

**JANUARY 15, 1986**

**OLYMPIA, WASHINGTON**

**ISSUE 86-02**



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## CERTIFICATE

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DENNIS W. COOPER  
Code Reviser

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# WASHINGTON STATE REGISTER

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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.

1985 - 1986

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates <sup>1</sup>			Distribution Date	First Agency Action Date <sup>3</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS		
<i>For Inclusion in—</i>	<i>File no later than—</i>			<i>Count 20 days from—</i>	<i>For hearing/adoption on or after</i>
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85-24	Nov 6	Nov 20	Dec 4	Dec 18	Jan 7, 1986
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<sup>1</sup>All 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.

<sup>2</sup>A 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.

<sup>3</sup>"No 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 86-02-001****NOTICE OF PUBLIC MEETINGS  
UNIVERSITY OF WASHINGTON**  
[Memorandum—December 18, 1985]

In accordance with RCW 42.30.075, the university is providing the following list of governing bodies that maintain regular meeting schedules with the Visitors Information Center.

These schedules are available for public inspection at the following address:

Visitors Information Center  
University of Washington  
4014 University Way N.E.  
Seattle, WA 98105  
Telephone: (206) 543-9198

For date, time and place contact the University of Washington Visitors Information Center, 4014 University Way N.E., Seattle, WA 98105, telephone (206) 543-9198. Hours: 8 a.m. to 5 p.m., Monday through Friday, except national holidays.

Aeronautics and Astronautics Department – Faculty  
Aeronautics and Astronautics Department Graduate Committee  
American Ethnic Studies – Faculty  
Anesthesiology – Faculty  
Animal Medicine – Faculty  
Anthropology Department – Faculty  
Architecture, Department of – Departmental Cabinet  
Architecture, Department of – Departmental Executive  
Architecture, Department of – Faculty  
Architecture, Department of – Tenure, Promotion Committee  
Architecture and Urban Planning College Council  
Architecture and Urban Planning Faculty  
Art History Faculty  
Asian Language & Literature – Faculty  
Associated Students of University of Washington – Board of Control  
Associated Students of University of Washington – Governance Liaison  
Astronomy Department  
Atmospheric Sciences – Faculty  
Biochemistry Department – Faculty  
Bioengineering, Center for – Faculty  
Biological Structure – Faculty  
Biological Structure – Graduate Affairs Committee  
Biostatistics, Department of – Faculty  
Botany, Department of – Faculty  
Business Administration – Computer Policy Committee  
Business Administration – Faculty Council  
Center for Urban Horticulture – Faculty  
Chemical Engineering Chair Review Committee

Chemical Engineering Department – Faculty  
Chemistry, Department of – Faculty  
Child Development Research Group – Board of Directors  
Civil Engineering – Structural & Geotechnical Eng. & Mechanics  
Civil Engineering – Undergraduate Education/Admissions Committee  
Civil Engineering – Faculty  
Civil Engineering – Environmental Engineering & Science Fac.  
Classics, Department of  
Communication, School of – Faculty  
Community Dentistry Department – Faculty  
Community Health Care Systems – Faculty  
Community Health Care Systems – 402 Faculty  
Community Health Care Systems – Graduate Faculty  
Community Health Care Systems – Program Committee  
Comparative Religion Program – Faculty  
Computer Sciences Department – Faculty  
Dental Hygiene – Faculty  
Dental School – Faculty Council  
Dentistry – Executive Committee  
Drama, School of – Faculty  
Economics, Department of – Faculty  
Education, College of – Council of Graduate Studies  
Education, College of – Council on Teacher Education  
Education, College of – Faculty  
Education, College of – Faculty Council  
Education, College of – Natural Science & Mathematics Field Committee  
Education, College of – Personnel & Election Committee  
Education, College of – Policy, Governance & Administration  
Electrical Engineering Department – Computer Engineering Group  
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Engineering, College of – College Council  
Engineering, College of – Educational Policy Committee  
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Engineering, College of – Faculty  
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English Department – Expository Writing Committee

English Department – Undergraduate Association  
 English Department – Undergraduate Education Committee  
 Environmental Health, Department of – Faculty  
 Epidemiology, Department – Faculty  
 Faculty Council – Faculty Affairs  
 Faculty Council – Special Committee on Faculty Women  
 Faculty Senate – Faculty Benefits, Ad Hoc Committee  
 Faculty Senate – Senate Budget Committee  
 Faculty Senate – Senate Executive Committee  
 Faculty Senate – Group Representatives  
 Faculty Senate – Subcommittee on the Washington Technology Center  
 Faculty Senate – University Academic Council  
 Family Medicine, Department of – Faculty  
 Fisheries, School of – Faculty  
 Forest Products and Engineering Division – Faculty  
 Forest Resources Management Division – Faculty  
 Forest Resources Management Division – Curriculum Task Force  
 Forest Resources Management Division – Graduate Student Committee  
 Genetics – Curriculum Committee  
 Geography, Department of – Faculty  
 Geological Sciences – Faculty  
 Geophysics Program – Faculty  
 Graduate School – Council Meetings  
 Harborview Medical Center – Board of Trustees  
 Harborview Medical Center – Board of Trustees, Development Committee  
 Harborview Medical Center – Board of Trustees, Finance Committee  
 Harborview Medical Center – Board of Trustees, Health Care Services Committee  
 Harborview Medical Center – Board of Trustees, Planning & Facilities Committee, Facilities Building & Equipment Subcommittee  
 Harborview Medical Center – Board of Trustees, Planning & Facilities Committee, Strategic Planning Subcommittee  
 Harborview Medical Center – Board of Trustees, Public Relations Committee  
 Health Services, Department of – Faculty  
 Health Services, Department of – Program Directors  
 History, Department of – Faculty  
 Institute for Marine Studies – Faculty  
 International Studies, Henry M. Jackson School of – Executive Committee  
 KCMU-FM – Board of Directors  
 Landscape Architecture, Department of – Faculty  
 Law, School of – Faculty  
 Library and Information Science, Graduate School of – Faculty  
 Linguistics, Department of – Faculty  
 Materials Science and Engineering Department – Faculty  
 Mathematics, Department of – Faculty  
 Mechanical Engineering Department – Graduate Education Committee  
 Mechanical Engineering Department – Manufacturing & Industrial Group  
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 Music, School of – Faculty  
 Near Eastern Languages & Civilization, Departmental  
 Neurological Surgery, Department of – Faculty  
 Nursing, School of, Admissions & Continuation Committee (Undergraduate)  
 Nursing, School of, APT Committee  
 Nursing, School of, Biomedical Research Support Grant Executive Committee  
 Nursing, School of, Executive Committee  
 Nursing, School of, Executive Committee of Graduate Faculty  
 Nursing, School of, Faculty Business  
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 Nursing, School of, Family Nurse Practitioner Path  
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 Nursing, School of, Ph.D Committee  
 Nursing, School of, Program Council  
 Nursing, Graduate School of, Faculty  
 Obstetrics and Gynecology Department – Faculty  
 Oceanography, School of – Faculty  
 Ophthalmology Department – Faculty  
 Oral and Maxillofacial Surgery Department – Faculty  
 Oral Biology Department – Faculty  
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 Periodontics Department – Faculty

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 Physiological Nursing, Department of – Planning Meetings  
 Physiology and Biophysics Department – Faculty  
 Prosthodontics Department – Faculty  
 Psychosocial Nursing, Department of – Faculty  
 Public Health and Community Medicine, School of – Faculty  
 Regents, Board of  
 Rehabilitation Medicine Department – Faculty  
 Restorative Dentistry, Department of – Executive Committee  
 Restorative Dentistry, Department of – Faculty  
 Romance Languages – Department  
 Scandinavian Languages and Literature Department – Faculty  
 Scandinavian Languages and Literature Department – Graduate Faculty  
 Scientific & Technical Communications – Faculty  
 Slavic Languages and Literature Department  
 Slavic Languages and Literature Department – Russian House Board of Directors  
 Social Work, School of – Admissions Committee  
 Social Work, School of – Community & Organizational Services Track  
 Social Work, School of – Curriculum Committee  
 Social Work, School of – Faculty  
 Social Work, School of – Faculty Council  
 Social Work, School of – Human Services Track  
 Social Work, School of – Library Committee  
 Sociology, Department of – Admissions & Awards Committee  
 Sociology, Department of – Curriculum Committee  
 Sociology, Department of – Department  
 South Asian Studies Department – Faculty  
 Special Education, Office of – Faculty  
 Speech and Hearing Sciences Department – Audiology Interest Group  
 Speech and Hearing Sciences Department – Faculty  
 Speech and Hearing Sciences Department – Normal Processes Interest Group  
 Speech and Hearing Sciences Department – Speech/Language Pathology Interest Group

Speech Communication Department – Faculty  
 SEPA Advisory Committee  
 Statistics, Department of – Faculty  
 Surgery Department – Faculty  
 Tri-Cities University Center – Resident Faculty  
 University Hospital Board  
 University Hospital Facilities  
 University Hospital Finance  
 University Hospital Joint Conference  
 University Hospital Planning  
 Urban Design and Planning, Department of – Faculty  
 Women Studies Department – Advisory Committee  
 Zoology Department – Faculty

**WSR 86-02-002**

**NOTICE OF PUBLIC MEETINGS**

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

[Memorandum—December 18, 1985]

The Washington State Department of Community Development (DCD) planned to hold a public hearing on the proposed 1986 Department of Energy (DOE) weatherization assistance program state plan on Tuesday, January 7, 1986. This hearing date is being rescheduled. It is now set for Tuesday, February 4, 1986.

It will be held in the DCD Fifth Floor Conference Room, Ninth and Columbia Building, Fifth Floor, Olympia, Washington. The hearing will begin promptly at 10:00 a.m. and close at 12:00 noon unless participation requires more time.

Two typewritten copies of all oral testimony are requested. There will be a question and answer period. Written testimony will be accepted until 5:00 p.m. on Monday, February 3, 1986, to the attention of Katherine Friedt, Assistant Director, Division for Community Services, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151.

If you have any questions or need additional information, please contact Tia Pennell at (206) 753-5908.

**WSR 86-02-003**

**NOTICE OF PUBLIC MEETINGS**

**DEPARTMENT OF NATURAL RESOURCES**

**(Board of Natural Resources)**

[Memorandum—December 20, 1985]

The regular meeting of the Board of Natural Resources, Department of Natural Resources, scheduled for Tuesday, January 7, 1986, will be rescheduled to be held on Tuesday, January 14, 1986, First Floor Conference Room, General Administration Building, Olympia, Washington, at 9:00 a.m.

**WSR 86-02-004**  
**ADOPTED RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Order DE 85-24—Filed December 20, 1985]

I, Phillip C. Johnson, deputy director of the Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to ground water management areas and programs, chapter 173-100 WAC.

This action is taken pursuant to Notice No. WSR 85-20-093 filed with the code reviser on October 1, 1985. 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 90.44.400 which directs that the Department of Ecology has authority to implement the provisions of chapter 453, Laws of 1985.

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 December 18, 1985.  
 By Phillip C. Johnson  
 Deputy Director

**CHAPTER 173-100 WAC**  
**GROUND WATER MANAGEMENT AREAS AND PROGRAMS**

<b>WAC</b>	
173-100-010	Purpose.
173-100-020	Authority.
173-100-030	Overview.
173-100-040	Definitions.
173-100-050	Probable ground water management areas.
173-100-060	General schedule.
173-100-070	Designation of ground water management areas for program planning purposes.
173-100-080	Lead agency responsibilities.
173-100-090	Ground water advisory committee.
173-100-100	Ground water management program content.
173-100-110	SEPA review.
173-100-120	Hearings and implementation.
173-100-130	Designation of ground water areas.
173-100-140	Inter-governmental agreements.
173-100-150	Appeals.

**NEW SECTION**

**WAC 173-100-010 PURPOSE.** The purpose of this chapter is to establish guidelines, criteria, and procedures for the designation of ground water management areas, subareas or zones and to set forth a process for the development of ground water management programs for such areas, subareas, or zones, in order to protect ground water quality, to assure ground water quantity,

and to provide for efficient management of water resources for meeting future needs while recognizing existing water rights. The intent of this chapter is to forge a partnership between a diversity of local, state, tribal and federal interests in cooperatively protecting the state's ground water resources.

**NEW SECTION**

**WAC 173-100-020 AUTHORITY.** This chapter is promulgated by the department of ecology pursuant to RCW 90.44.400, RCW 90.44.410, RCW 90.44.420, RCW 90.44.430 and RCW 90.44.440.

**NEW SECTION**

**WAC 173-100-030 OVERVIEW.** This regulation establishes a process for the identification and designation of ground water management areas and for the development of comprehensive ground water management programs. From a general schedule of probable ground water management areas, the department of ecology in cooperation with local government will designate specific ground water management areas, subareas, or depth zones within such areas and will appoint a lead agency to develop a ground water management program and an advisory committee to oversee the development of the program for each designated area. Following completion of the program and a public hearing to be held by the department of ecology, the program must be certified to be consistent with the intent of this chapter. The program will then be implemented through state regulations and local ordinances. The programs must thereafter be periodically reviewed.

**NEW SECTION**

**WAC 173-100-040 DEFINITIONS.** For the purposes of this chapter the following definitions shall apply:

- (1) "Aquifer" means a geologic formation, group of formations or part of a formation capable of yielding a significant amount of ground water to wells or springs.
- (2) "Department" means the Washington State department of ecology.
- (3) "Ground water" means all waters that exist beneath the land surface or beneath the bed of any stream, lake or reservoir, or other body of surface water, whatever may be the geological formation or structure in which such water stands or flows, percolates or otherwise moves.
- (4) "Ground water advisory committee" means a committee appointed by the department to assist in the development of a ground water management program.
- (5) "Ground water area or subarea" means a geographic area designated pursuant to RCW 90.44.130.
- (6) "Ground water management area" means a specific geographic area or subarea designated pursuant to this chapter for which a ground water management program is required.
- (7) "Ground water management program" means a comprehensive program designed to protect ground water quality, to assure ground water quantity and to provide for efficient management of water resources while

recognizing existing ground water rights and meeting future needs consistent with local and state objectives, policies and authorities within a designated ground water management area or subarea and developed pursuant to this chapter.

(8) "Ground water management zone" means any depth or stratigraphic zone separately designated by the department in cooperation with local government for ground water management purposes within a ground water management area. Ground water management zones may consist of a specific geologic formation or formations or other reasonable bounds determined by the department consistent with the purposes of this chapter.

(9) "Ground water right" means an authorization to use ground water established pursuant to chapter 90.44 RCW, state common or statutory law existing prior to the enactment of chapter 90.44 RCW, or federal law.

(10) "Ground water user group" means an established association of holders of ground water rights located within a proposed or designated ground water management area.

(11) "Lead agency" means the agency appointed by the department to coordinate and undertake the activities necessary for the development of a ground water management program. Either the department or an agency of local government may be the lead agency.

(12) "Local government" means any county, city, town, or any other entity having its own incorporated government for local affairs including, but not limited to, a metropolitan municipal corporation, public utility district, water district, irrigation district, and/or sewer district.

(13) "Local government legislative authority" means the city or town council, board of county commissioners, special district commission, or that body assigned such duties by a city, county or district charter as enacting ordinances, passing resolutions, and appropriating funds for expenditure.

(14) "Probable ground water management area" means a specific geographic area identified by the department, in cooperation with other state agencies, local government and ground water user groups, as a candidate area for designation as a ground water management area pursuant to this chapter.

#### NEW SECTION

**WAC 173-100-050 PROBABLE GROUND WATER MANAGEMENT AREAS.** The department in cooperation with local government and ground water user groups shall identify probable ground water management areas.

(1) Probable ground water management areas may be proposed for identification at any time by the department upon its own motion or at the request of other state agencies, local government or ground water user groups.

(2) Probable ground water management area boundaries shall be delineated so as to enclose one or more distinct bodies of public ground water as nearly as known facts permit. Probable ground water management subareas shall be delineated so as to enclose all or any part of

a distinct body of public ground. Boundaries shall be based on hydrogeologic properties such as limits to lateral extent of aquifers, major perennial rivers, and regional ground water divides or as deemed appropriate by the department to most effectively accomplish the purposes of this chapter.

(3) The criteria to guide identification of probable ground water management areas shall include, but not be limited to, the following:

(a) Geographic areas where ground water quality is threatened;

(b) Aquifers that are declining due to restricted recharge or over-utilization;

(c) Aquifers in which over-appropriation may have occurred and adjudication of water rights has not yet been completed;

(d) Aquifers reserved or being considered for water supply reservation under chapter 90.54 RCW for future beneficial uses;

(e) Aquifers identified as the primary source of supply for public water supply systems;

(f) Aquifers underlying a critical water supply service area where the coordinated water system plan established pursuant to chapter 70.116 RCW has identified a need for a ground water management program;

(g) Aquifers designated as sole source aquifers by the federal Environmental Protection Agency;

(h) Geographic areas where the ground water is susceptible to contamination or degradation resulting from land use activities;

(i) Aquifers threatened by seawater intrusion; or

(j) Aquifers from which major ground water withdrawals have been proposed or appear imminent.

(4) The state agency, local government or ground water user group requesting probable ground water management area identification shall provide sufficient information for the department to determine if the area should be so identified. The department and other affected state and local governments and user groups may cooperate in preparing the request for identification.

(a) The request for identification shall be presented in a concise, factual report form and shall consider the guidelines and criteria set forth in subsections (2) and (3) of this section as they relate to the proposed area. It shall also contain: (i) Supporting data as to the need for such identification; (ii) a general description of and rationale for the proposed ground water management area boundary; (iii) goals and objectives for the proposed ground water management area; (iv) an estimated cost of developing the ground water management program and potential funding sources; (v) recommendations for agencies, organizations and groups to be represented on the ground water management area advisory committee; and (vi) a recommendation for the lead agency, taking into consideration the responsibilities contained in WAC 173-100-080.

(b) The recommendation for lead agency shall first be submitted to the county or counties with jurisdiction for written concurrence. Such written concurrence shall be included with the information required in (a) of this subsection. If such concurrence cannot be obtained, the

department shall attempt to mediate an agreement between the parties.

(c) The agency or ground water user group initiating the request for identification shall hold at least one public meeting for the purpose of receiving comments from the public, affected local, state and tribal agencies and ground water user groups.

(d) Upon completion, the request for identification shall be submitted to the department and other affected state and local agencies and ground water user groups for their review and comment. Comments shall be submitted to the department.

(5) If the department is proposing an area for identification, the department shall prepare a report containing the information in subsection (4)(a) of this section, hold a public meeting, and submit the report to affected state and local agencies and ground water user groups for their review and comment.

(6) Based upon review of the request for identification together with any comments received and a finding that the proposed area meets the guidelines and criteria of subsections (2) and (3) of this section, the department shall identify the proposed area as a probable ground water management area, establish the general planning boundaries and appoint a lead agency. When a probable ground water management area is included within only one county and that county indicates its desire to assume lead agency status, the department shall appoint the county as lead agency. The department shall notify affected state and local agencies, ground water user groups, tribal governments and local news media of such identification.

#### NEW SECTION

WAC 173-100-060 GENERAL SCHEDULE. The department shall establish a general schedule for the designation of specific ground water management areas. The general schedule shall guide the department in the designation of specific ground water management areas and in the allocation of the department's available water resources funding and staffing.

(1) The general schedule for designation of ground water management areas shall identify the relative priority of each of the probable ground water management areas. The relative priority of the probable ground water management areas shall be based upon:

(a) The availability of local or state agency resources to develop and implement a ground water management program;

(b) The significance, severity or urgency of the problems or potential problems described in the request for identification submitted for each area, with the highest priority given to areas where the water quality is imminently threatened;

(2) The department shall revise the general schedule as needed to comply with the intent of this chapter. After each revision the general schedule shall be published in the news media and the Washington State Register. A public hearing will be held in June of each year to receive public comment on the general schedule.

#### NEW SECTION

WAC 173-100-070 DESIGNATION OF GROUND WATER MANAGEMENT AREAS FOR PROGRAM PLANNING PURPOSES. The department shall designate ground water management areas by order of the department in accordance with the general schedule. The department shall hold a public hearing within the county or counties containing the probable ground water management area prior to such designation. The order shall be issued to the lead agency as well as the agency or ground water user group originally requesting identification of the areas, with copies sent to other affected state agencies, local governments, tribal governments and those parties recommended for ground water advisory committee membership. Copies of the order shall be published by the department in newspapers of general circulation within the area. The order shall contain a general description of the planning boundary for the ground water management area and shall state that the department, in cooperation with the lead agency and local government, intends to appoint a ground water advisory committee to oversee the development of a ground water management program for the area.

#### NEW SECTION

WAC 173-100-080 LEAD AGENCY RESPONSIBILITIES. The lead agency shall be responsible for coordinating and undertaking the activities necessary for development of the ground water management program. These activities shall include collecting data and conducting studies related to hydrogeology, water quality, water use, land use, and population projections; scheduling and coordinating advisory committee meetings; presenting draft materials to the committee for review; responding to comments from the committee; coordinating SEPA review; executing inter-local agreements or other contracts; and other duties as may be necessary. The lead agency shall also prepare a work plan, schedule, and budget for the development of the program that shows the responsibilities and roles of each of the advisory committee members as agreed upon by the committee. Data collection, data analysis and other elements of the program development may be delegated by the lead agency to other advisory committee members.

#### NEW SECTION

WAC 173-100-090 GROUND WATER ADVISORY COMMITTEE. (1) The ground water advisory committee shall be responsible for overseeing the development of the ground water management program; reviewing the work plan, schedule and budget for the development of the program; assuring that the program is technically and functionally sound; verifying that the program is consistent with this chapter and with the respective authorities of the affected agencies; and formulating and implementing a public involvement plan.

(2) The membership of each ground water advisory committee shall represent a broad spectrum of the public in order to ensure that the ground water is protected and utilized for the greatest benefit to the people of the state.

The committee shall include, but not be limited to, representation from the following groups:

- (a) Local government legislative authorities within the designated area;
- (b) Planning agencies having jurisdiction within the designated area;
- (c) Health agencies having jurisdiction within the designated area;
- (d) Ground water user groups within the designated area, including domestic well owners;
- (e) The department;
- (f) Department of social and health services;
- (g) Other local, state, and federal agencies as determined to be appropriate by the department;
- (h) Tribal governments, where a ground water management program may affect tribal waters;
- (i) Public and special interest groups such as agricultural, well drilling, forestry, environmental, business and/or industrial groups within the area, as determined to be appropriate by the department.

(3) The department shall appoint, by letter, members and alternates to the ground water advisory committee after seeking nominations from the groups listed above. Members and alternates shall serve until the ground water management program for the area is certified. The department may appoint replacement members or alternates upon request of the appointee or the ground water advisory committee.

(4) The lead agency shall hold the first meeting of the ground water advisory committee within sixty days of the appointment of the committee. Public notice shall be given for each meeting. The lead agency shall chair the first meeting, during which the advisory committee shall determine, by general agreement, rules for conducting business, including voting procedures, and the chairperson of the advisory committee.

#### NEW SECTION

WAC 173-100-100 GROUND WATER MANAGEMENT PROGRAM CONTENT. The program for each ground water management area will be tailored to the specific conditions of the area. The following guidelines on program content are intended to serve as a general framework for the program, to be adapted to the particular needs of each area. Each program shall include, as appropriate, the following:

- (1) An area characterization section comprised of:
  - (a) A delineation of the ground water area, subarea or depth zone boundaries and the rationale for those boundaries;
  - (b) A map showing the jurisdictional boundaries of all state, local, tribal, and federal governments within the ground water management area;
  - (c) Land and water use management authorities, policies, goals and responsibilities of state, local, tribal, and federal governments that may affect the area's ground water quality and quantity;
  - (d) A general description of the locale, including a brief description of the topography, geology, climate, population, land use, water use and water resources;
  - (e) A description of the area's hydrogeology, including the delineation of aquifers, aquitards, hydrogeologic

cross-sections, porosity and horizontal and vertical permeability estimates, direction and quantity of ground water flow, water-table contour and potentiometric maps by aquifer, locations of wells, perennial streams and springs, the locations of aquifer recharge and discharge areas, and the distribution and quantity of natural and man-induced aquifer recharge and discharge;

(f) Characterization of the historical and existing ground water quality;

(g) Estimates of the historical and current rates of ground water use and purposes of such use within the area;

(h) Projections of ground water supply needs and rates of withdrawal based upon alternative population and land use projections;

(i) References including sources of data, methods and accuracy of measurements, quality control used in data collection and measurement programs, and documentation for and construction details of any computer models used.

(2) A problem definition section that discusses land and water use activities potentially affecting the ground water quality or quantity of the area. These activities may include but are not limited to:

- commercial, municipal, and industrial discharges
- underground or surface storage of harmful materials in containers susceptible to leakage
- accidental spills
- waste disposal, including liquid, solid, and hazardous waste
- storm water disposal
- mining activities
- application and storage of roadway deicing chemicals
- agricultural activities
- artificial recharge of the aquifer by injection wells, seepage ponds, land spreading, or irrigation
- aquifer over-utilization causing seawater intrusion, other contamination, water table declines or depletion of surface waters
- improperly constructed or abandoned wells
- confined animal feeding activities

The discussion should define the extent of the ground water problems caused or potentially caused by each activity, including effects which may extend across ground water management area boundaries, supported by as much documentation as possible. The section should analyze historical trends in water quality in terms of their likely causes, document declining water table levels and other water use conflicts, establish the relationship between water withdrawal distribution and rates and water level changes within each aquifer or zone, and predict the likelihood of future problems and conflicts if no action is taken. The discussion should also identify land and water use management policies that affect ground water quality and quantity in the area. Areas where insufficient data exists to define the nature and extent of

existing or potential ground water problems shall be documented.

(3) A section identifying water quantity and quality goals and objectives for the area which (a) recognize existing and future uses of the aquifer, (b) are in accordance with water quality standards of the department, the department of social and health services, and the federal environmental protection agency, and (c) recognize annual variations in aquifer recharge and other significant hydrogeologic factors;

(4) An alternatives section outlining various land and water use management strategies for reaching the program's goals and objectives that address each of the ground water problems discussed in the problem definition section. If necessary, alternative data collection and analysis programs shall be defined to enable better characterization of the ground water and potential quality and quantity problems. Each of the alternative strategies shall be evaluated in terms of feasibility, effectiveness, cost, time and difficulty to implement, and degree of consistency with local comprehensive plans and water management programs such as the coordinated water system plan, the water supply reservation program, and others. The alternative management strategies shall address water conservation, conflicts with existing water rights and minimum instream flow requirements, programs to resolve such conflicts, and long-term policies and construction practices necessary to protect existing water rights and subsequent facilities installed in accordance with the ground water management area program and/or other water right procedures.

(5) A recommendations section containing those management strategies chosen from the alternatives section that are recommended for implementation. The rationale for choosing these strategies as opposed to the other alternatives identified shall be given;

(6) An implementation section comprised of:

(a) A detailed work plan for implementing each aspect of the ground water management strategies as presented in the recommendations section. For each recommended management action, the parties responsible for initiating the action and a schedule for implementation shall be identified. Where possible, the implementation plan should include specifically worded statements such as model ordinances, recommended governmental policy statements, interagency agreements, proposed legislative changes, and proposed amendments to local comprehensive plans, coordinated water system plans, basin management programs, and others as appropriate;

(b) A monitoring system for evaluating the effectiveness of the program;

(c) A process for the periodic review and revision of the ground water management program.

#### NEW SECTION

WAC 173-100-110 SEPA REVIEW. The proposed ground water management program shall be subject to review pursuant to the State Environmental Policy Act, chapter 43.21C RCW, as required under the applicable implementing regulations.

#### NEW SECTION

WAC 173-100-120 HEARINGS AND IMPLEMENTATION. (1) Upon completion of the ground water area management program, the department shall hold a public hearing within the designated ground water management area for the purpose of taking public testimony on the proposed program. Local governments are encouraged to hold joint hearings with the department to hear testimony on the proposed management program. Following the public hearing, the department and each affected local government shall prepare findings on the ground water management program within ninety days. This period may be extended by the department for an additional ninety days. The findings shall evaluate the program's technical soundness, economic feasibility, and consistency with the intent of this chapter and other federal, state and local laws. The findings shall identify any revisions necessary before the program can be certified and shall contain a statement of the agency's concurrence, indicating its intent to adopt implementing policies, ordinances and programs if required, or a statement of nonconcurrence with the program if such be the case.

(2) The lead agency will consolidate the findings and present them to the advisory committee. Statements of nonconcurrence shall be resolved by the committee and the program revised if necessary.

(3) The program shall then be submitted by the ground water advisory committee to the department which shall certify that the program is consistent with the intent of this chapter.

(4) Following such certification, state agencies and affected local governments shall adopt or amend regulations, ordinances, and/or programs for implementing those provisions of the ground water management program which are within their respective jurisdictional authorities.

(5) The department, the department of social and health services and affected local governments shall be guided by the adopted program when reviewing and considering approval of all studies, plans and facilities that may utilize or impact the implementation of the ground water management program.

#### NEW SECTION

WAC 173-100-130 DESIGNATION OF GROUND WATER AREAS. The procedures provided in RCW 90.44.130 may be utilized by the department to designate ground water areas, subareas, or zones for the purposes described therein either in conjunction with the procedures of this chapter or independently thereof.

#### NEW SECTION

WAC 173-100-140 INTER-GOVERNMENTAL AGREEMENTS. In order to fully implement this chapter, the department may negotiate and enter into cooperative agreements with Indian tribal governments, adjacent states and Canadian governmental agencies when a ground water management area is contiguous with or affects lands under their jurisdiction. Such cooperative agreements shall not affect the jurisdiction over

any civil or criminal matters that may be exercised by any party to such an agreement. Inter-governmental agreements shall further the purposes of this chapter, and shall serve to establish a framework for inter-governmental coordination, minimize duplication, and efficiently utilize program resources to protect ground water resources.

**NEW SECTION**

WAC 173-100-150 APPEALS. All final written decisions of the department pertaining to designation of ground water management areas, certification of ground water management programs, permits, regulatory orders, and related decisions pursuant to this chapter shall be subject to review by the pollution control hearings board under chapter 43.21B RCW.

**WSR 86-02-005**  
**ATTORNEY GENERAL OPINION**  
**Cite as: AGO 1985 No. 17**  
 [December 19, 1985]

**COUNTIES—CITIES AND TOWNS—ADOPTION OF IDENTICAL ORDINANCES—AGREEMENT FOR COUNTY TO ENFORCE BOTH ORDINANCES.**

An incorporated town within the county may by means of an ordinance adopt regulations identical to those of the county and then enter into an agreement for the enforcement of the town's regulations by county employees for which the town must pay true and full value to the county.

Requested by:

Honorable George F. Hanigan  
 Prosecuting Attorney, Wahkiakum County  
 P.O. Box 39  
 Cathlamet, Washington 98612

**WSR 86-02-006**  
**REVIEW OF RULES**  
**LIQUOR CONTROL BOARD**  
 [Filed December 20, 1985]

Pursuant to RCW 19.85.050(3), the Liquor Control Board is submitting the following list of rules which are scheduled for review in the next twelve months. This review will be held on September 15, 1986, beginning at 9:30 a.m. in the board's offices on the Fifth Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, Washington 98504. Public comment on any of these rules is invited in writing to be received prior to September 15, 1986. Any member of the public wishing to present oral arguments on any of these rules may do so on September 15 at the above time and place.

This agency does administer rules which have an economic impact on more than 20 percent of all industries or on 10 percent of the businesses in any one industry.

The following rules are scheduled for review in the next twelve months.

WAC/CHAPTER	TITLE/SUBJECT	LEGAL BASIS FOR RULE
ch. 314-20 WAC	BEER—BREWERS, HOLDERS, IMPORTERS, ETC.	
WAC 314-20-005	Application procedure—Beer wholesaler's or importer's license.	RCW 66.08.030 (2)(r) and (i)
WAC 314-20-010	Brewers—Importers—Wholesalers—Monthly reports—Tax refund procedures.	RCW 66.08.030 (2)(t), (m) and (u)
WAC 314-20-015	Licensed brewers—Retail sales of beer on brewery premises—Beer served without charge on premises—Class H restaurant operation.	RCW 66.08.030(2)(r) RCW 66.98.070
WAC 314-20-020	Beer labels—Certificate of label approval required—Labels and product samples to be submitted—Analysis fee—Proprietary labels prohibited.	RCW 66.08.030(2)(i) RCW 66.28.120
WAC 314-20-030	Packages—Classification.	RCW 66.08.050
WAC 314-20-040	Beer in transit stamps—General.	RCW 66.08.030(2)(u) RCW 66.12.030
WAC 314-20-050	Beer wholesalers—Records—Preservation.	RCW 66.24.290 RCW 66.08.030(2)(m)
WAC 314-20-060	Beer wholesalers and importers—Reports—Stamps.	RCW 66.24.290 RCW 66.08.030(2)(m) and (u)
WAC 314-20-070	Bad order claims—Replacement of overaged beer—Procedures.	RCW 66.24.290 RCW 66.08.030(2)
WAC 314-20-080	Sales to vessels.	RCW 66.08.030(2)(l)
WAC 314-20-090	Cash sales.	RCW 66.28.010 RCW 66.28.040
WAC 314-20-100	Beer wholesale price posting.	RCW 66.08.030(2)(m) RCW 66.28.010
WAC 314-20-105	Beer suppliers' price filings, contracts and memoranda.	RCW 66.08.030(2)(m)
WAC 314-20-110	Beer importers—Principal office.	RCW 66.08.030(2)(l)
WAC 314-20-120	Beer importers—Warehouses.	RCW 66.08.030(2)(l)
WAC 314-20-130	Imported beer—List filed—Labels.	RCW 66.08.030(2) RCW 66.28.120
WAC 314-20-140	Beer importers—Certain duties.	RCW 66.08.030(2)
WAC 314-20-150	Beer importers—Responsibility—Taxes—Stamps.	RCW 66.08.290 RCW 66.08.030(2)(m)
WAC 314-20-160	Importer of foreign beer—Certificate of approval required—Reports—Payment of tax.	RCW 66.08.030(2)(l)
WAC 314-20-170	Holders of certificates of approval.	RCW 66.08.030(2)(l)
ch. 314-24 WAC	DOMESTIC WINERIES AND DOMESTIC WINE WHOLESALERS.	
WAC 314-24-003	Standards of identity for wine.	RCW 66.08.030(2)(y)
WAC 314-24-006	Substandard wines prohibited.	RCW 66.08.030(2)(y)
WAC 314-24-020	Sanitation.	RCW 66.08.030, RCW 66.08.010 RCW 66.08.030
WAC 314-24-040	Certificate of label approval required—Product samples and labels to be submitted—Analysis fee.	
WAC 314-24-050	Alcoholic content.	RCW 66.08.030(2)(y)
WAC 314-24-060	Quality standards.	RCW 66.08.030(2)(y)
WAC 314-24-070	Domestic wineries—Purchase and use of bulk wines, brandy or wine spirits—Import permit required—Records.	RCW 66.08.030 (2)(l) and (m)
WAC 314-24-080	Containers—Sizes and types permitted.	RCW 66.08.050
WAC 314-24-090	Wine labels.	RCW 66.28.110, RCW 66.08.030
WAC 314-24-100	Domestic wineries—Responsibility for fruits used—Records.	RCW 66.08.030(2)(m)
WAC 314-24-105	Application procedure—Wine wholesaler's or importer's	RCW 66.08.030(2)(r)

WAC/CHAPTER	TITLE/SUBJECT	LEGAL BASIS FOR RULE
WAC 314-24-110	license. Domestic wineries, wine wholesalers, wine importers— Monthly reports—Bonds required—Payment of tax.	RCW 66.08.030 (2)(l) and (m) RCW 66.08.210
WAC 314-24-115	Wine importers—Requirements.	RCW 66.08.030(2)(r)
WAC 314-24-120	Importer of foreign wine— United States wineries— Certificate of approval required—Monthly reports —Records.	RCW 66.08.030
WAC 314-24-130	Case lot sales.	RCW 66.08.030
WAC 314-24-140	Sales to vessels.	RCW 66.08.030
WAC 314-24-150	Wine records—Preservation.	RCW 66.08.030(2)(m)
WAC 314-24-160	Domestic wineries—Retail sales of wine on winery premises—Wine served without charge on premises— Class H restaurant operation.	RCW 66.08.030
WAC 314-24-170	Cash sales.	RCW 66.08.030, RCW 66.28.010
WAC 314-24-180	Wine wholesalers, wine importers—Certain rights granted.	RCW 66.08.030, RCW 66.24.200
WAC 314-24-190	Wine wholesale price posting.	RCW 66.08.030(2)(m)
WAC 314-24-200	Wine suppliers' price filings, contracts and memoranda.	RCW 66.08.030(2)(m)
WAC 314-24-210	Return of wine by retailer— Replacement—Conditions.	RCW 66.08.030
WAC 314-24-220	Licensing and operation of bonded wine warehouses.	RCW 66.24.185
ch. 314-26 WAC WAC 314-26-010	Procedures for tax refunds.	RCW 66.08.030

June 10  
July 8  
August 12  
September 9  
October 14  
November 11  
December 9

The meetings will begin at 12 noon in the Bellevue Campus Cafeteria with a discussion of agenda items and at 1:30 p.m. in the Board Room, Bellevue Campus, Bellevue, Washington, for a business session. If the second Tuesday is a legal holiday, the meeting will be held if at all possible on the third Tuesday of the month or soon thereafter or as otherwise announced. In the event the board of trustees is unable to meet on the regular meeting date, a special meeting may be scheduled and held if at all possible on the third Tuesday of the month or soon thereafter or as otherwise announced. In the event the board of trustees is unable to meet, the chairman of the board may order that no regular meeting of the board of trustees be held that month.

**WSR 86-02-009**  
**NOTICE OF PUBLIC MEETINGS**  
**SKAGIT VALLEY COLLEGE**  
[Memorandum—December 19, 1985]

The board of trustees of Skagit Valley Community College, Community College District No. 4, will hold its regular meetings at 7:15 p.m. on the second Tuesday of each month in 1986, except for the month of August when there is no meeting and the month of November when the meeting will be Wednesday, November 12. All of these meetings will be held in the Faculty-Staff Lounge in the Campus Center Building on the Mount Vernon campus, except the April meeting which will be held at the Whidbey campus in the Administration Building, 1201 East Pioneer Way, Oak Harbor, Washington.

The dates of the regular meetings are: January 14, February 11, March 11, April 15, May 13, June 10, July 8, September 9, October 14, November 12 and December 9.

**WSR 86-02-007**  
**NOTICE OF PUBLIC MEETINGS**  
**LIQUOR CONTROL BOARD**  
[Memorandum—December 12, 1985]

Regular meetings of the board are held on Monday through Friday of each week, except on holidays, beginning at 9:30 a.m. or as soon thereafter as a quorum is assembled at its offices on the Fifth Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, Washington.

**WSR 86-02-008**  
**NOTICE OF PUBLIC MEETINGS**  
**BELLEVUE COMMUNITY COLLEGE**  
[Memorandum—December 17, 1985]

The regular meetings of the board of trustees of Community College District VIII for 1986 will be held on the following dates:

January 14  
February 11  
March 11  
April 9  
May 13

**WSR 86-02-010**  
**NOTICE OF PUBLIC MEETINGS**  
**PENINSULA COLLEGE**  
[Memorandum—December 19, 1985]

The board of trustees of Community College District No. 1, Peninsula College, meeting in regular session on December 18, 1985, adopted its meeting schedule for calendar year 1986:

January 15  
February 19  
March 19  
April 16  
May 21

June 18  
 July 16  
 September 17  
 October 15  
 November 19  
 December 17

**WSR 86-02-011**  
**ADOPTED RULES**  
**INSURANCE COMMISSIONER**  
 [Order R 85-5—Filed December 20, 1985]

I, Dick Marquardt, Insurance Commissioner, do promulgate and adopt at Olympia, Washington, the annexed rules relating to fixed premium universal life insurance, by defining such insurance, establishing reserves and valuation methods, specifying minimum cash surrender values and mandatory policy provisions, establishing disclosure requirements, defining practices to be unfair, and creating filing requirements; adding a new chapter to the Washington Administrative Code.

This action is taken pursuant to Notice No. WSR 85-22-072 filed with the code reviser on November 6, 1985. 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 48.02.060 which directs that the Insurance Commissioner has authority to implement the provisions of RCW 48.01.030, 48.18.100, 48.18.110, 48.18.140, 48.18.150, 48.18.480, 48.30.010, 48.74.080 and 48.76.060.

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 December 20, 1985.  
 Dick Marquardt  
 Insurance Commissioner  
 By David Rodgers  
 Chief Deputy

Chapter 284-84 WAC  
**REGULATION FOR FIXED PREMIUM UNIVERSAL LIFE INSURANCE**

WAC	
284-84-010	Scope.
284-84-020	Definitions.
284-84-030	Commissioner's reserve valuation method.
284-84-040	Alternate minimum reserves.
284-84-050	Reserves, adjusting and testing.
284-84-060	Minimum cash surrender values for fixed premium universal life insurance policies.
284-84-070	Mandatory policy provisions.
284-84-080	Disclosure requirements.
284-84-090	Periodic disclosure to policyowner.
284-84-100	Unfair practices.
284-84-110	Filing requirements.

NEW SECTION

WAC 284-84-010 SCOPE. (1) This chapter applies to all insurers and to every individual fixed premium universal life insurance policy form, as defined in this regulation, whether solicited on an individual or mass-marketing basis, filed for approval after August 31, 1986.

(2) The approval of individual fixed premium universal life insurance policy forms approved, whether affirmatively approved or deemed approved, prior to September 1, 1986, and which are not in compliance with the provisions of this regulation on January 1, 1987, is hereby withdrawn as of January 1, 1987, and such forms shall not thereafter be delivered or issued for delivery in this state.

(3) This chapter defines unfair practices and disclosure requirements in connection with the separate accumulation of policy values granted in a rider and attached to, granted in a separate policy provision or incorporated in fixed premium universal life insurance policy forms. This chapter does not define minimum nonforfeiture provisions for the separate accumulation of funds or policy values attached to, separately granted or incorporated in fixed premium universal life insurance policy forms.

(4) This chapter does not apply to universal life insurance policies where the interest credits are linked to an external referent.

(5) This chapter does not apply to policy forms defined under chapter 48.18A RCW.

NEW SECTION

WAC 284-84-020 DEFINITIONS. As used in this regulation:

(1) "Universal life insurance policy" means any individual life insurance policy having provisions for separately identified interest credits (other than in connection with dividend accumulations, premium deposit funds, or other supplementary accounts) and mortality and expense charges. A universal life insurance policy may provide for other credits and charges, such as charges for the cost of benefits provided by rider.

(2) "Flexible premium universal life insurance policy" means a universal life insurance policy which permits the policyowner to vary the amount or timing of one or more premium payments or the amount of insurance, independently of each other.

(3) "Fixed premium universal life insurance policy" means a universal life insurance policy other than a flexible premium universal life insurance policy. These policies typically schedule a guaranteed maximum premium at the beginning of each policy year for the premium paying period.

(4) "Cash surrender value" means the amount available in cash to the policyowner upon surrender of the policy, in the absence of any indebtedness.

(5) "Net cash surrender value" means the cash surrender value less any indebtedness under the policy.

