	197-10-215	REP 84-05-021	197-11-070	NEW 84-05-020
192-23-017	NEW-E 84-10-023	197-10-220	REP 84-05-021	197-11-080	NEW 84-05-020
192-23-051	NEW-P 84-10-022	197-10-225	REP 84-05-021	197-11-090	NEW 84-05-020
192-23-051	NEW-E 84-10-023	197-10-230	REP 84-05-021	197-11-100	NEW 84-05-020
192-23-052	NEW-P 84-10-022	197-10-235	REP 84-05-021	197-11-300	NEW 84-05-020
192-23-052	NEW-E 84-10-023	197-10-240	REP 84-05-021	197-11-305	NEW 84-05-020
192-23-061	NEW-P 84-10-022	197-10-245	REP 84-05-021	197-11-310	NEW 84-05-020
192-23-061	NEW-E 84-10-023	197-10-260	REP 84-05-021	197-11-315	NEW 84-05-020
192-23-071	NEW-P 84-10-022	197-10-270	REP 84-05-021	197-11-330	NEW 84-05-020
192-23-071	NEW-E 84-10-023	197-10-300	REP 84-05-021	197-11-335	NEW 84-05-020
192-23-081	NEW-P 84-10-022	197-10-305	REP 84-05-021	197-11-340	NEW 84-05-020
192-23-081	NEW-E 84-10-023	197-10-310	REP 84-05-021	197-11-350	NEW 84-05-020
192-23-082	NEW-P 84-10-022	197-10-320	REP 84-05-021	197-11-360	NEW 84-05-020
192-23-082	NEW-E 84-10-023	197-10-330	REP 84-05-021	197-11-390	NEW 84-05-020
192-23-091	NEW-P 84-10-022	197-10-340	REP 84-05-021	197-11-400	NEW 84-05-020
192-23-091	NEW-E 84-10-023	197-10-345	REP 84-05-021	197-11-402	NEW 84-05-020
192-23-096	NEW-P 84-10-022	197-10-350	REP 84-05-021	197-11-405	NEW 84-05-020
192-23-096	NEW-E 84-10-023	197-10-355	REP 84-05-021	197-11-406	NEW 84-05-020
192-23-113	NEW-P 84-10-022	197-10-360	REP 84-05-021	197-11-408	NEW 84-05-020
192-23-113	NEW-E 84-10-023	197-10-365	REP 84-05-021	197-11-410	NEW 84-05-020
192-23-301	NEW-P 84-10-022	197-10-370	REP 84-05-021	197-11-420	NEW 84-05-020
192-23-301	NEW-E 84-10-023	197-10-375	REP 84-05-021	197-11-425	NEW 84-05-020
192-23-320	NEW-P 84-10-022	197-10-380	REP 84-05-021	197-11-430	NEW 84-05-020
192-23-320	NEW-E 84-10-023	197-10-390	REP 84-05-021	197-11-435	NEW 84-05-020
192-23-350	NEW-P 84-10-022	197-10-400	REP 84-05-021	197-11-440	NEW 84-05-020
192-23-350	NEW-E 84-10-023	197-10-405	REP 84-05-021	197-11-442	NEW 84-05-020
192-23-800	NEW-P 84-10-022	197-10-410	REP 84-05-021	197-11-443	NEW 84-05-020

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
197-11-444	NEW	84-05-020	197-11-799	NEW	84-05-020
197-11-448	NEW	84-05-020	197-11-800	NEW	84-05-020
197-11-450	NEW	84-05-020	197-11-810	NEW	84-05-020
197-11-455	NEW	84-05-020	197-11-820	NEW	84-05-020
197-11-460	NEW	84-05-020	197-11-825	NEW	84-05-020
197-11-500	NEW	84-05-020	197-11-830	NEW	84-05-020
197-11-502	NEW	84-05-020	197-11-835	NEW	84-05-020
197-11-504	NEW	84-05-020	197-11-840	NEW	84-05-020
197-11-508	NEW	84-05-020	197-11-845	NEW	84-05-020
197-11-510	NEW	84-05-020	197-11-850	NEW	84-05-020
197-11-535	NEW	84-05-020	197-11-855	NEW	84-05-020
197-11-545	NEW	84-05-020	197-11-860	NEW	84-05-020
197-11-550	NEW	84-05-020	197-11-865	NEW	84-05-020
197-11-560	NEW	84-05-020	197-11-870	NEW	84-05-020
197-11-570	NEW	84-05-020	197-11-875	NEW	84-05-020
197-11-600	NEW	84-05-020	197-11-880	NEW	84-05-020
197-11-610	NEW	84-05-020	197-11-890	NEW	84-05-020
197-11-620	NEW	84-05-020	197-11-900	NEW	84-05-020
197-11-625	NEW	84-05-020	197-11-902	NEW	84-05-020
197-11-630	NEW	84-05-020	197-11-904	NEW	84-05-020
197-11-635	NEW	84-05-020	197-11-906	NEW	84-05-020
197-11-640	NEW	84-05-020	197-11-908	NEW	84-05-020
197-11-650	NEW	84-05-020	197-11-910	NEW	84-05-020
197-11-655	NEW	84-05-020	197-11-912	NEW	84-05-020
197-11-660	NEW	84-05-020	197-11-914	NEW	84-05-020
197-11-680	NEW	84-05-020	197-11-916	NEW	84-05-020
197-11-700	NEW	84-05-020	197-11-917	NEW	84-05-020
197-11-702	NEW	84-05-020	197-11-918	NEW	84-05-020
197-11-704	NEW	84-05-020	197-11-920	NEW	84-05-020
197-11-706	NEW	84-05-020	197-11-922	NEW	84-05-020
197-11-708	NEW	84-05-020	197-11-924	NEW	84-05-020
197-11-710	NEW	84-05-020	197-11-926	NEW	84-05-020
197-11-712	NEW	84-05-020	197-11-928	NEW	84-05-020
197-11-714	NEW	84-05-020	197-11-930	NEW	84-05-020
197-11-716	NEW	84-05-020	197-11-932	NEW	84-05-020
197-11-718	NEW	84-05-020	197-11-934	NEW	84-05-020
197-11-720	NEW	84-05-020	197-11-936	NEW	84-05-020
197-11-722	NEW	84-05-020	197-11-938	NEW	84-05-020
197-11-724	NEW	84-05-020	197-11-940	NEW	84-05-020
197-11-726	NEW	84-05-020	197-11-942	NEW	84-05-020
197-11-728	NEW	84-05-020	197-11-944	NEW	84-05-020
197-11-730	NEW	84-05-020	197-11-946	NEW	84-05-020
197-11-732	NEW	84-05-020	197-11-948	NEW	84-05-020
197-11-734	NEW	84-05-020	197-11-950	NEW	84-05-020
197-11-736	NEW	84-05-020	197-11-955	NEW	84-05-020
197-11-738	NEW	84-05-020	197-11-960	NEW	84-05-020
197-11-740	NEW	84-05-020	197-11-965	NEW	84-05-020
197-11-742	NEW	84-05-020	197-11-970	NEW	84-05-020
197-11-744	NEW	84-05-020	197-11-980	NEW	84-05-020
197-11-746	NEW	84-05-020	197-11-985	NEW	84-05-020
197-11-748	NEW	84-05-020	197-11-990	NEW	84-05-020
197-11-750	NEW	84-05-020	212-70	NEW-C	84-11-072
197-11-752	NEW	84-05-020	212-70-010	NEW-P	84-09-038
197-11-754	NEW	84-05-020	212-70-020	NEW-P	84-09-038
197-11-756	NEW	84-05-020	212-70-030	NEW-P	84-09-038
197-11-758	NEW	84-05-020	212-70-040	NEW-P	84-09-038
197-11-760	NEW	84-05-020	212-70-050	NEW-P	84-09-038
197-11-762	NEW	84-05-020	212-70-060	NEW-P	84-09-038
197-11-764	NEW	84-05-020	212-70-070	NEW-P	84-09-038
197-11-766	NEW	84-05-020	212-70-080	NEW-P	84-09-038
197-11-768	NEW	84-05-020	212-70-090	NEW-P	84-09-038
197-11-770	NEW	84-05-020	212-70-100	NEW-P	84-09-038
197-11-772	NEW	84-05-020	212-70-110	NEW-P	84-09-038
197-11-774	NEW	84-05-020	212-70-120	NEW-P	84-09-038
197-11-776	NEW	84-05-020	212-70-130	NEW-P	84-09-038
197-11-778	NEW	84-05-020	212-70-140	NEW-P	84-09-038
197-11-780	NEW	84-05-020	212-70-150	NEW-P	84-09-038
197-11-782	NEW	84-05-020	212-70-160	NEW-P	84-09-038
197-11-784	NEW	84-05-020	212-70-170	NEW-P	84-09-038
197-11-786	NEW	84-05-020	212-70-180	NEW-P	84-09-038
197-11-788	NEW	84-05-020	212-70-190	NEW-P	84-09-038
197-11-790	NEW	84-05-020	212-70-200	NEW-P	84-09-038
197-11-792	NEW	84-05-020	212-70-210	NEW-P	84-09-038
197-11-793	NEW	84-05-020	212-70-220	NEW-P	84-09-038
197-11-794	NEW	84-05-020	212-70-230	NEW-P	84-09-038
197-11-796	NEW	84-05-020	212-70-240	NEW-P	84-09-038
197-11-797	NEW	84-05-020	212-70-250	NEW-P	84-09-038
212-75-001	NEW-P	84-05-013	212-75-001	NEW	84-08-018
212-75-005	NEW-P	84-05-013	212-75-005	NEW-P	84-05-013
212-75-005	NEW	84-08-018	212-75-005	NEW	84-08-018
220-12-02000A	NEW-E	84-10-010	220-12-02000A	NEW-E	84-10-010
220-16-085	AMD-P	84-04-091	220-16-085	AMD-P	84-04-091
220-16-085	AMD	84-08-014	220-16-085	AMD	84-08-014
220-16-100	AMD-P	84-04-091	220-16-100	AMD-P	84-04-091
220-16-100	AMD	84-08-014	220-16-100	AMD	84-08-014
220-16-375	NEW-P	84-03-060	220-16-375	NEW-P	84-03-060
220-16-375	NEW	84-09-026	220-16-375	NEW	84-09-026
220-16-380	NEW-P	84-03-060	220-16-380	NEW-P	84-03-060
220-16-380	NEW	84-09-026	220-16-380	NEW	84-09-026
220-20-010	AMD-P	84-04-091	220-20-010	AMD-P	84-04-091
220-20-010	AMD	84-08-014	220-20-010	AMD	84-08-014
220-20-015	AMD-P	84-08-065	220-20-015	AMD-P	84-08-065
220-20-015	AMD-C	84-11-098	220-20-015	AMD-C	84-11-098
220-22-020	AMD-P	84-11-097	220-22-020	AMD-P	84-11-097
220-22-030	AMD-P	84-08-065	220-22-030	AMD-P	84-08-065
220-22-030	AMD-C	84-11-098	220-22-030	AMD-C	84-11-098
220-22-410	AMD-P	84-04-091	220-22-410	AMD-P	84-04-091
220-22-410	AMD	84-08-014	220-22-410	AMD	84-08-014
220-24-02000A	NEW-E	84-11-011	220-24-02000A	NEW-E	84-11-011
220-24-02000Z	NEW-E	84-10-024	220-24-02000Z	NEW-E	84-10-024
220-28-073H0F	NEW-E	84-11-013	220-28-073H0F	NEW-E	84-11-013
220-28-401	NEW-E	84-09-037	220-28-401	NEW-E	84-09-037
220-28-401	REP-E	84-11-010	220-28-401	REP-E	84-11-010
220-28-402	NEW-E	84-10-015	220-28-402	NEW-E	84-10-015
220-32-02000L	NEW-E	84-05-006	220-32-02000L	NEW-E	84-05-006
220-32-02200K	NEW-E	84-04-043	220-32-02200K	NEW-E	84-04-043
220-32-02200K	REP-E	84-05-006	220-32-02200K	REP-E	84-05-006
220-32-02500I	NEW-E	84-06-022	220-32-02500I	NEW-E	84-06-022