(6) "Policy value" means the amount, developed within the main structure of the policy or provided in a separate policy provision, to which separately identified

interest credits and mortality, morbidity, expense or other charges are made under a fixed premium universal life insurance policy. The policy owner may or may not have a right to the entire policy value because of built in surrender charges imposed by the insurer.

(7) "Substandard class of insureds" is one whose mortality rates are assumed to be higher than the mortality rates employed with standard issues according to the insurer's classification of risks.

(8) "Death benefit corridor" defines a minimum policy benefit payable in addition to its cash value in the event of the death of the insured.

**NEW SECTION**

WAC 284-84-030 COMMISSIONER'S RESERVE VALUATION METHOD. The minimum valuation standard for universal life insurance policies shall be the commissioner's reserve valuation method, as hereinafter described for such policies, and the tables and interest rates hereinafter specified. The terminal reserve for the basic policy and any benefits and/or riders for which premiums are not paid separately as of any policy anniversary shall be equal to the net level premium reserves less (C) and less (D), where:

(1) Reserves by the net level premium method shall be equal to  $((A)-(B))r$  where:

(a)(A) is the present value of all future guaranteed benefits at the date of valuation.

(b)(B) is the quantity  $\frac{PVFB \cdot \ddot{a}_{x+t} / \ddot{a}_x}{PVFB \cdot \ddot{a}_{x+t} / \ddot{a}_x}$ , where PVFB is the present value of all benefits guaranteed at issue assuming future guaranteed maturity premiums are paid by the policyowner and taking into account all guarantees contained in the policy or declared by the insurer.

(c)  $\ddot{a}_x$  and  $\ddot{a}_{x+t}$  are present values of an annuity of one per year payable on policy anniversaries beginning at ages  $x$  and  $x+t$ , respectively, and continuing until the highest attained age at which a premium may be paid under the policy. ( $x$ ) is defined as the issue age and ( $t$ ) is defined as the duration of the policy.

(d) The guaranteed maturity premium for fixed premium universal life insurance policies shall be the premium defined in the policy which at issue provides the minimum policy guarantees.

(e) The guaranteed maturity premium for fixed premium policies shall be adjusted for death benefit corridors provided by the policy.

(f)  $r$  is equal to one.

(g) The guaranteed maturity fund at any duration is that amount which, together with future guaranteed maturity premiums, will mature the policy based on all policy guarantees at issue.

(2)(C) is the quantity  $\frac{((a)-(b)) \cdot \ddot{a}_{x+t} \cdot r / \ddot{a}_x}{((a)-(b)) \cdot \ddot{a}_{x+t} \cdot r / \ddot{a}_x}$ , where (a)-(b) is as described in RCW 48.74.040(1) for the plan of insurance defined at issue by the guaranteed maturity premiums and all guarantees contained in the policy or declared by the insurer. The definition of  $\ddot{a}_{x+t}$  and  $\ddot{a}_x$  is set forth in subsection (1)(c) of this section.

(3)(D) is the sum of any additional quantities analogous to (C) which arise because of structural changes in the policy, with each such quantity being determined on a basis consistent with that of (C) using the maturity date in effect at the time of the change.

(a) Structural changes are those changes which are separate from the automatic workings of the policy. Such changes usually would be initiated by the policyowner and include changes in the guaranteed benefits, changes in latest maturity date, or changes in allowable premium payment period.

(b) In effecting structural changes, consistent methods are prescribed when calculating reserves. Several such methods are possible, but perhaps the simplest such method would be that of maintaining proportionality between the guaranteed maturity fund and guaranteed maturity premium values and the current face amount. In applying this method, guaranteed maturity fund and guaranteed maturity premium values could be calculated per dollar of face amount and simply multiplied by the new face amount. This would eliminate much of the complexity involved in other methods.

(c) The guaranteed maturity premium, the guaranteed maturity fund and (B) shall be recalculated to reflect any structural changes in the policy. This recalculation shall be done in a manner consistent with the foregoing descriptions.

(4) Future guaranteed benefits are determined by (a) projecting the greater of the guaranteed maturity fund and the policy value, taking into account future guaranteed maturity premiums, if any, and using all guarantees of interest, mortality, expense deductions, etc., contained in the policy or declared by the insurer; and (b) taking into account any benefits guaranteed in the policy or by declaration which do not depend on the policy value.

(5) All present values shall be determined using (a) an interest rate (or rates) specified by RCW 48.74.030 for policies issued in the same year; (b) the mortality rates specified by RCW 48.74.030 for policies issued in the same year or contained in such other table as may be approved by the commissioner for this purpose; and (c) any other tables needed to value supplementary benefits provided by a rider which is being valued together with the policy.

(6) To the extent that the insurer declares guarantees more favorable than those in the policy (contractual guarantees), such declared guarantees shall be applicable to the determination of future guaranteed benefits.

(7) The mortality and interest bases for calculating present values are those assumptions defined in the Standard Valuation Law for the calculation of minimum policy reserves.

(8) RCW 48.74.030 (1)(g) permits valuation calculations on the basis of substandard mortality. While such provisions have been used infrequently in the past, it is anticipated that substandard mortality will be more frequently utilized in universal life insurance, given its flexible nature, to reflect the mortality classification assigned to the policy by the insurer.

**NEW SECTION**

WAC 284-84-040 ALTERNATE MINIMUM RESERVES. (1) If, in any policy year, the guaranteed maturity premium on any universal life insurance policy is less than the valuation net premium for such policy,

calculated by the valuation method actually used in calculating the reserve thereon but using the minimum valuation standards of mortality and rate of interest, the minimum reserve required for such contract shall be the greater of (a) or (b) of this subsection:

(a) The reserve calculated according to the method, the mortality table, and the rate of interest actually used.

(b) The reserve calculated according to the method actually used but using the minimum valuation standards of mortality and rate of interest and replacing the valuation net premium by the guaranteed maturity premium in each policy year for which the valuation net premium exceeds the guaranteed maturity premium.

(2) For universal life insurance reserves on a net level premium basis, the valuation net premium is  $PVFB/\bar{s}_x$  and for reserves on a commissioner's reserve valuation method, the valuation net premium is  $PVFB/\bar{s}_x + ((a)-(b))/\bar{s}_x$

#### NEW SECTION

WAC 284-84-050 RESERVES, ADJUSTING AND TESTING. (1) Reserves, as calculated without regard to this section, may, under some circumstances, be less than the cash surrender value or the policy value. In such instances, the reserves shall be increased to be equal to the largest of the cash surrender value, the reserve for the policy value less the surrender charges or the policy reserve. The policy value, to the extent it is guaranteed in the present and future years, shall be prefunded in accordance with the principles of the commissioner's reserve valuation method. The policy reserve shall be calculated by the commissioner's reserve valuation method for the fixed premium fixed benefit plan with all present values based on the most conservative of the mortality and interest assumptions defined by the policy guarantees for the purpose of defining benefits, or for the purpose of valuation.

(2) For testing to see if the basic policy reserves calculation pursuant to WAC 284-84-030 is sufficient to cover a scale of cash surrender values, some of which exceed the CRVM basic policy reserves calculation in such section, or for testing a scale of gross premium rates, some or all of which may be less than the basic policy reserve valuation net premium, the mortality table and interest rates applicable at the actual date of issue for the calculation of minimum policy reserves may be used. Should such testing indicate the need for increased reserves, the reserves as calculated under the assumptions in WAC 284-84-040 would be carried.

(3) Reserves for policies where the policy value is developed within the structure of their main benefits shall employ the greater of the cash surrender value or the reserve for the policy value less the surrender charges in the testing pursuant to subsection (2) of this section. Alternatively, a separate reserve may be entered on page 3, line 11 of the statutory statement for the excess of the policy value over the guaranteed cash value.

(4) Reserves for policies where the policy value is provided in a separate policy provision shall employ the

cash surrender value in the testing of such value pursuant to subsection (2) of this section and reserve for the policy value separately.

#### NEW SECTION

WAC 284-84-060 MINIMUM CASH SURRENDER VALUES FOR FIXED PREMIUM UNIVERSAL LIFE INSURANCE POLICIES. (1) The minimum cash surrender values shall be determined separately for the basic policy and any benefits and riders for which premiums are paid separately. The following requirements pertain to a basic policy and any benefits and riders for which premiums are not paid separately.

(a) The minimum cash surrender value (before adjustment for indebtedness and dividend credits) available on a date as of which interest is credited to the policy shall be equal to ((A)-(B)-(C)-(D)), where:

(i)(A) is the present value of all future guaranteed benefits.

(ii)(B) is the present value of future adjusted premiums. The adjusted premiums are calculated as described in RCW 48.76.050 (1) and (2), or in (4)(a), as applicable. If RCW 48.76.050 (4)(a) is applicable, the nonforfeiture net level premium is equal to the quantity  $PVFB/\bar{s}_x$  where PVFB is the present value of all benefits guaranteed at issue assuming future premiums are paid by the policyowner and all guarantees contained in the policy or declared by the insurer, and where  $\bar{s}_x$  is the present value of an annuity of one per year payable on policy anniversaries beginning at age x and continuing until the highest attained age at which a premium may be paid under the policy.

(iii)(C) is the present value of any quantities analogous to the nonforfeiture net level premium which arise because of guarantees declared by the insurer after the issue date of the policy.  $\bar{s}_x$  shall be replaced by an annuity beginning on the date as of which the declaration became effective and payable until the end of the period covered by the declaration.

(iv)(D) is the sum of any quantities analogous to (B) which arise because of structural changes in the policy.

(v) Structural changes are those changes which are separate from the automatic workings of the policy. Such changes usually would be initiated by the policyowner and include changes in the guaranteed benefits, changes in latest maturity date, or changes in allowable premium payment period.

(vi) In effecting structural changes, consistent methods are prescribed when calculating nonforfeiture values. Several such methods are possible, but perhaps the simplest such method would be that of maintaining proportionality between the guaranteed maturity fund and guaranteed maturity premium values and the current face amount. In applying this method, guaranteed maturity fund and guaranteed maturity premium values could be calculated per dollar of face amount and simply multiplied by the new face amount. This would eliminate much of the complexity involved in other methods.

(b) Future guaranteed benefits are determined by (i) projecting the policy value, taking into account future premiums, if any, and using all guarantees of interest,

mortality, expense deduction, etc., contained in the policy or declared by the insurer; and (ii) taking into account any benefits guaranteed in the policy or by declaration which do not depend on the policy value.

(c) All present values shall be determined using (i) an interest rate (or rates) specified in chapter 48.76 RCW for policies issued in the same year and (ii) the mortality rates specified for policies issued in the same year or contained in such other table as may be approved by the commissioner for this purpose.

(2) Minimum paid-up nonforfeiture benefits. If a universal life insurance policy provides for the optional election of a paid-up nonforfeiture benefit, it shall be such that its present value shall be at least equal to the cash surrender value provided for by the policy on the effective date of the election. The present value shall be based on mortality and interest standards at least as favorable to the policyowner as the mortality and interest standards permitted for paid-up nonforfeiture benefits by chapter 48.76 RCW. In lieu of the paid-up nonforfeiture benefit, the insurer may provide actuarially equivalent alternatives, calculated on a guaranteed or more favorable basis defined in the policy, which provide a greater amount or longer period of death benefits, or, if applicable, a greater amount of earlier payment of endowment benefits. Such alternative paid-up nonforfeiture benefits must be available for election by the policyowner for at least sixty days after the due date of the premium in default.

(3) Nonforfeiture benefits for substandard issues. The cash and nonforfeiture values of a substandard issue shall be calculated according to the same principles and formulas as the standard issues affording equitable treatment of the several classes of insureds.

#### NEW SECTION

**WAC 284-84-070 MANDATORY POLICY PROVISIONS.** The policy shall, in addition to compliance with RCW 48.23.020, provide or comply with the following:

(1) The policy shall provide that the policyowner will be sent, without charge, at least annually, a report which will serve to keep such policyowner advised as to the status of the policy including the rights to the values and benefits. The report shall also specify the conditions, if any, that the policyowner must fulfill in order to obtain these ownerships. The end of the current report period must be no more than three months prior to the date of the mailing of the report. Specific requirements of this report are detailed in WAC 284-84-090.

(2) The policy shall provide for an illustrative report which shall be sent to the policyowner upon request. Minimum requirements of such report are set forth in WAC 284-84-080. The insurer may charge the policyowner a reasonable fee for providing the report. The amount of this fee shall be disclosed on the policy specifications page.

(3) Policy guarantees. The policy shall contain:

(a) A table of guaranteed cash surrender and nonforfeiture values and a description of the basis of their calculation.

(b) All values and data shown in the policy shall be based on the minimum guaranteed interest rate(s) and the maximum guaranteed mortality and expense charges.

(4) The policy shall contain a description of the calculation of cash surrender values deriving from the accumulation of a policy value including the following information:

(a) The guaranteed maximum expense charges and loads;

(b) The guaranteed minimum rate or rates of interest;

(c) The guaranteed maximum mortality charges;

(d) The guaranteed morbidity charges, if any;

(e) Any other guaranteed charges; and

(f) Any surrender or partial withdrawal charges.

(5) Expense charges and loads, interest credits, mortality and morbidity charges, other current charges, current surrender or partial withdrawal charges shall not remain conditional for a period longer than twelve months.

(6) If the policyowner has the right to change the basic coverage, any limitation on the amount or timing of such change shall be stated in the policy. If the policyowner has the right to increase the basic coverage, the policy shall state whether a new period of contestability and/or suicide is applicable to the additional coverage.

(7) If there is a misstatement of age or sex in the policy, the amount of the death benefit shall be that which would be purchased by the most recent mortality charge at the correct age or sex. The commissioner may approve other methods which are deemed satisfactory.

(8) The scheduled guaranteed premium shall be sufficient to fund the coverage to the termination date, if any, and to provide for the endowment, if any.

(9) If the "current" premiums are not guaranteed, they may be included in the policy if clearly labelled and identified.

(10) If the contract provides for current premiums, then it shall also disclose the duration of the insurance provided if the current premiums are paid at each policy anniversary. This disclosure shall be in close proximity to the amount of the current premium shown on the policy specifications page. The duration shall be calculated using the guaranteed policy assumptions.

(11) The policy specifications page shall contain a statement, in close proximity to the statement of the current interest to be credited the policy value, if any, that the current interest and savings in the mortality or expense charges may not be fully reflected in the policy benefits.

(12) Substandard issues. If a policy is issued to an insured in a substandard premium class, the policy must be identified as a substandard issue on the policy specifications page, along with the guaranteed and current extra premiums and an explanation of how the mortality charge applied to the policy value will be determined.

(13) The policy shall define the class of insureds in terms of each applicable pricing variable and its initial set of "current" premiums as of the date of issue.

(14) The policy shall include a provision whereby changes in the current premium and any charges or

credits may only be made with respect to the entire class of insureds.

(15) The brief description on the face page shall contain the words "universal life insurance."

#### NEW SECTION

**WAC 284-84-080 DISCLOSURE REQUIREMENTS.** In connection with any advertising, solicitation, negotiation, or procurement of a fixed premium universal life insurance policy:

(1) Any statement of policy cost factors or benefits shall contain:

(a) The corresponding guaranteed policy cost factors or benefits, clearly identified;

(b) A statement explaining any nonguaranteed nature of the current premiums, interest rates, charges, or other fees applied to the policy, including the insurer's rights to alter any of these factors; and

(c) Any limitations on the crediting of interest, including identification of those portions of the policy value to which a specified interest rate shall be credited.

(2) Any illustration of the policy value shall be accompanied by the corresponding cash surrender value.

(3) Any statement regarding the crediting of a specific current interest rate shall also contain the frequency and timing by which such rate is determined.

(4) Any illustration of the policy benefits based upon nonguaranteed interest, mortality, morbidity, expense charges and loads, other current charges, current surrender or partial withdrawal charges shall be accompanied by a prominent statement indicating that these benefits are not guaranteed.

#### NEW SECTION

**WAC 284-84-090 PERIODIC DISCLOSURE TO POLICYOWNER.** The policy shall provide that the policyowner will be sent, without charge, at least annually, a report which will serve to keep such policyowner advised of the status of the policy, and any riders attached, including the rights to the values and benefits. The report shall also specify the conditions, if any, that the policyowner must fulfill in order to obtain these ownerships. The end of the current report period shall be no more than three months prior to the date of the mailing of the report.

Such report shall include the following:

(1) The beginning and ending dates of the current report period;

(2) The policy value at the end of the previous report period and at the end of the current report period;

(3) The rate of interest applied to the policy value and the total amounts which have been credited or debited to the policy value during the current report period, identifying each by type (for example, interest, mortality, expense and riders);

(4) The current death benefit at the end of the current report period on each life covered by the policy;

(5) The cash surrender value and the net cash surrender value of the policy as of the end of the current report period; and

(6) The amount of outstanding loans, if any, as of the end of the current report period; and

(7) If, assuming guaranteed interest, mortality and expense loads and continued scheduled premium payments, the policy's net cash surrender value is such that it would not maintain insurance in force until the end of the next reporting period, a notice to this effect shall be included in the report.

#### NEW SECTION

**WAC 284-84-100 UNFAIR PRACTICES.** Pursuant to RCW 48.30.010, it shall be an unfair practice to:

(1) Contrive to set the premiums at the time of repricing so as to reduce, postpone or avoid cash values.

(2) Recoup past losses or distribute past gains when repricing the policies, when defining the current interest to be credited, or when determining mortality, morbidity or expenses to be charged.

(3) Increase the interest credited to present a more competitive rate while at the same time increasing the mortality, morbidity, expense or other charge or to adjust these and other rates in a similar manner, unless justified by actual company experience.

(4) Review less than all pricing assumptions at repricing or setting of the current credits and charges, thereby upsetting the consistent and equitable treatment of the policyholders.

(5) Add additional pricing variables to the definition of a class of insureds after issue, without the prior written approval of the commissioner.

(6) Separate one class of insureds into two or more classes after issue, without the prior written approval of the commissioner.

(7) Adjust premiums, interest credits, expenses and loads other than with respect to an entire class of insureds.

(8) Treat renewing policyholders in a manner inconsistent or inequitably with new policyholders.

(9) Have one class of insureds support, or be supported by, another class.

#### NEW SECTION

**WAC 284-84-110 FILING REQUIREMENTS.**

(1) The actuarial memorandum which accompanies the policy filing shall list, among other things, the basis or modification of each table of maximum mortality charge to be used by the company; for example, male, female, and nonsmoker, smoker, etc. It shall also include sufficient numerical data and other information employed by the company to identify the standard and substandard classes of insureds.

(2) For substandard issues, the commissioner must be supplied with a sample of the appropriate policy pages completed through each type of rating used by the company; for example, percentage of standard class premium, extra premium, temporary or permanent flat charge per thousand.

**WSR 86-02-012**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed December 20, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning prevailing wages, chapter 296-127 WAC. The 1985 legislature, in chapter 15, Laws of 1985 (SHB 16), amended the prevailing wage law, chapter 39.12 RCW.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 17, 1986.

The authority under which these rules are proposed is RCW 39.12.\_\_\_\_ (section 2, chapter 15, Laws of 1985), 39.12.050 and 43.22.270.

The specific statute these rules are intended to implement is RCW 39.12.\_\_\_\_ (section 2, chapter 15, Laws of 1985) and 39.12.050.

This notice is connected to and continues the matter in Notice No. WSR 86-20-129 filed with the code reviser's office on October 2, 1985.

Dated: December 20, 1985  
 By: Richard A. Davis  
 Director

**WSR 86-02-013**  
**NOTICE OF PUBLIC MEETINGS**  
**HUMAN RIGHTS COMMISSION**  
 [Memorandum—December 20, 1985]

The Human Rights Commission has scheduled its meetings for 1986 as follows:

January 17 and 18	Vancouver
February 27	Olympia
March 27	Mt. Vernon
April 24	Tacoma
May 22	Wenatchee
June 26	Spokane
July 24	Colville
August	No meeting planned
September 25	Yakima
October 23	Richland
November 19	Aberdeen
December 17	Seattle

**WSR 86-02-014**  
**NOTICE OF PUBLIC MEETINGS**  
**HUMAN RIGHTS COMMISSION**  
 [Memorandum—December 20, 1985]

The Washington State Human Rights Commission will conduct a special meeting of its advisory council, the Washington Association of Human Rights Agencies, on Tuesday, January 7, 1985 [1986], at the Tukwila City Hall Council Chambers, 6200 Southcenter Boulevard,

Tukwila, Washington, beginning at 7:00 p.m. The agenda will include the election of officers, discussion of the budget, and discussion of the goals and activities of the new advisory council.

**WSR 86-02-015**  
**ADOPTED RULES**  
**OFFICE OF THE GOVERNOR**  
 [Order 85-2—Filed December 23, 1985]

I, Terry Sebring, legal counsel of the Office of the Governor, do promulgate and adopt at 2nd Floor, Legislative Building, Olympia, Washington, the annexed rules relating to state employee combined charitable contributions program, chapter 240-10 WAC.

This action is taken pursuant to Notice No. WSR 85-22-015 filed with the code reviser on October 30, 1985. 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 41.04.035, 41.04.036 and 41.04.230 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 December 23, 1985.  
 By Terry Sebring  
 Legal Counsel

Chapter 240-10 WAC  
**STATE EMPLOYEE COMBINED CHARITABLE CONTRIBUTIONS PROGRAM**

<b>WAC</b>	
240-10-010	Committee established.
240-10-020	Purposes.
240-10-030	Definitions.
240-10-040	Basic standards and criteria for agency membership applicable to all agencies.
240-10-050	Required characteristics of eligible federations (umbrella organizations).
240-10-060	Qualifications for local campaign manager.

**NEW SECTION**

**WAC 240-10-010 COMMITTEE ESTABLISHED.** (1) In accordance with RCW 41.04.035, 41.04.036 and 41.04.230 and in order to implement Executive Orders EO 84-13 and EO 84-15 a committee is established to conduct a single, annual, consolidated effort to secure funds for distribution to agencies engaged in charitable and public health, welfare and service purposes.

(2) The committee shall be known as the Washington state employee combined fund drive committee.

(3) The committee shall be composed of not more than eight state employees appointed by the governor for three year terms, except that the terms of those first appointed shall be staggered with two persons appointed for one year, three persons appointed for two years, and three persons appointed for three years, as determined by the governor. The members shall be selected from the following groups:

- (a) One member from an employee organization;
- (b) One member from the legislative branch;
- (c) One member from the judicial branch;
- (d) Three members from state agencies;
- (e) Two members from higher education.

(4) The committee shall elect a chairperson annually, and such other officers as may be needed.

(5) Members of the committee shall serve without additional salary, but shall be reimbursed by their employing agencies for travel, lodging and meals in accordance with state law and regulations.

(6) The committee shall be a policy committee which shall organize and effect one solicitation effort each year.

(7) The committee shall establish standards and criteria for participation in the fund drive. (WAC 240-10-040 and 240-10-050).

(8) The committee shall annually print and distribute an application form which agencies shall use to apply for participation in the fund drive.

(9) The committee shall evaluate each application, based on its criteria, and determine which agencies engaged in charitable and public health, welfare and service purposes shall participate in one annual combined effort to secure funds from state employees through payroll deduction or other payment method.

(10) The committee may establish departmental combined fund drive coordinators, local combined fund drive coordinators, local campaign steering committees and local campaign managers to assist in the fund drive.

(11) The department of personnel shall provide the administrative support for the operation of the committee.

(12) All costs such as printing of brochures, preparation of slide presentations, and other promotional costs shall be the responsibility of those organizations designated to participate in the distribution of all funds collected. In circumstances where promotional costs cannot be associated with an individual charitable service organization, the costs shall be shared in a percentage relating to the total funds distributed.

#### NEW SECTION

WAC 240-10-020 PURPOSES. (1) The following rules are promulgated to implement a payroll deduction plan for the efficient, long-term collection of voluntary employee contributions to qualifying charitable, human health and welfare organizations. By establishing a uniform policy toward charitable fund raising efforts among state employees, the state hopes to encourage generosity in voluntary financial support for the charitable services of the qualified organizations.

(2) The intent of these regulations is to:

(a) Lessen the burdens of government and of local communities in meeting the needs of human health and welfare;

(b) Provide a convenient channel through which state employees may contribute to the efforts of the qualifying voluntary health and welfare organizations providing services in the community or region where the employees live and work and overseas;

(c) Minimize both the disruption of the state work place and the costs to taxpayers that multiple charitable fund drives have caused; and

(d) Ensure that recipient agencies are fiscally responsible in the uses of the moneys so raised.

#### NEW SECTION

WAC 240-10-030 DEFINITIONS. (1) Committee – The Washington state employee combined fund drive committee described in WAC 240-10-010.

(2) State employee combined fund drive campaign – An arrangement by which the committee provides one or more other participating organizations with the opportunity to receive funds contributed to them in the annual campaign, based on their compliance with the regulations herein.

(3) Participating organization – A health and welfare agency whose application has been accepted by the committee.

(4) Annual campaign – The once-a-year period of organized solicitation of state employees conducted annually in the month of October to obtain voluntary contributions from state employees for charitable commitments to be allocated during the ensuing year of contributions.

(5) Year of contributions – The annual calendar year for collection of the voluntary payroll deductions for charitable contributions authorized by state employees pursuant to these regulations. The normal, full annual calendar year shall begin with January and end with the ensuing December.

(6) Health and welfare agency – The terms "voluntary agency," "voluntary health and welfare agency," "voluntary charitable agency," and "voluntary charitable health and welfare agency" mean an organization that is organized and operated for the purpose of rendering, or of materially or financially supporting the rendering of, one or more of the following services directly to, and for the direct benefit of, human beings:

- (a) Delivery of health care to ill or infirm individuals;
- (b) Education and training of personnel for the delivery of health care to ill or infirm individuals;
- (c) Health research for the benefit of ill or infirm individuals;

(d) Delivery of education, training, and care to physically and mentally handicapped individuals;

(e) Treatment, care, rehabilitation, and counseling of juvenile delinquents, criminals, released convicts, persons who abuse drugs or alcohol, persons who are victims of intra-family violence or abuse, persons who are otherwise in need of social adjustment and rehabilitation, and the families of such persons;

(f) Relief of victims of crime, war, casualty, famine, natural disasters, and other catastrophes and emergencies;

(g) Neighborhood and community-wide services that directly assist needy, poor, and indigent individuals, including provision of emergency relief and shelter, recreation, transportation, the preparation and delivery of meals, educational opportunities, and job training;

(h) Protection of families that, on account of economic or other need, poverty, indigence, or emergency, are in long-term or short-term need of family, child-care, and maternity services, child and marriage counseling, foster care, and guidance or assistance in the management and maintenance of the home and household;

(i) Relief of needy, poor, and indigent infants and children, and of orphans, including the provision of adoption services;

(j) Relief of needy, poor, and indigent adults and of the elderly.

(7) Local presence – Demonstration of direct and substantial presence in the local campaign community:

(a) The availability of services, such as examinations, treatments, inoculations, preventive care, counseling, training, scholarship assistance, transportation, feeding, institutionalization, shelter, and clothing to persons working or residing in the local campaign community.

(b) The presence within the local campaign community, or within reasonable commuting distance thereof, of a facility at which services may be obtained, such as an office, clinic, mobile unit, field agency, or direct provider, or specific demonstrable effects of research, such as personnel or facilities engaged therein or specific local applications thereof.

(c) The availability to persons working or residing in the local campaign community of communication with the voluntary charitable agency by means of home visits, transportation, or telephone calls, provided by the voluntary agency at no charge to the recipient or beneficiary of the service.

(8) Overseas – Areas outside of the District of Columbia and the fifty states of the United States.

#### NEW SECTION

WAC 240-10-040 BASIC STANDARDS AND CRITERIA FOR AGENCY MEMBERSHIP APPLICABLE TO ALL AGENCIES. (1) Basic standards.

(a) Federal exemption. Each charitable organization must submit a copy of the internal revenue service determination letter indicating that it is an exempt organization under internal revenue code section 501(c)(3). An advance ruling on its exempt status shall meet this requirement.

(b) Registration and reporting. Each charitable organization shall have registered as a charitable organization with the secretary of state under the provisions of chapter 19.09 RCW (charitable solicitations) and with the attorney general under the provisions of chapter 11.110 RCW (charitable trusts) unless specifically exempt from registration by state law, and shall have filed all required reports within any established time limits.

(c) Integrity of operations. Each charitable organization must have at least a minimal history of service and

demonstrate a real capability to serve. Funds contributed to charitable organizations by state employees must be used for their announced purposes. There shall be no payment of commissions for fund-raising, no mailing of commercial merchandise, and no paid general telephone solicitors.

(d) Finances. The charitable organization must use standards of accounting and a financial system based on generally accepted accounting principles which includes accounting procedures that would be acceptable to an independent certified public accountant. The committee may require an independent audit by a certified public accountant. The charitable organization must conduct its fiscal operations in accordance with a detailed annual program budget which is prepared and approved at the beginning of each fiscal year by the board of directors. Prior authorizations by the board of directors shall be required for any significant variation from the approved budget. The committee may require that the charitable organization prepare and make available to the general public an annual financial report.

(e) Nondiscrimination. The charitable organization shall have a policy and procedure of nondiscrimination in regard to race, color, religion, national origin, handicap, age, or sex applicable to persons served by the charitable organization.

(f) Annual reports. The charitable organization shall prepare an annual report available to the general public which includes a full description of the charitable organization's activities including types of solicitation for contributions, the names of its chief administrative personnel, and a full disclosure of the source and use of contributions.

(g) Agency organization. The charitable organization must maintain an active local volunteer board of directors, serving without compensation through regular meetings and exercising satisfactory administrative controls in accordance with the agency's articles of incorporation, by-laws, and, preferably, standards adopted by its national or state affiliate: PROVIDED, That the "local volunteer board" is exempted for those voluntary charitable health and welfare agencies whose services are rendered exclusively or in substantial preponderance overseas, and which meet all the criteria set forth except for the requirement of direct and substantial presence in the local campaign community.

(h) Fund-raising costs. Each organization shall disclose to the committee the estimated percentages of the money collected which will be applied to the cost of solicitation and to the charitable purpose. The information thus provided will be disclosed to state employees during the campaign.

(i) Application deadline. Completed applications must be received before the closing date established annually by the committee.

(2) Criteria.

(a) Service programs. Each charitable agency must have a substantial local presence in a Washington state community with a history of providing programs aimed toward direct services, research, and education in an effort to meet human health, welfare, or social service

needs within a Washington state community: PROVIDED, That voluntary charitable health and welfare agencies whose services are rendered exclusively or in substantial preponderance overseas, and that meet all the criteria set forth except for the requirement of direct and substantial presence in the local campaign community, shall be eligible for agency membership; and each must be able to comply with integrity and other applicable standards that such services are indeed provided.

(b) Participation in eligible federations.

(i) No charitable organization may participate in more than one eligible federation (umbrella organization) in a county.

(ii) No charitable organization may participate both individually and as a member of an eligible federation (umbrella organization) within a county.

**NEW SECTION**

**WAC 240-10-050 REQUIRED CHARACTERISTICS OF ELIGIBLE FEDERATIONS (UMBRELLA ORGANIZATIONS).** In addition to meeting the requirements set out in WAC 240-10-040, each federated organization (umbrella organization) must demonstrate the following:

(1) Scope. It is representative of its constituent parts. While it may not accept responsibility for the exact nature of program objectives and administrative and financial procedures of its affiliates, it must be in a position to affirm that the operations and fund-raising of its affiliates comply with the standards and criteria set out in WAC 240-10-040.

(2) It has good will and acceptability within this state, including ability to demonstrate a well recognized service to or in behalf of citizens of this state: PROVIDED, That voluntary charitable health and welfare agencies whose services are rendered exclusively or in substantial preponderance overseas, and that meet all the criteria set forth except for the requirement of direct and substantial presence in the local campaign community, shall be eligible for agency membership.

(3) It has sufficient volunteers or staff, or both, to contribute to the organization and conduct of the Washington state employee combined fund drive and has at least six months of prior operation within this state.

(4) It has registered and been approved under chapter 19.09 RCW (charitable solicitations).

(5) It has at least five organizational members.

(6) It adheres to high standards in services, management and public accountability as required by the standards and criteria set out in WAC 240-10-040.

**NEW SECTION**

**WAC 240-10-060 QUALIFICATIONS FOR LOCAL CAMPAIGN MANAGER.** In selecting a local campaign manager, the local steering committee must assess the following qualities of an applicant to determine the applicant's capability to manage a successful charitable campaign:

(1) The local manager shall demonstrate the administrative and financial capability to manage and operate a fund-raising campaign with integrity and in an efficient

manner yielding contributions comparable to those made by state employees in the past.

(2) The local manager shall demonstrate that a broad base of community support has been established within the state and demonstrate continuing positive relationships with a significant number of the state's charitable organizations.

(3) The local manager shall demonstrate the ability to effectively promote and publicize a charitable fund-raising campaign among the state employee work force.

(4) The local manager shall demonstrate the ability to give guidance to, train, and supervise volunteer solicitors and other state employee volunteers in the campaign.

(5) The local manager shall demonstrate the ability to publish and distribute informational literature and other material relative to the programs of participating agencies in a fair and equitable manner.

(6) The local manager shall demonstrate a history of integrity, and a direct and substantial presence in the local (or regional) community.

(7) The local manager shall demonstrate the intent to cooperate fully with the local steering committee and with state officials.

**WSR 86-02-016**

**NOTICE OF PUBLIC MEETINGS  
PARKS AND RECREATION COMMISSION**

[Memorandum—December 23, 1985]

The following is the schedule of the 1986 regular meetings of the Washington State Parks and Recreation Commission:

February 21	Olympia
March 21	Richland
May 16	Long Beach
June 20	Chelan
July 18	Bremerton
September 19	Ephrata
October 17	Seattle
November 21	Spokane

All meetings will begin at 9:00 a.m. on the day scheduled. With the exception of the February meeting, exact meeting locations are yet undetermined. The February meeting will be held at the Thurston County Courthouse Complex, 2000 Lakeridge Drive S.W., Olympia, Washington 98502.

Locations for the next regular meeting will be announced at the close of each regular meeting, and may also be obtained thereafter by writing to the director at the address given below, or by calling (206) 753-5758, scan 234-5758.

The meeting schedule announced herein is in accordance with the commission regulation which provides the time for holding regular meetings, WAC 352-04-010(4). Currently, the regulation provides in pertinent part that eight regular meetings shall be held each calendar year, commencing at 9:00 a.m., on the third Friday of each month in which a meeting is to be held, unless otherwise called by the chair or a majority of the commissioners.

In accordance with Executive Order 83-19, meeting sites will be selected which are barrier free to the greatest extent feasible. Brailled or taped agenda items for the visually impaired, and interpreters for those with hearing impairment will be provided if requested with adequate notice. Such requests should usually be made at least ten working days in advance of the scheduled meeting date, and should be addressed to:

Director  
 Washington State Parks and  
 Recreation Commission  
 7150 Cleanwater Lane  
 Olympia, WA 98504-5711

**WSR 86-02-017**  
**NOTICE OF PUBLIC MEETINGS**  
**CRIMINAL JUSTICE TRAINING COMMISSION**  
 [Memorandum—December 20, 1985]

On December 13, 1985, a listing of the 1986 meeting dates was filed. Please make the following changes to that list: March 5 and 6, 1986, has been changed to March 12 and 13, 1986, Criminal Justice Training Center, Seattle; and June 4 and 5, 1986, has been changed to May 28 and 29, 1986, Tri-Cities.

**WSR 86-02-018**  
**NOTICE OF PUBLIC MEETINGS**  
**CLARK COLLEGE**  
 [Memorandum—December 20, 1985]

The following are the dates on which the board of trustees of Clark Community College District No. 14 are scheduled to meet during 1986:

- January 22
- February 26
- March 26
- April 23
- May 28
- June 25
- July 23
- August 27
- September 24
- October 22
- November 19\*
- December 17\*

\* These two meetings are scheduled on the third Wednesday of the month to accommodate the Thanksgiving and Christmas holidays. The meetings of the board will be held in the board room of the Baird Administration Building on the Clark College campus unless otherwise noted.

**WSR 86-02-019**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**  
 [Order 2323—Filed December 23, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt the annexed rules relating to children's involuntary treatment, new chapter 275-54 WAC.

This action is taken pursuant to Notice No. WSR 85-22-017 filed with the code reviser on October 30, 1985. 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 354, Laws of 1985, 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 December 18, 1985.  
 By Lee D. Bomberger, Acting Director  
 Division of Administration and Personnel

Chapter 275-54 WAC  
**JUVENILE INVOLUNTARY TREATMENT**

NEW SECTION

WAC 275-54-010 **PURPOSE.** Adopted pursuant to and in accordance with Chapter 354, Laws of 1985. These regulations are adopted to provide operational procedures to ensure minors in need of mental health care receive appropriate care and treatment, and to enable treatment decisions to be made in response to clinical needs and in accordance with sound professional judgment while also recognizing parents' rights to participate in treatment decisions for their minor children, and to protect minors against needless hospitalization and deprivations of liberty.

NEW SECTION

WAC 275-54-020 **DEFINITIONS.** (1) "Child psychiatrist" means a person having a license as a physician and surgeon in this state, having had graduate training in child psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and who is board eligible or board certified in child psychiatry.

(2) "Children's mental health specialist" means a mental health professional who has completed a minimum of one hundred actual hours, not quarter or semester hours, of specialized training devoted to the study of child development and the treatment of children and who has the equivalent of one year of full-time experience in the treatment of children under the supervision of a children's mental health specialist.

(3) "Commitment" means a determination by a judge or court commissioner, made after a commitment hearing, that the minor is in need of inpatient diagnosis, evaluation, or treatment or the minor is in need of less restrictive alternative treatment.

(4) "County-designated mental health professional" means a mental health professional designated by one or more counties to perform the functions of a county-designated mental health professional described in this chapter.

(5) "Department" means the department of social and health services.

(6) "Evaluation and treatment facility" means a public or private facility or unit certified by the department to provide emergency, inpatient, residential, or outpatient mental health evaluation and treatment services for minors. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility for minors. A facility which is part of or operated by the department or federal agency does not require certification. No correctional institution or facility, juvenile court detention facility, or jail may be an evaluation and treatment facility within the meaning of this chapter.

(7) "Evaluation and treatment program" means the total system of services and facilities coordinated and approved by a county or combination of counties for the evaluation and treatment of minors under this chapter.

(8) "Gravely disabled minor" means a minor who, as a result of a mental disorder, is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety, or manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

(9) "Inpatient treatment" means twenty-four-hour-per-day mental health care provided within a general hospital, psychiatric hospital, or residential treatment facility certified by the department as an evaluation and treatment facility for minors.

(10) "Involuntary patient" means a person presenting, as a result of a mental disorder, a likelihood of serious harm or is gravely disabled, and is initially detained and/or court-committed for evaluation and treatment.

(11) "Less restrictive alternative" or "less restrictive setting" means outpatient treatment provided to a minor not residing in a facility providing inpatient treatment as defined in this chapter.

(12) "Likelihood of serious harm" means either:

(a) A substantial risk physical harm will be inflicted by an individual upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;

(b) A substantial risk physical harm will be inflicted by an individual upon another, as evidenced by behavior having caused such harm or placing another person or persons in reasonable fear of sustaining such harm; or

(c) A substantial risk physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior having caused substantial loss or damage to the property of others.

(13) "Mental disorder" means any organic, mental, or emotional impairment having substantial adverse effects on an individual's cognitive or volitional functions. The presence of alcohol abuse, drug abuse, juvenile criminal history, antisocial behavior, or mental retardation alone is insufficient to justify a finding of "mental disorder" within the meaning of this section.

(14) "Mental health professional" means a person regularly involved in mental health evaluation and treatment, and qualifying as one of the following:

(a) A psychiatrist, psychologist, psychiatric nurse, or social worker.

(b) A person with a masters degree or further advanced degree in counseling or one of the social sciences from an accredited college or university. Such person shall have, in addition, at least two years of experience in direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional.

(c) A licensed physician permitted to practice medicine or osteopathy in the state of Washington.

(d) A person otherwise qualified to perform the duties of a mental health professional but does not meet the requirements listed in subsection (14)(a), (b), or (c) of this section, where an exception to such requirements has been granted by the director upon submission of a written request by the county involved, such request to document the following:

(i) The extent to which the county has made an effort to provide and has the capability of providing a mental health professional;

(ii) The amount and type of employment experience the applicant possesses. Such an applicant shall have had at least three years' experience in the direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional, as defined under subsection (14)(a), (b), or (c) of this section;

(iii) The overall needs of the mental health program in the particular county involved; and

(iv) Such factors as shall be brought to the attention of the director by the county involved.

(15) "Minor" means any person under the age of eighteen years.

(16) "Outpatient treatment" means any of the non-residential services mandated under chapter 71.24 RCW and provided by licensed services providers as identified by RCW 71.24.025(3).

(17) "Parent" means:

(a) A biological or adoptive parent having legal custody of the child, including either parent if custody is shared under a joint custody agreement; or

(b) A person or agency judicially appointed as legal guardian or custodian of the child.

(18) "Professional person in charge" means a physician or other mental health professional empowered by an evaluation and treatment facility with authority to

make admission and discharge decisions on behalf of that facility.

(19) "Psychiatric nurse" means a registered nurse having a bachelor's degree from an accredited college or university, and having had, in addition, at least two years' experience in the direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional. "Psychiatric nurse" shall also mean any other registered nurse having three years of such experience.

(20) "Psychiatrist" means a person having a license as a physician in this state having completed residency training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and is board eligible or board certified in psychiatry.

(21) "Psychologist" means a person licensed as a psychologist under chapter 18.83 RCW.

(22) "Responsible other" means the minor, the minor's parent or estate, or any other person legally responsible for support of the minor.

(23) "Secretary" means the secretary of the department or secretary's designee.

(24) "Social worker" means a person with a masters or further advanced degree from an accredited school of social work or a degree from a graduate school deemed equivalent under rules and regulations adopted by the secretary.

(25) "Start of initial detention" means the time of arrival of the minor at the first evaluation and treatment facility offering inpatient treatment if the minor is being involuntarily detained at the time. With regard to voluntary patients, "start of initial detention" means the time at which the minor gives notice of intent to leave under the provisions of this chapter.

(26) "State-funded facility" means those long-term inpatient hospital or residential facilities receiving state funds to pay part or all of the cost of care for juveniles under one hundred eighty-day commitment and placed in these facilities by the placement committee.

## NEW SECTION

WAC 275-54-030 APPLICATION FOR ADMISSION—VOLUNTARY MINOR. (1) Outpatient – Any minor thirteen years or older may request and receive outpatient treatment without the consent of the minor's parents. Parental authorization is required for outpatient treatment of a minor under the age of thirteen.

(2) Inpatient – When in the judgment of the professional person in charge of an evaluation and treatment facility it is not feasible to treat a minor in a less restrictive setting and the minor is in need of inpatient treatment because of a mental disorder, and the facility provides the type of evaluation and treatment services needed by the minor, the minor may be voluntarily admitted to an evaluation and treatment facility in accordance with the following requirements:

(a) A minor under thirteen years of age may only be admitted on the application of the minor's parents.

(b) A minor thirteen years or older may be voluntarily admitted by application of the parent. Such application

must be accompanied by the written consent, knowingly and voluntarily given, of the minor.