220-32-02500I	REP-E	84-06-051	220-32-02500I	REP-E	84-06-051
220-32-03000H	NEW-E	84-05-037	220-32-03000H	NEW-E	84-05-037
220-32-03000H	REP-E	84-06-008	220-32-03000H	REP-E	84-06-008
220-32-03000I	NEW-E	84-06-008	220-32-03000I	NEW-E	84-06-008
220-32-04000T	NEW-E	84-02-049	220-32-04000T	NEW-E	84-02-049
220-32-04000T	REP-E	84-04-060	220-32-04000T	REP-E	84-04-060
220-32-04000U	NEW-E	84-04-060	220-32-04000U	NEW-E	84-04-060
220-32-04000U	REP-E	84-05-035	220-32-04000U	REP-E	84-05-035
220-32-04000V	NEW-E	84-05-035	220-32-04000V	NEW-E	84-05-035
220-32-044	AMD-P	84-04-091	220-32-044	AMD-P	84-04-091
220-32-044	AMD	84-08-014	220-32-044	AMD	84-08-014
220-32-05000H	REP-E	84-11-058	220-32-05000H	REP-E	84-11-058
220-32-05100B	NEW-E	84-05-036	220-32-05100B	NEW-E	84-05-036
220-32-055	AMD-P	84-03-059	220-32-055	AMD-P	84-03-059
220-32-055	AMD	84-05-046	220-32-055	AMD	84-05-046
220-32-05500H	NEW-E	84-10-042	220-32-05500H	NEW-E	84-10-042
220-32-05500I	NEW-E	84-11-058	220-32-05500I	NEW-E	84-11-058
220-32-05700T	NEW-E	84-02-049	220-32-05700T	NEW-E	84-02-049
220-36-021	AMD-P	84-11-097	220-36-021	AMD-P	84-11-097
220-36-022	AMD-P	84-11-097	220-36-022	AMD-P	84-11-097
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220-36-02500J	NEW-E	84-06-051	220-36-02500J	NEW-E	84-06-051
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220-44-050	AMD-P	84-04-091	220-44-050	AMD-P	84-04-091
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230-04-197	AMD-P	84-09-064	232-32-157	NEW-E	84-02-065	251-10-055	AMD	84-08-032
230-04-197	AMD-C	84-10-006	232-32-158	NEW-E	84-03-023	251-10-112	NEW-P	84-06-065
230-04-201	AMD-P	84-09-064	232-32-159	NEW-E	84-03-029	251-10-112	NEW-C	84-10-055
230-04-201	AMD-C	84-10-006	232-32-160	NEW-E	84-03-022	251-10-140	AMD-P	84-09-068

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251-10-140	AMD-E 84-10-018	251-18-340	AMD-P 84-04-070	275-33-020	NEW 84-10-032
251-18-010	AMD-P 84-06-065	251-18-340	AMD-E 84-04-071	275-33-030	NEW-E 84-06-016
251-18-010	AMD 84-10-056	251-18-340	AMD 84-08-032	275-33-030	NEW-P 84-06-025
251-18-011	NEW-P 84-06-065	251-18-350	AMD-P 84-02-067	275-33-030	NEW 84-10-032
251-18-011	NEW 84-10-056	251-18-350	AMD-C 84-06-004	275-33-040	NEW-E 84-06-016
251-18-012	NEW-P 84-06-065	251-18-355	NEW-P 84-02-067	275-33-040	NEW-P 84-06-025
251-18-012	NEW 84-10-056	251-18-355	NEW-C 84-06-004	275-33-040	NEW 84-10-032
251-18-015	NEW-P 84-06-065	251-18-361	NEW-P 84-02-067	275-33-050	NEW-E 84-06-016
251-18-015	NEW 84-10-056	251-18-361	NEW-C 84-06-004	275-33-050	NEW-P 84-06-025
251-18-020	AMD-P 84-06-065	251-22-070	AMD-P 84-04-070	275-33-050	NEW 84-10-032
251-18-020	AMD 84-10-056	251-22-070	AMD-E 84-04-071	275-33-060	NEW-E 84-06-016
251-18-025	REP-P 84-06-065	251-22-070	AMD 84-08-032	275-33-060	NEW-P 84-06-025
251-18-025	REP-C 84-10-055	251-22-090	AMD-P 84-09-068	275-33-060	NEW 84-10-032
251-18-030	REP-P 84-06-065	251-22-090	AMD-E 84-10-018	275-38-600	AMD-P 84-05-056
251-18-030	REP-C 84-10-055	251-22-091	REP-P 84-09-068	275-38-600	AMD 84-09-018
251-18-050	AMD-P 84-06-065	251-22-091	REP-E 84-10-018	275-38-730	AMD-P 84-04-056
251-18-050	AMD 84-10-056	251-22-200	AMD-P 84-09-068	275-38-730	AMD 84-09-032
251-18-060	AMD-P 84-06-065	260-32-160	AMD-P 84-11-099	275-55-020	AMD 84-03-035
251-18-060	AMD-C 84-10-055	260-56-030	AMD-P 84-11-099	275-55-161	AMD 84-03-035
251-18-070	AMD-P 84-06-065	260-70-010	AMD-P 84-04-061	275-55-263	AMD 84-03-035
251-18-070	AMD 84-10-056	260-70-010	AMD 84-06-061	275-55-271	AMD 84-03-035
251-18-080	REP-P 84-06-065	260-70-021	AMD-P 84-04-061	275-55-281	AMD 84-03-035
251-18-080	REP 84-10-056	260-70-021	AMD 84-06-061	275-55-291	AMD 84-03-035
251-18-100	REP-P 84-06-065	260-70-025	NEW-P 84-04-061	275-55-293	AMD 84-03-035
251-18-100	REP 84-10-056	260-70-025	NEW 84-06-061	275-55-297	AMD 84-03-035
251-18-110	AMD-P 84-06-065	260-70-026	NEW-P 84-04-061	275-55-301	AMD 84-03-035
251-18-110	AMD 84-10-056	260-70-026	NEW 84-06-061	275-55-331	AMD 84-03-035
251-18-115	REP-P 84-06-065	260-70-027	NEW-P 84-04-061	275-55-371	AMD 84-03-035
251-18-115	REP 84-10-056	260-70-027	NEW 84-06-061	275-60-010	NEW-P 84-10-009
251-18-120	AMD-P 84-06-065	260-70-028	NEW-P 84-04-061	275-60-020	NEW-P 84-10-009
251-18-120	AMD 84-10-056	260-70-028	NEW 84-06-061	275-60-030	NEW-P 84-10-009
251-18-130	AMD-P 84-06-065	260-70-029	NEW-P 84-04-061	275-60-040	NEW-P 84-10-009
251-18-130	AMD-C 84-10-055	260-70-029	NEW 84-06-061	275-60-050	NEW-P 84-10-009
251-18-140	AMD-P 84-06-065	260-70-031	NEW-P 84-04-061	275-60-060	NEW-P 84-10-009
251-18-140	AMD 84-10-056	260-70-031	NEW 84-06-061	275-60-070	NEW-P 84-10-009
251-18-145	NEW-P 84-06-065	260-70-032	NEW-P 84-04-061	275-60-200	NEW-P 84-10-009
251-18-145	NEW 84-10-056	260-70-032	NEW 84-06-061	275-60-300	NEW-P 84-10-009
251-18-150	REP-P 84-06-065	260-70-090	AMD-P 84-04-061	275-60-400	NEW-P 84-10-009
251-18-150	REP 84-10-056	260-70-090	AMD 84-06-061	275-60-500	NEW-P 84-10-009
251-18-155	REP-P 84-06-065	260-70-100	AMD-P 84-04-061	275-60-510	NEW-P 84-10-009
251-18-155	REP 84-10-056	260-70-100	AMD 84-06-061	275-60-520	NEW-P 84-10-009
251-18-160	AMD-P 84-06-065	260-84-010	AMD-P 84-11-099	284-44-020	REP-P 84-04-032
251-18-160	AMD 84-10-056	261-20	AMD-P 84-09-021	284-44-020	REP 84-08-001
251-18-170	REP-P 84-06-065	261-20	AMD-C 84-10-013	284-44-400	NEW-P 84-04-032
251-18-170	REP 84-10-056	262-01-010	NEW 84-04-042	284-44-400	NEW 84-08-001
251-18-175	REP-P 84-06-065	262-01-020	NEW 84-04-042	284-44-410	NEW-P 84-04-032
251-18-175	REP 84-10-056	262-01-030	NEW 84-04-042	284-44-410	NEW 84-08-001
251-18-180	AMD-P 84-04-070	262-01-040	NEW 84-04-042	284-46-010	NEW-P 84-04-033
251-18-180	AMD-E 84-04-071	262-01-050	NEW 84-04-042	284-46-010	NEW 84-08-002
251-18-180	AMD-P 84-06-065	263-12-115	AMD-C 84-04-025	284-46-020	NEW-P 84-04-033
251-18-180	AMD 84-08-032	263-12-115	AMD-E 84-04-058	284-46-020	NEW 84-08-002
251-18-180	AMD 84-10-056	263-12-115	AMD-C 84-04-059	289-02-020	AMD-P 84-09-065
251-18-181	REP-P 84-06-065	263-12-115	AMD 84-08-036	289-15-130	AMD-P 84-09-066
251-18-181	REP 84-10-056	275-27-500	AMD-P 84-08-015	289-15-225	AMD-P 84-09-067
251-18-190	AMD-P 84-06-065	275-27-800	NEW-P 84-04-009	289-15-230	AMD-P 84-09-066
251-18-190	AMD 84-10-056	275-27-800	NEW-E 84-04-010	289-16-100	AMD-P 84-09-065
251-18-200	AMD-P 84-06-065	275-27-800	NEW 84-07-018	289-16-200	AMD-P 84-09-065
251-18-200	AMD 84-10-056	275-27-810	NEW-P 84-04-009	296-04-500	REP 84-04-024
251-18-230	REP-P 84-06-065	275-27-810	NEW-E 84-04-010	296-04-501	REP 84-04-024
251-18-230	REP 84-10-056	275-27-810	NEW 84-07-018	296-04-502	REP 84-04-024
251-18-240	AMD-P 84-06-065	275-27-820	NEW-P 84-04-009	296-04-503	REP 84-04-024
251-18-240	AMD 84-10-056	275-27-820	NEW-E 84-04-010	296-04-504	REP 84-04-024
251-18-260	AMD-P 84-06-065	275-27-820	NEW 84-07-018	296-04-505	REP 84-04-024
251-18-260	AMD 84-10-056	275-31-005	NEW 84-03-054	296-04-506	REP 84-04-024
251-18-265	AMD-P 84-06-065	275-31-010	NEW 84-03-054	296-14-010	AMD-P 84-02-059
251-18-265	AMD 84-10-056	275-31-020	NEW 84-03-054	296-14-010	AMD 84-06-018
251-18-270	AMD-P 84-06-065	275-31-030	NEW 84-03-054	296-15-02601	AMD-P 84-02-078
251-18-270	AMD 84-10-056	275-31-040	NEW 84-03-054	296-15-02601	AMD 84-06-031
251-18-315	NEW-P 84-02-067	275-31-050	NEW 84-03-054	296-15-21001	REP-P 84-02-078
251-18-315	NEW-C 84-06-004	275-31-070	NEW 84-03-054	296-15-21001	REP 84-06-031
251-18-320	AMD-P 84-04-070	275-31-080	NEW 84-03-054	296-17-350	AMD-P 84-08-077
251-18-320	AMD-E 84-04-071	275-31-090	NEW 84-03-054	296-17-350	AMD 84-11-034
251-18-320	AMD 84-08-032	275-33-010	NEW-E 84-06-016	296-17-35101	NEW-P 84-02-059
251-18-330	AMD-P 84-02-067	275-33-010	NEW-P 84-06-025	296-17-35101	NEW 84-06-018
251-18-330	AMD-P 84-04-070	275-33-010	NEW 84-10-032	296-17-765	AMD-P 84-09-035