(c) A minor thirteen years or older may, with concurrence of the professional person in charge of the evaluation and treatment facility, admit himself or herself without parental consent to the evaluation and treatment facility. Notice must be given by the facility to the minor's parents in accordance with the following requirements:

(i) Notice shall be in the form most likely to reach the parent within twenty-four hours of the minor's voluntary admission for inpatient treatment.

(ii) The notice must contain the location and telephone number of the facility providing such treatment and the name of the professional person on the staff of the facility providing that treatment who is designated to discuss the minor's need for inpatient treatment with the parent.

(iii) The minor shall be released to the parent, at the parent's request, unless the facility files a petition with the court requesting authorization to provide voluntary treatment to the minor, and setting forth the basis for the facility's belief that the minor is in need of inpatient treatment and that release would constitute a threat to the minor's health or safety.

(iv) The petition shall be signed by the professional person in charge and shall contain the following:

(A) The name and address of the petitioner.

(B) The name of the minor whose release is alleged to constitute a threat to the minor's health or safety.

(C) The name, telephone number, and address if known of every person believed by the petitioner to be legally responsible for the minor.

(D) A statement and the supporting facts for this statement that the petitioner has examined the minor and finds the minor in need of inpatient treatment and that release would constitute a threat to the minor's health or safety.

(E) A statement that the minor has been advised of the need for inpatient treatment and knowingly and voluntarily consented to such treatment.

(F) A statement concerning whether a less-restrictive alternative is available or is in the best interest of the minor.

(v) A copy of the petition shall be personally delivered to the minor and a copy shall be sent to the minor's attorney and the minor's parents.

(vi) The hearing shall be heard within three judicial days from the filing of the petition, and shall be conducted by a judge, court commissioner, or licensed attorney designated by the superior court as a hearing officer for such hearing. The hearing may be held at the treatment facility. The petition shall be presented by the prosecuting attorney.

(vii) The facility must demonstrate at the hearing by a preponderance of the evidence presented that the minor is in need of inpatient treatment and that release would constitute a threat to the minor's health or safety, and that the minor has knowingly and voluntarily consented to treatment.

(viii) The hearing shall not be conducted using rules of evidence. The admission or exclusion of evidence

sought to be presented shall be within the exercise of sound discretion by the judicial officer conducting the hearing.

(ix) The parent and child may apply to the court for separate counsel to represent the parent if the parent cannot afford counsel.

(x) If by the preponderance of evidence the minor is found to be in need of inpatient treatment and that release would constitute a threat to the minor's health or safety, and that the minor's parent refuses to give parental consent for such treatment, and that the minor has knowingly and voluntarily consented to treatment, the petition shall be approved. The parent, then, will not have the right to demand immediate release until the next renewal of voluntary admission.

(d) The minor's need for continued inpatient treatment shall be reviewed and documented at least each one hundred eighty days.

(e) Written renewal of voluntary consent must be obtained from the applicant and the minor thirteen years or older no less than once every twelve months.

(f) A notice by a voluntary minor of intent to leave shall result in the following:

(i) Any minor under the age of thirteen must be discharged immediately upon written request of the parent.

(ii) Any minor thirteen years or older may give notice of intent to leave at any time. The notice need not follow any specific form so long as it is written and the intent of the minor can be discerned.

(iii) The staff member receiving notice shall date it immediately, record its existence in the minor's clinical record, and send copies of it to the minor's attorney, if any, the county-designated mental health professional, and the parent.

(iv) In the case of a minor thirteen years or older, the professional person in charge of the evaluation and treatment facility shall discharge that minor from the facility within twenty-four hours upon receipt of the minor's notice of intent to leave, unless the county-designated mental health professional serves on the minor a copy of a petition for initial detention, a notice of initial detention, and a statement of rights. The county-designated mental health professional shall file the original petition for initial detention with the court on the next judicial day following the minor's notice of intent to leave.

#### NEW SECTION

##### WAC 275-54-040 EMERGENCY DETENTION.

(1) When a minor, thirteen years of age or older, is brought to an evaluation and treatment facility or emergency room for immediate mental health services, the professional person in charge of the facility shall:

(a) Evaluate the minor's mental condition to determine whether the minor suffers from a mental disorder and is in immediate need of inpatient treatment.

(b) Determine if the minor is willing to consent to voluntary admission.

(2) If the minor is unwilling to consent to voluntary admission and the professional person in charge believes

the minor meets the criteria for initial detention, the facility may detain or arrange for the detention of the minor for up to twelve hours in order to enable the county-designated mental health professional to evaluate the minor and commence initial detention proceedings.

#### NEW SECTION

WAC 275-54-050 INVESTIGATION AND INVOLUNTARY DETENTION. (1) When a county-designated mental health professional receives information that a minor thirteen years or older, as a result of mental disorder, presents a likelihood of serious harm or is gravely disabled, and has investigated the specific facts and the credibility of the person or persons providing the information, and has determined voluntary admission for inpatient treatment is not possible, the county-designated mental health professional may take or cause the minor to be taken into custody and transported to an evaluation and treatment facility providing inpatient treatment.

(2) Within twelve hours of the minor's arrival at that facility, the minor shall be served with a copy of the petition for initial detention, notice of initial detention, and a statement of rights.

(3) On the next judicial day following the initial detention, the county-designated mental health professional shall file with the court the original petition for initial detention, the notice of initial detention, and the statement of rights along with an affidavit of service, and shall commence service of the petition for initial detention on the minor's parents and minor's attorney.

(4) At the time of initial detention, the county-designated mental health professional shall advise the minor both orally and in writing that a commitment hearing shall be held within seventy-two hours of the minor's provisional acceptance to the facility. Within twelve hours of the admission, the facility shall advise the minor of his or her rights, including the fact the minor has the right to communicate immediately with an attorney and the minor has a right to have an attorney appointed to represent him or her before and at the hearing if the minor is indigent.

(5) The evaluation and treatment facility must immediately accept on a provisional basis the petition and the minor and within twenty-four hours must conduct an initial evaluation of the minor's condition and either admit or release the minor. If the minor is not approved for admission, the facility shall make such recommendations and referrals for further care and treatment of the minor as necessary.

(6) If the minor is approved for inpatient admission, the minor shall be examined and evaluated by a children's mental health specialist or other mental health professional, identified in WAC 275-54-170(2)(e), within twenty-four hours of admission to determine the child's mental condition and by a physician to determine the child's physical condition. Reasonable measures shall be taken to ensure medical treatment is provided for any condition requiring immediate medical attention.

(7) The admitting facility shall take reasonable steps to notify immediately the minor's parents of the admission. The minor has the right to associate or receive

communications from parents or others unless the professional person in charge determines such communication would be seriously detrimental to the minor's condition or treatment and so indicates in the minor's clinical records and notifies the minor's parents of this determination. In no event may the minor be denied the opportunity to consult an attorney.

(8) The minor's property shall be protected in accordance with the following:

(a) Articles brought to the facility shall be inventoried and articles not kept by the patient shall be housed by the facility giving due regard to reasonable precautions necessary to safeguard such property.

(b) The peace officer or mental health professional escorting the patient to the facility shall take reasonable precautions to safeguard the property of the patient in the immediate vicinity of the point of apprehension.

(c) Reasonable precautions shall be taken to safeguard belongings not in the immediate vicinity of the patient by the escorting officer or mental health professional, and/or facility when notice of possible danger thereto is received. Further, reasonable precautions shall be taken to lock and otherwise secure the domicile of the patient as soon as possible after the patient's initial detention.

(9) The facility may detain the minor for evaluation and treatment for a period not to exceed seventy-two hours from the time of provisional acceptance. The seventy-two-hour period shall exclude Saturdays, Sundays, or holidays. At the expiration of this time period the minor must be released unless a fourteen-day petition has been filed or the minor's good-faith application for voluntary treatment is accepted.

#### NEW SECTION

**WAC 275-54-060 FOURTEEN-DAY COMMITMENT PETITION.** (1) The professional person in charge of an evaluation and treatment facility may petition to have a minor committed for fourteen days of diagnosis, evaluation, and treatment. The petition must be filed within the seventy-two-hour initial detention period with the superior court in the county where the minor is residing or being detained.

(2) This petition shall be signed either by two physicians or by one physician and a mental health professional examining the minor, and it shall contain the following:

(a) The name and address of the petitioner.

(b) The name of the minor alleged to meet the criteria for fourteen-day commitment.

(c) The name, telephone number, and address if known of every person believed by the petitioner to be legally responsible for the minor.

(d) A statement and the supporting facts for this statement that the petitioner has examined the minor and finds the minor's condition meeting required criteria for fourteen-day commitment.

(e) A statement the minor has been advised of the need for but has been unwilling or unable to consent to voluntary treatment.

(f) A statement recommending the appropriate facility or facilities for this commitment.

(g) A statement concerning whether a less-restrictive alternative is available or is in the best interest of the minor.

(3) A copy of the petition shall be personally delivered to the minor and a copy shall be sent to the minor's attorney and the minor's parents.

#### NEW SECTION

**WAC 275-54-070 FOURTEEN-DAY COMMITMENT—HEARING.** (1) A fourteen-day commitment hearing shall be held within seventy-two hours from the minor's provisional acceptance. Seventy-two hours does not include Saturdays, Sundays, or legal holidays. The hearing shall be conducted at the superior court, or an appropriate place at the facility, in the county where the minor is being detained.

(a) At such hearing the court must find by preponderance of the evidence the minor has a mental disorder, presents a likelihood of serious harm or is gravely disabled, is in need of inpatient treatment of the type provided by the recommended facility, or is in need of less-restrictive alternative treatment found to be in the best interests of the minor, and the minor is unwilling or unable in good faith to consent to voluntary treatment.

(b) Rules of evidence shall not apply in fourteen-day commitment hearings.

(c) The judicial officer may exercise discretion regarding the admission or exclusion of evidence.

(d) This hearing shall be held within seventy-two hours unless a continuance is requested by the minor or the minor's attorney. The court may, for good cause, transfer the proceeding to the county of the minor's residence, or to the county in which the alleged conduct evidencing need for commitment occurred. If the county of detention is changed, subsequent petitions may be filed in the county in which the minor is detained without the necessity of a change of venue.

(e) Evidence in support of the petition shall be presented by the county prosecutor.

(f) The minor shall be present at the hearing unless the minor, with the assistance of the minor's attorney, waives the right to be present.

(g) If the parents are opposed to the petition, they may be represented at the hearing and shall be entitled to a court-appointed counsel if they are indigent.

(2) At the commitment hearing, the minor shall have the following rights:

(a) To be represented by an attorney.

(b) Present evidence on his or her behalf.

(c) To question persons testifying in support of the petition.

(d) If the minor has received medication within twenty-four hours of the hearing, the court shall be informed of that fact and the probable effects of the medication.

(3) If the court finds a less-restrictive alternative is in the best interests of the minor, the court shall order less-restrictive alternative treatment upon conditions as necessary.

(4) If the court determines the minor does not meet the criteria for a fourteen-day commitment, the minor shall be released.

(5) A minor having been committed for fourteen days shall be released at the end of that period unless a petition for a one hundred eighty-day commitment is pending before the court.

#### NEW SECTION

**WAC 275-54-080 ONE HUNDRED EIGHTY-DAY PETITION, HEARING, AND COMMITMENT.** (1) At any time during the minor's fourteen-day commitment, the professional person in charge may petition the court for an additional one hundred eighty-day period of treatment. If this professional person is in charge of a facility other than a state-operated facility, then the evidence in support of the petition shall be presented by the county prosecutor. If the professional person in charge is employed by the state-operated facility, the evidence shall be presented by the attorney general.

(2) The petition for one hundred eighty-day commitment shall contain the following:

(a) The name and address of the petitioner or petitioners.

(b) The name of the minor alleged to meet the criteria for one hundred eighty-day commitment.

(c) A statement the petitioner is the professional person in charge of the facility responsible for the treatment of the minor.

(d) The date of the fourteen-day commitment order.

(e) A summary of the facts supporting the petition.

(f) Affidavits which describe in detail the behavior of the detained minor which supports the petition and shall state whether a less-restrictive alternative to inpatient treatment is in the best interest of the minor shall be signed by two examining physicians, one of whom shall be a child psychiatrist, or by one examining physician and one children's mental health specialist.

(3) The petition shall be filed with the clerk of the court at least three days before the expiration of the fourteen-day commitment period.

(4) The hearing shall be conducted at the superior court, or an appropriate place at the facility in the county where the minor is being detained. The court may, for good cause, transfer the proceeding to the county of the minor's residence or to the county where the alleged conduct evidencing need for commitment occurred. If the county of detention is changed, subsequent petition may be filed in the county where the minor is detained without the necessity of a change of venue.

(5) The petitioner shall serve a copy of the petition on the minor and notify the minor's attorney and the minor's parent within twenty-four hours of filing. A copy of the petition shall be provided to the minor's attorney and the minor's parent at least twenty-four hours prior to the hearing.

(6) At the time of the filing, the court shall set a hearing date which is to be within seven days of filing of the petition.

(7) The court may continue the hearing for not more than ten days upon the written request of the minor or the minor's attorney. The minor or the parents shall be afforded the same rights as in a fourteen-day commitment hearing. Treatment of the minor shall continue pending the proceeding.

(8) The court must find by clear, cogent, and convincing evidence the minor is suffering from a mental disorder and presents a likelihood of serious harm or is gravely disabled and is in need of further treatment that only can be provided in a one hundred eighty-day commitment.

(9) If the court finds the minor meets the criteria for continued commitment, and a less-restrictive alternative is not appropriate or available, the court may order the minor committed for further inpatient treatment to:

(a) A private evaluation and treatment facility if the minor's parents have assumed responsibility for payment of such treatment;

(b) The custody of the secretary if placement in a state-funded program is required.

(10) If the court finds a less-restrictive alternative is in the best interest of the minor, the court shall order less-restrictive alternative treatment upon conditions as necessary.

(11) If the minor does not meet the criteria for continued commitment, the minor shall be released.

(12) Successive one hundred eighty-day commitments are permissible on the same grounds under the same procedures as the original one hundred eighty-day commitment. Such petitions shall be filed at least five days prior to the expiration of the previous one hundred eighty-day commitment order.

#### NEW SECTION

**WAC 275-54-090 DETENTION AND COMMITMENT AFTER EIGHTEENTH BIRTHDAY.** No minor may be detained or committed under chapter 354, Laws of 1985 after his or her eighteenth birthday unless commitment procedures under chapter 71.05 RCW have been initiated: PROVIDED, That a minor may be detained after his or her eighteenth birthday for the purpose of completing the fourteen-day diagnosis, evaluation, and treatment.

#### NEW SECTION

**WAC 275-54-100 TRANSFER FROM JUVENILE CORRECTIONAL INSTITUTIONS.** (1) Any person committed to or confined in any juvenile correctional institution and determined to be in need of observation, diagnosis, or treatment in an inpatient evaluation and treatment facility may be transferred or moved to such facility by the secretary or the secretary's designee upon written authorization for a period of up to fourteen days, PROVIDED, That:

(a) The secretary notifies the original committing court of the transfer.

(b) The inpatient evaluation and treatment facility is in agreement with the transfer.

(2) No minor transferred under the provisions of this section may be detained in an inpatient evaluation and treatment facility for more than fourteen days unless the minor is admitted as a voluntary patient or is committed for one hundred eighty-day treatment in accordance with provisions of WAC 275-54-030 and 275-54-080, or ninety-day treatment under chapter 71.05 RCW if eighteen years of age or older.

(3) Underlying jurisdiction of minors transferred, admitted, or committed under this section remains with the state correctional institutions.

(4) If a voluntarily admitted minor or minor committed under this section is no longer in need of the treatment provided by the facility or no longer meets the criteria for one hundred eighty-day commitment, the minor shall be returned to the state correctional institution to serve the remaining time of the underlying dispositional order or sentence.

(5) Time spent by the minor at the evaluation and treatment facility shall be credited toward the minor's juvenile court sentence.

#### NEW SECTION

**WAC 275-54-110 CONDITIONAL RELEASE OR EARLY DISCHARGE.** (1) The professional person in charge of the inpatient facility may authorize the minor's release under such conditions as appropriate. Conditional release may be revoked pursuant to WAC 275-54-150 if release conditions are not met or the minor's functioning substantially deteriorates.

(2) Minors may be discharged prior to the expiration of the commitment period if the treating physician or the professional person in charge concludes the minor no longer meets commitment criteria.

(3) Whenever the minor is conditionally released or discharged prior to the expiration of the commitment, the professional person in charge shall within three days of the conditional release or discharge notify the court and the placement committee, in the case of one hundred eighty-day commitment, in writing of the release.

#### NEW SECTION

**WAC 275-54-120 RELEASE OF VOLUNTARY/INVOLUNTARY MINORS TO THE CUSTODY OF PARENTS.** (1) The facility shall release the minor to the custody of the minor's parent or other responsible person authorized by the parent to take custody of the minor. If the parent refuses to accept custody of the released minor, or to designate and authorize another responsible person to take custody of the minor on their behalf, the minor shall be referred and released to the appropriate juvenile authority for necessary dependency action. The facility shall furnish transportation for the minor to the minor's residence or other appropriate place.

(2) If the minor is released to someone other than the minor's parent, the facility shall make every effort to notify the minor's parents of the release as soon as possible.

(3) No indigent minor may be released to a less-restrictive alternative or discharged from inpatient treatment without suitable clothing. As funds are available from the department, these may be used to provide necessary funds for the immediate welfare of the indigent minor upon discharge. The superintendent of the state hospital in the releasing facility's catchment area should be contacted for prior approval of such funds for these needs.

#### NEW SECTION

**WAC 275-54-130 ELOPEMENT OF MINORS.** In the event of a minor's elopement from an evaluation and treatment facility, the professional person in charge shall immediately notify parents and appropriate law enforcement agencies.

#### NEW SECTION

**WAC 275-54-140 LONG-TERM PLACEMENT—DESIGNATED PLACEMENT COMMITTEE.** (1) The secretary's placement authority shall be exercised through a designated placement committee composed of children's mental health specialists and established in accordance with chapter 354, Laws of 1985.

(2) The secretary shall appoint membership of the placement committee, at least one of whom shall be a child psychiatrist representing one of the state-funded, long-term evaluation and treatment facilities for minors.

(3) The committee's responsibilities shall include:

(a) The committee shall accept immediately, authorize, and effect placement of any minor committed to the secretary for one hundred eighty-day inpatient treatment in the most appropriate state-funded, long-term evaluation and treatment facility. Placement criteria shall include:

(i) The treatment needs of the minor;

(ii) The most appropriate facility able to respond to the minor's treatment needs;

(iii) The geographic proximity of the facility to the minor's family and home community;

(iv) The immediate availability of bed space;

(v) The probable impact of the minor's placement on other residents.

(b) The committee shall approve or deny requests from the state-funded facilities for transfer of a minor between facilities.

(c) Develop, maintain, and update policies and procedures to carry out the provisions of this section. Such policies and procedures shall be reviewed and approved by the mental health division.

(d) Receive and monitor reports and make such appropriate recommendations to the mental health division as may be necessary concerning needed individual patient or program corrective action. Such reports shall include:

(i) Individual patient status reports, at a minimum providing information concerning the minor's individual treatment plan and progress, recommendations for future treatment, anticipated discharge date, and possible less-restrictive treatment.

(ii) Incident reports covering such events as will be required by the placement committee's policies and procedures.

(iii) Individual patient discharge summaries.

(iv) Program utilization information as identified in the placement committee's policies and procedures.

(4) The responsibilities of the professional person in charge of the long-term state-funded inpatient evaluation and treatment facilities shall include:

(a) Establish policies, procedures, and practices assuring compliance with the provisions of this WAC.

(b) Provide the array and quality of evaluation and treatment services needed to respond to the needs of the minor in accordance with the provisions of WAC 275-54-200.

(c) Notify the court, the placement committee, and all responsible others of any major change in the minor's status and make such notification within three days of the date of any change in legal status, conditional release, or discharge.

(d) Provide the placement committee within ninety days of admission and at least one hundred eighty days thereafter with a report setting forth such facts as the committee requires, including the minor's individual treatment plan and progress, recommendations for future treatment, recommendations regarding less-restrictive treatment, and anticipated discharge date.

(e) Provide the placement committee with incident reports, discharges, program utilization information, and such other reports and information as may be specified in the placement committee policies and procedures.

(5) The placement committee shall provide the facility at the time of the minor's placement with formal written notification of placement. Such notification shall include authorization of the professional person in charge of the facility to carry out the secretary's responsibility for the care and custody of the minor and authorization to request the assistance of law enforcement agencies to return the minor in case of elopement.

(6) Any minor committed to the secretary shall remain at the treatment facility where the minor was held at the time of the commitment hearing, in accordance with the provisions of applicable mental health division issuance. The department's placement committee will be notified within twenty-four hours of the commitment to the secretary by the facility holding the minor.

(7) The committee will advise the treating facility as to the committee's requirements for information about the minor that will allow the committee to make a decision concerning placement of that minor.

#### NEW SECTION

WAC 275-54-150 REVOCATION OF A LESS-RESTRICTIVE ALTERNATIVE TREATMENT OR CONDITIONAL RELEASE. (1) If a minor is failing to adhere to the conditions of the court-ordered less-restrictive alternative treatment or the stipulations of a conditional release or if substantial deterioration of a minor's functioning has occurred, the county-designated mental health professional or the secretary may order the minor be taken into custody and transported to an inpatient evaluation and treatment facility.

(2) An order of apprehension and detention shall be filed by the county-designated mental health professional or the secretary, and it shall be served upon the minor who shall, at the time of the service, be informed of the right to a hearing and to representation by an attorney. The minor's parent and attorney shall be notified of the detention within two days of return.

(3) The county-designated mental health professional or secretary may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(4) A petition for revocation of a less-restrictive alternative treatment shall be filed by the county-designated mental health professional or the secretary with the same court that ordered such placement. A petition for revocation of a conditional release may be filed in either the county originally ordering inpatient treatment or in the county where the minor is presently residing.

(5) In either case, as identified in subsection (4) of this section, upon motion for good cause, the hearing may be transferred to the county where the minor resides or where the alleged violations occurred. The minor may waive the hearing and be returned to inpatient treatment or to less-restrictive alternative placement or conditional release on the same or modified grounds.

(6) The petition for revocation of less-restrictive alternative treatment or conditional release shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and dispositional recommendations.

(7) The hearing shall be held within seven days of the minor's return and shall determine the following:

(a) Whether the minor adhered to the conditions of the less-restrictive placement or conditional release.

(b) Whether the minor's routine functioning has substantially deteriorated.

(c) Whether the conditions of less-restrictive placement or conditional release should be modified or if the minor should be returned to inpatient treatment.

(8) If the court decides the minor is to be returned to inpatient treatment, the secretary's placement responsibility as set forth in WAC 275-54-140 shall apply.

#### NEW SECTION

WAC 275-54-160 REQUIREMENTS FOR CERTIFYING EVALUATION AND TREATMENT COMPONENTS FOR MINORS. (1) Each county or combination of counties shall develop and coordinate an evaluation and treatment program consistent with chapter 354, Laws of 1985 and chapter 71.24 RCW. Such program shall include, but is not limited to components of outpatient services, emergency services, and short-term inpatient services. The county may directly provide such a program in its entirety, or may provide one or more components of such a program directly, or may through contract or written agreement with an agency or agencies, provide the remaining component or components required, or may through contract or agreement arrange with an agency or agencies to provide such a program in its entirety. Component or components obtained on this basis from an agency or agencies shall be subject to all applicable provisions of these rules and of chapter 354, Laws of 1985. The county will maintain coordination responsibility over the program.

Any contract or agreement between county and agencies, or between two or more agencies, shall be required to comply with the standards for evaluation and treatment components and shall indicate the department will consider those standards in the department's site visit and certification procedure as directed by WAC 275-54-210.

(2) In addition to the responsibilities specified, the following shall be required of the county or of such individual designated by the county as administrator of the evaluation and treatment program:

(a) To identify, recommend to the department for certification, and coordinate the various facilities and components of the evaluation and treatment program.

(b) To assist the department in ensuring facilities and components are in compliance with all applicable rules and regulations set forth in chapter 354, Laws of 1985 and this chapter.

(3) Any agency desiring certification of a component or components in order to become an evaluation and treatment facility shall make application for such to the county-designated administrator of the evaluation and treatment program.

(4) The department is responsible for certifying each component of an agency desiring to become an evaluation and treatment facility. Upon formal request of the county-designated administrator of the evaluation and treatment program, the department shall:

(a) Inspect and evaluate the applicant agency's component or components for certification in accordance with the provisions of WAC 275-54-210.

(b) On-site visits for the purposes of certification will, where possible, include the county-designated administrator of the evaluation and treatment program as part of the site visit team.

(5) The department is responsible for making periodic inspections of a certified component. Such inspections may be in addition to any conducted by the county-designated administrator of the evaluation and treatment program.

(6) All facilities shall be recognized elements of the county's mental health plan. The plan shall list the agencies for which certification is requested, the components to be provided by each, the method whereby components will be coordinated among the several agencies when more than one agency provides evaluation and treatment services, and the method whereby the services of the facility will be coordinated with other elements of the county mental health program.

#### NEW SECTION

WAC 275-54-170 CERTIFICATION STANDARDS FOR EVALUATION AND TREATMENT PROGRAM FOR MINORS. (1) The following general requirements shall apply to any agency desiring certification as a component or components of the evaluation and treatment program:

(a) The spectrum of evaluation and treatment services provided by the agency shall include at least one of the following:

- (i) Outpatient.
- (ii) Emergency.
- (iii) Inpatient.

(b) The agency may directly provide one or more of the components specified in subsection (1)(a) of this section, or may indirectly provide one or more through contractual arrangement or agreements with other agencies. Such arrangements shall be set forth in WAC 275-54-160.

(c) The agency shall maintain a written statement describing the organizational structure, objectives, and the philosophy of the therapeutic program, such statement to include contractual affiliates (if any).

(d) The agency shall document and otherwise ensure that:

(i) Care for patients is provided in a therapeutic environment.

(ii) Patient rights as described in WAC 275-54-290 is incorporated into this environment.

(iii) The use of the least restrictive treatment alternative is considered for each patient and such consideration is documented in each patient's clinical record.

(iv) Continuity of care, coordination, and integration of services is provided.

(v) Immediate transfer from the outpatient component to the inpatient or emergency component of the agency or of the evaluation and treatment program is provided for a patient when a change in the patient's condition necessitates such transfer. In the case of the involuntary patient, such transfer shall be made pursuant to WAC 275-54-150. Patients within any component can and will be transferred without unreasonable delay to any other component, and the patient's necessary clinical information will be made available to persons responsible for the patient's treatment within any other component. In the event of a referral, the original agency will maintain responsibility for follow-up of the patient until such time as the receiving agency may assume primary service responsibility.

(vi) Referral services and assistance in obtaining supportive services appropriate to treatment including, but not limited to, community support services, vocational rehabilitation, and legal services, are provided to each patient.

(e) The agency desiring certification of the agency's component or components shall make application for such certification pursuant to WAC 275-54-160.

(2) In addition to the requirements specified for each in WAC 275-54-180, 275-54-190, and 275-54-200, the following general requirements shall apply to all facilities:

(a) Admissions. Admission to the inpatient component shall not be denied except under the following circumstances:

(i) There is a determination the person does not present a likelihood of serious harm, or an imminent likelihood of serious harm, or the person is not gravely disabled, and does not require inpatient care.

(ii) The person requires specialized medical care and support services of a type not provided by the facility.

(iii) A greater degree of control is required than can be provided by the facility.

(iv) No treatment space is available and is so documented.

(v) A less restrictive alternative provided by another facility is more appropriate and available.

(vi) For situations arising pursuant to subsection (2)(a)(ii) through (iv) of this section in the case of a seventy-two-hour detention, the county-designated mental health professional shall make arrangements for the most appropriate placement available.

(b) In general, adults and minors shall be provided services separate from one another, wherever possible. Joint use by adults and minors of a facility's inpatient services is permitted only if the minor's clinical record contains documentation that:

(i) The anticipated effects of such joint use on the minor have been considered by the professional staff, and

(ii) A professional judgment has been made that such joint use will not be deleterious to the minor. No minor shall be placed on an adult inpatient unit unless no other alternative is available, or an emergency exists, and documentation has been made pursuant to subsection (2) of this section.

(c) Admission evaluations. Within twenty-four hours of initial detention, to include Saturday, Sunday, and holidays, evaluations shall be conducted to determine the nature of the disorder, the treatment necessary, and whether or not detention is required. Such evaluations shall include at least a:

(i) Medical evaluation by a licensed physician.

(ii) Psychosocial evaluation by a mental health professional to include at least an assessment of family dynamics, interaction with other persons, educational, developmental, legal, and other social service needs of the minor.

(d) Treatment plan and clinical record. All components shall:

(i) Maintain, for each patient, a plan of treatment, and a plan for discharge including a plan for follow-up where appropriate. The treatment plan shall address the needs identified in the admission evaluation of the minor. Such treatment and discharge plans shall be entered in the patient's clinical record and shall be revised periodically as appropriate.

(ii) Maintain, for each patient, a clinical record containing sufficient information to justify the diagnosis, delineate the individual treatment plan, and document the course of treatment. The responsibility of the agency is to safeguard the record against loss, defacement, tampering, or use by unauthorized persons.

(e) Evaluation and treatment services provided to minors shall be provided by:

(i) A child mental health specialist, as defined by WAC 275-54-020(2), or

(ii) A mental health professional, as defined by WAC 275-54-020(14) directly supervised by a child mental health specialist, or

(iii) A mental health professional receiving at least one hour per week of clinical consultation from a child mental health specialist for each involuntarily detained minor provided direct client services during the week.

(f) Treatment. The evaluation and treatment program shall:

(i) Provide family therapy as needed.

(ii) Have available, as needed, professional personnel including, but not limited to, a licensed physician and a mental health professional skilled in crisis intervention.

(iii) Ensure each patient has access to necessary medical treatment and support services and access to emergency life-sustaining treatment and medication.

(iv) Have psychiatric consultation available to other physicians or mental health professionals when treatment is not provided by or under the supervision of a psychiatrist.

(g) Use of restraints and seclusion. The use of medication, physical restraints, or locked seclusion rooms in response to assaultive, self-destructive, or unruly patient behavior shall occur only to the extent necessary to ensure the safety of patients and staff, and subject to the following conditions:

(i) In the event of an emergency use of restraints or seclusion, a licensed physician must be immediately notified and shall authorize the restraints or seclusion.

(ii) No patient may be restrained or secluded for a period in excess of four hours without having been examined by a mental health professional. Such patient must be directly observed every thirty minutes and the observation recorded in the patient's clinical record.

(iii) If restraint or seclusion exceeds twenty-four hours, patient shall be examined by a licensed physician. The facts determined by his or her examination and any resultant decision to continue restraint or seclusion over twenty-four hours shall be recorded in the patient's clinical record over the signature of the authorizing physician. This procedure must be repeated for each subsequent twenty-four hour period of restraint or seclusion.

(h) Periodic evaluation. Each involuntary patient shall be evaluated periodically for release from commitment, and such evaluation will be documented in each involuntary patient's clinical record.

(i) Training. All components shall develop an inservice training plan and provide regular training to all personnel having responsibility for any aspect of patient care. Documentation of the type and amount of training received by staff members shall be maintained. Such training shall include information about:

(i) The availability and utilization of less restrictive alternatives.

(ii) Approved methods of patient care.

(iii) Managing assaultive and/or self-destructive behavior.

(iv) Related services, including, but not limited to, transportation, law enforcement, courts, prosecutors, caseworkers, family support systems, advocacy, pharmacotherapy, and hospitals.

(v) The provisions and requirements of this chapter and chapter 354, Laws of 1985 and standards and guidelines promulgated by the department.

(vi) Other appropriate subject matter.

(j) Administration. All components shall:

(i) Maintain written procedures for managing assaultive and/or self-destructive patient behavior, and assure staff has access to and are familiar with these procedures.

(ii) Maintain adequate fiscal accounting records.

(iii) Prepare and submit such reports as are required by the secretary.

(iv) Maintain a procedure for collection of fees and third-party payments.

(3) Whenever a component is also subject to licensure under other federal or state statutes or regulations, the more limiting or more specific standard shall apply.

#### NEW SECTION

**WAC 275-54-180 OUTPATIENT COMPONENT.** (1) The outpatient component is defined as a setting where evaluation and treatment services are provided on a regular basis to patients not in residence in the component. These services are intended to stabilize, sustain, and facilitate recovery of the individual within his or her living setting. Services may include, but are not limited to, day treatment and community support services provided directly by a licensed physician licensed pursuant to chapter 18.57 or 18.71 RCW, a psychologist licensed pursuant to chapter 18.83 RCW, a psychiatric nurse licensed pursuant to chapter 18.88 RCW, or by an agency licensed pursuant to chapter 71-.24 RCW and chapter 275-54 WAC.

(2) In addition to the general requirements stated in WAC 275-54-170, the following requirements shall apply to all outpatient components:

(a) Such component shall provide a therapeutic program including, but not limited to, generally accepted treatment modalities such as:

- (i) Individual.
- (ii) Group.
- (iii) Family/marital.
- (iv) Pharmacotherapy.

(b) Such component shall provide treatment to each patient under the supervision of a mental health professional.

(c) Each patient must be seen at least weekly by assigned staff during the period of involuntary treatment. A mental health professional must review each outpatient case at least weekly to ensure updating of the treatment plan and such review must be recorded in the patient's clinical record. The frequency of patient contact and case review may be modified if in the opinion of a mental health professional such is warranted and the reasons for so doing are recorded in the patient's clinical record.

(d) Such component must have access to consultation by a psychiatrist or a physician with at least one year's experience in the direct treatment of mentally ill or emotionally disturbed persons, such access to be a minimum of one hour per week for each forty hours of direct client services provided by nonmedical staff.

(e) Such component shall include medical consultation with the involuntary patient to assess and prescribe psychotropic medication to meet the needs of the patient. Such consultation shall occur at least weekly during the fourteen-day period, and monthly during the ninety-day period and the one hundred eighty-day period of involuntary treatment unless determined otherwise by the attending physician and the reasons for so doing are recorded in the patient's clinical record.

(f) Whenever possible, medication should be made available to the patient at a reduced rate through a state medication purchase contract or through the state hospital pharmacy.

#### NEW SECTION

**WAC 275-54-190 EMERGENCY COMPONENT.** (1) The emergency component is defined as a hospital emergency room or another setting where prompt therapeutic intervention occurs. The term "emergency" refers to a set of circumstances (physiological, psychological, and/or social) posing an imminent threat to the safety and/or well-being of the patient or others.

(2) In addition to the general requirements stated in WAC 275-54-170, the following requirements shall apply to all emergency components:

(a) Such component shall have the ability to respond promptly to individual crisis situations and to arrange for admission to an inpatient component on a twenty-four-hour-per-day, seven-day-per-week basis.

(b) Such component shall have the capability to detain persons dangerous to self, dangerous to others, or gravely disabled.

(c) Such component shall have immediate access to life support systems and emergency medical services. A mental health professional and/or licensed physician shall be available for consultation and communication with the patient and the component staff on a twenty-four-hour-per-day, seven-day-per-week basis.

#### NEW SECTION

**WAC 275-54-200 INPATIENT COMPONENT.** (1) The inpatient component is a hospital or residential setting where an array of treatment services is provided on a twenty-four-hour-per-day basis for patients on seventy-two-hour detentions, or fourteen-day commitments, or one hundred eighty-day commitments.

(2) In addition to the general requirements stated in WAC 275-54-170, the following requirements shall apply to all inpatient components:

(a) The inpatient component shall meet the standards required for state licensing as a psychiatric hospital, general medical hospital, skilled nursing facility, intermediate care facility, or residential treatment facility.

(b) Such component shall have the capability to admit the patient on a twenty-four-hour-per-day, seven-day-per-week basis.

(c) Such component shall have the capability to detain persons dangerous to self, others, or gravely disabled, and shall provide or have access to at least one seclusion room meeting the requirements of WAC 248-18-001 now or as hereafter amended.

(d) Such component shall provide a therapeutic program including, but not limited to, generally accepted treatment modalities such as:

- (i) Individual.
- (ii) Group.
- (iii) Family/marital.
- (iv) Pharmacotherapy.
- (v) Therapeutic community.

(e) Such component shall provide treatment to each patient under the supervision of the professional person in charge.

(f) A mental health professional must have contact with each involuntary patient daily for the purpose of

observation, evaluation, and the provision of continuity of treatment.

(g) Such component shall have access to a mental health professional and a licensed physician for consultation and communication with the patient and the component staff on a twenty-four-hour-per-day, seven-day-per-week basis.

(h) Such component shall periodically evaluate each involuntary patient for conditional release, and such evaluation shall be documented in each involuntary patient's clinical record.

#### NEW SECTION

WAC 275-54-210 CERTIFICATION PROCEDURE—WAIVERS—PROVISIONAL CERTIFICATION—RENEWAL OF CERTIFICATION. (1) In order to certify an agency's component or components, the department shall:

(a) Receive a formal request from the county-designated administrator of the evaluation and treatment program; and

(b) Conduct a site visit of the component or components including an inspection and examination of any records, procedures, materials, areas, programs, staff, and patients necessary to determine compliance with WAC 275-54-170, and the appropriate sections of WAC 275-54-180 through 275-54-220.

(2) The department shall issue full certification to a component only if the component is in full compliance with the applicable sections of this chapter.

(3) Variances from a rule may be granted by the department in the form of a waiver, pursuant to the provisions of WAC 275-55-371.

(4) Provisional certification may be granted by the director to a component or components which are in substantial compliance with the applicable sections of this chapter. Such provisional certification shall specify the number and type of deficiencies temporarily allowed and the length of provisional status.

(5) Renewal of certification is required at least every other year, and may require a complete site visit of the component or components as specified in subsection (1)(b) of this section.

#### NEW SECTION

WAC 275-54-220 DECERTIFICATION. The department may decertify any component in accordance with the provisions of RCW 71.05.540 (4) and (5), guidelines promulgated and procedures for investigation of complaints set forth by the director.

#### NEW SECTION

WAC 275-54-230 APPEAL PROCEDURE. (1) Any agency whose component or components have been denied certification or have been decertified by the department may appeal such a decision.

(2) Such appeal shall:

(a) Be made in writing;

(b) Specify the date of the decision being appealed;

(c) Specify clearly the issue to be reviewed;

(d) Be signed by and include the address of the agency;

(e) Be made within thirty days of notification of the decision being appealed.

(3) An appeal on decisions should be made in accordance with the Administrative Procedure Act, chapter 34.04 RCW.

#### NEW SECTION

WAC 275-54-240 INVOLUNTARY EVALUATION AND TREATMENT COSTS—SEVENTY-TWO HOUR DETENTIONS/FOURTEEN-DAY COMMITMENTS. (1) Responsibility of involuntary patient.

(a) Any person, or his or her estate, or his or her spouse, or the parents of a minor becoming an involuntary patient pursuant to chapter 354, Laws of 1985 shall be responsible for the cost of such evaluation and treatment. Payment of such costs by the involuntary patient, or on behalf of the involuntary patient by third-party payors, or other legally responsible persons or entities shall be made to:

(i) The state in instances where evaluation and treatment is provided in a facility maintained and operated by the department, pursuant to RCW 71.02.411.

(ii) The local agency in instances where evaluation and treatment is provided by the agency and the agency is not a facility maintained and operated by the department.

(b) In instances where inability to pay or substantial hardship is determined for an involuntary patient pursuant to this section, any unpaid costs for evaluation and treatment provided to such involuntary patient by a nondepartment agency shall be borne by the department, subject to the provisions of WAC 275-54-240 (2) and (3).

(2) Collection by agency.

(a) Definitions. For the purposes of this section:

(i) "Involuntary patient" is as defined by WAC 275-54-020.

(ii) "Title XIX" means Title XIX of the Social Security Act.

(iii) "CSO" means community services office of the department.

(b) Collection of costs for evaluation and treatment provided an involuntary patient by an agency not operated and maintained by the department shall be the responsibility of the agency. Such agency shall make reasonable efforts to make such collection pursuant to the agency's own regulations and policies. Such effort shall also include, but is not limited to, billing all appropriate resources of the involuntary patient and the patient's family, third-party payors, and other legally responsible persons and entities.

(c) Any involuntary patient not having private insurance to cover his or her costs, not already eligible for Title XIX or other state or federal assistance for his or her costs, or not otherwise paying for his or her evaluation and treatment costs, shall be referred by the agency providing the inpatient component to a local CSO for determination of eligibility for Title XIX or other state medical benefits in accordance with applicable mental

health issuance benefits. If such patient is determined so eligible by the CSO, the agency shall bill according to the instructions set forth by the department.

(d) In the case of any involuntary patient not eligible for Title XIX benefits, the agency providing the inpatient component shall be responsible for collecting the amount the patient should participate in the treatment costs. As required by subsection (2)(c) of this section and applicable mental health issuance, the amount to be collected shall be determined by the local CSO.

(e) The agency may bill the department for the balance of costs in excess of the amount of required patient participation determined by the local CSO. Such billing shall be subject to the following:

(i) Reimbursement is sought through the appropriate county as defined by WAC 275-54-240(3). All bills shall be verified by the county or the county's designee before forwarding by the county to the department for payment.

(ii) Any collections made prior to such billing shall be shown and deducted from such billing. Any collections made subsequent to such billings shall be submitted to the department.

(f) In the event an involuntary patient is determined by the agency or by the local CSO (in instances where such patient had been referred for eligibility determination) to be fully capable of paying for his or her evaluation and treatment services, and such patient refuses to do so, the agency shall have primary responsibility for collection of costs and shall not expect the department to reimburse the agency for any uncollected balance, except as stated in the applicable mental health division issuance.

(g) The agency shall maintain appropriate records and other supporting material necessary to document billings and collection of costs for evaluation and treatment provided any involuntary patient, and shall permit authorized representatives of the county and/or the department to make such review of the records of the agency as may be deemed necessary to satisfy audit purposes. Such review shall be restricted to records for involuntary patients only.

### (3) Responsibility of the county.

(a) All requests for reimbursement shall be made through the county of detention which shall review and approve requests pursuant to the following:

(i) The person being billed for was in fact an involuntary patient for the period of evaluation and treatment specified.

(ii) The date of initial detention is indicated.

(iii) Date of the seventy-two-hour (probable cause) hearing is indicated.

(iv) Date of conversion to voluntary patient status is shown (if appropriate).

(v) Date of release, transfer, or discharge is shown.

(vi) Days allowed by an approved extension request are shown (if appropriate).

(vii) The "patient participation" calculation is shown on inpatient facility invoices or the patient is shown to be eligible for Medicaid or LCP-MI.

(viii) If insurance coverage is indicated, such coverage collections have been deducted.

(b) All reimbursement payments for evaluation and treatment costs for involuntary patients shall be made directly to the service-providing agency.

(c) No payments will be made to agencies not certified pursuant to WAC 275-54-170, and not a part of a county's evaluation and treatment program pursuant to WAC 275-54-160, except in the case of licensed physicians.

(d) The counties shall maintain appropriate records and other supporting material necessary to document related administrative costs and shall submit such reports as the department shall request and shall permit authorized representatives of the department to make such review of records as may be deemed necessary to satisfy audit purposes.

### (4) Responsibility of the department.

(a) In instances where an involuntary patient is unable to pay any or all of the costs of evaluation and treatment from all of the personal, family when legally responsible, or third-party payor resources available to him or her as required by WAC 275-54-240(1), or if payment would result in substantial hardship upon such patient or his or her family, the department shall be responsible for paying any uncollected balance of such costs, as set forth in the applicable mental health division issuance, except costs for which the CSO has determined the patient should continue to be liable.

(b) The department shall reimburse the counties for increased administrative costs, if any, resulting from implementation of the provisions of the Juvenile Involuntary Treatment Act. Additional costs to the counties shall be reimbursed in accordance with the following rules, subject to the availability of state and federal funds.

(c) For all increased involuntary commitment administrative costs, the department shall award an amount to the counties to pay such costs pursuant to RCW 71.05-.550. "Increased costs" as used here shall mean costs exceeding the level financed by the county for calendar year 1984, resulting from implementation of the provisions of the Involuntary Treatment Act, and subsequent amendments.

(d) Involuntary commitment administrative costs are for services not listed under the Title XIX modality schedule. Such costs include:

(i) All travel and transportation expenses, whether for staff or involuntary patients;

(ii) All investigative costs not otherwise recoverable as a Title XIX listed service;

(iii) Expenses for hearings, testimony, legal services, courts, and prosecutors; and

(iv) The percentage of total staff time of the county mental health coordinator and agency administrative staff allocated to and expended in the involuntary commitment process.

(e) State funds shall in no case be used to replace local funds from any source used to finance administrative costs for involuntary commitment procedures conducted prior to January 1, 1985.

(f) For the evaluation and treatment provided each and every involuntary patient by a qualifying agency, the department shall reimburse the agencies in the

amount of the actual expenditures incurred pursuant to this chapter and applicable departmental instructions. Such reimbursement by the department shall not exceed the Title XIX rate and shall not be allowed for any costs already reimbursed by other means. Such reimbursement by the department shall cover the following involuntary evaluation and treatment statuses only:

(i) Emergency component services for individuals where a petition for initial detention is filed under WAC 275-54-050 within twelve hours of admission to that component.

(ii) Initial detention period including Saturdays, Sundays, holidays, and up to three judicial days.

(iii) Fourteen-day period, including any involuntary outpatient treatment or less restrictive placement recommended by agency staff for the remainder of this period. Reimbursement beyond this fourteen-day period shall require approval from the department consistent with the applicable mental health division issuance.

(iv) Conditional release effected pursuant to the applicable provisions of this chapter and chapter 354, Laws of 1985. Reimbursement shall be restricted to the initial seventeen-day period.

(v) Conversion to voluntary status. Reimbursement shall be restricted to inpatient or outpatient services provided during the initial seventeen-day period, regardless of the day within that period the involuntary patient converts to voluntary status.

(g) The department may withhold department reimbursement in whole or in part from any county or agency in the event of a failure to comply with the provisions of this chapter.

#### NEW SECTION

WAC 275-54-250 INVOLUNTARY EVALUATION AND TREATMENT COSTS—ONE HUNDRED EIGHTY-DAY COMMITMENTS. (1) Responsibility of involuntary patient.

(a) Payment for costs of care for an involuntary patient on a one hundred eighty-day commitment awaiting placement in a state-funded long-term inpatient facility shall be in accordance with the provisions of WAC 275-54-240.

(b) Any minor becoming an involuntary patient on a one hundred eighty-day commitment and placed in a state-funded long-term inpatient facility by the placement committee pursuant to chapter 354, Laws of 1985, or his or her estate, or his or her parents shall be responsible for the cost of such evaluation and treatment based upon a determination by the inpatient facility of ability to pay.

(c) Payment of such costs by the involuntary patient, or on behalf of the involuntary patient by third-party payors, or other legally responsible persons or entities shall be made to:

(i) The state in instances where evaluation and treatment is provided in a facility maintained and operated by the department, pursuant to RCW 71.02.411.

(ii) The local agency in instances where evaluation and treatment is provided by the agency and the agency is supported by, but not operated by the department.

(2) Collection by agency.

(a) Definitions.

(i) "Involuntary patient" is as defined by WAC 275-54-020(10).

(ii) "Title XIX" means Title XIX of the Social Security Act.

(iii) "CSO" means community services office of the department.

(b) Collection of costs for evaluation and treatment provided an involuntary patient by an agency not operated and maintained by the department shall be the responsibility of the agency. Such agencies shall make reasonable efforts to make such collection pursuant to the agency's own regulations and policies. Such efforts shall also include, but are not limited to, billing all appropriate resources of the involuntary patient, the patient's family, third-party payors, and other legally responsible persons and entities.

(c) Any involuntary patient who is a minor not having private insurance to cover his or her costs, not already eligible for Title XIX or other state or federal assistance for his or her costs, or not otherwise paying for their evaluation and treatment costs, shall be referred by the agency providing the inpatient component to a local CSO for determination of eligibility for Title XIX benefits. If such patient is determined so eligible by the CSO, the agency shall bill according to the instructions set forth by the department.

(d) The agency providing the long-term inpatient care shall determine the amount, if any, the patient, or his or her parents, or any responsible others should contribute to the cost of treatment. Such contributions shall be determined in accordance with the following:

(i) The agency shall have established financial screening criteria, policy, procedures, and format, and a sliding fee schedule or formula used to determine ability to contribute to the cost of inpatient care.

(ii) The financial screening criteria and the sliding fee schedule or formula shall take into consideration available income, family size, and allowable deductions.

(iii) Allowable deductions shall include unusual and exceptional circumstances and other pertinent factors as defined in WAC 275-16-075 and 275-16-085.

(iv) The agency shall establish a formal appeal policy and process allowing responsible others to appeal any financial contribution decision to the individual and agency administrative entity responsible for such decisions.

(3) Responsibility of department.

(a) The agency may bill the department for the balance of costs not collectible by actions taken in accordance with this subsection, for the care and treatment of minors on a one hundred eighty-day commitment and placed in the state-supported inpatient facility by the admissions committee.

(b) Such billing and reimbursement shall be in accordance with the instructions set forth in the department's contract for the provision of these services with the state-funded inpatient facility.

#### NEW SECTION

WAC 275-54-260 INVOLUNTARY TREATMENT PROGRAM ADMINISTRATIVE COSTS—

**SEVENTY-TWO HOUR/FOURTEEN-DAY COMMITMENT.** The mental health division will establish a maintenance of effort level for each county by January 1, 1986.

#### NEW SECTION

##### **WAC 275-54-270 INVOLUNTARY TREATMENT PROGRAM TRANSPORTATION COSTS.**

(1) The minor or his or her parents shall be responsible for any transportation costs incurred in transporting a minor to an evaluation and treatment facility for seventy-two-hour detention, fourteen-day commitment, or initial one hundred eighty-day commitment to the custody of the secretary. Such responsibility shall be based upon a determination of ability to pay as prescribed in WAC 275-54-240.

(2) Where inability to pay has been determined by the local CSO in accordance with the provisions of WAC 275-54-240, and eligibility for federal or state medical assistance has been established in compliance with applicable mental health division issuance, the department shall be responsible for payment of transportation costs incurred in transporting the eligible minor to an evaluation and treatment facility for seventy-two-hour detention, fourteen-day commitment, or one hundred eighty-day commitment. Such payments shall be made in accordance with instructions set forth in mental health division issuance.

(3) Transportation shall be provided to involuntarily committed minors under chapter 354, Laws of 1985 by the most appropriate, safest, and most cost-effective means available. Transporting by ambulance shall be used only in those circumstances dictated by medical necessity.

(4) If a minor is released from a long-term evaluation and treatment facility and no other transportation is available, that facility shall furnish transportation to the minor's residence or other appropriate place.

#### NEW SECTION

##### **WAC 275-54-280 INVOLUNTARY TREATMENT PROGRAM—LEGAL COSTS.**

(1) Responsible others shall bear the costs of attorneys appointed for the minor or his or her parent if financially able according to standards set by the court of the county in which the proceeding is held.

(2) If all responsible others are indigent as determined by these standards, the costs of the legal services shall be borne by the county in which the proceeding is held.

#### NEW SECTION

**WAC 275-54-290 PATIENT RIGHTS.** Absent a risk to self or others, minors treated under this chapter have the following rights, which shall be prominently posted in the evaluation and treatment facility:

(1) To wear their own clothes and to keep and use personal possessions;

(2) To keep and be allowed to spend a reasonable sum of their own money for canteen expenses and small purchases;

(3) To have individual storage space for private use;

(4) To have visitors at reasonable times;

(5) To have reasonable access to a telephone, both to make and receive confidential calls;

(6) To have ready access to letter-writing materials, including stamps, and to send and receive uncensored correspondence through the mail;

(7) To discuss treatment plans and decisions with mental health professionals;

(8) To have the right to adequate care and individualized treatment;

(9) Not to consent to the performance of electroconvulsive treatment or surgery, except emergency life-saving surgery, upon him or her, and not to have electroconvulsive treatment or nonemergency surgery in such circumstance unless ordered by the court pursuant to a judicial hearing in which the minor is present and represented by counsel, and the court shall appoint a psychiatrist, psychologist, or physician designated by the minor or the minor's counsel to testify on behalf of the minor. The minor's parent may exercise this right on the minor's behalf, and must be informed of any impending treatment;

(10) Not to have psychosurgery performed on him or her under any circumstances.

#### NEW SECTION

**WAC 275-54-300 CONFIDENTIALITY.** The fact of admission and all information obtained through treatment under this chapter is confidential. Confidential information may be disclosed only:

(1) In communications between mental health professionals to meet the requirements of this chapter, in the provision of services to the minor, or in making appropriate referrals;

(2) In the course of guardianship or dependency proceedings;

(3) To persons with medical responsibility for the minor's care;

(4) To the minor, the minor's parent, and the minor's attorney, subject to RCW 13.50.100;

(5) When the minor or the minor's parent designates in writing the persons to whom information or records may be released;

(6) To the extent necessary to make a claim for financial aid, insurance, or medical assistance to which the minor may be entitled or for the collection of fees or costs due to providers for services rendered under this chapter;

(7) To the courts as necessary to the administration of this chapter;

(8) To law enforcement officers or public health officers as necessary to carry out the responsibilities of their office. However, only the fact and date of admission, and the date of discharge, the name and address of the treatment provider, if any, and the last known address shall be disclosed upon request;

(9) To law enforcement officers, public health officers, appropriate relatives, and other governmental law enforcement agencies, if a minor has escaped from custody, disappeared from an evaluation and treatment facility, violated conditions of a less-restrictive treatment order, or failed to return from an authorized leave,

and then only such information as may be necessary to provide for public safety or to assist in the apprehension of the minor. The officers are obligated to keep the information confidential in accordance with this chapter;

(10) To the secretary for assistance in data collection and program evaluation or research, provided the secretary adopts rules for the conduct of such evaluation and research. The rules shall include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I, ....., agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding minors who have received services in a manner such that the minor is identifiable.

I recognize unauthorized release of confidential information may subject me to civil liability under state law.

/s/....."

(11) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure shall be made by the professional person in charge of the public or private agency or his or her designee and shall include the dates of admission, discharge, authorized or unauthorized absence from the agency's facility, and only such other information pertinent to the threat or harassment. The decision to disclose or not shall not result in civil liability for the agency or the agency's employees so long as the decision was reached in good faith and without gross negligence;

(12) To a minor's next-of-kin, attorney, guardian, or conservator, if any, the information that the minor is presently in the facility or that the minor is seriously physically ill and a statement evaluating the mental and physical condition of the minor as well as a statement of the probable duration of the minor's confinement;

(13) Upon the death of a minor, to the minor's next-of-kin;

(14) To a facility where the minor resides or will reside. This section shall not be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary. The fact of admission and all information obtained pursuant to this chapter are not admissible as evidence in any legal proceeding outside this chapter, except guardianship or dependency, without the written consent of the minor or the minor's parent;

(15) When disclosure of information on records is made, the date and circumstances, the name or names of the person or agencies to whom such disclosure was

made, the relationship to the minor, if any, and the information disclosed shall be entered in the minor's clinical record.

NEW SECTION

WAC 275-54-310 CONFIDENTIALITY OF COURT PROCEEDING RECORDS. The records and files maintained in any court proceeding are confidential and available only to the minor, the minor's parents, and the minor's attorney. The court may order release or use of these records if the court finds appropriate safeguards for strict confidentiality will be maintained.

**WSR 86-02-020**  
**EMERGENCY RULES**  
**DEPARTMENT OF GAME**  
 [Order 290—Filed December 24, 1985]

I, Jack S. Wayland, director of the Department of Game, do promulgate and adopt at 600 North Capitol Way, Olympia, WA 98504, the annexed rules relating to regulation change for 1985 hunting seasons and rules, WAC 232-28-21001.

I, Jack S. Wayland, 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 because of extreme winter conditions, deer and elk are sinking into deep and crusted snow and are suffering from stress and malnutrition. Emergency winter feeding will commence December 27, 1985.

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

This rule is promulgated pursuant to RCW 77.12.150 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 December 23, 1985.

By Jack S. Wayland  
 Director

NEW SECTION

WAC 232-28-21001 REGULATION CHANGE FOR 1985 HUNTING SEASONS AND RULES. Notwithstanding the provisions of WAC 232-28-210, effective December 25, 1985, the late archery deer season is closed in Unit 576 White Salmon and Unit 588 Grayback, and the late archery elk season is closed in Unit 576 White Salmon, Unit 586 Glenwood, and Unit 588 Grayback.

WSR 86-02-021

ADOPTED RULES

CORRECTIONS STANDARDS BOARD

[Order 86-04—Filed December 24, 1985]

Be it resolved by the Corrections Standards Board, acting at the Olympia Room of the Governor House, Olympia, Washington, that it does adopt the annexed rules relating to maximum capacities, amending WAC 289-15-225.

This action is taken pursuant to Notice No. WSR 85-22-001 filed with the code reviser on October 24, 1985. 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 70.48.050 (1)(a) and 70.48.070 and is intended to administratively implement these statutes.

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 December 12, 1985.

By Robert W. Cote
Executive Secretary

AMENDATORY SECTION (Amending Order 85-03, filed 7/1/85)

WAC 289-15-225 MAXIMUM CAPACITIES. Pursuant to WAC 289-15-220, the maximum capacity of each detention and correctional facility within the state of Washington is established at the figure indicated below.

Detention Facilities

- Auburn (22)
Bremerton (23)
((Forks (11)))
Issaquah (6)
Olympia (temporary) (19)
Stevens County (22)

Correctional Facilities

- Asotin County (16)
Benton County (109)
Chelan County (((117))) (132)
Clallam County (102)
Clark County (300)
Cowlitz County (91)
Ferry County (22)
Forks (11)
Franklin County (76)
Grant County (54)
Grays Harbor County (74)
Island County (50)
Jefferson County (18)
Kent (20)
King County (1038)
Kitsap County (103)
Kitsap County Work Release (42)
Kittitas County (45)
Klickitat County (30)
Lewis County ((62)) (68)
Lincoln County (15)
Mason County (34)
Okanogan County (67)
Pacific County (29)
Pend Oreille County (18)
Pierce County ((359)) (470)
Skagit County (83)
Skamania County (17)

Detention Facilities

Correctional Facilities

- Snohomish County (116)
Snohomish County Work Release (60)
Spokane County (352)
Thurston County (94)
Walla Walla County (44)
Whatcom County (82)
Whitman County (34)
Yakima County (274)

WSR 86-02-022

EMERGENCY RULES

DEPARTMENT OF CORRECTIONS

[Order 85-09—Filed December 24, 1985]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- New WAC 137-56-015 Disposition of earnings.
New WAC 137-56-095 Notification.
New WAC 137-56-110 Serious infractions.
New WAC 137-56-280 Applicability.
Amd WAC 137-56-010 Definitions.
Amd WAC 137-56-100 Standard rules.
Amd WAC 137-56-160 Termination of plan.
Amd WAC 137-56-170 Service of notice of proposed disciplinary action.
Amd WAC 137-56-180 Disciplinary hearing.
Amd WAC 137-56-190 Facility review committee.
Amd WAC 137-56-210 Disciplinary hearing—Rules of evidence.
Amd WAC 137-56-220 Disciplinary hearing—Findings and conclusions.
Amd WAC 137-56-230 Disciplinary hearing—Disposition.
Amd WAC 137-56-240 Disciplinary hearing—Decision.
Amd WAC 137-56-250 Disciplinary hearing—Appeal.

I, Amos E. Reed, 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 these rules are necessary to be utilized in calculating changes in offender release dates due to serious infractions committed by the inmate while in work release status, to update changes in definitions, and to clarify the authority granted the secretary under RCW 72.65.040.

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

This rule is promulgated pursuant to RCW 72.65.100 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 December 23, 1985.

By Robert E. Trimble
for Amos E. Reed
Secretary

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

WAC 137-56-010 DEFINITIONS. (1) "Secretary" is the secretary of the department of corrections or his/her designee.

(2) "Director" is the director, division of community services, department of corrections.

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

(4) "Community ((residential programs)) corrections regional administrator" is the staff member assigned by the assistant director to administer and supervise the work/training release programs.

(5) "Department" is the department of corrections.

(6) "Work/training release facility supervisor" is a staff member assigned by the community ((residential programs)) corrections regional administrator to administer and supervise a specific work/training release facility and includes his/her designee.

((+6)) (7) "Work/training release counselor" is a staff member assigned by the work/training release facility supervisor to supervise and counsel a caseload of work/training release inmates or residents at a specific work/training release facility.

((+7)) (8) "Contract staff" is the staff member(s) of an agency under contract to the department of corrections to provide housing and supervision for work/training release inmates or residents.

((+8)) (9) "Work/training release coordinator" is a staff member assigned by the superintendent of an adult correctional institution to act as liaison between the institution and work/training release facility personnel.

((+9)) (10) "Work/training release inmate or resident" is an inmate of a major adult correctional institution who has been approved and placed in a work/training release plan, or ((probationer/parolee)) an offender placed by the courts or the board of prison terms and paroles in a work/training release facility.

((+10)) (11) "Sponsor-escort" is a responsible citizen assigned to escort and supervise an inmate or resident during official and social activities outside of the work/training release facility.

((+11)) (12) "Work/training release facility" is an institution or other establishment approved for housing and supervision of work/training release inmates or residents during the inmate's or resident's stay in a work/training release program.

((+12)) (13) "One working day" is a nine-hour day, 8:00 a.m. to 5:00 p.m. excluding weekends and holidays.

NEW SECTION

WAC 137-56-015 DISPOSITION OF EARNINGS. Payment of board and room charges shall be deducted from the work/training release inmates' or residents' earnings. For purposes of this section, earnings shall constitute all income and money received by the work/training release inmate or resident while employed under a work release plan. Nothing in this section shall

prohibit the department's authority to obtain reimbursement for moneys advanced to a work/training release inmate or resident by the department.

NEW SECTION

WAC 137-56-095 NOTIFICATION. (1) Each work/training release inmate or resident shall be advised in writing of:

(a) His/her rights and responsibilities;

(b) Acts prohibited in the work release facility; and

(c) Disciplinary action which may be taken in the event of a serious infraction or violation of local rules.

(2) Each inmate upon entering the work release facility shall be given a copy of the rules in this chapter and of all local rules of the work/training release facility to which he/she is assigned.

(3) All amendments or additions to this chapter and all amendments or additions to local disciplinary rules, policies, and procedures shall be posted at a specifically designated place or places in each work/training release facility in advance of their effective date if possible and for at least thirty days after their effective date. Work/training release inmates or residents shall be responsible for informing themselves of such postings. Complete and up-to-date copies of these rules and all local rules shall be available at each work/training release facility for inmate examination.

(4) The work/training release facility supervisor shall ensure that each work/training release inmate or resident has the opportunity to understand rules which relate to his/her conduct. If the inmate is unable to read or understand English, the rules shall be read to him/her promptly in his/her accustomed language.

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

WAC 137-56-100 STANDARD RULES. In consideration of being granted work/training release, the inmate or resident must agree to observe and abide by the following rules:

(1) Continue in the approved work or training release plan until it is officially changed. Any modification of the plan must be authorized in writing by the work/training release facility supervisor.

(2) Comply with local work/training release facility rules, and any special restrictions imposed in writing by the work/training release facility supervisor. The inmate or resident may appeal in writing to the community ((residential programs)) corrections regional administrator, if the inmate or resident considers any of the restrictions to be unwarranted or arbitrary.

(3) Comply with such other restrictions and/or conditions as may be imposed in the original work/training release plan by the community ((residential programs)) corrections regional administrator or his or her designee.

(4) Remain confined to the work/training release facility premises at all times other than the time necessary to implement the plan or when authorized under WAC 137-56-140. Any work/training release inmate or resident approved for placement under a work/training release plan who willfully fails to report to his or her

designated assignment or return to the designated place of confinement at the time specified shall be deemed an escapee and fugitive from justice, and upon conviction shall be guilty of a felony and sentenced in accordance with state law.

(5) Have employment or other resources in order to maintain himself or herself financially.

(6) Not consume, ingest, inject, or possess nonprescription narcotic or "dangerous" drugs or controlled substances or alcoholic beverages.

(7) Agree to disburse all earnings in accordance with the approved work/training release plan and report all income to the work/training facility supervisor. All income from any source shall be immediately placed in the resident's trust fund account by the facility supervisor. A receipt will be issued by the facility supervisor.

(8) Comply with all federal, state, and local laws and regulations.

(9) Inmates or residents placed on work/training release are ordinarily approved with the understanding that they will be paroled in a reasonable time, normally within six months. If it is not possible to parole the inmate or resident within a reasonable period of time, he or she may be returned to the institution.

**NEW SECTION**

WAC 137-56-110 **SERIOUS INFRACTIONS.** Any of the following acts or omissions of the work/training release inmate or resident described and codified in the form below shall constitute a serious infraction. Disciplinary action may be taken against the work/training release inmate or resident in accordance with this chapter in the event of a serious infraction.

Infraction Code	Act/Omission
800	Creating a risk to the orderly operation of the facility or the health and safety of its residents, staff, or visitors.
801	Assaulting any person which results in the hospitalization of the person assaulted.
802	Assaulting any person.
803	Extortion, blackmail, demanding or receiving money or anything of value in return for protection against others, or under threat of informing.
804	Engaging in sexual acts with others within the facility or with someone other than the releasee's spouse while outside the facility.
805	Fighting with any person, provided, however, that self-defense may be a defense to a serious infraction for fighting.
806	Threatening another with bodily harm or with any offense against his/her person.
810	Intentionally failing to seek or maintain employment or training or to maintain oneself financially.
811	Entering into an unauthorized contract.
812	Failing to report or turn in all earnings or income.

Infraction Code	Act/Omission
813	Modifying a work release plan by the releasee without authorization.
814	Violating a special condition of work release plan.
815	Failing to comply with all federal, state, and local laws, or court orders.
816	Tampering with or blocking any locking device.
817	Possessing or introducing into the facility an explosive or any ammunition or components of explosives or ammunitions.
818	Possessing or introducing into the facility any unauthorized tool.
819	Possessing or introducing into the facility any gun, firearm, weapon, sharpened instrument, knife, or components thereof.
821	Holding a person hostage or restraining a person against their will.
825	Violating conditions of furlough.
830	Escaping/absconding from the facility with voluntary return within twenty-four hours.
831	Failing to return to the facility from an authorized sign out.
832	Escaping/absconding from the facility.
833	Using physical force in the act of escape.
834	Escaping/absconding from the facility and apprehension out-of-state.
843	Possessing, introducing, or using alcohol.
844	Possessing, introducing, or using marijuana or related paraphernalia.
845	Possessing, introducing, transferring, or using any narcotics, controlled substance, or related paraphernalia unless authorized by the supervisor pursuant to a valid prescription or order issued in the course of professional treatment by a licensed medical practitioner.
846	Refusing to submit to a urinalysis, breathalyzer, or other standard sobriety test.
851	Lying to a hearing committee.
852	Lying to a staff member which causes an innocent person to be penalized, disciplined, or proceeded against.
853	Intentionally or recklessly setting a fire.
854	Intentionally or recklessly destroying or damaging state property, or the property of another person.
855	Stealing (theft) or knowingly possessing stolen property.
856	Refusing to submit to a body search when lawfully ordered to do so by staff.
857	Refusing and/or failing to work or attend regularly scheduled assignments.
858	Intentionally interfering with a staff member in the performance of his/her duties.
859	Gambling.
860	Possessing money or other negotiable instruments of five dollars or more without prior authorization.

Infraction  
Code

Act/Omission

- 861 - Performing or participating in a marriage ceremony in the facility or on the facility grounds, except when such marriage was approved by the supervisor.
- 870 - Rioting.
- 871 - Inciting others to riot.
- 872 - Engaging in or inciting prohibited group demonstration.
- 873 - Intentionally interfering with the taking of count.
- 874 - Counterfeiting, forging, falsification, or unauthorized reproduction of any document, article of identification, money, security, or official paper.
- 875 - Making intoxicants, narcotics, or other controlled substances.
- 876 - Giving or offering any official staff member or volunteer a bribe or anything of value for a favor or unauthorized service.
- 877 - Committing four or more general infractions within a six-month period all of which arise out of separate incidents and have been reported in writing.
- 878 - Intentionally failing to comply with an administrative or post-hearing sanction.
- 900 - Attempting to commit or aiding another person to commit a serious infraction as enumerated in this section. Such action shall be considered the same as commission of the offense itself.

- ~~((4))~~ (d) If the work/training release inmate or resident lacks aptitude for the assignment or is improperly placed; or
- ~~((5))~~ (e) If the work/training release inmate or resident has been unable to adjust or adapt to the conditions of the work/training release facility; or
- ~~((6))~~ (f) If the work/training release inmate or resident has demonstrated through his or her behavior an unwillingness to respond to counseling by staff; or
- ~~((7))~~ (g) If the work/training release inmate's or resident's situation and circumstances have significantly changed; or
- ~~((8))~~ (h) If the work/training release inmate or resident has failed to comply with federal or state laws or local ordinances; or
- ~~((9))~~ (i) If the work/training release inmate or resident has failed to comply with standard work/training release rules as enumerated in WAC 137-56-100; or
- ~~((10))~~ (j) If the work/training release inmate or resident has failed to comply with such other written facility rules as are promulgated by the facility supervisor; or
- ~~((11))~~ (k) If the work/training release inmate or resident has failed to comply with such other specific restrictions or behavior expectations which have previously been called to the attention of the work/training release inmate or resident by the work/training release facility supervisor and are documented in writing; or
- (l) If the work/training release inmate or resident has committed a serious infraction as enumerated in WAC 137-56-110.

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

WAC 137-56-160 TERMINATION OF PLAN.  
(1) At any time after approval has been granted to any work/training release inmate or resident to participate in the work release program, such approval may be revoked, and if the work/training release inmate or resident has been released on a work release plan, he/she may be returned to a state correctional institution, or the plan may be modified, in the sole discretion of the secretary.

(2) Without limiting the authority of the secretary under subsection (1) of this section, a work/training release plan may be terminated or disciplinary action taken by the facility review committee pursuant to this chapter:

~~((1))~~ (a) If requested in writing by the ~~((releasee))~~ work/training release inmate or resident;

~~((2))~~ (b) If the ~~((contract permits, the contract agency))~~ work/training release facility refuses to accept or continue to serve the work/training release inmate or resident in accordance with its contract with the department;

~~((3))~~ (c) If the plan is discontinued or modified so that it no longer meets agency standards or if the ~~((releasee))~~ work/training release inmate or resident becomes unable to comply with the terms of the plan;

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

WAC 137-56-170 SERVICE OF NOTICE OF PROPOSED ~~((TERMINATION))~~ DISCIPLINARY ACTION. (1) If ~~((a work/training release termination))~~ disciplinary action is proposed, the work/training release facility supervisor may suspend the work/training release plan and place the inmate or resident in custody pending a ~~((termination))~~ disciplinary hearing.

(2) The work/training release facility supervisor shall advise the inmate or resident in writing of the factual allegations which provide the basis for the proposed ~~((termination))~~ disciplinary action within one working day after the suspension of the work/training release plan.

(3) The factual allegations may be amended and/or new allegations added at any time prior to the ~~((termination))~~ disciplinary hearing, provided that the work/training inmate or resident shall have notice of such new and/or amended allegations at least twenty-four hours prior to the ~~((termination))~~ disciplinary hearing.

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

WAC 137-56-180 ~~((TERMINATION))~~ DISCIPLINARY HEARING~~((=NOTICE)).~~ (1) A work/training inmate or resident served with allegations providing the basis for a proposed ~~((work/training release termination))~~ disciplinary action shall be notified in

writing that a hearing has been set before a review committee. An allegation involving the commission by the inmate or resident of a serious infraction may be amended at anytime by the department, provided that twenty-four hours notice be given to the inmate to respond to the new allegations. The hearing will be set within five working days of the suspension of the work/training release plan, unless a longer time is approved by the assistant director, community residential programs, or his or her designee. The written notice of hearing shall be given to the inmate or resident at least twenty-four hours before the hearing and advise the inmate or resident of his or her rights, including the following:

~~((1))~~ (a) The inmate or resident shall be present at all stages of the hearing, except during deliberation in appropriate circumstances.

~~((2))~~ (b) The inmate or resident shall present his or her own case to the review committee. If there is a language or communications barrier, the review committee chairman shall appoint an advisor.

~~((3))~~ (c) The inmate or resident may have an attorney present only when a felony has been alleged. Such representation is limited to advising the inmate or resident of his or her rights to remain silent, and does not include the right to act as an advocate throughout the hearing.

~~((4))~~ (d) The inmate or resident may testify during the hearing or remain silent, and his or her silence will not be held against him or her.

~~((5) The inmate or resident may question all witnesses appearing and testifying at the hearing.~~

~~(6) Testimony and other evidence introduced shall be relevant to the issues under consideration.~~

~~(7) The inmate or resident may present witnesses and written statements from persons in his or her own behalf.~~

~~((8))~~ (e) The work/training release inmate or resident may, in preparation for the hearing, ask the review committee that certain department or contract staff members, other work/training release inmates or residents, and other persons be present as witnesses at the hearing. The review committee shall grant such request if it is determined by the review committee that to do so would not be unduly hazardous to the work/training release facility's safety or correctional goals: PROVIDED, HOWEVER, Limitations may be made by the review committee if the information to be presented by the witnesses is deemed to be irrelevant, duplicative, or unnecessary to the adequate presentation of the work/training release inmate or resident's case.

(2) Attendance at the hearing shall be limited to parties directly concerned. The review committee chairman may exclude unauthorized persons.

~~((9))~~ (3) The review committee shall make an evaluation of the inmate's or resident's progress, attitudes, need for program modifications, work/training alternatives, or institution programming, and shall make a recommendation to the board of prison terms and paroles regarding good time credits and readiness for parole.

AMENDATORY SECTION (Amending Order 83-02, filed 2/4/83)

WAC 137-56-190 FACILITY REVIEW COMMITTEE. (1) The review committee shall consist of at least three members, including the work/training release facility supervisor or his or her designee and a member of the contractor's staff, if the facility is under contract with the department. The additional members shall be selected by the facility supervisor from either state staff, including ~~((probation and parole))~~ community corrections officers or the contractor's staff. No resident or inmate may be a member of this committee. The facility supervisor shall serve as chairman and shall have the authority to make the final decision. The facility supervisor or his or her designee shall inform the inmate, in writing, of the review committee's decision within three working days.

(2) At institutions, the classification committee may serve as the facility review committee for work/training release inmates or residents housed at the facility, except that the institution work/training release coordinator will be a member of the committee.

(3) No person making an allegation involved in the incident, or called as a witness, shall be a member of the review committee. Persons called as witnesses must be approved by the review committee chairman and must have information or facts which are relative to the allegations being considered. In the event that an individual is disqualified or disqualifies himself or herself under this rule or for any other reason, a replacement may be designated by the facility supervisor, community ~~((resident programs))~~ corrections regional administrator, or assistant director~~((, community resident programs)).~~

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

WAC 137-56-200 ~~((TERMINATION))~~ DISCIPLINARY HEARING—WAIVER. (1) At any time after having been served with an allegation providing the basis for a proposed ~~((termination))~~ disciplinary action, the inmate or resident may choose to waive his or her right to a hearing by signing an admission of the allegation and request that the hearing be dispensed with or limited only to questions of disposition.

(2) The inmate or resident may admit in writing to part of the allegations and thereby limit the scope of the hearing.

(3) In those cases where the allegation involves misbehavior or other culpability on the part of the inmate or resident, he or she shall be advised in writing that in admitting the violation and waiving the hearing, a report will be submitted to the board of prison terms and paroles which may result in the loss of good time credits and/or the extension of the minimum term.

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

WAC 137-56-210 ~~((TERMINATION))~~ DISCIPLINARY HEARING—RULES OF EVIDENCE. (1) All relevant and material evidence is admissible which,

in the majority opinion of the review (~~(board)~~) committee, is the best evidence reasonably obtainable having due regard for its necessity, availability, and trustworthiness.

(2) All evidence material to the issues raised in the hearing shall be offered into evidence. All evidence forming the basis for the department's decision in a matter shall be offered into evidence.

(3) ~~((Every party shall have the right to question witnesses who testify in person and shall have the right to submit rebuttal evidence. This shall not be deemed to prevent the admission and consideration of hearsay evidence.~~

~~((4)) The work/training release inmate or resident shall be allowed to call witnesses approved by the review committee pursuant to WAC 137-56-180 (1)(e) and to present documentary evidence in his/her defense at the hearing when permitting the work/training release inmate or resident to do so will not be unduly hazardous to the work/training release facility's safety or correctional goals unless the testimony to be presented by the witness and/or the information desired to be presented is deemed by the review committee to be irrelevant, immaterial, unnecessarily duplicative of other information and/or testimony before the review committee, or otherwise found to be unnecessary to the adequate presentation of the work/training release inmate or resident's case. The testimony of all witnesses from outside the work/training release facility shall be considered in writing. In the event the review committee determines that the presence of a witness is appropriate, the review committee should call the witness, or in its discretion, may continue the hearing if the witness is unavailable, but will become available within a reasonable period of time: PROVIDED, HOWEVER, That if the witness is unavailable, the review committee may, in its discretion, consider the written testimony previously submitted.~~

(4) ~~The work/training release inmate or resident may question witnesses against him/her at the discretion of the review committee. If the review committee determines that a work/training release inmate or resident witness would be subject to risk or harm if his/her identity were disclosed, testimony of the said witness may be introduced by the testimony of a department or contract staff member to whom the information was provided by and/or the affidavit of the witness. If the department or contract staff member to whom the work/training release inmate or resident witness provided information is, for good cause, unavailable, the written statement of the department or contract staff member may be used. The review committee shall, out of the presence of all work/training release inmates or residents, inquire as to the identity of any anonymous work/training release inmate or resident, and as to how the testifying department or contract staff member received such information. The refusal of the department or contract staff member presenting the testimony of the unidentified work/training release inmate or resident witness to identify the witness shall make the testimony inadmissible unless the refusal to identify the witness is approved by the community corrections regional administrator~~

based on his/her determination of good cause for non-disclosure and that the informant is reliable. The review committee must make an independent determination as to the reliability of the informant and the credibility of the information offered, except that the review committee may accept an assurance of credibility from the community corrections regional administrator who approves the nondisclosure of the identity of the work/training release inmate or resident. The inmate should be advised on the record, or subsequently provided with, a statement of good cause as to why the inmate was not allowed to call a witness or why the identity of an inmate witness was not disclosed.

(5) Documentary evidence, including written statements submitted by interested parties on behalf of the inmate or resident, may be received. Such evidence may include copies of documents, excerpts from documents and incorporation of written material by reference, including depositions.

~~((5))~~ (6) Although relevant, the chairman of the review committee may exclude evidence if the probative value is outweighed by the danger of unfair prejudice, confusion of the issues, misleading the committee or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

(7) The review committee should determine if the inmate is competent to understand the charges and proceedings or needs an interpreter to participate therein. If the inmate is not competent or needs an interpreter, the review committee should postpone the hearing to secure a report on the competency of the inmate, provide an interpreter, or take such other action as will assure the fairness and orderliness of the hearings.

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

WAC 137-56-220 ~~((TERMINATION))~~ DISCIPLINARY HEARING—FINDINGS AND CONCLUSIONS. (1) At the conclusion of the hearing, the review committee will make a finding of fact within one working day as to whether or not the allegations made against the inmate or resident have been proven by a preponderance of the evidence presented at the hearing.

(2) If the review committee determines that the allegations have not been proven by a preponderance of the evidence presented at the hearing, the inmate or resident shall be restored to work/training release status.

(3) If the review committee determines that one or more of the allegations have been proven by a preponderance of the evidence presented at the hearing, the review committee will proceed to a disposition.

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

WAC 137-56-230 ~~((TERMINATION))~~ DISCIPLINARY HEARING—DISPOSITION. (1) The review committee will consider the inmate's or resident's total background, adjustment on work/training release, attitude, recommendations of interested parties, and any other information relative to the inmate's or resident's

ability to continue in the program. The review committee shall make a determination as to whether or not the inmate or resident has earned good time credits towards parole/release, and whether the matter should be referred to the board of prison terms and paroles or the court for possible increase in the inmate's or resident's minimum term.

(2) The inmate or resident shall be present at all stages of the ((review)) hearing, except for deliberation and even during deliberation when appropriate, and shall have the opportunity to make argument in his or her own behalf.

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

WAC 137-56-240 ((TERMINATION)) DISCIPLINARY HEARING—DECISION. (1) The review committee may:

((+)) (a) Restore the work/training release inmate or resident to his or her work/training release status under the same or modified conditions as the original plan; or

((2)) (b) Restrict the inmate or resident to the work/training release facility for up to thirty days; or

(c) Require restitution be made by the work/training release inmate or resident; or

(d) Require extra duty to be performed by the inmate or resident; or

(e) Revoke approval of an approved sponsor, or

(f) Deny good conduct time, or

(g) Require additional time in Phase II; or

(h) Revoke the work/training release plan and return the work/training release inmate or resident to an institution(;) or Phase II facility; or

(i) Return the ((probationer/parolee)) offender to the court or the board of prison terms and paroles for final disposition.

(2) Nothing in this section shall preclude subsequent reclassification of the work/training release inmate or resident or placement into administrative segregation.

(3) The facility supervisor shall notify the inmate or resident orally within one working day and confirm the decision in writing within three working days. ((3)) The written decision shall specify the evidence upon which the review committee relied and shall include a description of the circumstances surrounding the allegation(s) upon which the termination of work/training release is based, the reasons for the decision, a discussion of the inmate's or resident's personal culpability in the actions which have led to the termination, and an evaluation of the inmate's or resident's progress, attitudes, need for further programs including work training alternatives and readiness for parole.

AMENDATORY SECTION (Amending Order 83-05, filed 5/2/83)

WAC 137-56-250 ((TERMINATION)) DISCIPLINARY HEARING—APPEAL. The inmate or resident may appeal the decision of the facility review committee to the community ((residential programs)) corrections regional administrator. Appeal requests must

be in writing, must be specific and based on objection to the procedures used or the information available to the committee in making its decision. Appeals must be submitted within five working days of the committee's oral decision. The community ((residential programs)) corrections regional administrator, or his or her designee, upon receipt of an appeal, will review the findings and decision of the review committee and either:

(1) ((Continue the inmate or resident in the existing work/training release plan; or

(2) Continue the inmate or resident in a work/training release program with appropriate and specific conditions for expected future behavior or modifications in the inmate's or resident's plan; or

(3) Terminate work/training release and return the inmate or resident to an institution for other programming; or

(4)) Affirm, or affirm and modify to a lesser sanction the decision of the facility review committee; or

(2) Reverse the decision of the facility review committee; or

(3) Remand the decision for additional findings or rehearing.

The reviewer's decision will be made promptly, normally not to exceed five working days, and given to the inmate or resident and committee chairman in writing.

NEW SECTION

WAC 137-56-280 APPLICABILITY. WAC 137-56-170 through 137-56-260 shall not apply to the termination of a work/training release plan pursuant to WAC 137-56-160 (2)(a), (b), or (c). WAC 137-56-080 and 137-56-170 through 137-56-260 shall not apply to the termination or modification of a work/training release plan by the secretary pursuant to WAC 137-56-160(1).

**WSR 86-02-023**

**PROPOSED RULES**

**DEPARTMENT OF CORRECTIONS**

[Filed December 24, 1985]

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:

New	WAC 137-56-015	Disposition of earnings.
New	WAC 137-56-095	Notification.
New	WAC 137-56-110	Serious infractions.
New	WAC 137-56-280	Applicability.
Amd	WAC 137-56-010	Definitions.
Amd	WAC 137-56-100	Standard rules.
Amd	WAC 137-56-160	Termination of plan.
Amd	WAC 137-56-170	Service of notice of proposed disciplinary action.
Amd	WAC 137-56-180	Disciplinary hearing.
Amd	WAC 137-56-190	Facility review committee.
Amd	WAC 137-56-210	Disciplinary hearing—Rules of evidence.
Amd	WAC 137-56-220	Disciplinary hearing—Findings and conclusions.
Amd	WAC 137-56-230	Disciplinary hearing—Disposition.
Amd	WAC 137-56-240	Disciplinary hearing—Decision.
Amd	WAC 137-56-250	Disciplinary hearing—Appeal.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on February 14, 1986.

The authority under which these rules are proposed is RCW 72.65.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 7, 1986.

Dated: December 23, 1985

By: Robert E. Trimble  
for Amos E. Reed  
Secretary

### STATEMENT OF PURPOSE

Title and Number of Rule: New WAC 137-56-015 Disposition of earnings; 137-56-095 Notification; 137-56-110 Serious infractions; 137-56-280 Applicability; amending WAC 137-56-010 Definitions; 137-56-100 Standard rules; 137-56-160 Termination of plan; 137-56-170 Service of notice of proposed disciplinary action; 137-56-180 Disciplinary hearing; 137-56-190 Facility review committee; 137-56-210 Disciplinary hearing—Rules of evidence; 137-56-220 Disciplinary hearing—Findings and conclusions; 137-56-230 Disciplinary hearing—Disposition; 137-56-240 Disciplinary hearing—Decision; and 137-56-250 Disciplinary hearing—Appeal.

Statutory Authority: RCW 72.65.100.

Summary and Purpose: To set forth those types of behavior which constitute serious infractions when committed by a work release participant. Expands the reasons for termination of a work/training release plan to include the commission of a serious infraction. Clarifies the ability of the secretary to terminate or modify a work release plan.

Agency Personnel Responsible for Drafting and Adoption: Gary L. Banning, Assistant Administrator, Office of Contracts and Regulations, Division of Management and Budget, Mailstop FN-61, scan 234-5770; Implementation and Enforcement: Ross M. Peterson, Director, Division of Community Services, Department of Corrections, Mailstop FN-61, scan 234-4616.

No other person or organization other than the Department of Corrections is proposing this rule.

This rule is not necessary to comply with a federal law or a federal or state court decision.

This rule does not have an impact on small businesses.

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

WAC 137-56-010 DEFINITIONS. (1) "Secretary" is the secretary of the department of corrections or his/her designee.

(2) "Director" is the director, division of community services, department of corrections.

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

(4) "Community ((residential programs)) corrections regional administrator" is the staff member assigned by the assistant director to administer and supervise the work/training release programs.

(5) "Department" is the department of corrections.

(6) "Work/training release facility supervisor" is a staff member assigned by the community ((residential programs)) corrections regional administrator to administer and supervise a specific work/training release facility and includes his/her designee.

((#)) (7) "Work/training release counselor" is a staff member assigned by the work/training release facility supervisor to supervise and

counsel a caseload of work/training release inmates or residents at a specific work/training release facility.