251-18-330	AMD-E 84-04-071	275-33-020	NEW-E 84-06-016	296-17-765	AMD-E 84-09-036
251-18-330	AMD 84-08-032	275-33-020	NEW-P 84-06-025	296-17-779	NEW-P 84-08-077

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296-17-779	NEW	84-11-034	296-46-905	REP-P	84-07-010	296-93-280	NEW	84-10-025
296-17-895	AMD-P	84-09-035	296-62-054	NEW-P	84-09-029	296-93-290	NEW-P	84-05-032
296-17-895	AMD-E	84-09-036	296-62-05403	NEW-P	84-09-029	296-93-290	NEW	84-10-025
296-17-895	AMD	84-11-034	296-62-05405	NEW-P	84-09-029	296-93-300	NEW-P	84-05-032
296-17-905	AMD-P	84-02-060	296-62-05407	NEW-P	84-09-029	296-93-300	NEW	84-10-025
296-17-905	AMD	84-06-024	296-62-05409	NEW-P	84-09-029	296-93-320	NEW-P	84-05-032
296-17-910	AMD-P	84-02-060	296-62-05411	NEW-P	84-09-029	296-93-320	NEW	84-10-025
296-17-910	AMD	84-06-024	296-62-05413	NEW-P	84-09-029	296-93-330	NEW-P	84-05-032
296-17-911	AMD-P	84-02-060	296-62-05415	NEW-P	84-09-029	296-93-330	NEW	84-10-025
296-17-911	AMD	84-06-024	296-62-05417	NEW-P	84-09-029	296-104-200	AMD-P	84-06-010
296-17-913	AMD-P	84-02-060	296-62-05419	NEW-P	84-09-029	296-104-200	AMD	84-11-016
296-17-913	AMD	84-06-024	296-62-05421	NEW-P	84-09-029	296-104-700	AMD-P	84-06-010
296-17-914	AMD-P	84-02-060	296-62-05423	NEW-P	84-09-029	296-104-700	AMD	84-11-016
296-17-914	AMD	84-06-024	296-62-05425	NEW-P	84-09-029	296-116-070	AMD-P	84-07-027
296-17-916	AMD-P	84-02-060	296-81-007	AMD-C	84-03-008	296-116-070	AMD	84-11-056
296-17-916	AMD	84-06-024	296-81-007	AMD	84-05-005	296-116-300	AMD	84-04-006
296-17-917	AMD-P	84-02-060	296-81-340	AMD-C	84-03-008	296-116-300	AMD-E	84-04-007
296-17-917	AMD	84-06-024	296-81-340	AMD	84-05-005	296-116-330	REP-P	84-07-028
296-17-918	NEW-P	84-02-060	296-81-360	AMD-C	84-03-008	296-116-330	REP-E	84-08-013
296-17-918	NEW	84-06-018	296-81-360	AMD	84-05-005	296-116-330	REP	84-11-041
296-17-919	AMD-P	84-02-060	296-81-991	NEW-C	84-03-008	296-200-300	NEW-E	84-03-003
296-17-919	AMD	84-06-024	296-81-991	NEW	84-05-005	296-200-300	NEW-P	84-04-072
296-17-91901	AMD-P	84-02-060	296-93-010	NEW-P	84-05-032	296-200-300	NEW-C	84-07-021
296-17-91901	AMD	84-06-024	296-93-010	NEW	84-10-025	296-200-310	NEW-E	84-03-003
296-17-91902	AMD-P	84-02-060	296-93-020	NEW-P	84-05-032	296-200-310	NEW-P	84-04-072
296-17-91902	AMD	84-06-024	296-93-020	NEW	84-10-025	296-200-310	NEW-C	84-07-021
296-19-010	REP-P	84-02-059	296-93-030	NEW-P	84-05-032	296-200-320	NEW-E	84-03-003
296-19-010	REP	84-06-018	296-93-030	NEW	84-10-025	296-200-320	NEW-P	84-04-072
296-24-073	AMD-E	84-10-016	296-93-040	NEW-P	84-05-032	296-200-320	NEW-C	84-07-021
296-46-110	AMD-P	84-07-010	296-93-040	NEW	84-10-025	296-400-300	NEW-P	84-04-072
296-46-110	AMD-E	84-08-006	296-93-050	NEW-P	84-05-032	296-400-300	NEW-C	84-07-021
296-46-120	REP-P	84-07-010	296-93-050	NEW	84-10-025	304-12-015	REP-P	84-04-089
296-46-130	AMD-P	84-07-010	296-93-060	NEW-P	84-05-032	304-12-015	REP	84-07-020
296-46-140	AMD-P	84-07-010	296-93-060	NEW	84-10-025	304-12-020	NEW-P	84-04-089
296-46-150	AMD-P	84-07-010	296-93-070	NEW-P	84-05-032	304-12-020	NEW	84-07-020
296-46-160	AMD-P	84-07-010	296-93-070	NEW	84-10-025	304-12-025	NEW-P	84-04-089
296-46-170	REP-P	84-07-010	296-93-080	NEW-P	84-05-032	304-12-025	NEW	84-07-020
296-46-180	AMD-P	84-07-010	296-93-080	NEW	84-10-025	304-12-125	AMD-P	84-04-089
296-46-190	REP-P	84-07-010	296-93-090	NEW-P	84-05-032	304-12-125	AMD	84-07-020
296-46-200	AMD-P	84-07-010	296-93-090	NEW	84-10-025	304-25-040	AMD-P	84-04-089
296-46-210	REP-P	84-07-010	296-93-100	NEW-P	84-05-032	304-25-040	AMD	84-07-020
296-46-220	AMD-P	84-07-010	296-93-100	NEW	84-10-025	304-25-090	REP-P	84-04-089
296-46-230	REP-P	84-07-010	296-93-110	NEW-P	84-05-032	304-25-090	REP	84-07-020
296-46-240	AMD-P	84-07-010	296-93-110	NEW	84-10-025	304-25-100	REP-P	84-04-089
296-46-242	REP-P	84-07-010	296-93-120	NEW-P	84-05-032	304-25-100	REP	84-07-020