((#)) (8) "Contract staff" is the staff member(s) of an agency under contract to the department of corrections to provide housing and supervision for work/training release inmates or residents.

((#)) (9) "Work/training release coordinator" is a staff member assigned by the superintendent of an adult correctional institution to act as liaison between the institution and work/training release facility personnel.

((#)) (10) "Work/training release inmate or resident" is an inmate of a major adult correctional institution who has been approved and placed in a work/training release plan, or ((probationer/parolee)) an offender placed by the courts or the board of prison terms and paroles in a work/training release facility.

((#)) (11) "Sponsor-escort" is a responsible citizen assigned to escort and supervise an inmate or resident during official and social activities outside of the work/training release facility.

((#)) (12) "Work/training release facility" is an institution or other establishment approved for housing and supervision of work/training release inmates or residents during the inmate's or resident's stay in a work/training release program.

((#)) (13) "One working day" is a nine-hour day, 8:00 a.m. to 5:00 p.m. excluding weekends and holidays.

### NEW SECTION

WAC 137-56-015 DISPOSITION OF EARNINGS. Payment of board and room charges shall be deducted from the work/training release inmates' or residents' earnings. For purposes of this section, earnings shall constitute all income and money received by the work/training release inmate or resident while employed under a work release plan. Nothing in this section shall prohibit the department's authority to obtain reimbursement for moneys advanced to a work/training release inmate or resident by the department.

### NEW SECTION

WAC 137-56-095 NOTIFICATION. (1) Each work/training release inmate or resident shall be advised in writing of:

(a) His/her rights and responsibilities;

(b) Acts prohibited in the work release facility; and

(c) Disciplinary action which may be taken in the event of a serious infraction or violation of local rules.

(2) Each inmate upon entering the work release facility shall be given a copy of the rules in this chapter and of all local rules of the work/training release facility to which he/she is assigned.

(3) All amendments or additions to this chapter and all amendments or additions to local disciplinary rules, policies, and procedures shall be posted at a specifically designated place or places in each work/training release facility in advance of their effective date if possible and for at least thirty days after their effective date. Work/training release inmates or residents shall be responsible for informing themselves of such postings. Complete and up-to-date copies of these rules and all local rules shall be available at each work/training release facility for inmate examination.

(4) The work/training release facility supervisor shall ensure that each work/training release inmate or resident has the opportunity to understand rules which relate to his/her conduct. If the inmate is unable to read or understand English, the rules shall be read to him/her promptly in his/her accustomed language.

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

WAC 137-56-100 STANDARD RULES. In consideration of being granted work/training release, the inmate or resident must agree to observe and abide by the following rules:

(1) Continue in the approved work or training release plan until it is officially changed. Any modification of the plan must be authorized in writing by the work/training release facility supervisor.

(2) Comply with local work/training release facility rules, and any special restrictions imposed in writing by the work/training release facility supervisor. The inmate or resident may appeal in writing to the community ((residential programs)) corrections regional administrator, if the inmate or resident considers any of the restrictions to be unwarranted or arbitrary.

(3) Comply with such other restrictions and/or conditions as may be imposed in the original work/training release plan by the community

~~((residential programs))~~ corrections regional administrator or his or her designee.

(4) Remain confined to the work/training release facility premises at all times other than the time necessary to implement the plan or when authorized under WAC 137-56-140. Any work/training release inmate or resident approved for placement under a work/training release plan who willfully fails to report to his or her designated assignment or return to the designated place of confinement at the time specified shall be deemed an escapee and fugitive from justice, and upon conviction shall be guilty of a felony and sentenced in accordance with state law.

(5) Have employment or other resources in order to maintain himself or herself financially.

(6) Not consume, ingest, inject, or possess nonprescription narcotic or "dangerous" drugs or controlled substances or alcoholic beverages.

(7) Agree to disburse all earnings in accordance with the approved work/training release plan and report all income to the work/training facility supervisor. All income from any source shall be immediately placed in the resident's trust fund account by the facility supervisor. A receipt will be issued by the facility supervisor.

(8) Comply with all federal, state, and local laws and regulations.

(9) Inmates or residents placed on work/training release are ordinarily approved with the understanding that they will be paroled in a reasonable time, normally within six months. If it is not possible to parole the inmate or resident within a reasonable period of time, he or she may be returned to the institution.

NEW SECTION

WAC 137-56-110 SERIOUS INFRACTIONS. Any of the following acts or omissions of the work/training release inmate or resident described and codified in the form below shall constitute a serious infraction. Disciplinary action may be taken against the work/training release inmate or resident in accordance with this chapter in the event of a serious infraction.

Infraction Code	Act/Omission
800	Creating a risk to the orderly operation of the facility or the health and safety of its residents, staff, or visitors.
801	Assaulting any person which results in the hospitalization of the person assaulted.
802	Assaulting any person.
803	Extortion, blackmail, demanding or receiving money or anything of value in return for protection against others, or under threat of informing.
804	Engaging in sexual acts with others within the facility or with someone other than the releasee's spouse while outside the facility.
805	Fighting with any person, provided, however, that self-defense may be a defense to a serious infraction for fighting.
806	Threatening another with bodily harm or with any offense against his/her person.
810	Intentionally failing to seek or maintain employment or training or to maintain oneself financially.
811	Entering into an unauthorized contract.
812	Failing to report or turn in all earnings or income.
813	Modifying a work release plan by the releasee without authorization.
814	Violating a special condition of work release plan.
815	Failing to comply with all federal, state, and local laws, or court orders.
816	Tampering with or blocking any locking device.
817	Possessing or introducing into the facility an explosive or any ammunition or components of explosives or ammunitions.
818	Possessing or introducing into the facility any unauthorized tool.
819	Possessing or introducing into the facility any gun, firearm, weapon, sharpened instrument, knife, or components thereof.
821	Holding a person hostage or restraining a person against their will.
825	Violating conditions of furlough.
830	Escaping/absconding from the facility with voluntary return within twenty-four hours.

Infraction Code	Act/Omission
831	Failing to return to the facility from an authorized sign out.
832	Escaping/absconding from the facility.
833	Using physical force in the act of escape.
834	Escaping/absconding from the facility and apprehension out-of-state.
843	Possessing, introducing, or using alcohol.
844	Possessing, introducing, or using marijuana or related paraphernalia.
845	Possessing, introducing, transferring, or using any narcotics, controlled substance, or related paraphernalia unless authorized by the supervisor pursuant to a valid prescription or order issued in the course of professional treatment by a licensed medical practitioner.
846	Refusing to submit to a urinalysis, breathalyzer, or other standard sobriety test.
851	Lying to a hearing committee.
852	Lying to a staff member which causes an innocent person to be penalized, disciplined, or proceeded against.
853	Intentionally or recklessly setting a fire.
854	Intentionally or recklessly destroying or damaging state property, or the property of another person.
855	Stealing (theft) or knowingly possessing stolen property.
856	Refusing to submit to a body search when lawfully ordered to do so by staff.
857	Refusing and/or failing to work or attend regularly scheduled assignments.
858	Intentionally interfering with a staff member in the performance of his/her duties.
859	Gambling.
860	Possessing money or other negotiable instruments of five dollars or more without prior authorization.
861	Performing or participating in a marriage ceremony in the facility or on the facility grounds, except when such marriage was approved by the supervisor.
870	Rioting.
871	Inciting others to riot.
872	Engaging in or inciting prohibited group demonstration.
873	Intentionally interfering with the taking of count.
874	Counterfeiting, forging, falsification, or unauthorized reproduction of any document, article of identification, money, security, or official paper.
875	Making intoxicants, narcotics, or other controlled substances.
876	Giving or offering any official staff member or volunteer a bribe or anything of value for a favor or unauthorized service.
877	Committing four or more general infractions within a six-month period all of which arise out of separate incidents and have been reported in writing.
878	Intentionally failing to comply with an administrative or post-hearing sanction.
900	Attempting to commit or aiding another person to commit a serious infraction as enumerated in this section. Such action shall be considered the same as commission of the offense itself.

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

WAC 137-56-160 TERMINATION OF PLAN. (1) At any time after approval has been granted to any work/training release inmate or resident to participate in the work release program, such approval may be revoked, and if the work/training release inmate or resident has been released on a work release plan, he/she may be returned to a state correctional institution, or the plan may be modified, in the sole discretion of the secretary.

(2) Without limiting the authority of the secretary under subsection (1) of this section, a work/training release plan may be terminated or disciplinary action taken by the facility review committee pursuant to this chapter:

((+)) (a) If requested in writing by the ((releasee)) work/training release inmate or resident;

((+)) (b) If the ((contract permits, the contract agency)) work/training release facility refuses to accept or continue to serve the

work/training release inmate or resident in accordance with its contract with the department;

~~((3))~~ (c) If the plan is discontinued or modified so that it no longer meets agency standards or if the ~~((releasee))~~ work/training release inmate or resident becomes unable to comply with the terms of the plan;

~~((4))~~ (d) If the work/training release inmate or resident lacks aptitude for the assignment or is improperly placed; or

~~((5))~~ (e) If the work/training release inmate or resident has been unable to adjust or adapt to the conditions of the work/training release facility; or

~~((6))~~ (f) If the work/training release inmate or resident has demonstrated through his or her behavior an unwillingness to respond to counseling by staff; or

~~((7))~~ (g) If the work/training release inmate's or resident's situation and circumstances have significantly changed; or

~~((8))~~ (h) If the work/training release inmate or resident has failed to comply with federal or state laws or local ordinances; or

~~((9))~~ (i) If the work/training release inmate or resident has failed to comply with standard work/training release rules as enumerated in WAC 137-56-100; or

~~((10))~~ (j) If the work/training release inmate or resident has failed to comply with such other written facility rules as are promulgated by the facility supervisor; or

~~((11))~~ (k) If the work/training release inmate or resident has failed to comply with such other specific restrictions or behavior expectations which have previously been called to the attention of the work/training release inmate or resident by the work/training release facility supervisor and are documented in writing; or

(l) If the work/training release inmate or resident has committed a serious infraction as enumerated in WAC 137-56-110.

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

WAC 137-56-170 SERVICE OF NOTICE OF PROPOSED ~~((TERMINATION))~~ DISCIPLINARY ACTION. (1) If ~~((a work/training release termination))~~ disciplinary action is proposed, the work/training release facility supervisor may suspend the work/training release plan and place the inmate or resident in custody pending a ~~((termination))~~ disciplinary hearing.

(2) The work/training release facility supervisor shall advise the inmate or resident in writing of the factual allegations which provide the basis for the proposed ~~((termination))~~ disciplinary action within one working day after the suspension of the work/training release plan.

(3) The factual allegations may be amended and/or new allegations added at any time prior to the ~~((termination))~~ disciplinary hearing, provided that the work/training inmate or resident shall have notice of such new and/or amended allegations at least twenty-four hours prior to the ~~((termination))~~ disciplinary hearing.

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

WAC 137-56-180 ~~((TERMINATION))~~ DISCIPLINARY HEARING~~((=NOTICE))~~. (1) A work/training inmate or resident served with allegations providing the basis for a proposed ~~((work/training release termination))~~ disciplinary action shall be notified in writing that a hearing has been set before a review committee. An allegation involving the commission by the inmate or resident of a serious infraction may be amended at anytime by the department, provided that twenty-four hours notice be given to the inmate to respond to the new allegations. The hearing will be set within five working days of the suspension of the work/training release plan, unless a longer time is approved by the assistant director, community residential programs, or his or her designee. The written notice of hearing shall be given to the inmate or resident at least twenty-four hours before the hearing and advise the inmate or resident of his or her rights, including the following:

~~((1))~~ (a) The inmate or resident shall be present at all stages of the hearing, except during deliberation in appropriate circumstances.

~~((2))~~ (b) The inmate or resident shall present his or her own case to the review committee. If there is a language or communications barrier, the review committee chairman shall appoint an advisor.

~~((3))~~ (c) The inmate or resident may have an attorney present only when a felony has been alleged. Such representation is limited to advising the inmate or resident of his or her rights to remain silent, and does not include the right to act as an advocate throughout the hearing.

~~((4))~~ (d) The inmate or resident may testify during the hearing or remain silent, and his or her silence will not be held against him or her.

~~((5))~~ The inmate or resident may question all witnesses appearing and testifying at the hearing.

(6) Testimony and other evidence introduced shall be relevant to the issues under consideration.

(7) The inmate or resident may present witnesses and written statements from persons in his or her own behalf.

~~((8))~~ (e) The work/training release inmate or resident may, in preparation for the hearing, ask the review committee that certain department or contract staff members, other work/training release inmates or residents, and other persons be present as witnesses at the hearing. The review committee shall grant such request if it is determined by the review committee that to do so would not be unduly hazardous to the work/training release facility's safety or correctional goals: PROVIDED, HOWEVER, Limitations may be made by the review committee if the information to be presented by the witnesses is deemed to be irrelevant, duplicative, or unnecessary to the adequate presentation of the work/training release inmate or resident's case.

(2) Attendance at the hearing shall be limited to parties directly concerned. The review committee chairman may exclude unauthorized persons.

~~((9))~~ (3) The review committee shall make an evaluation of the inmate's or resident's progress, attitudes, need for program modifications, work/training alternatives, or institution programming; and shall make a recommendation to the board of prison terms and paroles regarding good time credits and readiness for parole.

#### AMENDATORY SECTION (Amending Order 83-02, filed 2/4/83)

WAC 137-56-190 FACILITY REVIEW COMMITTEE. (1) The review committee shall consist of at least three members, including the work/training release facility supervisor or his or her designee and a member of the contractor's staff, if the facility is under contract with the department. The additional members shall be selected by the facility supervisor from either state staff, including ~~((probation and parole))~~ community corrections officers or the contractor's staff. No resident or inmate may be a member of this committee. The facility supervisor shall serve as chairman and shall have the authority to make the final decision. The facility supervisor or his or her designee shall inform the inmate, in writing, of the review committee's decision within three working days.

(2) At institutions, the classification committee may serve as the facility review committee for work/training release inmates or residents housed at the facility; except that the institution work/training release coordinator will be a member of the committee.

(3) No person making an allegation involved in the incident, or called as a witness, shall be a member of the review committee. Persons called as witnesses must be approved by the review committee chairman and must have information or facts which are relative to the allegations being considered. In the event that an individual is disqualified or disqualifies himself or herself under this rule or for any other reason, a replacement may be designated by the facility supervisor, community ~~((resident programs))~~ corrections regional administrator, or assistant director ~~((community resident programs))~~.

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

WAC 137-56-200 ~~((TERMINATION))~~ DISCIPLINARY HEARING—WAIVER. (1) At any time after having been served with an allegation providing the basis for a proposed ~~((termination))~~ disciplinary action, the inmate or resident may choose to waive his or her right to a hearing by signing an admission of the allegation and request that the hearing be dispensed with or limited only to questions of disposition.

(2) The inmate or resident may admit in writing to part of the allegations and thereby limit the scope of the hearing.

(3) In those cases where the allegation involves misbehavior or other culpability on the part of the inmate or resident, he or she shall be advised in writing that in admitting the violation and waiving the hearing, a report will be submitted to the board of prison terms and paroles which may result in the loss of good time credits and/or the extension of the minimum term.

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

WAC 137-56-210 ~~((TERMINATION))~~ DISCIPLINARY HEARING—RULES OF EVIDENCE. (1) All relevant and material

evidence is admissible which, in the majority opinion of the review (~~(board)~~) committee, is the best evidence reasonably obtainable having due regard for its necessity, availability, and trustworthiness.

(2) All evidence material to the issues raised in the hearing shall be offered into evidence. All evidence forming the basis for the department's decision in a matter shall be offered into evidence.

(3) ~~((Every party shall have the right to question witnesses who testify in person and shall have the right to submit rebuttal evidence. This shall not be deemed to prevent the admission and consideration of hearsay evidence.~~

~~((4)) The work/training release inmate or resident shall be allowed to call witnesses approved by the review committee pursuant to WAC 137-56-180 (1)(e) and to present documentary evidence in his/her defense at the hearing when permitting the work/training release inmate or resident to do so will not be unduly hazardous to the work/training release facility's safety or correctional goals unless the testimony to be presented by the witness and/or the information desired to be presented is deemed by the review committee to be irrelevant, immaterial, unnecessarily duplicative of other information and/or testimony before the review committee, or otherwise found to be unnecessary to the adequate presentation of the work/training release inmate or resident's case. The testimony of all witnesses from outside the work/training release facility shall be considered in writing. In the event the review committee determines that the presence of a witness is appropriate, the review committee should call the witness, or in its discretion, may continue the hearing if the witness is unavailable, but will become available within a reasonable period of time: PROVIDED, HOWEVER, That if the witness is unavailable, the review committee may, in its discretion, consider the written testimony previously submitted.~~

(4) The work/training release inmate or resident may question witnesses against him/her at the discretion of the review committee. If the review committee determines that a work/training release inmate or resident witness would be subject to risk or harm if his/her identity were disclosed, testimony of the said witness may be introduced by the testimony of a department or contract staff member to whom the information was provided by and/or the affidavit of the witness. If the department or contract staff member to whom the work/training release inmate or resident witness provided information is, for good cause, unavailable, the written statement of the department or contract staff member may be used. The review committee shall, out of the presence of all work/training release inmates or residents, inquire as to the identity of any anonymous work/training release inmate or resident, and as to how the testifying department or contract staff member received such information. The refusal of the department or contract staff member presenting the testimony of the unidentified work/training release inmate or resident witness to identify the witness shall make the testimony inadmissible unless the refusal to identify the witness is approved by the community corrections regional administrator based on his/her determination of good cause for nondisclosure and that the informant is reliable. The review committee must make an independent determination as to the reliability of the informant and the credibility of the information offered, except that the review committee may accept an assurance of credibility from the community corrections regional administrator who approves the nondisclosure of the identity of the work/training release inmate or resident. The inmate should be advised on the record, or subsequently provided with, a statement of good cause as to why the inmate was not allowed to call a witness or why the identity of an inmate witness was not disclosed.

(5) Documentary evidence, including written statements submitted by interested parties on behalf of the inmate or resident, may be received. Such evidence may include copies of documents, excerpts from documents and incorporation of written material by reference, including depositions.

~~((5))~~ (6) Although relevant, the chairman of the review committee may exclude evidence if the probative value is outweighed by the danger of unfair prejudice, confusion of the issues, misleading the committee or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

(7) The review committee should determine if the inmate is competent to understand the charges and proceedings or needs an interpreter to participate therein. If the inmate is not competent or needs an interpreter, the review committee should postpone the hearing to secure a report on the competency of the inmate, provide an interpreter, or take such other action as will assure the fairness and orderliness of the hearings.

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

WAC 137-56-220 ((~~TERMINATION~~)) DISCIPLINARY HEARING—FINDINGS AND CONCLUSIONS. (1) At the conclusion of the hearing, the review committee will make a finding of fact within one working day as to whether or not the allegations made against the inmate or resident have been proven by a preponderance of the evidence presented at the hearing.

(2) If the review committee determines that the allegations have not been proven by a preponderance of the evidence presented at the hearing, the inmate or resident shall be restored to work/training release status.

(3) If the review committee determines that one or more of the allegations have been proven by a preponderance of the evidence presented at the hearing, the review committee will proceed to a disposition.

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

WAC 137-56-230 ((~~TERMINATION~~)) DISCIPLINARY HEARING—DISPOSITION. (1) The review committee will consider the inmate's or resident's total background, adjustment on work/training release, attitude, recommendations of interested parties, and any other information relative to the inmate's or resident's ability to continue in the program. The review committee shall make a determination as to whether or not the inmate or resident has earned good time credits towards parole/release, and whether the matter should be referred to the board of prison terms and paroles or the court for possible increase in the inmate's or resident's minimum term.

(2) The inmate or resident shall be present at all stages of the ((~~review~~)) hearing, except for deliberation and even during deliberation when appropriate, and shall have the opportunity to make argument in his or her own behalf.

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

WAC 137-56-240 ((~~TERMINATION~~)) DISCIPLINARY HEARING—DECISION. (1) The review committee may:

((+)) (a) Restore the work/training release inmate or resident to his or her work/training release status under the same or modified conditions as the original plan; or

((+)) (b) Restrict the inmate or resident to the work/training release facility for up to thirty days; or

(c) Require restitution be made by the work/training release inmate or resident; or

(d) Require extra duty to be performed by the inmate or resident; or

(e) Revoke approval of an approved sponsor; or

(f) Deny good conduct time; or

(g) Require additional time in Phase II; or

(h) Revoke the work/training release plan and return the work/training release inmate or resident to an institution((:)) or Phase II facility; or

(i) Return the ((~~probationer/parolee~~)) offender to the court or the board of prison terms and paroles for final disposition.

(2) Nothing in this section shall preclude subsequent reclassification of the work/training release inmate or resident or placement into administrative segregation.

(3) The facility supervisor shall notify the inmate or resident orally within one working day and confirm the decision in writing within three working days. ((+)) The written decision shall specify the evidence upon which the review committee relied and shall include a description of the circumstances surrounding the allegation(s) upon which the termination of work/training release is based, the reasons for the decision, a discussion of the inmate's or resident's personal culpability in the actions which have led to the termination, and an evaluation of the inmate's or resident's progress, attitudes, need for further programs including work training alternatives and readiness for parole.

#### AMENDATORY SECTION (Amending Order 83-05, filed 5/2/83)

WAC 137-56-250 ((~~TERMINATION~~)) DISCIPLINARY HEARING—APPEAL. The inmate or resident may appeal the decision of the facility review committee to the community ((~~residential programs~~)) corrections regional administrator. Appeal requests must be in writing, must be specific and based on objection to the procedures used or the information available to the committee in making its decision. Appeals must be submitted within five working days of the committee's oral decision. The community ((~~residential programs~~)) corrections regional administrator, or his or her designee, upon receipt

of an appeal, will review the findings and decision of the review committee and either:

- (1) ~~((Continue the inmate or resident in the existing work/training release plan; or~~
  - ~~(2) Continue the inmate or resident in a work/training release program with appropriate and specific conditions for expected future behavior or modifications in the inmate's or resident's plan; or~~
  - ~~(3) Terminate work/training release and return the inmate or resident to an institution for other programming; or~~
  - ~~(4)) Affirm, or affirm and modify to a lesser sanction the decision of the facility review committee; or~~
  - (2) Reverse the decision of the facility review committee; or
  - (3) Remand the decision for additional findings or rehearing.
- The reviewer's decision will be made promptly, normally not to exceed five working days, and given to the inmate or resident and committee chairman in writing.

**NEW SECTION**

WAC 137-56-280 APPLICABILITY. WAC 137-56-170 through 137-56-260 shall not apply to the termination of a work/training release plan pursuant to WAC 137-56-160 (2)(a), (b), or (c). WAC 137-56-080 and 137-56-170 through 137-56-260 shall not apply to the termination or modification of a work/training release plan by the secretary pursuant to WAC 137-56-160(1).

**WSR 86-02-024**  
**PROPOSED RULES**  
**DEPARTMENT OF FISHERIES**  
 [Filed December 24, 1985]

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 February 4, 1986.

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 February 4, 1986.

Dated: December 24, 1985  
 By: Ronald E. Westley  
 for William R. Wilkerson  
 Director

**STATEMENT OF PURPOSE**

Title: WAC 220-52-069.

Description of Purpose: Identify scallop gear and set seasons.

Statutory Authority: RCW 75.08.080.

Summary of Rule and Reasons Supporting Proposed Action: This rule provides for a coastal mesh restriction identical with the shrimp fishery in order to prevent an incidental catch of shrimp that would be harmful to the shrimp resource. This rule provides for a Puget Sound scallop fishery concurrent with the bottomfish fishery, or with scallop dredge gear at any time, and allows other scallop fisheries to occur by permit.

Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, WA, 754-2429; Implementation: Ronald E. Westley, 115

General Administration Building, Olympia, WA, 753-6772; and Enforcement: James W. McKillip, 115 General Administration Building, Olympia, WA, 753-6585.

This rule is proposed by the Washington State Department of Fisheries.

Comments: No public hearing is proposed.

This proposal is not the result of federal law or court order.

Small Business Economic Impact Statement: This rule is designed to protect foodfish and shellfish taken incidentally in a directed scallop fishery, and is needed to preserve those resources. There is no differential impact on small businesses.

**AMENDATORY SECTION** (Amending Order 84-24, filed 3/27/84)

WAC 220-52-069 SCALLOP FISHERY. (1) It is lawful at any time to take or fish for scallops for commercial purposes in coastal waters with otter trawl or beam trawl or scallop dredge gear ~~((except that))~~. Minimum and maximum size for trawl gear are concurrent with sizes used in coastal shrimp fishing, see WAC 220-52-054. Scallop dredge gear may not exceed fifteen feet in width nor have a ring size of less than three inches inside diameter except as authorized under a permit issued by the director.

(2) It is lawful at any time to take or fish for scallops for commercial purposes in Puget Sound waters with scallop dredge gear not exceeding fifteen feet in width or having a ring size of not less than three inches inside diameter. It is lawful to take and possess scallops taken incidental to bottomfish trawl fishing as authorized under chapter 220-47 WAC. The taking of scallops with trawl gear at times other than those authorized under chapter 220-47 WAC or with scallop dredge gear of a size other than that provided for in this section is prohibited except as authorized under permit issued by the director.

(3) It is unlawful at any time to take or possess rock scallop unless a person has first obtained ((an aquaculture license and)) a rock scallop aquaculture permit issued by the department. The permit will specify location, time, and quantity of rock scallop that can be taken for brood stock or culture purposes.

~~((2) It is unlawful to take or fish for scallops for commercial purposes in any waters of the state of Washington or the Pacific Ocean with scallop dredges having a ring size less than three inches inside diameter:))~~

**WSR 86-02-025**  
**PROPOSED RULES**  
**COUNTY ROAD ADMINISTRATION BOARD**  
 [Filed December 24, 1985]

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 chapter 136-150 WAC regarding eligibility for rural arterial trust account funds, WAC 136-150-010, 136-150-020, 136-150-022, 136-150-024 and 136-150-040; chapter 136-130 WAC regarding regional prioritization of RAP projects, WAC 136-130-030, 136-130-050 and 136-130-070; and chapter 136-160 WAC regarding the allocation of RATA funds to approved RAP projects, WAC 136-160-060;

that the agency will at 9:00 a.m., Thursday, February 13, 1986, in the Alderbrook Inn, Union, Washington, 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 36.79.060.

The specific statute these rules are intended to implement is RCW 36.79.140.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 15, 1986.

By Ernest Geissler  
Director

### STATEMENT OF PURPOSE

Title: Administration of the rural arterial program.

Description of Purpose: To clarify implementation of the statutory requirements and to refine prioritization procedures.

Statutory Authority: RCW 36.79.060.

Specific Statute: RCW 36.79.090 and 36.79.140.

Summary of Rule: The proposed rules will clarify the manner in which the board intends to implement statutory language.

Reasons Supporting Proposed Action: To provide consistent implementation in all counties in accordance with legislative intent.

Agency Personnel Responsible: Ernest Geissler, Director.

Organization Proposing Rule: County Road Administration Board.

Agency Recommendation: The CRABoard is recommending the proposed new language because there have been problems of interpretation with the existing rule.

The rules are not the product of federal law or federal or state court action.

#### AMENDATORY SECTION (Amending Order 51 [56], filed 12/9/83 [7/30/84])

WAC 136-150-010 PURPOSE. Language in Chapter 49, Laws of 1983, Extraordinary Session, Section 14 ~~((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 purpose other than those allowed to the state by Article II, Section 40 of the State Constitution.))~~ provides that only those counties that during the preceding twelve months have spent all revenues collected for road purposes only for such purposes, including traffic law enforcement, as are allowed to the state by Article II, section 40 of the state Constitution are eligible to receive funds from the Rural Arterial Trust Account (RATA); provided, however, that counties of the 7th class shall be exempt from this requirement. This WAC chapter describes how this statutory language will be implemented by the CRABoard ~~((during the Rural Arterial Program (RAP) funding process.))~~ beginning with the 1987 RAP project approval meeting.

**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.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order 51 [56], filed 12/9/83 [7/30/84])

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.))~~ IMPLEMENTING THE ELIGIBILITY REQUIREMENT. The CRABoard will provide to the State Auditor no later

than February 1 of each year a list of those counties which have submitted projects for RATA funding during the current biennium. The State Auditor will return the list to the CRABoard no later than May 1 of each year, showing the eligible counties, which are those counties that, during the preceding county budget year, spent all revenues collected for road purposes only for such purposes, including traffic law enforcement, as are allowed to the state by Article II, Section 40 of the State Constitution ~~((shall be eligible to receive RATA funds.))~~ provided, however, that counties of the 7th class shall ~~((be exempt from this requirement.))~~ not be included on such list. The CRABoard will approve RAP projects, and allocate RATA funds to projects, only in eligible counties.

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

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

WAC 136-150-022 TRAFFIC LAW ENFORCEMENT. The term "traffic law enforcement" shall include only the following specific tasks when performed by uniformed members of the county law enforcement agency on the roads of the county: (1) issuing citations for violation of traffic laws, (2) investigation of traffic accidents, and (3) radar unit operations, but shall not include such activities when they are incidental to other law enforcement activities. Each uniformed member of the county law enforcement agency will be required to submit daily timeslips documenting time spent on the specific tasks listed herein.

#### NEW SECTION

WAC 136-150-024 CONSTRAINT ON CONTRACT EXECUTION. No CRAB/County contract shall be executed on behalf of the CRABoard until assurance is received from the State Auditor that such county's expenditure of diverted road levy, if any, was in compliance with the constraints of this chapter. The cost of any special audit needed to provide such assurance shall be the responsibility of the affected county.

#### AMENDATORY SECTION (Amending Order 51 [56], filed 12/9/83 [7/30/84])

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~~(:);~~ and/or to require that all, or part of, RATA funds received by the county be returned to the CRABoard.

**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.

#### AMENDATORY SECTION (Amending Order 50 [56], filed 12/9/83 [7/30/84])

WAC 136-130-030 PROJECT PRIORITIZATION IN PUGET SOUND REGION (PSR). Each county in the PSR may submit up to three projects requesting RATA funds. Each project shall be rated in accordance with the ~~((NER))~~ PSR RAP Rating Procedures. PSR RAP rating points shall be assigned on the basis of ~~((100 points for a condition rating and 50 points for a service rating))~~ 50 points for traffic volume, 50 points for accident history, 45 points for structural condition, 45 points for geometric condition, and 10 points for special use and need. ~~((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 100 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.

**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.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending Order 50 [56], filed 12/9/83 [7/30/84])

WAC 136-130-050 PROJECT PRIORITIZATION IN NORTHEAST REGION (NER). Each county in the NER may submit projects requesting RATA funds not to exceed (~~5% per project and~~) 30% per county 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 20% 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 100 points for a condition rating and 50 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 100 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.

**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.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending Order 50 [56], filed 12/9/85 [7/30/84])

WAC 136-130-070 PROJECT PRIORITIZATION IN SOUTHWEST REGION (SWR). Each county in the SWR may submit projects requesting RATA funds not to exceed \$200,000 per project and \$800,000 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 25 points for structural condition, 25 points for road surface condition, 30 points for geometrics, 10 points for traffic volume and 10 points for traffic accidents, except that portland cement surfaces shall have 50 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 condition will be assigned based on a method of pavement and/or subgrade structural adequacy evaluation, which is mutually acceptable by the counties in the region. Project pavement structures shall be designed for a minimum design life of 10 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 project application.

**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.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending Order 52 [56], filed 12/9/83 [7/30/84])

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 80% of its RAP project construction costs up to the amount of the CRAB/county contract in all regions. RATA funds may be used to reimburse a county for 80% of its RAP project preliminary engineering costs (~~(cost)~~) in the NER, PSR, and SER. RATA funds may not be used for right-of-way acquisition in any region.

**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 86-02-026

### PROPOSED RULES

## DEPARTMENT OF COMMUNITY DEVELOPMENT

[Filed December 26, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Community Development intends to adopt, amend, or repeal rules concerning the management and publication of records regarding municipal bond issuances in Washington state;

that the agency will at 10:00 a.m., Thursday, February 20, 1986, in the Fifth Floor Conference Room, Department of Community Development, 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 chapter 130, Laws of 1985.

The specific statute these rules are intended to implement is section 6, chapter 130, Laws of 1985.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 10, 1985 [1986].

Dated: December 23, 1985

By: Richard J. Thompson  
Director

### STATEMENT OF PURPOSE

The purpose of the bond users clearinghouse is to collect information which identifies the amount, type, and cost of municipal bonds being issued. The bond users clearinghouse will serve as an information source for local governments regarding the municipal bond market and as a public record of municipal bond issues.

### Chapter 365-130 WAC BOND USERS CLEARINGHOUSE

#### WAC

365-130-010	Purpose of the bond users clearinghouse.
365-130-020	Definitions.
365-130-030	Collection of municipal bond information.
365-130-040	Publication of municipal bond information.

NEW SECTION

WAC 365-130-010 PURPOSE OF THE BOND USERS CLEARINGHOUSE. In accordance with chapter 39.44 RCW, RCW 43.63A.155, and chapter 130, Laws of 1985, the department of community development will maintain records of bonds issued by local governments in the state of Washington. The purpose of the bond users clearinghouse is to collect information which identifies the amount, type, and cost of municipal bonds being issued. The bond users clearinghouse will serve as an information source for local governments regarding the municipal bond market and as a public record of municipal bond issues.

NEW SECTION

WAC 365-130-020 DEFINITIONS. (1) "Local government" means any county, city, town, special purpose district, political subdivision, municipal corporation, or quasi-municipal corporation, including any public corporation created by such an entity.

(2) "Bond" means any agreement which may or may not be represented by a physical instrument, including notes, warrants, or certificates of indebtedness, that evidences an indebtedness of a state or a local government or a fund thereof, where the state or local government agrees to pay a specified amount of money, with or without interest, at a designated time or times to either registered owners or bearers, and also including any other indebtedness that may be issued by the state or local government to fund private activities or purposes where the indebtedness is of a nonrecourse nature payable from private sources, except obligations subject to chapter 39.84 RCW.

NEW SECTION

WAC 365-130-030 COLLECTION OF MUNICIPAL BOND INFORMATION. (1) The department of community development will supply to local governments and state agencies a form for reporting bond issue information. Information to be reported will be based on the requirements of RCW 39.44.210, 39.44.230, and chapter 130, Laws of 1985, and will include the names of the principals involved in the bond issue, in conjunction with the purpose of the bond users clearinghouse, as stated in WAC 365-130-010. Copies of the bond covenants and the official statement may also be required.

(2) Local governments, except those for whom the state fiscal agency acts as the bond registrar, must return the completed form and any other pertinent documents requested, including a copy of the bond covenants, to the department of community development within thirty days of the bond issuance.

(3) When the state fiscal agency acts as the bond registrar for a local government, the state fiscal agency will return the completed form and pertinent documents to the department of community development within thirty days of the bond issuance.

(4) State agencies issuing bonds are requested to voluntarily submit the completed form or the equivalent information to the department of community development within thirty days of the bond issuance.

NEW SECTION

WAC 365-130-040 PUBLICATION OF MUNICIPAL BOND INFORMATION. The department of community development will publish summaries of bond issues at least annually. Bond users clearinghouse summaries will be available to local governments, the legislature, state agencies, and the general public upon request.

**WSR 86-02-027**

**EMERGENCY RULES**

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

[Order 85-18—Filed December 26, 1985]

I, Richard Thompson, director of the Department of Community Development, do promulgate and adopt at the Ninth and Columbia Building, MS/GH-51, Olympia, Washington 98504-4151, the annexed rules relating to the management and publication of records regarding municipal bond issuances in Washington state.

I, Richard Thompson, 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 it is necessary to use emergency rules in order to have the program in place by January 1, 1986.

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

This rule is promulgated pursuant to RCW 43.63A-.155 which directs that the Department of Community Development has authority to implement the provisions of an act relating to indebtedness.

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 December 23, 1985.  
By Richard J. Thompson  
Director

*Chapter 365-130 WAC  
BOND USERS CLEARINGHOUSE*

WAC

- 365-130-010 *Purpose of the bond users clearinghouse.*
- 365-130-020 *Definitions.*
- 365-130-030 *Collection of municipal bond information.*
- 365-130-040 *Publication of municipal bond information.*

NEW SECTION

WAC 365-130-010 PURPOSE OF THE BOND USERS CLEARINGHOUSE. In accordance with chapter 39.44 RCW, RCW 43.63A.155, and chapter 130, Laws of 1985, the department of community development will maintain records of bonds issued by local governments in the state of Washington. The purpose of the bond users clearinghouse is to collect information which identifies the amount, type, and cost of municipal bonds being issued. The bond users clearinghouse will serve as an information source for local governments regarding the municipal bond market and as a public record of municipal bond issues.

NEW SECTION

WAC 365-130-020 DEFINITIONS. (1) "Local government" means any county, city, town, special purpose district, political subdivision, municipal corporation, or quasi-municipal corporation, including any public corporation created by such an entity.

(2) "Bond" means any agreement which may or may not be represented by a physical instrument, including notes, warrants, or certificates of indebtedness, that evidences an indebtedness of a state or a local government or a fund thereof, where the state or local government agrees to pay a specified amount of money, with or

without interest, at a designated time or times to either registered owners or bearers, and also including any other indebtedness that may be issued by the state or local government to fund private activities or purposes where the indebtedness is of a nonrecourse nature payable from private sources, except obligations subject to chapter 39.84 RCW.

#### NEW SECTION

**WAC 365-130-030 COLLECTION OF MUNICIPAL BOND INFORMATION.** (1) The department of community development will supply to local governments and state agencies a form for reporting bond issue information. Information to be reported will be based on the requirements of RCW 39.44.210, 39.44.230, and chapter 130, Laws of 1985, and will include the names of the principals involved in the bond issue, in conjunction with the purpose of the bond users clearinghouse, as stated in WAC 365-130-010. Copies of the bond covenants and the official statement may also be required.

(2) Local governments, except those for whom the state fiscal agency acts as the bond registrar, must return the completed form and any other pertinent documents requested, including a copy of the bond covenants, to the department of community development within thirty days of the bond issuance.

(3) When the state fiscal agency acts as the bond registrar for a local government, the state fiscal agency will return the completed form and pertinent documents to the department of community development within thirty days of the bond issuance.

(4) State agencies issuing bonds are requested to voluntarily submit the completed form or the equivalent information to the department of community development within thirty days of the bond issuance.

#### NEW SECTION

**WAC 365-130-040 PUBLICATION OF MUNICIPAL BOND INFORMATION.** The department of community development will publish summaries of bond issues at least annually. Bond users clearinghouse summaries will be available to local governments, the legislature, state agencies, and the general public upon request.

### **WSR 86-02-028**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 85-200—Filed December 26, 1985]

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 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 December 10, 1985.

By Gene DiDonato  
for William R. Wilkerson  
Director

#### NEW SECTION

**WAC 220-44-05000V COASTAL BOTTOM-FISH CATCH LIMITS.** Notwithstanding the provisions of WAC 220-44-050, effective 12:01 a.m. January 1, 1986 until further notice, it is unlawful to possess, transport through the waters of the state, or land in any Washington State port bottomfish taken for commercial purposes 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*) – One vessel trip per week not to exceed 30,000 pounds. No restriction on landing up to 3,000 pounds per vessel trip.

(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*) – no restriction on landing up to 1,000 pounds per vessel trip. Landings above 1,000 pounds allowed only if Pacific ocean perch represent 20 percent or less of total weight of fish on board. Under no circumstances may a vessel land more than 10,000 pounds of Pacific ocean perch in any one vessel trip.

(4) All other species of rockfish (*Sebastes spp.*) – 25,000 pounds of all other species combined per vessel trip per calendar week, defined as Sunday through the following Saturday, of which no more than 10,000 pounds may be yellowtail rockfish (*Sebastes falvidus*) except that a fisherman having made a 1986 declaration of intent, may make either one landing of no more than 50,000 pounds of all other species combined per vessel trip biweekly, defined as Sunday through the second Saturday following of which no more than 20,000 pounds may be yellowtail rockfish or two landings of not more than 12,500 pounds of all other species in any one calendar week of which not more than 5,000 pounds in any one landing may be yellowtail rockfish. All previous declaration forms covering 1985 landings through December 31, 1985 expire at 12:01 a.m. January 1, 1986, and it is unlawful for any vessel to make more

than one vessel trip per week unless a new declaration form has been completed as provided for in this subsection. The 1986 declaration of intent to land other than once weekly must be mailed or delivered to the Department of Fisheries, 115 General Administration Building, Olympia, Wa 98504, and must be postmarked at least seven days prior to the beginning of such fishing. The declaration of intent must contain the name and address of the fishermen, the name and registration number of the vessel, the date on which such fishing for other species of rockfish 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 fishing other than once weekly on other species of rockfish with the department in the above manner. The declaration to stop such fishing for other species of rockfish 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, if no declaration to land other species of rockfish twice weekly has been made.

(5) Sable fish – 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.

(7) For purposes of this section, a vessel trip is defined as having occurred upon the initiating of transfer of catch from the fishing vessel, and all fish aboard the vessel are considered part of the vessel trip limit at the initiating of transfer of catch.

**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.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. January 1, 1986:

WAC 220-44-05000U COASTAL BOTTOMFISH CATCH LIMITS. (85-191)

**WSR 86-02-029**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 85-199—Filed December 27, 1985]

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 regulation is necessary to allow accountability of fish receiving tickets.

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 December 26, 1985.

By Gene DiDonato  
for William R. Wilkerson  
Director

### NEW SECTION

WAC 220-69-28000A FISH RECEIVING TICKET ACCOUNTABILITY. Notwithstanding the provisions of WAC 220-69-280, effective January 1, 1986 until further notice (1) It is unlawful for any wholesale dealer to use any series of fish receiving tickets other than series "P" to report purchases as required under this chapter.

(2) All series of fish receiving tickets issued prior to Series "P" are to be returned to the Department of Fisheries by January 31, 1986.

(3) After January 1, 1986 series G, H, J, K, L, M, and N fish receiving tickets are void and may not be used, but oyster, hardshell clam, and oyster production reports in these series may continue to be used.

**WSR 86-02-030**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Commission for Vocational Rehabilitation)**  
[Filed December 27, 1985]

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 Economic need—Standards for determining, amending WAC 490-500-190.

It is the intention of the secretary to adopt these rules on an emergency basis effective January 1, 1986;

that the agency will at 10:00 a.m., Wednesday, February 5, 1986, in the Auditorium, 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 February 12, 1986.

The authority under which these rules are proposed is RCW 74.29.025.

The specific statute these rules are intended to implement is chapter 74.29 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 5, 1986.

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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by January 22, 1986. The meeting site is in a location which is barrier free.

Dated: December 26, 1985

By: Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 490-500-190(7).

Purpose of the Rule Change: To amend WAC 490-500-190(7), Economic need—Maintenance.

Reason Rule Change is Necessary: The Division of Income Assistance is raising payment standards for maintenance from \$304 to \$314 for one person. The Division of Vocational Rehabilitation needs to follow suit to provide equal standards for clients of the department.

Statutory Authority: RCW 74.29.025.

Summary of the Rule Change: Changes maintenance paid by DVR from \$304 per month to the current one-person payment standard as defined in the DIA WAC 388-29-100.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule Change: Leslie F. James, Director, Division of Vocational Rehabilitation, mailstop OB 21C, phone 753-0293.