296-46-244	REP-P	84-07-010	296-93-120	NEW	84-10-025	308-12-031	AMD	84-04-028
296-46-270	REP-P	84-07-010	296-93-130	NEW-P	84-05-032	308-12-050	AMD	84-04-028
296-46-280	REP-P	84-07-010	296-93-130	NEW	84-10-025	308-12-110	AMD	84-04-028
296-46-290	REP-P	84-07-010	296-93-140	NEW-P	84-05-032	308-25-020	REP	84-04-088
296-46-300	REP-P	84-07-010	296-93-140	NEW	84-10-025	308-25-025	NEW	84-04-088
296-46-335	REP-P	84-07-010	296-93-150	NEW-P	84-05-032	308-25-025	AMD-P	84-07-049
296-46-336	NEW-P	84-07-010	296-93-150	NEW	84-10-025	308-25-025	AMD	84-10-063
296-46-350	AMD-P	84-07-010	296-93-160	NEW-P	84-05-032	308-25-030	AMD	84-04-088
296-46-355	REP-P	84-07-010	296-93-160	NEW	84-10-025	308-25-040	REP	84-04-088
296-46-360	AMD-P	84-07-010	296-93-170	NEW-P	84-05-032	308-25-070	AMD	84-04-088
296-46-370	AMD-P	84-07-010	296-93-170	NEW	84-10-025	308-26-015	AMD-P	84-04-085
296-46-380	REP-P	84-07-010	296-93-180	NEW-P	84-05-032	308-26-015	AMD	84-08-019
296-46-390	REP-P	84-07-010	296-93-180	NEW	84-10-025	308-26-017	AMD-P	84-04-085
296-46-420	AMD-P	84-07-010	296-93-190	NEW-P	84-05-032	308-26-017	AMD	84-08-019
296-46-424	REP-P	84-07-010	296-93-190	NEW	84-10-025	308-31-015	NEW	84-02-077
296-46-426	REP-P	84-07-010	296-93-200	NEW-P	84-05-032	308-31-020	AMD	84-02-077
296-46-480	AMD-P	84-07-010	296-93-200	NEW	84-10-025	308-31-100	NEW	84-02-077
296-46-490	AMD-P	84-07-010	296-93-210	NEW-P	84-05-032	308-31-110	NEW	84-02-077
296-46-495	REP-P	84-07-010	296-93-210	NEW	84-10-025	308-31-120	NEW	84-02-077
296-46-500	REP-P	84-07-010	296-93-220	NEW-P	84-05-032	308-31-500	NEW	84-02-077
296-46-501	REP-P	84-07-010	296-93-220	NEW	84-10-025	308-31-510	NEW	84-02-077
296-46-535	REP-P	84-07-010	296-93-230	NEW-P	84-05-032	308-31-520	NEW	84-02-077
296-46-540	REP-P	84-07-010	296-93-230	NEW	84-10-025	308-31-530	NEW	84-02-077
296-46-545	REP-P	84-07-010	296-93-240	NEW-P	84-05-032	308-31-540	NEW	84-02-077
296-46-550	REP-P	84-07-010	296-93-240	NEW	84-10-025	308-31-550	NEW	84-02-077
296-46-555	REP-P	84-07-010	296-93-250	NEW-P	84-05-032	308-31-560	NEW	84-02-077
296-46-560	REP-P	84-07-010	296-93-250	NEW	84-10-025	308-31-570	NEW	84-02-077
296-46-565	REP-P	84-07-010	296-93-260	NEW-P	84-05-032	308-37-150	NEW-P	84-02-076
296-46-590	REP-P	84-07-010	296-93-260	NEW	84-10-025	308-37-150	NEW	84-05-070
296-46-59005	REP-P	84-07-010	296-93-270	NEW-P	84-05-032	308-40-102	AMD-P	84-04-087
296-46-59010	REP-P	84-07-010	296-93-270	NEW	84-10-025	308-40-102	AMD	84-07-050
296-46-900	REP-P	84-07-010	296-93-280	NEW-P	84-05-032	308-40-104	AMD-P	84-07-048

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308-42-010	AMD-P	84-10-060	308-93-075	NEW-P	84-10-081	315-11-110	NEW-P	84-05-052
308-42-020	REP	84-03-055	308-93-080	AMD-P	84-10-081	315-11-110	NEW-E	84-05-053
308-42-030	REP	84-03-055	308-93-085	NEW-P	84-10-081	315-11-110	NEW	84-09-008
308-42-035	REP	84-03-055	308-93-090	AMD-P	84-10-081	315-11-111	NEW-P	84-05-052
308-42-040	AMD	84-03-055	308-93-110	AMD-P	84-10-081	315-11-111	NEW-E	84-05-053
308-42-045	AMD-P	84-10-060	308-93-135	NEW-P	84-10-081	315-11-111	NEW	84-09-008
308-42-050	REP	84-03-055	308-93-140	AMD-P	84-10-081	315-11-112	NEW-P	84-05-052
308-42-055	REP	84-03-055	308-93-145	NEW-P	84-10-081	315-11-112	NEW-E	84-05-053
308-42-060	AMD-P	84-10-060	308-93-150	AMD-P	84-10-081	315-11-112	NEW	84-09-008
308-42-070	AMD	84-03-055	308-93-155	NEW-P	84-10-081	315-11-120	NEW-P	84-07-053
308-42-120	AMD	84-03-055	308-93-160	AMD-P	84-10-081	315-11-120	NEW-E	84-09-009
308-42-125	NEW-P	84-10-060	308-93-165	NEW-P	84-10-081	315-11-120	NEW-P	84-09-085
308-42-130	AMD-P	84-10-060	308-93-215	NEW-P	84-10-081	315-11-121	NEW-P	84-07-053
308-42-135	AMD-P	84-10-060	308-93-225	NEW-P	84-10-081	315-11-121	NEW-E	84-09-009
308-42-140	AMD-P	84-10-060	308-93-260	AMD-P	84-10-081	315-11-121	NEW-P	84-09-085
308-42-145	AMD-P	84-10-060	308-93-270	AMD-P	84-10-081	315-11-122	NEW-P	84-07-053