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

These rules have no economic impact on small businesses.

#### AMENDATORY SECTION (Amending Order 2149, filed 9/12/84)

WAC 490-500-190 ECONOMIC NEED—STANDARDS FOR DETERMINING. (1) A client shall be eligible to receive vocational rehabilitation services or extended evaluation services from the division when total obligations, debts, and expenses equals or exceeds income and nonexempt assets and resources. When income and nonexempt assets are greater than the value of obligations, debts, and expenses, the excess is to be made available by the client to pay for rehabilitation services unless the service is exempted by law and/or WAC 490-500-180.

(2) Determination of a client's economic need involves an evaluation of the income, assets, debts, obligations, and expenses of his or her entire family unit, including his or her dependents or, if the client is an unemancipated minor, his or her parents.

(3) The following shall be considered income for the purpose of determining the economic need of a client:

(a) Wages paid to the client and to any dependent family members living in the home. For purposes of this section, wages shall be equal to gross wages less deductions for income taxes, Social Security, taxes, retirement deductions, and other involuntary deductions.

(b) Contributions from relatives or others, in cash or in kind, on a regular and predictable basis(;;);

(c) Net profit from roomers or boarders(;;);

(d) Net profit from property rentals(;;);

(e) Net profit from farm products(;;);

(f) Net profit from business enterprises(;;);

(g) Scholarship or fellowship funds(;;);

(h) Income from public or private welfare agencies(;;); or

(i) Any other income received on a regular and predictable basis, including but not limited to alimony, dividends from stocks, annuity payment, unemployment compensation, insurance, pensions, etc.

(4) The following types of property shall be considered exempt assets and may not be considered in determining the client's economic need:

(a) The home occupied by the client or his or her family, including any contiguous real property. A house trailer is an exempt asset when it is being regularly occupied by the client or his or her family as the principle place of residence or when it will be so occupied in the predictable future.

(b) Household furniture, clothing, life insurance, and other personal effects;

(c) An automobile when one or more of the following conditions is met:

(i) The client and his or her family have only one automobile, or

(ii) All automobiles used by the family are for the purpose of transportation to work or school, or

(iii) The automobile has been furnished in whole or in part to the client or to one of his or her dependents by the Veterans' Administration, or

(iv) The automobile is essential to the client's vocational rehabilitation objective.

(d) Vocational equipment and machinery owned by the client is an exempt asset if the equipment and/or machinery is being used to provide part or all of the living expenses of the client and his or her dependents or if the equipment and/or machinery may be so used after completion of the vocational rehabilitation plan;

(e) Livestock is an exempt asset to the extent the livestock produces income or otherwise helps the client to meet normal living requirements.

(5) All types of tangible and intangible property, including but not limited to real property, personal property, stocks, bonds, savings accounts, and checking accounts, which are not exempt under subsection (4) of this section shall constitute the client's nonexempt assets and shall be considered in determining the client's economic need. The value of a nonexempt asset shall be equal to the nonexempt assets fair market value less any unpaid encumbrances of record.

(6) The following obligations, debts, and expenses shall be deducted from the client's income and nonexempt assets in determining the client's economic need:

(a) The client's actual shelter and living expenses,

(b) Shelter and living expenses for the client's dependents,

(c) Payments which the client is required to make under court order,

(d) Outstanding taxes on earnings or personal or real property,

(e) Insurance premium payments,

(f) Contractual payments on real or personal property if such obligations were incurred prior to the client's application for vocational rehabilitation services.

(7) When maintenance is to be paid by the division of vocational rehabilitation to a client, the maintenance paid shall be in the amount the division has determined to be necessary to maintain the client up to a maximum of ~~((three hundred four dollars))~~ the current one-person payment standard as defined in WAC 388-29-100.

**WSR 86-02-031**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2321—Filed December 27, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt the annexed rules relating to:

- Amd ch. 388-86 WAC Medical care—Services provided.  
 Amd ch. 388-87 WAC Medical care—Payment.  
 Amd ch. 388-100 WAC Scope of care for medically indigent.

This action is taken pursuant to Notice No. WSR 85-22-027 filed with the code reviser on October 31, 1985. 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 December 18, 1985.

By Lee D. Bomberger, Acting Director  
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1900, filed 11/4/82)

WAC 388-86-020 DENTAL SERVICES. (1) The department shall provide dental services to recipients of EPSDT.

(2) Services will include:

(a) Initial and periodic oral examinations.

(b) Treatment necessary for the relief of pain and infection, restoration of teeth, and maintenance of dental health.

(c) Orthodontic treatment is defined as the use of any appliance, intra oral or extra oral, removable or fixed, or any surgical procedure designed to move teeth. The following limitations apply:

(i) Prior approval (~~must be obtained from the office of medical policy and procedure~~) is required,

(ii) Treatment is limited to medically necessary services as defined in chapter 388-80 WAC.

(3) Except for services as defined in WAC 388-86-027 group screening for dental services is not permitted under the program.

AMENDATORY SECTION (Amending Order 2279, filed 9/4/85)

WAC 388-86-030 EYEGLASSES AND EXAMINATIONS. (1) The department shall provide eye examinations and eyeglasses when a refractive error of sufficient magnitude exists to require corrective lenses. Payment for examinations, fitting services and materials shall be made on the basis of rates established by the

department or through HMO or optical supplier contracts.

(2) Only one refraction and one pair of glasses per eligible recipient will be provided during a twelve-month period, except for eye services provided under the EPSDT program, or in extenuating circumstances when medically necessary.

(3) Prior authorization (~~by the office of the medical director or his designee~~) is required for ((other)) medical eye care procedures and for special eyeglass services including but not limited to, contact lenses, low vision aids, executive bifocals and trifocals, artificial eyes and two pair of glasses in lieu of bifocal or trifocal lenses.

(4) The choice of frames is limited to frames listed in the current division of medical assistance numbered memoranda on that subject. Frames are not provided for cosmetic effect or psychological support.

(5) Sunglasses, photochromic or varalux type lenses and orthoptics therapy are not provided.

(6) Except for services as defined in WAC 388-86-027 group screening for eyeglasses is not permitted under the program.

AMENDATORY SECTION (Amending Order 2241, filed 6/18/85)

WAC 388-86-050 INPATIENT HOSPITAL CARE. (1) The department will provide hospitalization for recipients under age sixty-five and for recipients sixty-five and over who have exhausted Medicare benefits. With exceptions and limitations the recipient will have free choice of hospitalization.

(2) ~~((Certain hospitalization services covered by the program require approval of the medical consultant.~~

(a)) Prior approval is required for nonemergent hospital admissions(;

(b) ~~Retroactive certification and out-of-state care including bordering cities)).~~

(3) The division of medical assistance will certify hospital admission, length of stay and/or services for all recipients.

(4) Department authorization for inpatient hospital care, in hospitals excepted from the diagnosis-related group based pricing system, for eligible individuals shall be limited to the number of days established at the 50th percentile in the 1983 edition of the publication Length of Stay in PAS Hospitals, by Diagnosis United States Western Region, unless prior contractual arrangements are made by the department for a specified length of stay. When hospitalization of a recipient exceeds the number of days as limited by this subsection, the hospital shall submit to the local medical consultant a request with adequate justification and signed by the attending physician within sixty days of final service for approval of the extension.

(a) Eligible recipients are covered for involuntary admissions for acute psychiatric conditions up to a maximum of seventeen days under the Involuntary Treatment Act in hospitals certified as evaluation and treatment facilities. If an involuntarily committed recipient reverts to voluntary status, PAS days are computed from day of

admission and applied to any period exceeding the mandatory seventeen days. If PAS days are less than seventeen, the maximum of seventeen days will prevail.

(b) No payment will be made for care in a private psychiatric hospital that has not been certified under Title XVIII. Authorization for admission of an eligible individual to a private psychiatric hospital shall be under the same conditions and program limitations as for treatment of psychiatric conditions in a general hospital.

(c) Medicaid payment will be made for care in a state mental institution for categorically needy and medically needy individuals under age twenty-one and age sixty-five and older.

(d) Medicaid payments will be made for care in an approved psychiatric facility for categorically needy and medically needy individuals under age twenty-one.

(5) Hospitalization for the treatment of acute and chronic renal failure shall be provided, except that the department shall pay only deductibles and coinsurance for a recipient who is a Medicare beneficiary and who is hospitalized for such treatment or for kidney transplant.

(6) Nonemergent hospital admissions shall not be made on Friday or Saturday for scheduled surgery on Monday. The attending physician may admit the recipient on Sunday to accomplish the necessary preoperative work-up.

(7) Approval for hospitalization of a recipient shall be based on the recipient's need for semi-private accommodations and reimbursement made at the multiple occupancy rate regardless of accommodations provided by the hospital. Special rates may be established for recipients covered by the Involuntary Treatment Act. Semi-private accommodations shall mean not less than two nor more than a four-bed room.

(8) The department covers medically necessary services provided in a hospital in connection with the care or treatment of teeth, jaws, or structures directly supporting the teeth if the procedure requires hospitalization in connection with the provision of such services. Services covered under this subsection must be furnished under the direction of a physician or dentist.

AMENDATORY SECTION (Amending Order 1725, filed 12/3/81)

WAC 388-86-080 OXYGEN SERVICE. (1) Oxygen shall be made available through contract to include regulators, humidifiers, masks and related supplies to recipients under age sixty-five in their own homes when requested by the attending physician ~~((and approved by the medical consultant))~~.

(2) Oxygen and related supplies may be obtained from contract supplier or other oxygen supplier at less cost for recipients in skilled nursing homes on the request of the attending physician. ~~((See WAC 388-87-080 for payment process.))~~

(3) Recipients age sixty-five and over and others eligible for part B Medicare benefits who are not in a nursing home or hospital shall have oxygen and equipment for its administration available only under Medicare. Such persons are not eligible for state owned equipment.

AMENDATORY SECTION (Amending Order 2207, filed 2/14/85)

WAC 388-86-085 PATIENT TRANSPORTATION. (1) The department will assure the availability of necessary transportation for recipients to and from medical care services covered under the medical assistance program in accordance with the following guidelines:

(a) "Patient transportation" shall be provided only when other sources of transportation are not available.

(b) Transportation shall be provided for the least expensive available means suitable to the recipient's medical need.

(c) Transportation shall be provided only to medical care within the local community unless necessary medical care is not available locally.

(d) All nonemergent medical transportation requires prior approval.

(2) Ambulance transportation may be provided when medical necessity is clearly demonstrated and the physical condition of the recipient is such that the use of any other method of transportation is inadvisable.

~~(3) ((The following policies apply to the provision of air ambulance transportation:~~

~~(a))) Air ambulance transportation may be provided when:~~

~~((i)) (a) Necessary medical treatment is not available locally; and~~

~~((ii)) (b) The emergent need for medical treatment and the physical condition of the recipient is such that the use of any other method of transportation is inadvisable.~~

~~((b) Intrastate air ambulance transportation must be approved by the local medical consultant.~~

~~(c) Out-of-state air ambulance transportation must be approved by the medical director, office of medical policy and procedure.))~~

(4) Cabulance transportation may be provided when medical necessity is clearly demonstrated and the physical condition of the recipient is such that any less specialized means of transportation is inadvisable. ~~((Approval by the local medical consultant is required.))~~

(5) Transportation by taxi may be provided ~~((only))~~ when ~~((approved by the local medical consultant))~~ medically necessary. "Taxi shared ride service" must be utilized when transportation can be scheduled at least four hours in advance and the "shared ride service" is available in the community.

(6) Transportation by private automobile other than owned by recipient is payable at rates established by the department ~~((when approved through the community service office)).~~

(7) Nonprofit organizations may provide transportation for recipients in accordance with the following guidelines:

(a) Group or shared ride service must be utilized when transportation can be scheduled in advance and when the group or shared ride service is available through the nonprofit organization.

(b) Transportation using specialized equipment, such as wheelchair~~((s))~~ lifts, may be used when the medical

necessity is clearly demonstrated and the physical condition of the recipient is such that any less specialized means of transportation is inadvisable.

(c) Transportation must be approved by the department.

(8) Transportation to medically necessary and covered services by private automobile owned by recipient is payable at rates established by the department under the following conditions:

(a) ~~((Prior approval must be obtained from the local community services office unless an emergency situation exists;~~

(b)) Recipient's own automobile must be the least expensive available means suitable to the recipient's medical need. Other transportation will be presumed available if the location of medical services is not more than twenty miles from the recipient's home or if public transportation is available;

~~((c))~~ (b) Transportation shall not be provided outside of the local community unless necessary medical care is not available locally, and transportation outside of the local medical community shall be to a reasonable and least costly location where providers are able and willing to provide the necessary and covered medical services.

(9) Transportation by intercity bus may be provided ~~((when approved through the local community service office)).~~

(10) ~~((The following policies apply to the provision of commercial air transportation:~~

(a)) Commercial air transportation may be provided when:

~~((i))~~ (a) Transportation is medically necessary; and  
~~((ii))~~ (b) Necessary medical treatment is not available locally; and

~~((iii))~~ (c) The physical condition of the recipient is such that the use of any other method of transportation is inadvisable.

~~((b) Intrastate commercial air transportation requires prior approval by the local medical consultant.~~

~~(c) Out-of-state commercial air transportation requires prior approval through the local medical consultant and the medical director, office of medical policy and procedure.~~

~~((11) All patient transportation services provided to recipients of the limited casualty program medically indigent require approval of the local medical consultant.))~~

#### AMENDATORY SECTION (Amending Order 2159, filed 10/3/84)

WAC 388-86-090 PHYSICAL THERAPY. (1) Physical therapy, other than that provided in a hospital as part of inpatient treatment or in a nursing home as part of a nursing home treatment program, may be authorized only when such therapy:

~~((1))~~ (a) Will avoid the need for hospitalization or nursing home care, or

~~((2))~~ (b) Will assist the recipient in becoming employable, or

~~((3))~~ (c) Is medically indicated in unusual circumstances and is requested by the attending physician ~~((and concurred with by the medical consultant)), and~~

~~((4))~~ (d) Is performed by a registered physical therapist or psychiatrist ~~((and has approval by the local medical consultant)).~~

(2) Physical therapy services require prior approval.

~~((5))~~ (3) Physical therapy is not provided under the limited casualty program.

#### AMENDATORY SECTION (Amending Order 2197, filed 1/30/85)

WAC 388-86-095 PHYSICIANS' SERVICES. The department shall purchase the services of physicians participating in the program on a fee-for-service or contract basis subject to the exceptions and restrictions listed as follows.

(1) Physicians' services are provided through contract agreements for certain voluntary child care agencies and maternity homes.

(2) Cost of a physical examination is authorized only for recipients related to federal programs under the following circumstances:

(a) For admission to skilled nursing facility if within forty-eight hours of admission or change of status from a private-pay to a medicaid-eligible patient.

(b) Given as a screening under the EPSDT program; see WAC 388-86-027.

(c) For physical examination not covered by medicaid, see the following:

(i) AFDC incapacity, see chapter 388-24 WAC.

(ii) Determination of whether an individual's health will or will not permit his return to his home, see chapter 388-28 WAC.

(iii) Request by the claimant or examiner in a fair hearing procedure, see chapter 388-08 WAC.

(iv) Foster home placement, see chapter 388-70 WAC.

(v) Adoptive home placement, see chapter 388-70 WAC.

(vi) Employability for WIN program, see chapter 388-24 WAC.

(vii) Incapacity for GAU program, see chapter 388-37 WAC.

(3) When covered services of a consultant or specialist are necessary ~~((approval need not be obtained from the medical consultant.))~~ payment shall be made in accordance with local medical bureau practices.

(a) A fee for consultation shall not be paid when the specialist subsequently performs surgery or renders treatment for which flat fees or fees-for-service accrue.

(b) On initial or subsequent visits for the purpose of establishing a diagnosis and when services of a specialist or consultant are required, payment shall be limited to not more than two such services. ~~((Any additional specialist or consultant requests shall be justified by the attending physician and approved by the medical consultant.))~~

(4) Limitations on payment for physicians' services:

(a) Payment for physicians' calls for nonemergent conditions in a skilled nursing facility or an intermediate care facility, is limited to two calls per month. Requests for payment for additional visits must be justified at the time the billing is submitted by the physician.

(b) Payment for hospital calls is limited to one call per day. This is applicable to other than flat fee care.

(c) Individual outpatient psychotherapy provided by a psychiatrist shall be limited to one hour per month or equivalent combinations. Up to a maximum of two hours psychotherapy may be authorized when justified during the first month of treatment. Subdivisions of (4)(a) and (b) of this section, also apply unless other rules take precedence. See WAC 388-86-067(1) for service provided by a contracting mental health center.

(5) All nonemergent surgical procedures require prior approval ~~((by the medical consultant))~~ unless otherwise excepted.

(6) Minor surgery and diagnostic procedures performed in a physician's office do not require prior approval.

(7) A recipient of public assistance is not required to obtain medical care in the county of his residence.

(8) For limitations on out-of-state physicians' services see WAC 388-86-115.

(9) Cataract surgery will be considered medically necessary when the following conditions exist:

(a) When vision is 20/200 in the worse eye.

(b) When vision is worse than 20/70, distant vision, and J-5 with +3.50, near vision, in better eye.

(c) When extenuating circumstances, such as employment requirements, need to drive, are present, the vision is worse than 20/40, distant vision, in the better eye.

(d) Other unusual circumstances ~~((when approved by medical consultant))~~.

(10) Contact lenses would be considered medically necessary for certain medical conditions of the eyes, i.e., keratoconus, recurrent corneal erosions, other medical conditions where visual acuity either cannot be corrected with spectacles or there is a true therapeutic effect, i.e., transparent bandage effect, and when suffering from high refractive errors, over +6 or over -6 diopters.

#### AMENDATORY SECTION (Amending Order 1077, filed 12/24/75)

WAC 388-86-097 RESPIRATORY THERAPY SERVICES. (1) Respiratory therapy services including ~~((intermittent positive pressure breathing (IPPB) machines,))~~ nebulizers or other similar equipment shall be available when prescribed by a physician as necessary to permit the recipient to remain in his own home or in a skilled nursing home.

(2) Respiratory therapy services ~~((,if approved,))~~ may be ~~((available))~~ provided through contract to include necessary equipment and routine visits by a respiratory therapist, by loan of state owned respiratory therapy equipment or by visit of an independent respiratory therapist.

(3) For recipients eligible for part B Medicare benefits, necessary equipment for respiratory therapy shall ~~((,if approved,))~~ be purchased and made available on a loan basis.

(4) Recipients living in areas covered by contract shall have approved respiratory therapy services available only through the contract source.

#### AMENDATORY SECTION (Amending Order 1801, filed 5/5/82)

WAC 388-86-098 SPEECH THERAPY SERVICES. (1) Speech therapy may be provided for conditions which are the result of medically recognized diseases and defects if medically necessary and otherwise covered by this program. Such conditions may include aphasia; sudden bilateral on-set of hearing loss; rapid progressive bilateral loss and post laryngectomy surgery.

(2) The following conditions apply to approval of speech therapy:

(a) The evaluation and/or treatment must have prior approval ~~((by the local medical consultant,))~~;

(b) The fee for service must be agreed to in advance of therapy ~~((;))~~;

(c) The services must be performed by a speech pathologist who has been granted the certificate of clinical competence by the American speech and hearing association, or who has completed the equivalent educational and work experience necessary for such a certificate ~~((;))~~;

(d) The department reserves the right to limit the number of treatments based on professional judgment. ~~((See WAC 388-87-025 (2)(p).))~~

(3) Speech and language therapy is not provided under the limited casualty program.

#### AMENDATORY SECTION (Amending Order 2241, filed 6/18/85)

WAC 388-87-012 CONDITIONS OF PAYMENT—CONSULTANT'S AND SPECIALIST'S SERVICES AND FEES. (1) When services of a consultant or specialist are required, whether the patient has been referred by a physician or is being treated by the specialist as the attending physician, the prior approval ~~((of the medical consultant))~~ is not necessary. This rule applies to consultation or treatment in the home, office, or medical institution.

(2) A copy of the consultation report may be requested.

(3) When a specialist treats a patient for minor conditions or for chronic conditions of long duration, the fee for initial and subsequent office calls is reimbursed at the department rate.

(4) Consultant's fees shall not be paid when the consulting physician specialist or other provider subsequently performs surgery or renders treatment for which flat fees are applicable, see WAC 388-86-095.

(5) If more than one specialist is called in to examine a patient during a spell of illness, billings are subject to review.

(6) ~~((Payment for a))~~ Psychological evaluation ~~((requires prior approval of the local medical consultant))~~ is provided in connection with medical diagnosis and treatment. Treatment by a psychologist is not provided.

#### AMENDATORY SECTION (Amending Order 1725, filed 12/3/81)

WAC 388-87-080 PAYMENT—OXYGEN. ~~((The initial request))~~ Payment shall be made by the department for medically necessary oxygen and related supplies ~~((originating with the attending physician for~~

recipients in their own home requires approval from the medical consultant. Approval is not required for recipients in a nursing home. Repeat deliveries to recipients in their own home do not require approval) according to WAC 388-86-080.

AMENDATORY SECTION (Amending Order 1725, filed 12/3/81)

WAC 388-87-025 SERVICES REQUIRING APPROVAL ((OF MEDICAL CONSULTANT)). ((+ Certain)) All services to recipients on medical assistance, limited casualty program, and continuing general assistance ((require)) are subject to review and approval.

((2) All surgical procedures require approval by the local medical consultant — see WAC 388-86-095 and 388-86-110. Only the surgeon need obtain written approval for surgery. The services of the surgical assistant and the anesthesiologist or anesthesiologist do not require approval. Their billings for payment, however, must show the patient's diagnosis and a cross-reference to the surgeon.

(3) Requests for allergy testing shall be submitted on appropriate state form for prior approval by the local medical consultant. The extent of service to be provided shall be indicated. In the event an independent laboratory bills for the allergy testings, the requesting physician shall send the approved state form to the laboratory as the billing authority.

(4) Drugs not listed in the department's formulary or any single prescription exceeding the maximum limit established — see WAC 388-91-020.

(5) Admission to a hospital — see WAC 388-87-070 and 388-86-050.

(6) Initial provision of oxygen service for a recipient under sixty-five years of age in his own home. Repeat deliveries of oxygen for the same illness do not require medical consultant approval — see WAC 388-86-080 and 388-87-080.

(7) Approval of physical therapy on an outpatient basis or in a nursing home when prescribed by the attending physician — see WAC 388-86-090.

(8) For certain bordering cities and out-of-state medical care — see WAC 388-82-030 and 388-86-115.

(9) For consultant or specialist referral when such referrals exceed two such consultants or specialists — see WAC 388-86-095.

(10) Respiratory therapy in excess of five treatments requires approval.

(11) Speech therapy requires an initial evaluation; both the evaluation and subsequent therapy require prior approval — see WAC 388-86-098.

(12) Psychological evaluation requires prior approval and is provided in connection with medical diagnosis and treatment (see WAC 388-87-012).

(13) For certain patient transportation. See WAC 388-86-085.)

AMENDATORY SECTION (Amending Order 1923, filed 12/15/82)

WAC 388-87-027 SERVICES REQUIRING PRIOR APPROVAL ((BY STATE OFFICE)). (1) The

following services ((requiring approval of the local medical consultant shall also receive)) require prior approval ((of the office of the medical director)):

(a) Nonemergent surgical procedures — see WAC 388-86-095;

(b) Prosthetic devices and durable medical equipment and nonreusable medical equipment ((costing more than one thousand dollars)) — see WAC 388-86-100;

(c) All out-of-state air transportation;

(d) Allergy testing;

(e) Apnea monitoring;

(f) Drugs not listed in the departmental formulary or any single prescription exceeding the maximum limits established — see WAC 388-91-020;

(g) Home ventilator therapy;

(h) Medical eye care services;

(i) Nonemergent hospital admissions — see WAC 388-86-050 and 388-87-070;

(j) Nonemergent medical transportation — see WAC 388-86-085;

(k) Orthodontic treatment — see WAC 388-86-027;

(l) Out-of-state medical care which is not available within Washington state;

(m) Physical medicine, rehabilitation and treatment — see WAC 388-86-112;

(n) Physical therapy services — see WAC 388-86-070;

(o) Private duty nursing services — see WAC 388-86-071;

(p) Speech therapy, both the initial evaluation and subsequent therapy — see WAC 388-86-098;

(q) Total parenteral/enteral nutritional therapy.

(2) ((With the exception of prosthetic devices and major appliances, subsection (1) of this section, does not apply to CSOs or regions which have full-time medical consultants who are authorized to give approval.

(3)) The division of medical ((director or designee)) assistance may approve where there are significant handicapping factors:

(a) The purchase of a hearing aid when the 50 decibel loss in the better ear is not met; or

(b) A second hearing aid and/or a replacement.

((4) Private duty nursing services require prior approval of the office of the medical director:)) (3) On an exception basis approval may be granted, for services listed in this section, after the service(s) has been rendered.

AMENDATORY SECTION (Amending Order 2268, filed 8/15/85)

WAC 388-100-035 SCOPE OF CARE FOR MEDICALLY INDIGENT. (1) The medical coverage under the limited casualty program—medically indigent shall be available to an eligible individual for treatment of acute and emergent conditions only. Services available are limited to the following: Inpatient hospital services; outpatient hospital and rural health clinic services; physical medicine and rehabilitation services; physician and clinic services; prescribed drugs; dentures; prosthetic devices; eyeglasses, SNF, ICF, ICF/MR; home health services; laboratory and x-ray services; and medically necessary transportation.

(2) Payment by the department will not be made until expenses are incurred by the recipient equal to the deductible amount.

(3) ~~((All services require the approval of the medical consultant:~~

~~(4))~~ The deductible in WAC 388-100-030 does not apply for treatment under the Involuntary Treatment Act (ITA). When any other medical need is identified for recipients undergoing treatment under the Involuntary Treatment Act the requirements for the deductible shall apply to the services other than ITA.

~~((5))~~ (4) When an applicant indicates that an urgent undefined medical illness exists, the condition will be regarded as acute and emergent and one office visit for diagnosis may be allowed, provided all financial eligibility criteria have been met. Treatment will be contingent upon the criteria for acute and emergent having also been met.

~~((6))~~ (5) For other conditions and limitations under which these services may be provided refer to appropriate service in chapter 388-86 WAC.

~~((7))~~ (6) No out-of-state care is provided except in the designated bordering cities.

It is the intention of the secretary to adopt these rules on an emergency basis on or about December 30, 1985; that the agency will at 10:00 a.m., Wednesday, February 5, 1986, in the Auditorium, 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 February 12, 1986.

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

The specific statute these rules are intended to implement is chapters 74.20 and 74.20A RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 5, 1986.

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

Lee D. Bomberger, Acting 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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by January 22, 1986. The meeting site is in a location which is barrier free.

Dated: December 30, 1985

By: Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.

Re: Amending chapters 388-11, 388-13 and 388-14 WAC.

Purpose of These Amendments: To provide procedures for the inclusion of an obligation to provide medical coverage for a dependent child in an administrative order for support; to conform the collection procedures in chapter 388-13 WAC to recent amendments to WAC 388-14-200, which provide for the recovery of retained support payments from public assistance recipients; to clarify the eligibility requirements for the nonassistance support enforcement program, and to define the circumstances under which such services may be terminated; and to require OSE to issue an order to withhold and deliver if the responsible parent is delinquent in his or her obligation in an amount equal to the support payable for one month.

Reason These Rule Changes are Necessary: To comply with federal statutes and regulations.

Statutory Authority: RCW 74.08.090, 74.20A.270 and chapter 276, Laws of 1985 (HB 153).

Summary of Proposed Rule Changes: WAC 388-11-030, 388-11-065 and 388-11-100 are amended to provide procedures for including an obligation to provide medical insurance in an administrative support order, if such coverage is available to the responsible parent at a reasonable cost; WAC 388-11-100 and 388-11-150 are

**WSR 86-02-032**

**NOTICE OF PUBLIC MEETINGS  
GREEN RIVER COMMUNITY COLLEGE**

[Memorandum—December 20, 1985]

**SCHEDULE OF REGULAR MEETINGS—1986**

The board of trustees will meet the third Thursday of each month as follows:

January 16	July 17
February 20	August 21
March 20	September 18
April 17	October 16
May 15	November 20
June 19	December 18

The board of trustees of Community College District No. 10 does hereby set the regular meeting dates for the board of trustees on the third Thursday of each month, commencing at 4:00 p.m. in the Board Room of the Administration Building, Green River Community College, 12401 S.E. 320th Street, Auburn, WA 98002.

**WSR 86-02-033**

**PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed December 30, 1985]

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 support enforcement, amending chapters 388-11, 388-13 and 388-14 WAC.

amended to provide for notice to the responsible parent that an order to withhold and deliver will be issued without further notice if he or she fails to make the required payments in a timely manner under an administrative order, a consent order or an agreed settlement; WAC 388-13-020, 388-13-070 and 388-13-090 are amended to conform the collection process for recipient retained support with recent amendments to WAC 388-14-200; WAC 388-14-010 is amended to provide that the Office of Support Enforcement is the designated wage withholding agency for the state in accordance with federal requirements; WAC 388-14-020, 388-14-302, 388-14-305, 388-14-310, 388-14-320 and 388-14-325 are amended to conform the nonassistance support enforcement program with federal requirements regarding eligibility for services, termination of services and continuation of services for a five month period after public assistance has been terminated; WAC 388-14-385 is amended to provide that administrative review of IRS certifications will be conducted through the conference board process; and several new sections are added to chapter 388-14 WAC to provide for the mandatory issuance of an order to withhold and deliver under appropriate circumstances.

Person Responsible for Drafting, Implementation and Enforcement of These Rules: Jon Conine, Chief, Office of Support Enforcement, phone 459-6481, mailstop FU-11.

These amendments are necessary as a result of the federal child support amendments of 1985 (Public Law 98-378, August 16, 1984, 98 STAT. 1305) and regulations promulgated thereunder (45 CFR Parts 301, 302, 303, 304, 305, and 307).

#### AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-030 NOTICE AND FINDING OF FINANCIAL RESPONSIBILITY. (1) The notice and finding of financial responsibility shall set forth the office of support enforcement's finding of responsibility, the amount which the office of support enforcement alleges that the responsible parent owes as an accrued debt, and a statement of the demand for payment thereon. Where appropriate the notice and finding of financial responsibility shall also set forth the office of support enforcement's finding of responsibility as to the amount the responsible parent should pay in the future as periodic future support for such period of time as the child or children are in need. The notice may also include a finding of responsibility for medical expenses including responsibility to provide medical insurance coverage if such coverage is available at a reasonable cost to the responsible parent.

(2) The notice and finding of financial responsibility shall also include:

- (a) A statement of the name of the recipient or custodian;
- (b) The name of the child or children on whose behalf need is alleged;
- (c) A statement that, if the responsible parent objects to all or any part of the notice and finding of financial responsibility, ~~((s)he)~~ he or she shall have a right, for not more than twenty days from date of service, to request a hearing to show cause why said responsible parent should not be determined to be liable for any or all of the debt, past and future;
- (d) A statement that said objection shall be communicated, in writing, and shall be served on the district field office of the office of support enforcement issuing the notice and finding of financial responsibility;
- (e) A statement that, if the responsible parent fails to object in writing, in a timely manner, the support debt and/or payments stated in the notice and finding of financial responsibility shall be assessed

and determined and ordered in accordance with the finding of responsibility of the department as set forth in the notice and finding of financial responsibility;

(f) A statement that the support debt, as assessed and determined and ordered is subject to collection action and that the property of the debtor, without further advance notice or hearing, is subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver to satisfy the debt.

(g) A statement that, after service of the notice, all payments made which are intended to satisfy a current and/or accrued child support obligation alleged in the notice must be made directly to the office of support enforcement. Payments made to any other party will not be credited against the debt. Whether or not such payment is in cash, check, money order, in-kind services, merchandise, or anything else of value.

#### AMENDATORY SECTION (Amending Order 2036, filed 10/6/83)

WAC 388-11-065 RESPONSIBLE PARENT TO SHOW CAUSE—AFFIRMATIVE DEFENSES—BURDEN OF PROOF. At the hearing held pursuant to WAC 388-11-060, the responsible parent shall show cause, if any there be, why the finding of financial responsibility and/or the amount prayed for therein is inaccurate, and why the hearing examiner should not enter an initial decision and order as prayed for in said notice and finding of financial responsibility but should either rescind or modify the same. In said show cause hearing, the responsible parent shall state affirmatively and shall have the burden of proving:

- (1) Estoppel;
- (2) Payment;
- (3) Release;
- (4) Superior court order;
- (5) Lack of eligibility in the receipt of public assistance funds paid to or for the benefit of the responsible parent's minor child or children: PROVIDED, That lack of eligibility shall operate as a defense only as to debt accrued prior to September 1, 1979: PROVIDED FURTHER, That lack of eligibility shall operate as a defense to a responsible parent's liability to repay the department only to the extent the amount of ineligibility proven in any one month exceeds the difference between the total grant for that month and the amount of the support liability determined for that month;
- (6) The ~~((applicant))~~ appellant is not a responsible parent;
- (7) Inability to pay the amount determined;
- (8) Lack of need and/or debt pursuant to RCW 26.16.205: PROVIDED, That the amount determined by reference to the schedule of suggested minimum contributions in WAC 388-11-190, based on the earnings, resources, and property of the responsible parent shall be a rebuttable presumption of the responsible parent's ability to pay and the need of the family on whose behalf action is being taken. If said presumption is rebutted, the office of support enforcement shall be afforded reasonable opportunity to present additional evidence of actual need with the right to a continuance on request to present said evidence: PROVIDED FURTHER, Said rebuttable presumption shall apply whether or not the child or children are recipients of or applicants for public assistance. The responsible parent shall be presumed to have no ability to pay from income received from AFDC, SSI, or continuing general assistance;
- (9) Discharge in bankruptcy;
- (10) The responsible parent, pursuant to chapter 74.20 RCW, should be excused from making support payments for the child or children, receiving or on whose behalf public assistance was provided under chapter 74.12 RCW, because the responsible parent is the legal custodian of the child or children and has been wrongfully deprived of physical custody of the child or children~~((:))~~: PROVIDED HOWEVER, That the responsible parent may only be excused from making support payments for the period or periods during which the responsible parent was wrongfully deprived of custody. In order to be excused from making support payments, the responsible parent must show:
  - (a) A court of competent jurisdiction of this state or another state has entered an order giving legal and physical custody of the child or children to the responsible parent;
  - (b) The custody order has not been altered, changed, modified, superseded, or dismissed;
  - (c) The child or children were taken or enticed from the physical custody of the responsible parent without his or her consent, and the responsible parent has not subsequently assented to being deprived of physical custody of the child or children; and

(d) The responsible parent, within a reasonable time of the date the responsible parent was wrongfully deprived of physical custody of the child or children, exerted and has continued to exert reasonable efforts to regain physical custody of the child or children; ~~((and))~~

(11) Medical insurance coverage is not available at a reasonable cost: PROVIDED, That if such coverage is available through the responsible parent's employer or other organization at a cost to the responsible parent of twenty-five dollars per month or less, there shall be a rebuttable presumption that coverage is available at a reasonable cost; and

(12) Any other matter constituting an avoidance or affirmative defense to the notice and finding of financial responsibility.

Except as provided for in chapter 388-08 WAC for discovery, the hearing examiner or review examiner shall not require the office of support enforcement to produce or obtain information, documents, or witnesses to assist the responsible parent in proof of defenses raised pursuant to WAC 388-11-065 except for that relevant, nonconfidential information or documents which the office of support enforcement has in its possession.

#### AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-100 DUTY OF HEARING EXAMINER. Based on the notice and finding of financial responsibility and objections made thereto, the hearing examiner shall determine the liability and responsibility, if any, of the responsible parent under ~~((sections 17 and/or 22, chapter 171, Laws of 1979 ex. sess.))~~ RCW ~~(([74.20.320] [74.20.330], 74.20A.030, 74.20A.250 and/or 26.16.205))~~ 74.20A.057. The hearing examiner shall also determine the amount of periodic payments to be made to satisfy past, present or future liability ~~((under sections 17 and/or 22, chapter 171, Laws of 1979 ex. sess. RCW [74.20.320] [74.20.330], 74.20A.250, 74.20.040, 74.20A.030 and/or 26.16.205, and shall provide in his order that failure to make periodic payments in a timely manner will make the entire arrearage collectable by the office of support enforcement.~~

In all cases in which the applicant-custodian has made assignment pursuant to RCW 74.20.040 for nonassistance support enforcement services, the hearing examiner shall determine the future, current and past support obligation not limited to the amount of any public assistance standards or grant but based upon need and ability to pay pursuant to RCW 26.16.205. Whenever there has been no assignment made pursuant to 42 U.S.C. 602 (a)(26)(A), or sections 17 and/or 22, chapter 171, Laws of 1979 ex. sess. RCW [74.20.320] [74.20.330] or 74.20.040, the hearing examiner shall determine the liability and the responsibility, if any, of the responsible parent as to past, future and current support obligation based upon RCW 74.20A.030 and 74.20A.250) and the responsible parent's liability for medical expenses including responsibility to provide medical insurance coverage. The hearing examiner shall include in his or her consideration the standards in WAC 388-11-190 and the uniform child support guidelines adopted by the Washington state association of superior court judges. The hearing examiner is empowered, upon proper showing of unusual circumstances, to set an amount of support, as to the past, present, or future, at a greater or lesser amount than the amount stated or computed in reference to the scale in WAC 388-11-190 and shall include in his or her consideration:

- (1) All earnings and income resources of the responsible parent, including real and personal property;
- (2) The earnings potential of the responsible parent;
- (3) The reasonable necessities of the responsible parent;
- (4) The ability of the responsible parent to borrow;
- (5) The needs of the child for whom the support is sought;
- (6) The amount of assistance which would be paid to the child under the full standard of need of the state's public assistance plan;
- (7) The existence of other dependents; and
- (8) That the child, for whom support is sought, benefits from the income and resources of the responsible parent on an equitable basis in comparison with any other minor children of the responsible parent.

((The hearing examiner shall also include in his consideration the standards in WAC 388-11-190 and any standards for determination of support payments used by the superior court of the county of residence of the responsible parent. The hearing examiner is empowered, upon proper showing of unusual circumstances, to set an amount of support, as to the past, present, or future, at a greater or lesser amount than the amount stated or computed in reference to the scale in WAC 388-11-190)) In determining the responsible parent's liability for medical expenses, including responsibility to provide medical insurance coverage, the hearing examiner shall consider:

(a) The known or anticipated medical needs of the child or children;  
(b) The cost of medical coverage and whether or not such coverage is available through the responsible parent's employer or other organization at a reasonable cost to the responsible parent;

(c) The earnings and resources of the responsible parent;

(d) The reasonable necessities of the responsible parent; and

(e) The amount of the responsible parent's child support obligation, which obligation shall have priority over the obligation to provide medical coverage unless the hearing examiner makes a finding of fact that the medical needs of a child are extraordinary, and the best interest of the child would be better served if medical coverage is provided.

The findings of fact as to unusual circumstances shall consist of a concise statement of each fact found upon each contested issue of fact and shall state the grounds for deviation from the standards in WAC 388-11-190. The hearing examiner shall make his or her initial decision and enter his or her findings of fact based on the notice and finding of financial responsibility and the evidence admitted at the hearing.

The office of support enforcement has a right to orally amend the notice and finding of financial responsibility, at the time of hearing, to conform to the evidence in which case the hearing examiner is empowered, when deemed necessary, through continuance, to allow the responsible parent additional time to present rebutting evidence and/or argument as to the amendment.

After evidence has been presented at a hearing conducted by a hearing examiner, the hearing examiner shall enter an initial decision and order which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The decision and order shall include a notice that, if the responsible parent fails to make periodic payments as ordered, the entire arrearage shall be collectable by the office of support enforcement and that collection action, including but not limited to the issuance of an order to withhold and deliver against the earnings or property of the responsible parent, may be initiated without further notice.

The hearing examiner shall file the original of the initial decision and order signed by him or her with the secretary or his or her designee, and copies thereof shall be mailed by the hearing examiner to the office of support enforcement and to the appellant by certified mail to the last known address of the party.

#### AMENDATORY SECTION (Amending Order 1864, filed 8/18/82)

WAC 388-11-150 CONSENT ORDER AND AGREED SETTLEMENT. In the absence of a superior court order, informal disposition of any contested case or petition or order to show cause for modification wherein a ~~((debt))~~ support obligation is claimed pursuant to RCW ~~(([74.20.320, 74.20.330, 74.20.040, 74.20A.030, 26.16.205 and/or 74.20A.250])~~ 74.20A.057 is encouraged where feasible and not specifically precluded by law. Said cases may be disposed of by consent order or agreed settlement, "agreed settlement" being defined as a written agreement signed by each party, which is effective without approval of any hearings examiner. If a consent order is involved, the hearings examiner shall approve that consent order disposing of a contested case unless specifically contrary to law. Informal disposition on consent order shall be deemed to be a request for hearing granting jurisdiction to the hearings examiner to approve said consent order without the necessity of testimony or hearing, upon presentation by the office of support enforcement. If negotiations as to a consent order or agreed settlement are commenced within twenty days of service on the responsible parent of the notice and finding of financial responsibility, and such negotiations fail and the responsible parent serves an objection on OSE within twenty days of the negotiations failing, the objection shall be considered timely served. The obligation to pay support or repay the debt, unpaid when due, stated in the consent order or agreed settlement is subject to collection action. Consent orders or agreed settlements are not subject to review pursuant to WAC 388-11-105 but are subject to modification pursuant to WAC 388-11-140 and may be vacated for fraud pursuant to WAC 388-11-115. Consent orders and agreed settlements shall contain the following provisions:

(1) That the responsible parent shall provide medical insurance coverage for his or her dependent child or children if such coverage is available at a reasonable cost; and

(2) That appropriate collection action, including but not limited to the issuance of an order to withhold and deliver against the debtor's earnings or property, may be initiated by the office of support enforcement without further notice to collect the entire arrearage if the responsible parent fails to make periodic payments as provided.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-13-020 NOTICE OF SUPPORT DEBT. The notice of support debt shall set forth:

(1) The amount of support moneys claimed by the department as property of the department by assignment, subrogation or by operation of law or legal process under chapter 74.20A RCW;

(2) The legal basis for the claim of ownership by the department;

(3) A description of the person, firm, corporation, association, or political subdivision who is or has been in possession of the support moneys together with sufficient detail to enable identification of the moneys in issue;

(4) A statement that, effective with the date of service of the notice, all moneys not yet disbursed or spent and all like moneys to be received in the future are deemed to be impounded and shall be held in trust pending answer to the notice and any hearing which is requested;

(5) A statement that the notice shall be answered, under oath and in writing, within twenty days of the date of service of the notice;

(6) A statement that the answer made under subsection (5) of this section shall include true answers to the matters inquired of and that said answer shall also acknowledge the department's right to the moneys or request an administrative hearing to determine ownership of the moneys in issue;

(7) A statement that the burden of proof in said hearing is on the department to establish ownership of the support moneys claimed;

(8) A statement that, if the person, firm, corporation, association, or political subdivision or officer or agent thereof fails to answer and/or make a request for hearing in a timely manner, the department's claim shall be assessed and determined and subject to collection action as a support debt pursuant to chapter 74.20A RCW; and

(9) A statement that a support debt, as assessed and determined, is subject to collection action and that the property of the debtor, without further advance notice or hearing, is subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver to satisfy the debt: PROVIDED, That no collection action may be taken against a recipient of public assistance during the period of time the recipient remains on assistance except as provided in RCW 74.20A.270 and WAC 388-14-200(4).

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-13-070 HEARING—INITIAL DECISIONS. (1) If the hearing is granted, it shall be an administrative hearing limited to the determination of the ownership of the moneys claimed in the notice of support debt and/or the reasonableness of a repayment agreement presented to a public assistance recipient for the purpose of recovering child support under RCW 74.20A.270 and WAC 388-14-200(4) and (5). The right to the hearing is conditioned upon holding any funds not yet disbursed or expended or to be received in the future in trust pending the final order in these proceedings or during any appeal to the courts. The secretary or the secretary's designee shall enter an appropriate order providing for the terms of the trust.

(2) The hearing shall be a contested case as provided for in chapter 34.04 RCW and shall be held pursuant to this section, chapter 34.04 RCW, and the rules of the department.

(3) The hearing shall be promptly scheduled within thirty days from the date of receipt by the office of support enforcement of the answer/request for hearing by the department. The hearing shall be conducted by a duly qualified hearing examiner appointed for that purpose. Hearings may be held in the county of residence of the debtor or other place convenient to the debtor.

(4) The department shall have the burden of proof to establish ownership of the support moneys claimed, including but not limited to moneys not yet disbursed or spent.

(5) After evidence has been presented at a hearing conducted by a hearing examiner, the hearing examiner shall enter an initial decision and order which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The hearing examiner shall make ~~((his/her))~~ his or her decision and enter ~~((his/her))~~ his or her findings of fact based upon the evidence admitted at the hearing. The office of support enforcement shall have the right to orally amend the notice of support debt, at the time of hearing, to conform to the evidence in which case the hearing examiner is empowered to grant a continuance, when deemed necessary, to allow the debtor additional time to present rebutting evidence and/or argument as to the amendment.

(6) The hearing examiner shall file the original of the initial decision and order, signed by ~~((him/her))~~ him or her, with the secretary or the

secretary's designee and copies thereof shall be mailed by the hearing examiner to the office of support enforcement and to the debtor by certified mail to the last address provided by each party.

(7) To the extent they do not conflict with these rules or ~~((section 18, chapter 171, Laws of 1979 ex. sess. [RCW 74.20A.270]))~~ RCW 74.20A.270, the provisions of chapter 388-11 WAC and RCW 74.20A.055 shall apply to this process.

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-14-010 OFFICE OF SUPPORT ENFORCEMENT AS THE TITLE IV-D AGENCY. (1) Pursuant to chapters 74.20 and 74.20A RCW, the department of social and health services of the state of Washington through the office of support enforcement establishes the following provisions as the state plan for child support pursuant to Title IV-D of the Social Security Act.

(2) The office of support enforcement is designated and established as the single and separate organizational unit within the state of Washington to administer the plan which shall be in effect in all political subdivisions of the state of Washington.

(3) The office of support enforcement is the operating agency referred to in federal rules and regulations as the Title IV-D agency. The office of support enforcement is authorized to assume any and all responsibilities assigned the Title IV-D agency ~~((including but not limited to the following:)).~~

(4) ~~((Entering))~~ The office of support enforcement is authorized to enter into agreements as required or authorized with other states and the secretary, Department of Health(~~(-education))~~ and (~~welfare~~)) Human Services.

(a) To contract with other states for the referral of cases under the Uniform Reciprocal Enforcement of Support Act and other cases where enforcement or collection of support location of absent parents or establishment of paternity are appropriate. Include in such agreements the procedures for making referrals, assigning debt, distributing incentive payments, and reporting actions and activities on the part of this state for another, or another state for this state and coordination of activities pursuant to and ~~((insuring))~~ ensuring compliance with the Uniform Reciprocal Enforcement of Support Act.

(b) To contract with the secretary, Department of Health(~~(-education))~~ and (~~welfare~~)) Human Services and maintain liaison for:

(i) Referral to parent locator service including amount and collection of fees.

(ii) Certification and referral of cases as appropriate for the collection of support delinquencies by the secretary of the treasury.

(iii) Certification and referral of cases as appropriate for utilization of the U.S. district courts.

(5) The office of support enforcement is responsible for administration of the Title IV-D plan including supervisory authority for any and all activities necessary to meet the standards for an efficient and effective program including formal evaluation of the quality, efficiency, effectiveness, and scope of services provided under the plan. The office will take necessary measures to meet federal and state requirements for accounting and fiscal control, ~~((insuring that))~~ ensuring location, establishment of paternity, and establishment, enforcement, and collection of support functions are carried out effectively and efficiently. The office of support enforcement is also responsible to assure that referrals and other communications with the Title IV-A agency meet the requirements of the Title IV-D and Title IV-A state plans.

(6) The office of support enforcement is responsible for the state-wide administration of wage withholding pursuant to federal statutes and regulations.

AMENDATORY SECTION (Amending Order 2036, filed 10/6/83)

WAC 388-14-020 DEFINITIONS. (1) The terms "applicant/recipient," "applicant," or "recipient" include the caretaker relative, the children, and any other individual whose needs are considered in determining the amount of assistance. See also WAC 388-22-030.

(2) The term "applicant/custodian" shall designate the individual who is the physical ~~((and legal))~~ custodian of any ~~((person or persons))~~ dependent child or children on whose behalf ~~((an application))~~ a request for nonassistance support enforcement services has been made to the office of support enforcement pursuant to RCW 74.20.040 ~~((74))~~ 42 U.S.C. 654(6) or 42 U.S.C. 657(C) ~~((+)(2))~~.

(3) The term "absent parent" shall designate that person who:

- Is not the physical custodian of the child; and
- Is a natural, or adoptive parent, or a stepparent owing a legal duty to support said child or children on whose behalf an application

has been made for payment of public assistance or application has been made for nonassistance support enforcement services.

(4) "Putative father" as used in this section shall include any and all men who may possibly be the father of the child or children on whose behalf the application for assistance or support enforcement services may be made. See also WAC 388-14-200 (2)(c).

(5) "Aid" means aid to families with dependent children or AFDC foster care.

(6) "Title IV-D" refers to Title IV-D of the Social Security Act established under Title XX of the social security amendments and as incorporated in 42 U.S.C. (602).

(7) "Title IV-D plan" refers to a plan established under the conditions of Title IV-D approved by the secretary, Department of Health and Human Services.

(8) The "required support obligation for the current month" is defined as the amount of a superior court order for support or the periodic future support amount determined pursuant to chapter 388-11 WAC which is or will be owing for the current month.

(9) "Incentive payments" are payments distributed pursuant to WAC 388-14-370 to prosecuting attorneys or other political subdivision on the basis of enforcement and collection of support payments.

(10) "Secretary" means the secretary of the department of social and health services, his or her designee or authorized representative, which for all purposes as used in chapter 74.20A RCW shall mean the designee of the secretary, the chief, office of support enforcement or his or her designee, except as is provided for in WAC 388-11-011(5) wherein for purposes of RCW 74.20A.055 "secretary" has another meaning.

(11) "Family" shall mean the person or persons on behalf of whom support is sought which unit may include a custodial parent or other person and one or more children or a child or children in foster care placement.

(12) "Residential care" means foster care as defined in WAC 388-70-012.

(13) "Head of household" means the responsible parent or parents with whom the dependent child or children were residing at the time of placement in foster care.

(14) The term "resident" shall include persons physically present in the state of Washington intending to make their home in this state. Temporary absence from the state does not destroy residence once established.

#### AMENDATORY SECTION (Amending Order 1400, filed 5/16/79)

WAC 388-14-205 RESPONSIBILITIES OF THE OFFICE OF SUPPORT ENFORCEMENT. (1) The office of support enforcement ~~((with)) shall undertake, when public assistance is paid ((or the)), non-assistance support enforcement services are requested, or support enforcement services are requested by a child support enforcement agency in another state to:~~

- (a) Establish paternity of any child born out of wedlock; and
- (b) Secure support for a child from any person legally liable for such support. Whenever possible and/or appropriate under the circumstances, the office of support enforcement shall initiate action under chapter 74.20A RCW to establish, enforce, and collect the child support obligation.

(2) The office of support enforcement will not act to establish paternity or secure child support in any case for which it has received notice that the CSO has determined that there has been a finding of good cause under WAC 388-24-111.

(a) The office of support enforcement will request that all activities under Title IV-D to establish paternity or secure child support involving activities of agencies acting under cooperative agreements are suspended when OSE receives notice from the CSO that an applicant or recipient has claimed good cause until notified of the final determination of the CSO.

Any agency acting under a cooperative agreement who fails or refuses to comply with the request to suspend activities shall not be entitled to financial participation under the Title IV-D cooperative agreement as to said case or cases upon which the request is made.

A child support obligation continues while enforcement and/or collection action is suspended pending a final determination of good cause and will be subject to collection when a decision is made that good cause for refusal to cooperate no longer exists.

(b) The office of support enforcement will review and comment on the findings and basis for the proposed determination by the CSO.

(c) The office of support enforcement will be a party to any hearing requested as a result of an applicant's or recipient's appeal of any agency action under WAC 388-24-111.

#### AMENDATORY SECTION (Amending Order 2174, filed 12/6/84)

WAC 388-14-270 DISTRIBUTION OF SUPPORT PAYMENTS—PUBLIC ASSISTANCE. All payments collected as support on behalf of persons receiving public assistance in the state of Washington for whom an assignment is made (~~((under WAC 388-24-108 and 388-14-200))~~) shall be distributed under the following conditions:

- (1) The following provisions apply to this section:
  - (a) All payments will be reported in exact amounts without rounding.
  - (b) The date of collection shall be the date on which the payment is received by the office of support enforcement or the political subdivision making the collection under agreement and on behalf of the office of support enforcement. For interstate collections, the date of collection shall be the date on which the payment is received by the IV-D agency of the state in which the family is receiving aid.
  - (c) The amounts collected as support during periods of time when aid is being provided, shall, for the purposes of this distribution section only, be treated first as payment on the required support obligation for the month in which support was collected.
  - (d) Amounts collected which are paid more frequently than once a month shall be converted to an amount which represents payment on the required support obligation for the current month. The office of support enforcement is directed to distribute payments periodically to give effect to efficient administration.
  - (e) Any amounts distributed to the family will be reported to the community service office identifying whether or not the payment is available to meet the need. This requirement shall not relieve the recipient of the duty to report receipt of any support moneys.
  - (f) Any amounts collected which represent support shall be used to reduce dollar for dollar the amount of the support obligation as defined in WAC 388-14-100.

~~((The)) No distribution may be made under subsection (2)(b) of this section unless a new assignment has been made pursuant to WAC 388-24-108 and 388-14-200.))~~

(2) The amounts collected as support by the IV-D agency pursuant to the state plan for children who are current recipients of aid under the state's Title IV-A plan by the office of support enforcement and for whom assignment under WAC 388-24-108 and 388-14-200 is effective shall be distributed as follows:

(a) The first fifty dollars of any amount that is collected in a month which represents payment of the required support obligation for that month shall be paid to the family. This payment may not be used in determining the amount paid, if any, to the family in subsection (2)(c) of this ~~((subsection))~~ section. If the amount collected includes payment of the required support obligation for a previous month or months, the family shall only receive the first fifty dollars of the amount which represents the required support obligation for the month in which support was collected. If amounts are collected for one family which represents support payments from two or more absent parents, only the first fifty dollars of the amount collected which represents the total required support obligation for the month in which the support was collected shall be paid to the family under this subsection. No payment shall be made to a family under this subsection for a month in which ~~((there is))~~ no child support collection is received. The requirements of this subsection shall be applicable commencing October 1, 1984.

(b) Any amount that is collected in a month which represents payment on the required support obligation for that month and is in excess of the amount paid to the family under subsection (2)(a) of this ~~((subsection))~~ section shall be retained by the state to reimburse, in whole or in part, the assistance payment for the month in which the child support was collected or the next month. Of the amount retained by the state as reimbursement for that month's assistance payment, the office of support enforcement shall determine the federal government's share of the amount so retained so the IV-A agency may reimburse the federal government to the extent of its participation in the financing of the assistance payment. From the federal government's share, the office of support enforcement shall deduct and pay the incentive payments, if any, prescribed in WAC 388-14-370.

(c) If the amount collected is in excess of the amount required to be distributed under subsection (2)(a) and (b) of this ~~((subsection))~~ section, the family shall be paid such excess up to the difference between

the assistance payment for the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan and the court-ordered amount for that month. This payment shall be made in the month following the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan. If such court-ordered amount is less than such assistance payment, no amount shall be paid to the family under this subsection. In cases in which there is no court order, the family shall not be paid any amount under this subsection.

(d) If the amount collected is in excess of the amounts required to be distributed under subsection (2)(a), (b), and (c) of this ((subsec-tion)) section, any such excess shall be retained by the state as reimbursement for past assistance payments made to the family for which the state has not been reimbursed. The state may apply the amount retained to any sequence of months for which it has not yet been reimbursed. Of the amount retained by the state as reimbursement of past assistance payments, the office of support enforcement shall determine the federal government's share of the amount so retained so the IV-A agency may reimburse the federal government to the extent of its participation in the financing of the assistance payments. From the federal government's share, the office of support enforcement shall deduct and pay the incentive payment, if any, prescribed in WAC 388-14-370. If past assistance payments are greater than the total support obligation owed, the maximum amount the state may retain as reimbursement for such assistance payments is the amount of such obligation, unless amounts are collected which represent the required support obligation for periods prior to the first month in which the family received assistance under the state's Title IV-A plan, in which case such amounts shall be retained by the state to reimburse the difference between such support obligation and such assistance payments.

(e) If the amount collected is in excess of the amounts required to be distributed under subsection (2)(a), (b), (c), and (d) of this ((subsec-tion)) section, such excess shall be paid to the family. This payment shall be made in the month following the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan.

(3) If an amount collected as child support represents payment on the required support obligation for future months, the amount shall be applied to such future months. However, no such amounts shall be applied to future months unless amounts have been collected which fully satisfy the support obligation assigned under WAC 388-24-108 and 388-14-200 for the current month and all past months.

(4) Any amount paid under subsection (2)(a), (c), or (e) of this section shall be identified as not being an assistance payment.

(5) Whenever the office of support enforcement is making collections on delinquent support assigned to the department pursuant to WAC 388-24-108 and 388-14-200, the office of support enforcement may pay to the family pursuant to WAC 388-14-250 from said collections an amount equal to the monthly amount owed for current support as established by either the superior court order for support or the administrative order or final determination entered pursuant to chapter 388-11 WAC(:);

((~~fa~~)) Payments to the family pursuant to this subsection may be made only during the ((~~four~~)) five months following the last month in which aid was paid and thereafter ((~~for months subsequent to the sub-mission and acceptance of a nonassistance support enforcement appli-cation pursuant to WAC 388-14-300 through 388-14-315;~~

~~(b) Payments may not be made for months in which no collections have been made on the delinquent support assigned and payments may not be made for a person from collections on the delinquent support assigned by a different person;~~

~~(c) Payments may only be made to a person if the person is owed an unpaid current support obligation for the month in which the payment is made;~~

~~(d) The department has, upon making any such payment, an addi-tional assignment by operation of law of the unpaid current support obligation owed to the person for whom the payment is made for the month in which the payment is made;)) if the former recipient author-izes the office of support enforcement ((shall take action to collect this assigned unpaid obligation to reimburse the department and/or the federal government for the payment made)) to continue to provide support enforcement services.~~

#### AMENDATORY SECTION (Amending Order 2174, filed 12/6/84)

WAC 388-14-302 NONASSISTANCE SUPPORT ENFORCE-MENT—PERSONS ELIGIBLE. (1) Any resident of the state of

Washington who is a physical ((~~and legal~~)) custodian ((~~or guardian~~)) of a ((~~person~~)) dependent child who is a resident of the state of Washington and who is not a recipient of public assistance ((~~for whom a support obligation is owed and who is not receiving adequate support (as defined by WAC 388-14-100) from persons owing a duty to pay support~~)) may ((~~apply for~~)) request nonassistance support enforcement services to establish ((~~or~~)), enforce, or collect an obligation for support including accrued arrears: PROVIDED, That the office of support en-forcement may also act to establish paternity where it is a necessary part of establishing support obligations for nonassistance clients. ((~~When the person(s) owing the duty to pay support is deceased or is eligible for or receiving social security benefits, public assistance mon-ey, supplemental security income, or is participating in any other gov-ernmental, private charity or other rehabilitation program providing benefits at less than the standards in WAC 388-29-100, the applica-tion cannot be accepted~~)) If a person other than the applicant has legal custody of the dependent child by order of a court, the applicant shall affirm that the legal custodian has not been wrongfully deprived of custody by the applicant and would not be excused from making sup-port payments in accordance with WAC 388-11-065(10), in order to be eligible for support enforcement services.

(2) If a request for nonassistance support enforcement services is denied, a written notice of the denial shall be sent by regular mail and shall include a statement of the reasons for the denial and a statement that the applicant may request an administrative hearing to contest the denial.

(3) Any person who has been provided support enforcement services as a result of an approved application for public assistance may also ((~~apply for~~)) request nonassistance support enforcement services effective with the date of termination of public assistance. ((~~An applica-tion~~)) A request made prior to termination shall not be effective until the first of the month following termination from assistance. Support enforcement services may be continued by the office of support en-forcement for a period of time not to exceed ((~~four~~)) five months fol-lowing the last month in which public assistance was paid as a continuation of actions maintained as a result of an assignment pursu-ant to WAC 388-24-108 and 388-14-200 or by operation of law un-der RCW 74.20A.030. If support enforcement services on behalf of a public assistance recipient have resulted in the collection of support payments, the office of support enforcement shall continue, if appro-priate, to provide support enforcement services during this ((~~four=month~~)) five-month period, and thereafter, if authorized to do so by the former recipient. All support moneys collected, during the ((~~four=month~~)) five-month period, except those collected to satisfy arrears assigned to the department under ((~~sections 17 and 22, chapter 171, Laws of 1979 ex. sess.~~)) RCW 74.20.320, RCW 74.20.330, 42 U.S.C. 602 (a)(26)(A), RCW 74.20A.250, and/or 74.20A.030 shall be remit-ted to the children's custodian.

#### AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-14-305 NONASSISTANCE SUPPORT ENFORCE-MENT—APPLICATION. (1) A person desiring nonassistance sup-port enforcement services shall complete the appropriate forms ((~~applying for~~)) requesting the services ((~~and granting limited power of attorney to the office of support enforcement, department of social and health services~~)). The necessary forms must be completed in full, dated, signed, and forwarded to the district office of support enfor-cement. Copies of divorce or dissolution decrees, support orders and modifications thereof, and any allied or related documents which re-reflect the marital and support status, shall be supplied by the applicant.

(2) The applicant shall also include or attach a statement of the amount of accrued arrears and list by date and amount all support payments received during the period of time when the arrears accrued. The office of support enforcement may require this statement to be by affidavit ((~~and where controversy exists the office of support enforce-ment may require the applicant/custodian to obtain a judgment deter-mining all accrued arrears owed under a continuing order of support before proceeding further with collection efforts~~)). ((~~Applications~~)) The applicant may also be required to submit a written statement af-firming the legal custodian has not been wrongfully deprived of custo-dy of the dependent child or children, or affirming the applicant is and will continue to be a resident of this state even though the applicant is or will be temporarily absent from the state. Requests on which state-ments are incomplete, unclear, or inconsistent will be ((~~returned to the applicant~~)) denied and no service will be provided until such time as the ((~~application~~)) request for services is presented in acceptable form.

(3) The appropriate forms will be available at any community service office of the department of social and health services(;) or at any district office of the office of support enforcement. The forms may be requested by phone, mail, or obtained personally.

#### AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-14-310 NONASSISTANCE SUPPORT ENFORCEMENT—APPLICANT/CUSTODIAN'S ~~(ASSIGNMENT OF RIGHTS)~~ AUTHORIZATION. (1) The applicant(~~/custodian~~) shall (~~for collection purposes only, the rights to support under RCW 26.16.205 or those rights to support accruing pursuant to a superior court order~~) submit a written request for support enforcement services and authorize the office of support enforcement to initiate appropriate action to establish, enforce, and collect the support obligation.

(2) The applicant/custodian shall (~~also~~) give consent to the office of support enforcement to take an assignment of earnings from the person owing a duty to pay support; agree to remit within eight days of receipt to the office of support enforcement support moneys received directly from the person owing a duty to pay support during the period of time support enforcement services are maintained(~~and give the office of support enforcement power of attorney to endorse checks, drafts and money orders representing support payable to said applicant~~).

(3) The applicant/custodian, during the time support enforcement services are in effect, must send or deliver all support income received from the person owing a duty to pay support to the office of support enforcement providing the service and direct any payor or forwarding agent of moneys to remit directly to office of support enforcement. (~~In the event~~) If the applicant/custodian fails to forward (~~such payments~~) and/or (~~so~~) fails to provide adequate documentation of such direct (~~any payor or forwarding agent~~) payment as requested, the office of support enforcement may discontinue providing support enforcement services.

#### AMENDATORY SECTION (Amending Order 2123, filed 7/18/84)

WAC 388-14-320 NONASSISTANCE SUPPORT ENFORCEMENT—DISTRIBUTION. (1) Current support payments received on behalf of the applicant/custodian in the (~~four-month~~) five-month period following the last month in which public assistance was paid shall be forwarded to the applicant/custodian.

(2) Support payments received on behalf of the applicant/custodian are forwarded as received.

(3) Nothing herein shall be construed to obligate the office of support enforcement to remit to the applicant/custodian moneys paid in satisfaction of a debt owed to the department (~~under sections 17 and 22, chapter 171, Laws of 1979 ex. sess. RCW 74.20.330, 42 USC 602 (a)(26)(A), RCW 74.20A.250, or 74.20A.030~~) except as provided for in WAC 388-14-270(5). The total amount of any obligation that has accrued under the assignment made pursuant to WAC 388-24-108 (~~and~~), 388-14-200, or by operation of law prior to termination of assistance is collectible by the office of support enforcement subsequent to termination of assistance to reimburse the department for public assistance paid prior to termination.

#### AMENDATORY SECTION (Amending Order 2123, filed 7/18/84)

WAC 388-14-325 NONASSISTANCE SUPPORT ENFORCEMENT—TERMINATION OF SERVICES. (1) Support enforcement services may be terminated by the applicant/custodian:

(a) An applicant/custodian may terminate support enforcement (~~service(s)~~) service or services by written notice to the office of support enforcement. (~~The office of support enforcement's rights and responsibilities toward the applicant/custodian shall continue in effect until written notification is received.~~)

(b) Upon receipt of the applicant/custodian's request for termination of support enforcement services, the office of support enforcement will discontinue (~~such~~) service. Any support moneys received which are owing to the applicant/custodian after the receipt of notice shall be returned to the payor with instructions to send all support moneys directly to the applicant/custodian or forwarding agent as appropriate.

(2) Support enforcement services may be terminated (~~or reapplication may be denied~~) by the office of support enforcement:

(a) In cases where further action to enforce payment of a support obligation is deemed inappropriate or inadvisable (~~by the office of support enforcement~~).

(b) If the department or a court of competent jurisdiction determines the applicant/custodian has wrongfully deprived the responsible parent of physical custody of the dependent child or children in accordance with the provision of WAC 388-11-065(10).

(c) Upon receipt of verification that the responsible parent is dead if there is no available estate.

(d) If no payments have been collected within the last three years despite reasonable collection efforts and further collections are not foreseeable in the future.

(e) If the responsible parent cannot be located and all local, state, and federal locate sources have been exhausted, the case may be terminated after three years unless new locate information is provided by the applicant/custodian.

(f) When the applicant/custodian moves to and becomes a resident of another state or country: PROVIDED HOWEVER, That the office of support enforcement may continue to provide services for a period not to exceed five months from the date the applicant/custodian moves if such continued services are appropriate under the circumstances.

(g) (~~In the event~~) If an applicant/custodian fails or refuses to provide supplementary information (~~or~~), fails or refuses to forward to the office of support enforcement support payments made direct or fails to provide adequate documentation of such payments, (~~or~~) fails or refuses to take necessary cooperative action as specifically requested by the office of support enforcement, or who employs and/or fails or refuses to discharge a private attorney, collection agency, or other agency engaged in collection of the support debt (~~assigned for~~); PROVIDED HOWEVER, That services by office of support enforcement may not be terminated but may be limited or deferred as appropriate if office of support enforcement is given notice of and agrees to employment of a private attorney or collection (~~to~~) agent and said actions of the (~~department~~) private attorney or collection agency do not conflict with, interfere with, or duplicate action taken by the office of support enforcement.

(3) When the office of support enforcement terminates services, the applicant/custodian (~~must~~) shall be notified in writing that the office of support enforcement will no longer provide support enforcement services. Notification may be by regular mail addressed to the applicant/custodian's last known address and must include the reason for discontinuation of services and a statement that the applicant/custodian may request an administrative hearing to contest termination, limitation, or deferral of services.

(4) Any support moneys received after a notice of decision by the office of support enforcement to discontinue support enforcement services has been mailed shall be returned to the payor with instructions to send all support moneys directly to the applicant/custodian, court, or other forwarding agent(~~court, as appropriate~~).

#### AMENDATORY SECTION (Amending Order 1605, filed 2/11/81)

WAC 388-14-385 CONFERENCE BOARD. (1) A conference board is herewith established to make inquiry into, determine facts, and attempt to resolve matters in which a responsible parent, custodial parent, or other person feels aggrieved by actions taken by the office of support enforcement pursuant to chapters 74.20, 74.20A RCW, or Title IV-D of the Social Security Act (Title 42 U.S.C.).

(a) The intent and purpose of the conference board is to facilitate the informal speedy resolution of grievances by responsible parents, custodial parents, or other persons. An applicant for a conference board proceeding must have made a reasonable attempt and have failed to resolve the grievance or issue with the workers before a conference board may act to attempt to resolve the issue.

(b) The chief, office of support enforcement, or his or her designee may assemble a conference board on application of the aggrieved person or on his or her own motion to investigate, find facts, and state or apply policy or law to the end of resolving grievances.

(c) If the grievance or issue presented in an application for conference board does not involve a factual dispute, or if the disputed (~~fact(s)~~) fact or facts even if resolved in favor of the applicant would not provide a basis upon which relief could be granted to the applicant by a conference board acting in accordance with the standards provided for herein, the chief or his or her designee may take such action as (~~he/she~~) he or she deems appropriate and to that end (~~he/she~~) he or she may individually exercise any of the authority provided for in this regulation. If an apparent factual dispute exists, the conference board shall be composed of the chief or his or her designee, who shall serve as chairman, and two staff members, if deemed necessary, appointed by the chief or his or her designee. The conference board shall

dissolve upon issuance of decisions on matters for which it was appointed.

(d) The chairman of the conference board is herewith authorized as a duly appointed officer empowered to issue subpoena of witnesses, books, records, etc., as provided for in RCW 74.04.290 and shall have power to subpoena witnesses, administer oaths, take testimony, and compel the production of such papers, books, records, and documents as he or she deems relevant to the resolution of the grievance under consideration. Additional evidence may be taken by affidavit or other written submission when necessary or practicable together with written or oral argument. Persons having specific familiarity with the matter at issue or technical expertise with the subject may be designated to advise the board as required.

(e) The conference board's jurisdiction shall include but shall not be limited to the following areas:

((+)) (i) Complaints as to the conduct of individual staff members while acting in the scope of their duties. The decision of the board shall be directed to the first line supervisor for action as appropriate;

((+)) (ii) Review of denial of application for or termination of nonassistance support enforcement services;

((+)) (iii) Review of allegations of error as to the distribution of support moneys;

((+)) (iv) Resolution of amounts of arrears claimed due and rate of repayments;

((+)) (v) Requests to release or refund moneys taken pursuant to RCW 74.20A.080 to provide for the reasonable necessities of responsible parent or parents and minor children in their home;

((+)) (vi) Requests for deferral of support enforcement action;

((+)) (vii) Requests for partial or total charge-off of support arrears pursuant to RCW 74.20A.220 or declination to collect support arrears pursuant to RCW 74.20.040 on nonassistance cases;

((+)) (viii) Requests to waive interest pursuant to RCW 74.20A.190;

((+)) (ix) Requests to waive or defer the nonassistance support enforcement fee pursuant to RCW 74.20.040;

((+)) (x) Any other matter requiring explanation of or application of policy or law to an issue in a specific case or clarification of facts in said case.

(xi) Requests for administrative review of cases submitted to the IRS for offset of a tax refund in accordance with federal statutes and regulations.

(2) The decision, including a decision to deny a request for a conference board, shall be in accordance with applicable statutes, case law, department of social and health services rules and regulations, published office of support enforcement manuals, support enforcement policy bulletins and the exercise of reasonable administrative discretion. The decision shall be in writing and shall find the facts, applicable law, policies applied, and clearly state the decision. If the decision is the result of a conference board, that decision shall represent the decision of a majority of the board. Decisions inconsistent with the ~~(above)~~ standards in this section shall be vacated by the chief of the office of support enforcement and remanded for issuance of a new decision in compliance with the standards.

(3) A file of pertinent documents shall be established for each case and a copy of the decision, signed by the chairman, shall be distributed to the petitioning party, the appropriate office of support enforcement district field office for action consistent with the decision of the board, and the chief, office of support enforcement.

(4) Decisions to grant partial or total charge-off pursuant to RCW 74.20A.220 of arrears owed to the department of social and health services under RCW 74.20A.030, 74.20A.250, ~~(sections 17 and 22, chapter 171, Laws of 1979 ex. sess. RCW [74.20.320] [74.20.330])~~ 74.20.320, 74.20.330, or 42 U.S.C. 602 (a)(26)(A) shall be based on the following considerations which shall be found and stated in the written decision of the conference board fully justifying the action taken:

((+)) (a) Error in law or bona fide legal defects which materially diminish chances of collection; or

((+)) (b) Substantial hardship to minor children in the household of the responsible parent or other minor children for whom the responsible parent actually provides support which hardship is to be measured against income standards for public assistance and consideration of all available income, property, and resources of the responsible parent and the necessity to apportion the income and resources of the responsible parent on an equitable basis with the children for whom the arrears accrued; or

~~((+))~~ (c) Costs of collection action in the future which are greater than the amount to be charged off; or

~~((+))~~ (d) Settlement from lump-sum cash payment which is beneficial to the state considering future costs of collection and likelihood of collection.

(5) The considerations and decision of the conference board shall not be a contested case subject to review by the superior court and shall not be a substitute for any constitutionally or statutorily permitted hearing. Aggrieved parties may be represented before the board by a person of their choice but the department will not be responsible for any costs incurred by the aggrieved person in connection with the conference.

#### NEW SECTION

WAC 388-14-400 ORDER TO WITHHOLD AND DELIVER—ISSUANCE AND TERMINATION. (1) As provided under RCW 74.20A.040 or as otherwise appropriate under RCW 74.20A.055, the office of support enforcement may issue an order to withhold and deliver directed against the property, including but not limited to the earnings, of the debtor. If the debtor is delinquent in his or her support obligation as set forth in a superior court or administrative order for support in an amount equal to the support payable for one month, the office of support enforcement shall issue an order to withhold and deliver or take other wage withholding action as soon as the debtor's earnings have been identified. For purposes of this section, the debtor shall not be deemed to be delinquent in his or her support obligation if he or she is making periodic payments, pursuant to an administrative decision, a consent order, an agreed settlement, an assignment of earnings, or a support agreement, executed prior to October 1, 1985, in a timely manner and in an amount sufficient to satisfy current or future support and to make a reasonable periodic arrearage payment.

(2) The order to withhold and deliver shall remain in effect until the support debt has been paid in full or until it is released by the office of support enforcement and replaced by an assignment of earnings providing for payments in an amount sufficient to satisfy current or future support and make a reasonable arrearage payment.

(3) If the debtor wishes to contest or object to an order to withhold and deliver issued by the office of support enforcement, he or she may apply for relief to superior court.

#### NEW SECTION

WAC 388-14-405 ORDER TO WITHHOLD AND DELIVER—RESPONSIBILITIES OF EMPLOYER. (1) Where money is due and owing to the debtor under any contract of employment, the order to withhold and deliver shall direct the employer to begin withholding the disposable earnings of the debtor immediately upon receipt of the order and to remit any such earnings withheld after the expiration of the twenty-day answer period. The order shall direct the employer to remit earnings that are withheld subsequently within ten days of the date the earnings are due and owing to the debtor. The order shall also provide the employer may deduct a processing fee from the remainder of the debtor's earnings, even if the remainder would otherwise be exempt under RCW 74.20A.090. The processing fee shall not exceed ten dollars for the first remittance to the office of support enforcement and one dollar for each subsequent remittance.

(2) If the employer is required to withhold and deliver the disposable earnings of two or more debtors, the employer may combine the amounts withheld and remit a single check to the office of support enforcement. The employer shall clearly and separately identify the portions of the check which is attributable to each debtor and is required to remit the check within the time frames set forth in subsection (1) of this section.

(3) The order to withhold and deliver shall direct the employer to notify the office of support enforcement promptly when the debtor terminates employment and to provide the debtor's last known address and the name of the debtor's new employer if known.

#### NEW SECTION

WAC 388-14-410 RELEASE OF INFORMATION TO CONSUMER REPORTING AGENCY. When a consumer reporting agency, as defined by 45 C.F.R. 303.105(a), requests information regarding the amount of overdue support owed by a responsible parent, the office of support enforcement shall provide such information if the

amount of the support debt exceeds one thousand dollars. Prior to releasing such information, however, a written notice concerning the proposed release of the information shall be sent to the responsible parent's last known address. The notice shall provide the responsible parent has ten days from the date of the notice to request a conference board to contest the accuracy of the information. If the responsible parent requests a conference board, the office of support enforcement shall not release the information until a conference board decision has been issued.

#### NEW SECTION

WAC 388-14-415 NOTICE OF SUPPORT DEBT. The notice of support debt issued, pursuant to RCW 74.20A.040, shall contain a provision that appropriate collection action, including the issuance of an order to withhold and deliver against the earnings or property of the debtor, may be taken by the office of support enforcement without further notice after twenty days from the date of service of the notice if the debtor is delinquent in his or her support obligation in an amount equal to the support payable for one month.

**WSR 86-02-034**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2322—Filed December 30, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt the annexed rules relating to support enforcement, amending chapters 388-11, 388-13 and 388-14 WAC.

I, Lee D. Bomberger, 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 these rules are necessary to implement the Child Support Enforcement Amendments of 1984 (P.L. 98-378) and chapter 276, Laws of 1985.

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

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 December 30, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

#### AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-030 NOTICE AND FINDING OF FINANCIAL RESPONSIBILITY. (1) The notice and finding of financial responsibility shall set forth the office of support enforcement's finding of responsibility, the amount which the office of support enforcement alleges that the responsible parent owes as an accrued debt, and a statement of the demand for payment thereon. Where

*appropriate the notice and finding of financial responsibility shall also set forth the office of support enforcement's finding of responsibility as to the amount the responsible parent should pay in the future as periodic future support for such period of time as the child or children are in need. The notice may also include a finding of responsibility for medical expenses including responsibility to provide medical insurance coverage if such coverage is available at a reasonable cost to the responsible parent.*

(2) The notice and finding of financial responsibility shall also include:

(a) A statement of the name of the recipient or custodian;

(b) The name of the child or children on whose behalf need is alleged;

(c) A statement that, if the responsible parent objects to all or any part of the notice and finding of financial responsibility, ~~((s)he)~~ he or she shall have a right, for not more than twenty days from date of service, to request a hearing to show cause why said responsible parent should not be determined to be liable for any or all of the debt, past and future;

(d) A statement that said objection shall be communicated, in writing, and shall be served on the district field office of the office of support enforcement issuing the notice and finding of financial responsibility;

(e) A statement that, if the responsible parent fails to object in writing, in a timely manner, the support debt and/or payments stated in the notice and finding of financial responsibility shall be assessed and determined and ordered in accordance with the finding of responsibility of the department as set forth in the notice and finding of financial responsibility;

(f) A statement that the support debt, as assessed and determined and ordered is subject to collection action and that the property of the debtor, without further advance notice or hearing, is subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver to satisfy the debt.

(g) A statement that, after service of the notice, all payments made which are intended to satisfy a current and/or accrued child support obligation alleged in the notice must be made directly to the office of support enforcement. Payments made to any other party will not be credited against the debt. Whether or not such payment is in cash, check, money order, in-kind services, merchandise, or anything else of value.

#### AMENDATORY SECTION (Amending Order 2036, filed 10/6/83)

WAC 388-11-065 RESPONSIBLE PARENT TO SHOW CAUSE—AFFIRMATIVE DEFENSES—BURDEN OF PROOF. At the hearing held pursuant to WAC 388-11-060, the responsible parent shall show cause, if any there be, why the finding of financial responsibility and/or the amount prayed for therein is inaccurate, and why the hearing examiner should not enter an initial decision and order as prayed for in said notice and finding of financial responsibility but should either rescind or modify the same. In said show cause hearing,

the responsible parent shall state affirmatively and shall have the burden of proving:

- (1) Estoppel;
- (2) Payment;
- (3) Release;
- (4) Superior court order;

(5) Lack of eligibility in the receipt of public assistance funds paid to or for the benefit of the responsible parent's minor child or children: PROVIDED, That lack of eligibility shall operate as a defense only as to debt accrued prior to September 1, 1979: PROVIDED FURTHER, That lack of eligibility shall operate as a defense to a responsible parent's liability to repay the department only to the extent the amount of ineligibility proven in any one month exceeds the difference between the total grant for that month and the amount of the support liability determined for that month;

(6) The ~~((applicant))~~ appellant is not a responsible parent;

(7) Inability to pay the amount determined;

(8) Lack of need and/or debt pursuant to RCW 26.16.205: PROVIDED, That the amount determined by reference to the schedule of suggested minimum contributions in WAC 388-11-190, based on the earnings, resources, and property of the responsible parent shall be a rebuttable presumption of the responsible parent's ability to pay and the need of the family on whose behalf action is being taken. If said presumption is rebutted, the office of support enforcement shall be afforded reasonable opportunity to present additional evidence of actual need with the right to a continuance on request to present said evidence: PROVIDED FURTHER, Said rebuttable presumption shall apply whether or not the child or children are recipients of or applicants for public assistance. The responsible parent shall be presumed to have no ability to pay from income received from AFDC, SSI, or continuing general assistance;

(9) Discharge in bankruptcy;

(10) The responsible parent, pursuant to chapter 74.20 RCW, should be excused from making support payments for the child or children, receiving or on whose behalf public assistance was provided under chapter 74.12 RCW, because the responsible parent is the legal custodian of the child or children and has been wrongfully deprived of physical custody of the child or children((-)): PROVIDED HOWEVER, That the responsible parent may only be excused from making support payments for the period or periods during which the responsible parent was wrongfully deprived of custody. In order to be excused from making support payments, the responsible parent must show:

(a) A court of competent jurisdiction of this state or another state has entered an order giving legal and physical custody of the child or children to the responsible parent;

(b) The custody order has not been altered, changed, modified, superseded, or dismissed;

(c) The child or children were taken or enticed from the physical custody of the responsible parent without his or her consent, and the responsible parent has not subsequently assented to being deprived of physical custody of the child or children; and

(d) The responsible parent, within a reasonable time of the date the responsible parent was wrongfully deprived of physical custody of the child or children, exerted and has continued to exert reasonable efforts to regain physical custody of the child or children; ((and))

(11) Medical insurance coverage is not available at a reasonable cost: PROVIDED, That if such coverage is available through the responsible parent's employer or other organization at a cost to the responsible parent of twenty-five dollars per month or less, there shall be a rebuttable presumption that coverage is available at a reasonable cost; and

(12) Any other matter constituting an avoidance or affirmative defense to the notice and finding of financial responsibility.

Except as provided for in chapter 388-08 WAC for discovery, the hearing examiner or review examiner shall not require the office of support enforcement to produce or obtain information, documents, or witnesses to assist the responsible parent in proof of defenses raised pursuant to WAC 388-11-065 except for that relevant, non-confidential information or documents which the office of support enforcement has in its possession.

#### AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-100 DUTY OF HEARING EXAMINER. Based on the notice and finding of financial responsibility and objections made thereto, the hearing examiner shall determine the liability and responsibility, if any, of the responsible parent under ~~((sections 17 and/or 22, chapter 171, Laws of 1979 ex. sess.))~~ RCW ~~(([74.20.320] [74.20.330], 74.20A.030, 74.20A.250 and/or 26.16.205))~~ 74.20A.057. The hearing examiner shall also determine the amount of periodic payments to be made to satisfy past, present or future liability ~~((under sections 17 and/or 22, chapter 171, Laws of 1979 ex. sess. RCW [74.20.320] [74.20.330], 74.20A.250, 74.20.040, 74.20A.030 and/or 26.16.205, and shall provide in his order that failure to make periodic payments in a timely manner will make the entire arrearage collectable by the office of support enforcement.~~

~~In all cases in which the applicant custodian has made assignment pursuant to RCW 74.20.040 for non-assistance support enforcement services, the hearing examiner shall determine the future, current and past support obligation not limited to the amount of any public assistance standards or grant but based upon need and ability to pay pursuant to RCW 26.16.205. Whenever there has been no assignment made pursuant to 42 U.S.C. 602 (a)(26)(A), or sections 17 and/or 22, chapter 171, Laws of 1979 ex. sess. RCW [74.20.320] [74.20.330] or 74.20.040, the hearing examiner shall determine the liability and the responsibility, if any, of the responsible parent as to past, future and current support obligation based upon RCW 74.20A.030 and 74.20A.250)) and the responsible parent's liability for medical expenses including responsibility to provide medical insurance coverage. The hearing examiner shall include in his or her consideration the standards in~~

WAC 388-11-190 and the uniform child support guidelines adopted by the Washington state association of superior court judges. The hearing examiner is empowered, upon proper showing of unusual circumstances, to set an amount of support, as to the past, present, or future, at a greater or lesser amount than the amount stated or computed in reference to the scale in WAC 388-11-190 and shall include in his or her consideration:

(1) All earnings and income resources of the responsible parent, including real and personal property;

(2) The earnings potential of the responsible parent;

(3) The reasonable necessities of the responsible parent;

(4) The ability of the responsible parent to borrow;

(5) The needs of the child for whom the support is sought;

(6) The amount of assistance which would be paid to the child under the full standard of need of the state's public assistance plan;

(7) The existence of other dependents; and

(8) That the child, for whom support is sought, benefits from the income and resources of the responsible parent on an equitable basis in comparison with any other minor children of the responsible parent.

~~((The hearing examiner shall also include in his consideration the standards in WAC 388-11-190 and any standards for determination of support payments used by the superior court of the county of residence of the responsible parent. The hearing examiner is empowered, upon proper showing of unusual circumstances, to set an amount of support, as to the past, present, or future, at a greater or lesser amount than the amount stated or computed in reference to the scale in WAC 388-11-190))~~ In determining the responsible parent's liability for medical expenses, including responsibility to provide medical insurance coverage, the hearing examiner shall consider:

(a) The known or anticipated medical needs of the child or children;

(b) The cost of medical coverage and whether or not such coverage is available through the responsible parent's employer or other organization at a reasonable cost to the responsible parent;

(c) The earnings and resources of the responsible parent;

(d) The reasonable necessities of the responsible parent; and

(e) The amount of the responsible parent's child support obligation, which obligation shall have priority over the obligation to provide medical coverage unless the hearing examiner makes a finding of fact that the medical needs of a child are extraordinary, and the best interest of the child would be better served if medical coverage is provided.