308-42-150	AMD-P	84-10-060	308-93-290	AMD-P	84-10-081	315-11-122	NEW-E	84-09-009
308-42-155	AMD-P	84-10-060	308-93-310	AMD-P	84-10-081	315-11-122	NEW-P	84-09-085
308-42-160	AMD-P	84-10-060	308-93-350	AMD-P	84-10-081	315-12-030	AMD	84-05-008
308-48-145	NEW-P	84-08-061	308-93-360	AMD-P	84-10-081	315-30-080	NEW	84-05-008
308-48-145	NEW	84-11-059	308-93-500	AMD-P	84-10-081	315-30-090	NEW	84-05-008
308-50-010	AMD-E	84-03-018	308-93-560	AMD-P	84-10-081	315-32-010	NEW-P	84-09-084
308-50-010	AMD-P	84-04-048	308-93-610	REP-P	84-10-081	315-32-020	NEW-P	84-09-084
308-50-010	AMD	84-08-062	308-93-640	AMD-P	84-10-081	315-32-030	NEW-P	84-09-084
308-50-020	AMD-E	84-03-018	308-93-650	NEW-P	84-06-056	315-32-040	NEW-P	84-09-084
308-50-020	AMD-P	84-04-048	308-93-650	NEW	84-11-060	315-32-050	NEW-P	84-09-084
308-50-020	AMD-P	84-10-059	308-138-200	AMD	84-05-011	315-32-060	NEW-P	84-09-084
308-50-050	REP-P	84-04-048	308-138A-025	AMD	84-05-011	316-02-001	NEW-P	84-04-081
308-50-050	REP	84-08-062	308-138B-120	REP	84-05-011	316-02-001	NEW	84-07-037
308-50-090	AMD-E	84-03-018	308-138B-165	NEW	84-05-011	316-02-003	NEW-P	84-04-081
308-50-090	AMD-P	84-04-048	308-138B-170	AMD	84-05-011	316-02-003	NEW	84-07-037
308-50-100	AMD-P	84-04-048	314-12-160	REP-P	84-09-062	316-02-007	NEW-P	84-04-081
308-50-100	AMD	84-08-062	314-12-160	REP-E	84-09-063	316-02-007	NEW	84-07-037
308-50-110	AMD-P	84-04-048	314-12-160	REP	84-11-093	316-02-010	NEW-P	84-04-081
308-50-110	AMD-P	84-10-059	314-16-040	AMD-P	84-09-022	316-02-010	NEW	84-07-037
308-50-120	AMD-P	84-04-048	314-16-040	AMD	84-11-092	316-02-020	NEW-P	84-04-081
308-50-120	AMD	84-08-062	314-16-110	AMD	84-02-066	316-02-020	NEW	84-07-037
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308-50-160		84-10-062	314-16-200	AMD-P	84-07-052	316-02-030	NEW	84-07-037
308-50-170		84-10-062	314-16-200	AMD-W	84-09-077	316-02-040	NEW-P	84-04-081
308-50-180		84-10-062	314-16-205	NEW-P	84-06-063	316-02-040	NEW	84-07-037
308-50-190		84-10-062	314-16-205	NEW	84-09-024	316-02-100	NEW-P	84-04-081
308-50-200		84-10-062	314-18-040	AMD-P	84-06-064	316-02-100	NEW	84-07-037
308-50-210		84-10-062	314-18-040	AMD	84-09-025	316-02-103	NEW-P	84-04-081
308-50-220		84-10-062	314-20-010	AMD-P	84-06-062	316-02-103	NEW	84-07-037
308-50-230	AMD-P	84-10-062	314-20-010	AMD	84-09-023	316-02-105	NEW-P	84-04-081
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308-50-250		84-10-062	314-24-110	AMD	84-09-023	316-02-110	NEW-P	84-04-081
308-50-260		84-10-062	314-38-020	AMD-P	84-11-039	316-02-110	NEW	84-07-037
308-50-270		84-10-062	315-04-070	AMD-E	84-06-045	316-02-120	NEW-P	84-04-081
308-50-280		84-10-062	315-04-070	AMD-E	84-09-009	316-02-120	NEW	84-07-037
308-50-290		84-10-062	315-04-070	AMD-P	84-09-085	316-02-130	NEW-P	84-04-081
308-50-295		84-10-062	315-04-120	AMD-P	84-05-050	316-02-130	NEW	84-07-037
308-53-030	AMD-P	84-05-069	315-04-120	AMD-E	84-06-045	316-02-140	NEW-P	84-04-081
308-53-030	AMD	84-09-082	315-04-120	AMD	84-09-008	316-02-140	NEW	84-07-037
308-53-085	AMD-P	84-05-069	315-04-120	AMD-P	84-09-085	316-02-150	NEW-P	84-04-081
308-53-085	AMD	84-09-082	315-04-120	AMD-E	84-11-012	316-02-150	NEW	84-07-037
308-53-120	AMD-P	84-05-069	315-04-132	NEW-E	84-06-045	316-02-160	NEW-P	84-04-081
308-53-120	AMD	84-09-082	315-04-132	NEW-P	84-09-085	316-02-160	NEW	84-07-037
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308-53-190	REP	84-09-082	315-04-133	NEW-E	84-06-045	316-02-170	NEW	84-07-037
308-54-140	AMD-P	84-04-086	315-04-133	NEW-P	84-09-085	316-02-180	NEW-P	84-04-081
308-54-140	AMD	84-07-051	315-04-133	NEW-E	84-11-012	316-02-180	NEW	84-07-037
308-54-150	AMD-P	84-04-086	315-04-134	NEW-P	84-09-085	316-02-200	NEW-P	84-04-081
308-54-150	AMD	84-07-051	315-04-134	NEW-E	84-11-012	316-02-200	NEW	84-07-037
308-78-010	AMD-P	84-06-066	315-04-180	AMD	84-05-008	316-02-210	NEW-P	84-04-081
308-78-040	AMD-P	84-06-066	315-06-120	AMD-P	84-05-050	316-02-210	NEW	84-07-037
308-78-045	AMD-P	84-06-066	315-06-120	AMD	84-09-008	316-02-220	NEW-P	84-04-081
308-78-050	AMD-P	84-06-066	315-06-130	AMD	84-05-008	316-02-220	NEW	84-07-037
308-78-070	AMD-P	84-06-066	315-10-020	AMD	84-05-008	316-02-230	NEW-P	84-04-081
308-93-010	AMD-P	84-10-081	315-10-030	AMD	84-05-008	316-02-230	NEW	84-07-037
308-93-020	AMD-P	84-10-081	315-10-060	AMD	84-05-008	316-02-300	NEW-P	84-04-081
308-93-030	AMD-P	84-10-081	315-11-071	AMD	84-05-008	316-02-300	NEW	84-07-037
308-93-040	AMD-P	84-10-081	315-11-081	AMD	84-05-008	316-02-310	NEW-P	84-04-081
308-93-050	AMD-P	84-10-081	315-11-101	AMD-E	84-03-026	316-02-310	NEW	84-07-037
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326-30-030	NEW	84-03-005	352-04-010	AMD	84-04-035	356-18-105	REP-E	84-10-008
326-30-035	NEW	84-03-005	352-12-020	AMD-P	84-04-082	356-18-105	REP-P	84-10-038
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326-30-050	NEW	84-03-005	352-16-020	AMD-C	84-04-036	356-22-070	AMD-E	84-10-053
326-30-060	NEW	84-03-005	352-16-020	AMD	84-08-016	356-22-220	AMD-P	84-10-038
326-30-070	NEW	84-03-005	352-28	AMD-C	84-04-037	356-26-030	AMD-P	84-06-049
326-30-080	NEW	84-03-005	352-28-005	NEW	84-08-017	356-26-030	AMD-C	84-09-049
326-30-090	NEW	84-03-005	352-28-010	AMD	84-08-017	356-26-030	AMD-P	84-10-038
326-30-100	NEW	84-03-005	352-28-020	AMD	84-08-017	356-26-030	AMD-E	84-10-053
326-30-100	AMD-P	84-03-048	352-32-035	AMD-P	84-04-082	356-26-030	AMD	84-11-091
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326-40-010	NEW-E	84-05-034	352-60-020	NEW-E	84-07-030	356-30-080	AMD-C	84-07-003
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330-01-020	NEW-P	84-03-041	352-60-050	NEW	84-11-057	356-30-260	AMD-C	84-09-049
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330-01-030	NEW-P	84-03-041	352-60-060	NEW	84-11-057	356-30-305	AMD	84-11-091
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330-01-050	NEW	84-07-034	352-60-090	NEW-P	84-08-063	356-49-010	NEW-C	84-09-049
330-01-060	NEW-P	84-03-041	352-60-090	NEW	84-11-057	356-49-010	NEW	84-11-091
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330-01-060	NEW	84-07-034	352-60-100	NEW-P	84-08-063	356-49-020	NEW-C	84-09-049
330-01-070	NEW-P	84-03-041	352-60-100	NEW	84-11-057	356-49-020	NEW	84-11-091
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330-01-070	NEW	84-07-034	352-60-110	NEW-P	84-08-063	356-49-030	NEW-C	84-09-049
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335-06-030	NEW-E	84-10-036	356-10-040	AMD-P	84-08-035	360-19-020	NEW	84-03-016
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335-06-040	NEW-E	84-10-036	356-15-060	AMD	84-05-024	360-19-040	NEW	84-03-016
335-06-050	NEW-P	84-10-035	356-15-060	AMD-P	84-10-038	360-19-050	NEW	84-03-016
335-06-050	NEW-E	84-10-036	356-15-100	AMD-P	84-08-035	360-19-060	NEW	84-03-016
335-06-060	NEW-P	84-10-035	356-15-110	AMD-P	84-08-035	360-19-070	NEW	84-03-016
335-06-060	NEW-E	84-10-036	356-18-050	AMD	84-04-022	360-19-080	NEW	84-03-016
335-06-070	NEW-P	84-10-035	356-18-070	AMD-C	84-04-019	360-19-090	NEW	84-03-016
335-06-070	NEW-E	84-10-036	356-18-070	AMD-C	84-07-003	360-19-100	NEW	84-03-016
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388-08-407	REP	84-05-040	388-37-035	AMD-P	84-11-074	388-83-200	AMD-P	84-09-016
388-08-408	REP	84-05-040	388-37-036	REP-P	84-11-074	388-83-210	NEW	84-04-066
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388-08-413	AMD	84-05-040	388-37-038	AMD-P	84-11-074	388-85-115	AMD	84-02-055
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388-08-440	REP	84-05-040	388-37-110	NEW-P	84-11-074	388-86-120	AMD-E	84-04-065
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388-96-761	NEW-P	84-08-056	392-109-110	AMD	84-11-038	392-160-003	NEW-P	84-10-072
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