The findings of fact as to unusual circumstances shall consist of a concise statement of each fact found upon each contested issue of fact and shall state the grounds for deviation from the standards in WAC 388-11-190. The hearing examiner shall make his or her initial decision and enter his or her findings of fact based on the notice and finding of financial responsibility and the evidence admitted at the hearing.

The office of support enforcement has a right to orally amend the notice and finding of financial responsibility, at the time of hearing, to conform to the evidence in which case the hearing examiner is empowered, when deemed necessary, through continuance, to allow the responsible parent additional time to present rebutting evidence and/or argument as to the amendment.

After evidence has been presented at a hearing conducted by a hearing examiner, the hearing examiner shall enter an initial decision and order which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The decision and order shall include a notice that, if the responsible parent fails to make periodic payments as ordered, the entire arrearage shall be collectable by the office of support enforcement and that collection action, including but not limited to the issuance of an order to withhold and deliver against the earnings or property of the responsible parent, may be initiated without further notice.

The hearing examiner shall file the original of the initial decision and order signed by him or her with the secretary or his or her designee, and copies thereof shall be mailed by the hearing examiner to the office of support enforcement and to the appellant by certified mail to the last known address of the party.

AMENDATORY SECTION (Amending Order 1864, filed 8/18/82)

WAC 388-11-150 CONSENT ORDER AND AGREED SETTLEMENT. In the absence of a superior court order, informal disposition of any contested case or petition or order to show cause for modification wherein a ~~((debt))~~ support obligation is claimed pursuant to RCW ~~((74.20.320, 74.20.330, 74.20.040, 74.20A.030, 26.16.205 and/or 74.20A.250))~~ 74.20A.057 is encouraged where feasible and not specifically precluded by law. Said cases may be disposed of by consent order or agreed settlement, "agreed settlement" being defined as a written agreement signed by each party, which is effective without approval of any hearings examiner. If a consent order is involved, the hearings examiner shall approve that consent order disposing of a contested case unless specifically contrary to law. Informal disposition on consent order shall be deemed to be a request for hearing granting jurisdiction to the hearings examiner to approve said consent order without the necessity of testimony or hearing, upon presentation by the office of support enforcement. If negotiations as to a consent order or agreed settlement are commenced within twenty days of service on the responsible parent of the notice and finding of financial responsibility, and such negotiations fail and the responsible parent serves an objection on OSE within twenty days of the negotiations failing, the objection shall be considered timely served. The obligation to pay support or repay the debt, unpaid when due, stated in the consent order or agreed settlement is subject to collection action. Consent orders or agreed settlements are not subject to review pursuant to WAC 388-11-105 but are subject to modification pursuant to

WAC 388-11-140 and may be vacated for fraud pursuant to WAC 388-11-115. Consent orders and agreed settlements shall contain the following provisions:

(1) That the responsible parent shall provide medical insurance coverage for his or her dependent child or children if such coverage is available at a responsible cost; and

(2) That appropriate collection action, including but not limited to the issuance of an order to withhold and deliver against the debtor's earnings or property, may be initiated by the office of support enforcement without further notice to collect the entire arrearage if the responsible parent fails to make periodic payments as provided.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-13-020 NOTICE OF SUPPORT DEBT. The notice of support debt shall set forth:

(1) The amount of support moneys claimed by the department as property of the department by assignment, subrogation or by operation of law or legal process under chapter 74.20A RCW;

(2) The legal basis for the claim of ownership by the department;

(3) A description of the person, firm, corporation, association, or political subdivision who is or has been in possession of the support moneys together with sufficient detail to enable identification of the moneys in issue;

(4) A statement that, effective with the date of service of the notice, all moneys not yet disbursed or spent and all like moneys to be received in the future are deemed to be impounded and shall be held in trust pending answer to the notice and any hearing which is requested;

(5) A statement that the notice shall be answered, under oath and in writing, within twenty days of the date of service of the notice;

(6) A statement that the answer made under subsection (5) of this section shall include true answers to the matters inquired of and that said answer shall also acknowledge the department's right to the moneys or request an administrative hearing to determine ownership of the moneys in issue;

(7) A statement that the burden of proof in said hearing is on the department to establish ownership of the support moneys claimed;

(8) A statement that, if the person, firm, corporation, association, or political subdivision or officer or agent thereof fails to answer and/or make a request for hearing in a timely manner, the department's claim shall be assessed and determined and subject to collection action as a support debt pursuant to chapter 74.20A RCW; and

(9) A statement that a support debt, as assessed and determined, is subject to collection action and that the property of the debtor, without further advance notice or hearing, is subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver to satisfy the debt: **PROVIDED**, That no collection action may be taken against a recipient of public assistance during the period of time the recipient remains on assistance except

as provided in RCW 74.20A.270 and WAC 388-14-200(4).

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-13-070 HEARING—INITIAL DECISIONS. (1) If the hearing is granted, it shall be an administrative hearing limited to the determination of the ownership of the moneys claimed in the notice of support debt and/or the reasonableness of a repayment agreement presented to a public assistance recipient for the purpose of recovering child support under RCW 74.20A.270 and WAC 388-14-200(4) and (5). The right to the hearing is conditioned upon holding any funds not yet disbursed or expended or to be received in the future in trust pending the final order in these proceedings or during any appeal to the courts. The secretary or the secretary's designee shall enter an appropriate order providing for the terms of the trust.

(2) The hearing shall be a contested case as provided for in chapter 34.04 RCW and shall be held pursuant to this section, chapter 34.04 RCW, and the rules of the department.

(3) The hearing shall be promptly scheduled within thirty days from the date of receipt by the office of support enforcement of the answer/request for hearing by the department. The hearing shall be conducted by a duly qualified hearing examiner appointed for that purpose. Hearings may be held in the county of residence of the debtor or other place convenient to the debtor.

(4) The department shall have the burden of proof to establish ownership of the support moneys claimed, including but not limited to moneys not yet disbursed or spent.

(5) After evidence has been presented at a hearing conducted by a hearing examiner, the hearing examiner shall enter an initial decision and order which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The hearing examiner shall make ~~((his/her))~~ his or her decision and enter ~~((his/her))~~ his or her findings of fact based upon the evidence admitted at the hearing. The office of support enforcement shall have the right to orally amend the notice of support debt, at the time of hearing, to conform to the evidence in which case the hearing examiner is empowered to grant a continuance, when deemed necessary, to allow the debtor additional time to present rebutting evidence and/or argument as to the amendment.

(6) The hearing examiner shall file the original of the initial decision and order, signed by ~~((him/her))~~ him or her, with the secretary or the secretary's designee and copies thereof shall be mailed by the hearing examiner to the office of support enforcement and to the debtor by certified mail to the last address provided by each party.

(7) To the extent they do not conflict with these rules or ~~((section 18, chapter 171, Laws of 1979 ex. sess. [RCW 74.20A.270]))~~ RCW 74.20A.270, the provisions of chapter 388-11 WAC and RCW 74.20A.055 shall apply to this process.

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-14-010 OFFICE OF SUPPORT ENFORCEMENT AS THE TITLE IV-D AGENCY. (1) Pursuant to chapters 74.20 and 74.20A RCW, the department of social and health services of the state of Washington through the office of support enforcement establishes the following provisions as the state plan for child support pursuant to Title IV-D of the Social Security Act.

(2) The office of support enforcement is designated and established as the single and separate organizational unit within the state of Washington to administer the plan which shall be in effect in all political subdivisions of the state of Washington.

(3) The office of support enforcement is the operating agency referred to in federal rules and regulations as the Title IV-D agency. The office of support enforcement is authorized to assume any and all responsibilities assigned the Title IV-D agency (~~(including but not limited to the following:)~~).

(4) (~~(Entering)~~) The office of support enforcement is authorized to enter into agreements as required or authorized with other states and the secretary, Department of Health(~~(-education)) and ((welfare)) Human Services.~~

(a) To contract with other states for the referral of cases under the Uniform Reciprocal Enforcement of Support Act and other cases where enforcement or collection of support location of absent parents or establishment of paternity are appropriate. Include in such agreements the procedures for making referrals, assigning debt, distributing incentive payments, and reporting actions and activities on the part of this state for another, or another state for this state and coordination of activities pursuant to and (~~(insuring))~~ ensuring compliance with the Uniform Reciprocal Enforcement of Support Act.

(b) To contract with the secretary, Department of Health(~~(-education)) and ((welfare)) Human Services~~ and maintain liaison for:

(i) Referral to parent locator service including amount and collection of fees.

(ii) Certification and referral of cases as appropriate for the collection of support delinquencies by the secretary of the treasury.

(iii) Certification and referral of cases as appropriate for utilization of the U.S. district courts.

(5) The office of support enforcement is responsible for administration of the Title IV-D plan including supervisory authority for any and all activities necessary to meet the standards for an efficient and effective program including formal evaluation of the quality, efficiency, effectiveness, and scope of services provided under the plan. The office will take necessary measures to meet federal and state requirements for accounting and fiscal control, (~~(insuring that))~~ ensuring location, establishment of paternity, and establishment, enforcement, and collection of support functions are carried out effectively and efficiently. The office of support enforcement is also

responsible to assure that referrals and other communications with the Title IV-A agency meet the requirements of the Title IV-D and Title IV-A state plans.

(6) The office of support enforcement is responsible for the state-wide administration of wage withholding pursuant to federal statutes and regulations.

AMENDATORY SECTION (Amending Order 2036, filed 10/6/83)

WAC 388-14-020 DEFINITIONS. (1) The terms "applicant/recipient," "applicant," or "recipient" include the caretaker relative, the children, and any other individual whose needs are considered in determining the amount of assistance. See also WAC 388-22-030.

(2) The term "applicant/custodian" shall designate the individual who is the physical (~~(and legal)~~) custodian of any (~~(person or persons))~~ dependent child or children on whose behalf (~~(an application))~~ a request for nonassistance support enforcement services has been made to the office of support enforcement pursuant to RCW 74.20.040 and (~~(74))~~ 42 U.S.C. 654(6) or 42 U.S.C. 657(C)(~~(+)(2))~~).

(3) The term "absent parent" shall designate that person who:

(a) Is not the physical custodian of the child; and

(b) Is a natural, or adoptive parent, or a stepparent owing a legal duty to support said child or children on whose behalf an application has been made for payment of public assistance or application has been made for nonassistance support enforcement services.

(4) "Putative father" as used in this section shall include any and all men who may possibly be the father of the child or children on whose behalf the application for assistance or support enforcement services may be made. See also WAC 388-14-200 (2)(c).

(5) "Aid" means aid to families with dependent children or AFDC foster care.

(6) "Title IV-D" refers to Title IV-D of the Social Security Act established under Title XX of the social security amendments and as incorporated in 42 U.S.C. (602).

(7) "Title IV-D plan" refers to a plan established under the conditions of Title IV-D approved by the secretary, Department of Health and Human Services.

(8) The "required support obligation for the current month" is defined as the amount of a superior court order for support or the periodic future support amount determined pursuant to chapter 388-11 WAC which is or will be owing for the current month.

(9) "Incentive payments" are payments distributed pursuant to WAC 388-14-370 to prosecuting attorneys or other political subdivision on the basis of enforcement and collection of support payments.

(10) "Secretary" means the secretary of the department of social and health services, his or her designee or authorized representative, which for all purposes as used in chapter 74.20A RCW shall mean the designee of the secretary, the chief, office of support enforcement or his or her designee, except as is provided for in WAC 388-11-011(5) wherein for purposes of RCW 74.20A.055 "secretary" has another meaning.

(11) "Family" shall mean the person or persons on behalf of whom support is sought which unit may include a custodial parent or other person and one or more children or a child or children in foster care placement.

(12) "Residential care" means foster care as defined in WAC 388-70-012.

(13) "Head of household" means the responsible parent or parents with whom the dependent child or children were residing at the time of placement in foster care.

(14) The term "resident" shall include persons physically present in the state of Washington intending to make their home in this state. Temporary absence from the state does not destroy residence once established.

**AMENDATORY SECTION** (Amending Order 1400, filed 5/16/79)

WAC 388-14-205 RESPONSIBILITIES OF THE OFFICE OF SUPPORT ENFORCEMENT. (1) The office of support enforcement ~~((with))~~ shall undertake, when public assistance is paid ~~((or the))~~, nonassistance support enforcement services are requested, or support enforcement services are requested by a child support enforcement agency in another state to:

(a) Establish paternity of any child born out of wedlock; and

(b) Secure support for a child from any person legally liable for such support. Whenever possible and/or appropriate under the circumstances, the office of support enforcement shall initiate action under chapter 74.20A RCW to establish, enforce, and collect the child support obligation.

(2) The office of support enforcement will not act to establish paternity or secure child support in any case for which it has received notice that the CSO has determined that there has been a finding of good cause under WAC 388-24-111.

(a) The office of support enforcement will request that all activities under Title IV-D to establish paternity or secure child support involving activities of agencies acting under cooperative agreements are suspended when OSE receives notice from the CSO that an applicant or recipient has claimed good cause until notified of the final determination of the CSO.

Any agency acting under a cooperative agreement who fails or refuses to comply with the request to suspend activities shall not be entitled to financial participation under the Title IV-D cooperative agreement as to said case or cases upon which the request is made.

A child support obligation continues while enforcement and/or collection action is suspended pending a final determination of good cause and will be subject to collection when a decision is made that good cause for refusal to cooperate no longer exists.

(b) The office of support enforcement will review and comment on the findings and basis for the proposed determination by the CSO.

(c) The office of support enforcement will be a party to any hearing requested as a result of an applicant's or recipient's appeal of any agency action under WAC 388-24-111.

**AMENDATORY SECTION** (Amending Order 2174, filed 12/6/84)

WAC 388-14-270 DISTRIBUTION OF SUPPORT PAYMENTS—PUBLIC ASSISTANCE. All payments collected as support on behalf of persons receiving public assistance in the state of Washington for whom an assignment is made ~~((under WAC 388-24-108 and 388-14-200))~~ shall be distributed under the following conditions:

(1) The following provisions apply to this section:

(a) All payments will be reported in exact amounts without rounding.

(b) The date of collection shall be the date on which the payment is received by the office of support enforcement or the political subdivision making the collection under agreement and on behalf of the office of support enforcement. For interstate collections, the date of collection shall be the date on which the payment is received by the IV-D agency of the state in which the family is receiving aid.

(c) The amounts collected as support during periods of time when aid is being provided, shall, for the purposes of this distribution section only, be treated first as payment on the required support obligation for the month in which support was collected.

(d) Amounts collected which are paid more frequently than once a month shall be converted to an amount which represents payment on the required support obligation for the current month. The office of support enforcement is directed to distribute payments periodically to give effect to efficient administration.

(e) Any amounts distributed to the family will be reported to the community service office identifying whether or not the payment is available to meet the need. This requirement shall not relieve the recipient of the duty to report receipt of any support moneys.

(f) Any amounts collected which represent support shall be used to reduce dollar for dollar the amount of the support obligation as defined in WAC 388-14-100.

~~((g) No distribution may be made under subsection (2)(b) of this section unless a new assignment has been made pursuant to WAC 388-24-108 and 388-14-200.))~~

(2) The amounts collected as support by the IV-D agency pursuant to the state plan for children who are current recipients of aid under the state's Title IV-A plan by the office of support enforcement and for whom assignment under WAC 388-24-108 and 388-14-200 is effective shall be distributed as follows:

(a) The first fifty dollars of any amount that is collected in a month which represents payment of the required support obligation for that month shall be paid to the family. This payment may not be used in determining the amount paid, if any, to the family in subsection (2)(c) of this ~~((subsection))~~ section. If the amount collected includes payment of the required support obligation for a previous month or months, the family shall only receive the first fifty dollars of the amount which represents the required support obligation for the month in which support was collected. If amounts are collected for one family which represents support payments from two or more absent parents, only the first fifty dollars of

the amount collected which represents the total required support obligation for the month in which the support was collected shall be paid to the family under this subsection. No payment shall be made to a family under this subsection for a month in which ~~((there is))~~ no child support collection is received. The requirements of this subsection shall be applicable commencing October 1, 1984.

(b) Any amount that is collected in a month which represents payment on the required support obligation for that month and is in excess of the amount paid to the family under subsection (2)(a) of this ~~((subsection))~~ section shall be retained by the state to reimburse, in whole or in part, the assistance payment for the month in which the child support was collected or the next month. Of the amount retained by the state as reimbursement for that month's assistance payment, the office of support enforcement shall determine the federal government's share of the amount so retained so the IV-A agency may reimburse the federal government to the extent of its participation in the financing of the assistance payment. From the federal government's share, the office of support enforcement shall deduct and pay the incentive payments, if any, prescribed in WAC 388-14-370.

(c) If the amount collected is in excess of the amount required to be distributed under subsection (2)(a) and (b) of this ~~((subsection))~~ section, the family shall be paid such excess up to the difference between the assistance payment for the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan and the court-ordered amount for that month. This payment shall be made in the month following the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan. If such court-ordered amount is less than such assistance payment, no amount shall be paid to the family under this subsection. In cases in which there is no court order, the family shall not be paid any amount under this subsection.

(d) If the amount collected is in excess of the amounts required to be distributed under subsection (2)(a), (b), and (c) of this ~~((subsection))~~ section, any such excess shall be retained by the state as reimbursement for past assistance payments made to the family for which the state has not been reimbursed. The state may apply the amount retained to any sequence of months for which it has not yet been reimbursed. Of the amount retained by the state as reimbursement of past assistance payments, the office of support enforcement shall determine the federal government's share of the amount so retained so the IV-A agency may reimburse the federal government to the extent of its participation in the financing of the assistance payments. From the federal government's share, the office of support enforcement shall deduct and pay the incentive payment, if any, prescribed in WAC 388-14-370. If past assistance payments are greater than the total support obligation owed, the maximum amount the state may retain as reimbursement for such assistance payments is the amount of such obligation,

unless amounts are collected which represent the required support obligation for periods prior to the first month in which the family received assistance under the state's Title IV-A plan, in which case such amounts shall be retained by the state to reimburse the difference between such support obligation and such assistance payments.

(e) If the amount collected is in excess of the amounts required to be distributed under subsection (2)(a), (b), (c), and (d) of this ~~((subsection))~~ section, such excess shall be paid to the family. This payment shall be made in the month following the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the state's Title IV-A plan.

(3) If an amount collected as child support represents payment on the required support obligation for future months, the amount shall be applied to such future months. However, no such amounts shall be applied to future months unless amounts have been collected which fully satisfy the support obligation assigned under WAC 388-24-108 and 388-14-200 for the current month and all past months.

(4) Any amount paid under subsection (2)(a), (c), or (e) of this section shall be identified as not being an assistance payment.

(5) Whenever the office of support enforcement is making collections on delinquent support assigned to the department pursuant to WAC 388-24-108 and 388-14-200, the office of support enforcement may pay to the family pursuant to WAC 388-14-250 from said collections an amount equal to the monthly amount owed for current support as established by either the superior court order for support or the administrative order or final determination entered pursuant to chapter 388-11 WAC~~((:))~~.

~~((a))~~ Payments to the family pursuant to this subsection may be made only during the ~~((four))~~ five months following the last month in which aid was paid and thereafter ~~((for months subsequent to the submission and acceptance of a nonassistance support enforcement application pursuant to WAC 388-14-300 through 388-14-315;~~

~~((b))~~ Payments may not be made for months in which no collections have been made on the delinquent support assigned and payments may not be made for a person from collections on the delinquent support assigned by a different person;

~~((c))~~ Payments may only be made to a person if the person is owed an unpaid current support obligation for the month in which the payment is made;

~~((d))~~ The department has, upon making any such payment, an additional assignment by operation of law of the unpaid current support obligation owed to the person for whom the payment is made for the month in which the payment is made.) if the former recipient authorizes the office of support enforcement ~~((shall take action to collect this assigned unpaid obligation to reimburse the department and/or the federal government for the payment made))~~ to continue to provide support enforcement services.

AMENDATORY SECTION (Amending Order 2174, filed 12/6/84)

WAC 388-14-302 NONASSISTANCE SUPPORT ENFORCEMENT—PERSONS ELIGIBLE. (1) Any resident of the state of Washington who is a physical ~~((and legal))~~ custodian ~~((or guardian))~~ of a ~~((person))~~ dependent child who is a resident of the state of Washington and who is not a recipient of public assistance ~~((for whom a support obligation is owed and who is not receiving adequate support (as defined by WAC 388-14-100) from persons owing a duty to pay support))~~ may ~~((apply for))~~ request nonassistance support enforcement services to establish ~~((or))~~ enforce, or collect an obligation for support including accrued arrears: PROVIDED, That the office of support enforcement may also act to establish paternity where it is a necessary part of establishing support obligations for nonassistance clients. ~~((When the person(s) owing the duty to pay support is deceased or is eligible for or receiving social security benefits, public assistance moneys, supplemental security income, or is participating in any other governmental, private charity or other rehabilitation program providing benefits at less than the standards in WAC 388-29-100, the application cannot be accepted))~~ If a person other than the applicant has legal custody of the dependent child by order of a court, the applicant shall affirm that the legal custodian has not been wrongfully deprived of custody by the applicant and would not be excused from making support payments in accordance with WAC 388-11-065(10), in order to be eligible for support enforcement services.

(2) If a request for nonassistance support enforcement services is denied, a written notice of the denial shall be sent by regular mail and shall include a statement of the reasons for the denial and a statement that the applicant may request an administrative hearing to contest the denial.

(3) Any person who has been provided support enforcement services as a result of an approved application for public assistance may also ~~((apply for))~~ request nonassistance support enforcement services effective with the date of termination of public assistance. ~~((An application))~~ A request made prior to termination shall not be effective until the first of the month following termination from assistance. Support enforcement services may be continued by the office of support enforcement for a period of time not to exceed ~~((four))~~ five months following the last month in which public assistance was paid as a continuation of actions maintained as a result of an assignment pursuant to WAC 388-24-108 and 388-14-200 or by operation of law under RCW 74.20A.030. If support enforcement services on behalf of a public assistance recipient have resulted in the collection of support payments, the office of support enforcement shall continue, if appropriate, to provide support enforcement services during this ~~((four-month))~~ five-month period, and thereafter, if authorized to do so by the former recipient. All support moneys collected, during the ~~((four-month))~~ five-month period, except those collected to satisfy arrears assigned to the department under ~~((sections 17 and 22, chapter 171, Laws of 1979~~

~~ex. sess.))~~ RCW 74.20.320, RCW 74.20.330, 42 U.S.C. 602 (a)(26)(A), RCW 74.20A.250, and/or 74.20A.030 shall be remitted to the children's custodian.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-14-305 NONASSISTANCE SUPPORT ENFORCEMENT—APPLICATION. (1) A person desiring nonassistance support enforcement services shall complete the appropriate forms ~~((applying for))~~ requesting the services ~~((and granting limited power of attorney to the office of support enforcement, department of social and health services))~~. The necessary forms must be completed in full, dated, signed, and forwarded to the district office of support enforcement. Copies of divorce or dissolution decrees, support orders and modifications thereof, and any allied or related documents which reflect the marital and support status, shall be supplied by the applicant.

(2) The applicant shall also include or attach a statement of the amount of accrued arrears and list by date and amount all support payments received during the period of time when the arrears accrued. The office of support enforcement may require this statement to be by affidavit ~~((and where controversy exists the office of support enforcement may require the applicant/custodian to obtain a judgment determining all accrued arrears owed under a continuing order of support before proceeding further with collection efforts))~~. ~~((Applications))~~ The applicant may also be required to submit a written statement affirming the legal custodian has not been wrongfully deprived of custody of the dependent child or children, or affirming the applicant is and will continue to be a resident of this state even though the applicant is or will be temporarily absent from the state. Requests on which statements are incomplete, unclear, or inconsistent will be ~~((returned to the applicant))~~ denied and no service will be provided until such time as the ~~((application))~~ request for services is presented in acceptable form.

(3) The appropriate forms will be available at any community service office of the department of social and health services(;) or at any district office of the office of support enforcement. The forms may be requested by phone, mail, or obtained personally.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-14-310 NONASSISTANCE SUPPORT ENFORCEMENT—APPLICANT/CUSTODIAN'S ~~((ASSIGNMENT OF RIGHTS))~~ AUTHORIZATION. (1) The applicant~~((/custodian))~~ shall ~~((assign, for collection purposes only, the rights to support under RCW 26.16.205 or those rights to support accruing pursuant to a superior court order))~~ submit a written request for support enforcement services and authorize the office of support enforcement to initiate appropriate action to establish, enforce, and collect the support obligation.

(2) The applicant/custodian shall ~~((also))~~ give consent to the office of support enforcement to take an assignment of earnings from the person owing a duty to

pay support; agree to remit within eight days of receipt to the office of support enforcement support moneys received directly from the person owing a duty to pay support during the period of time support enforcement services are maintained (~~(; and give the office of support enforcement power of attorney to endorse checks, drafts and money orders representing support payable to said applicant)~~).

(3) The applicant/custodian, during the time support enforcement services are in effect, must send or deliver all support income received from the person owing a duty to pay support to the office of support enforcement providing the service and direct any payor or forwarding agent of moneys to remit directly to office of support enforcement. (~~(in the event)~~) If the applicant/custodian fails to forward ((such payments)) and/or ((so)) fails to provide adequate documentation of such direct ((any payor or forwarding agent)) payment as requested, the office of support enforcement may discontinue providing support enforcement services.

**AMENDATORY SECTION** (Amending Order 2123, filed 7/18/84)

WAC 388-14-320 NONASSISTANCE SUPPORT ENFORCEMENT—DISTRIBUTION. (1) Current support payments received on behalf of the applicant/custodian in the (~~(four-month))~~ five-month period following the last month in which public assistance was paid shall be forwarded to the applicant/custodian.

(2) Support payments received on behalf of the applicant/custodian are forwarded as received.

(3) Nothing herein shall be construed to obligate the office of support enforcement to remit to the applicant/custodian moneys paid in satisfaction of a debt owed to the department (~~(under sections 17 and 22, chapter 171, Laws of 1979 ex. sess. RCW 74.20.330, 42 USC 602 (a)(26)(A), RCW 74.20A.250, or 74.20A.030)~~) except as provided for in WAC 388-14-270(5). The total amount of any obligation that has accrued under the assignment made pursuant to WAC 388-24-108 (~~(and)~~), 388-14-200, or by operation of law prior to termination of assistance is collectible by the office of support enforcement subsequent to termination of assistance to reimburse the department for public assistance paid prior to termination.

**AMENDATORY SECTION** (Amending Order 2123, filed 7/18/84)

WAC 388-14-325 NONASSISTANCE SUPPORT ENFORCEMENT—TERMINATION OF SERVICES. (1) Support enforcement services may be terminated by the applicant/custodian:

(a) An applicant/custodian may terminate support enforcement (~~((service(s)))~~) service or services by written notice to the office of support enforcement. (~~(The office of support enforcement's rights and responsibilities toward the applicant/custodian shall continue in effect until written notification is received.)~~)

(b) Upon receipt of the applicant/custodian's request for termination of support enforcement services, the office of support enforcement will discontinue (~~(such))~~

service. Any support moneys received which are owing to the applicant/custodian after the receipt of notice shall be returned to the payor with instructions to send all support moneys directly to the applicant/custodian or forwarding agent as appropriate.

(2) Support enforcement services may be terminated (~~(or reapplications may be denied)~~) by the office of support enforcement:

(a) In cases where further action to enforce payment of a support obligation is deemed inappropriate or inadvisable (~~(by the office of support enforcement)~~).

(b) If the department or a court of competent jurisdiction determines the applicant/custodian has wrongfully deprived the responsible parent of physical custody of the dependent child or children in accordance with the provision of WAC 388-11-065(10).

(c) Upon receipt of verification that the responsible parent is dead if there is no available estate.

(d) If no payments have been collected within the last three years despite reasonable collection efforts and further collections are not foreseeable in the future.

(e) If the responsible parent cannot be located and all local, state, and federal locate sources have been exhausted, the case may be terminated after three years unless new locate information is provided by the applicant/custodian.

(f) When the applicant/custodian moves to and becomes a resident of another state or country: PROVIDED HOWEVER, That the office of support enforcement may continue to provide services for a period not to exceed five months from the date the applicant/custodian moves if such continued services are appropriate under the circumstances.

(g) (~~(in the event)~~) If an applicant/custodian fails or refuses to provide supplementary information ((or)), fails or refuses to forward to the office of support enforcement support payments made direct or fails to provide adequate documentation of such payments, ((or)) fails or refuses to take necessary cooperative action as specifically requested by the office of support enforcement, or who employs and/or fails or refuses to discharge a private attorney, collection agency, or other agency engaged in collection of the support debt ((assigned for)): PROVIDED HOWEVER, That services by office of support enforcement may not be terminated but may be limited or deferred as appropriate if office of support enforcement is given notice of and agrees to employment of a private attorney or collection ((to)) agent and said actions of the ((department)) private attorney or collection agency do not conflict with, interfere with, or duplicate action taken by the office of support enforcement.

(3) When the office of support enforcement terminates services, the applicant/custodian (~~(must))~~ shall be notified in writing that the office of support enforcement will no longer provide support enforcement services. Notification may be by regular mail addressed to the applicant/custodian's last known address and must include the reason for discontinuation of services and a statement that the applicant/custodian may request an administrative hearing to contest termination, limitation, or deferral of services.

(4) Any support moneys received after a notice of decision by the office of support enforcement to discontinue support enforcement services has been mailed shall be returned to the payor with instructions to send all support moneys directly to the applicant/custodian, court, or other forwarding agent(~~(, court, as appropriate)~~).

AMENDATORY SECTION (Amending Order 1605, filed 2/11/81)

WAC 388-14-385 CONFERENCE BOARD. (1) A conference board is herewith established to make inquiry into, determine facts, and attempt to resolve matters in which a responsible parent, custodial parent, or other person feels aggrieved by actions taken by the office of support enforcement pursuant to chapters 74.20, 74.20A RCW, or Title IV-D of the Social Security Act (Title 42 U.S.C.).

(a) The intent and purpose of the conference board is to facilitate the informal speedy resolution of grievances by responsible parents, custodial parents, or other persons. An applicant for a conference board proceeding must have made a reasonable attempt and have failed to resolve the grievance or issue with the workers before a conference board may act to attempt to resolve the issue.

(b) The chief, office of support enforcement, or his or her designee may assemble a conference board on application of the aggrieved person or on his or her own motion to investigate, find facts, and state or apply policy or law to the end of resolving grievances.

(c) If the grievance or issue presented in an application for conference board does not involve a factual dispute, or if the disputed (~~(fact(s))~~) fact or facts even if resolved in favor of the applicant would not provide a basis upon which relief could be granted to the applicant by a conference board acting in accordance with the standards provided for herein, the chief or his or her designee may take such action as (~~(he/she)~~) he or she deems appropriate and to that end (~~(he/she)~~) he or she may individually exercise any of the authority provided for in this regulation. If an apparent factual dispute exists, the conference board shall be composed of the chief or his or her designee, who shall serve as chairman, and two staff members, if deemed necessary, appointed by the chief or his or her designee. The conference board shall dissolve upon issuance of decisions on matters for which it was appointed.

(d) The chairman of the conference board is herewith authorized as a duly appointed officer empowered to issue subpoena of witnesses, books, records, etc., as provided for in RCW 74.04.290 and shall have power to subpoena witnesses, administer oaths, take testimony, and compel the production of such papers, books, records, and documents as he or she deems relevant to the resolution of the grievance under consideration. Additional evidence may be taken by affidavit or other written submission when necessary or practicable together with written or oral argument. Persons having specific familiarity with the matter at issue or technical expertise with the subject may be designated to advise the board as required.

(e) The conference board's jurisdiction shall include but shall not be limited to the following areas:

~~((+))~~ (i) Complaints as to the conduct of individual staff members while acting in the scope of their duties. The decision of the board shall be directed to the first line supervisor for action as appropriate;

~~((+))~~ (ii) Review of denial of application for or termination of nonassistance support enforcement services;

~~((+))~~ (iii) Review of allegations of error as to the distribution of support moneys;

~~((+))~~ (iv) Resolution of amounts of arrears claimed due and rate of repayments;

~~((+))~~ (v) Requests to release or refund moneys taken pursuant to RCW 74.20A.080 to provide for the reasonable necessities of responsible parent or parents and minor children in their home;

~~((+))~~ (vi) Requests for deferral of support enforcement action;

~~((+))~~ (vii) Requests for partial or total charge-off of support arrears pursuant to RCW 74.20A.220 or declination to collect support arrears pursuant to RCW 74.20.040 on nonassistance cases;

~~((+))~~ (viii) Requests to waive interest pursuant to RCW 74.20A.190;

~~((+))~~ (ix) Requests to waive or defer the nonassistance support enforcement fee pursuant to RCW 74.20.040;

~~((+))~~ (x) Any other matter requiring explanation of or application of policy or law to an issue in a specific case or clarification of facts in said case.

(xi) Requests for administrative review of cases submitted to the IRS for offset of a tax refund in accordance with federal statutes and regulations.

(2) The decision, including a decision to deny a request for a conference board, shall be in accordance with applicable statutes, case law, department of social and health services rules and regulations, published office of support enforcement manuals, support enforcement policy bulletins and the exercise of reasonable administrative discretion. The decision shall be in writing(~~(-)~~) and shall find the facts, applicable law, policies applied, and clearly state the decision. If the decision is the result of a conference board, that decision shall represent the decision of a majority of the board. Decisions inconsistent with the (~~(above)~~) standards in this section shall be vacated by the chief of the office of support enforcement and remanded for issuance of a new decision in compliance with the standards.

(3) A file of pertinent documents shall be established for each case and a copy of the decision, signed by the chairman, shall be distributed to the petitioning party, the appropriate office of support enforcement district field office for action consistent with the decision of the board, and the chief, office of support enforcement.

(4) Decisions to grant partial or total charge-off pursuant to RCW 74.20A.220 of arrears owed to the department of social and health services under RCW 74.20A.030, 74.20A.250, (~~(sections 17 and 22, chapter 171, Laws of 1979 ex. sess. RCW [74.20.320] [74.20.330])~~) 74.20.320, 74.20.330, or 42 U.S.C. 602

(a)(26)(A) shall be based on the following considerations which shall be found and stated in the written decision of the conference board fully justifying the action taken:

~~((+))~~ (a) Error in law or bona fide legal defects which materially diminish chances of collection; or

~~((2))~~ (b) Substantial hardship to minor children in the household of the responsible parent or other minor children for whom the responsible parent actually provides support which hardship is to be measured against income standards for public assistance and consideration of all available income, property, and resources of the responsible parent and the necessity to apportion the income and resources of the responsible parent on an equitable basis with the children for whom the arrears accrued; or

~~((3))~~ (c) Costs of collection action in the future which are greater than the amount to be charged off; or

~~((4))~~ (d) Settlement from lump-sum cash payment which is beneficial to the state considering future costs of collection and likelihood of collection.

(5) The considerations and decision of the conference board shall not be a contested case subject to review by the superior court and shall not be a substitute for any constitutionally or statutorily permitted hearing. Aggrieved parties may be represented before the board by a person of their choice but the department will not be responsible for any costs incurred by the aggrieved person in connection with the conference.

#### NEW SECTION

WAC 388-14-400 ORDER TO WITHHOLD AND DELIVER—ISSUANCE AND TERMINATION. (1) As provided under RCW 74.20A.040 or as otherwise appropriate under RCW 74.20A.055, the office of support enforcement may issue an order to withhold and deliver directed against the property, including but not limited to the earnings, of the debtor. If the debtor is delinquent in his or her support obligation as set forth in a superior court or administrative order for support in an amount equal to the support payable for one month, the office of support enforcement shall issue an order to withhold and deliver or take other wage withholding action as soon as the debtor's earnings have been identified. For purposes of this section, the debtor shall not be deemed to be delinquent in his or her support obligation if he or she is making periodic payments, pursuant to an administrative decision, a consent order, an agreed settlement, an assignment of earnings, or a support agreement, executed prior to October 1, 1985, in a timely manner and in an amount sufficient to satisfy current or future support and to make a reasonable arrearage payment.

(2) The order to withhold and deliver shall remain in effect until the support debt has been paid in full or until it is released by the office of support enforcement and replaced by an assignment of earnings providing for payments in an amount sufficient to satisfy current or future support and make a reasonable arrearage payment.

(3) If the debtor wishes to contest or object to an order to withhold and deliver issued by the office of support enforcement, he or she may apply for relief to superior court.

#### NEW SECTION

WAC 388-14-405 ORDER TO WITHHOLD AND DELIVER—RESPONSIBILITIES OF EMPLOYER. (1) Where money is due and owing to the debtor under any contract of employment, the order to withhold and deliver shall direct the employer to begin withholding the disposable earnings of the debtor immediately upon receipt of the order and to remit any such earnings withheld after the expiration of the twenty-day answer period. The order shall direct the employer to remit earnings that are withheld subsequently within ten days of the date the earnings are due and owing to the debtor. The order shall also provide the employer may deduct a processing fee from the remainder of the debtor's earnings, even if the remainder would otherwise be exempt under RCW 74.20A.090. The processing fee shall not exceed ten dollars for the first remittance to the office of support enforcement and one dollar for each subsequent remittance.

(2) If the employer is required to withhold and deliver the disposable earnings of two or more debtors, the employer may combine the amounts withheld and remit a single check to the office of support enforcement. The employer shall clearly and separately identify the portions of the check which is attributable to each debtor and is required to remit the check within the time frames set forth in subsection (1) of this section.

(3) The order to withhold and deliver shall direct the employer to notify the office of support enforcement promptly when the debtor terminates employment and to provide the debtor's last known address and the name of the debtor's new employer if known.

#### NEW SECTION

WAC 388-14-410 RELEASE OF INFORMATION TO CONSUMER REPORTING AGENCY. When a consumer reporting agency, as defined by 45 C.F.R. 303.105(a), requests information regarding the amount of overdue support owed by a responsible parent, the office of support enforcement shall provide such information if the amount of the support debt exceeds one thousand dollars. Prior to releasing such information, however, a written notice concerning the proposed release of the information shall be sent to the responsible parent's last known address. The notice shall provide the responsible parent has ten days from the date of the notice to request a conference board to contest the accuracy of the information. If the responsible parent requests a conference board, the office of support enforcement shall not release the information until a conference board decision has been issued.

#### NEW SECTION

WAC 388-14-415 NOTICE OF SUPPORT DEBT. The notice of support debt issued, pursuant to RCW 74.20A.040, shall contain a provision that appropriate collection action, including the issuance of an order to withhold and deliver against the earnings or property of the debtor, may be taken by the office of support enforcement without further notice after twenty days from the date of service of the notice if the debtor

is delinquent in his or her support obligation in an amount equal to the support payable for one month.

**WSR 86-02-035**

**ADOPTED RULES**

**BOARD OF PILOTAGE COMMISSIONERS**

[Order 86-1, Resolution No. 86-1—Filed December 30, 1985]

Be it resolved by the Board of Pilotage Commissioners, acting at Pier 52, Seattle, Washington 98104, that it does adopt the annexed rules relating to pilotage rates for the Puget Sound pilotage district, WAC 296-116-300.

This action is taken pursuant to Notice No. WSR 85-22-064 filed with the code reviser on November 5, 1985. 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 88.16.035(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 December 12, 1985.

By Marjorie T. Smitch  
Assistant Attorney General

**AMENDATORY SECTION** (Amending Order 84-5, Resolution No. 84-5, filed 12/31/84)

WAC 296-116-300 PILOTAGE RATES FOR THE PUGET SOUND PILOTAGE DISTRICT. These rates shall become effective on January 1, 1985.

CLASSIFICATION	RATE
Ship length overall (LOA) Charges:	per LOA rate schedule in this section
Boarding fee: Per each boarding/deboarding at the Port Angeles pilot station.	\$ 26.00
Harbor shift - Live ship (Seattle Port)	LOA Zone I
Harbor shift - Live ship (other than Seattle Port)	LOA Zone I
Harbor shift - Dead ship	Double LOA Zone I
Dead ship towing charge: LOA of tug + LOA of tow + beam of tow Any tow exceeding seven hours, two pilots are man- datory. Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchor- age, or from anchorage to anchorage in the same port after all other applicable tariff charges for pi- lotage services have been recognized as payable.	Double LOA Zone

CLASSIFICATION RATE

Waterway and bridge charges: Ships up to 90' beam: A charge of <del>((\\$132.00))</del> \$133.00 shall be in addi- tion to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle, south of Eleventh Street Bridge in any of the Tacoma waterways, in Port Gamble, or in the Snohomish River. Any vessel movements required to transit through bridges shall have an additional charge of \$63.00 per bridge.	
Ships 90' beam and/or over: A charge of <del>((\\$178.00))</del> \$179.00 shall be in addi- tion to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Elev- enth Street Bridge in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge of <del>((\\$125.00))</del> \$126.00 per bridge. (The above charges shall not apply to transit of ves- sels from Shilshole Bay to the limits of Lake Washington.)	
In a case where two pilots are employed for a single vessel waterway or bridge transit, a second pilot charge shall include the bridge and waterway charge in addition to the harbor shift rate.	
Compass adjustment	<del>((\\$177.00))</del> \$178.00
Radio direction finder calibration	<del>((\\$177.00))</del> \$178.00
Launching vessels	<del>((\\$265.00))</del> \$267.00
Trial trips, 6 hours or less	\$ 72.00 per hr.
(Minimum <del>((\\$432.00))</del> \$435.00)	
Trial trips, over 6 hours (two pilots)	<del>((\\$141.00))</del> \$142.00 per hr.
Shilshole Bay — Salmon Bay	<del>((\\$103.00))</del> \$104.00
Salmon Bay — Lake Union	\$ 83.00
Lake Union — Lake Washington (plus LOA zone from Webster Point)	<del>((\\$103.00))</del> \$104.00
Cancellation charge	LOA Zone I
Cancellation charge — Port Angeles (when pilot is order- ed and vessel proceeds without stopping for pilot.)	LOA Zone I
Docking delay after anchoring: Applicable harbor shift rate to apply, plus \$72.00 per hour standby. No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is \$72.00 for every hour or fraction thereof.	\$ 72.00
Sailing delay	\$ 72.00 per hour
No charge if delay is 60 minutes or less. If the de- lay is more than 60 minutes, charge is \$72.00 for every hour or fraction thereof.	
Slow-down — \$72.00 per hour for all time in excess of time spent in that particular transit for that speed of advance normal for vessel that is slowed.	
Super ships — Additional charge to LOA zone mileage of <del>((\\$0.0441))</del> \$0.0444 a gross ton for all gross tonnage in excess of 20,000 gross tons up to 50,000 gross tons. In excess of 50,000 gross tons, the charge shall be <del>((\\$0.0528))</del> \$0.0531 per gross ton.	

CLASSIFICATION

RATE

Delayed arrival Port Angeles \$ 72.00 per hour  
 (When pilot is ordered and vessel does not arrive within two hours without notification of change of ETA.)

Transportation to vessels on Puget Sound:

March Point or Anacortes	\$ 96.00
Bangor	56.00
Bellingham	106.00
Bremerton	29.00
Cherry Point	125.00
Dupont	56.00
Edmonds	20.00
Everett	36.00
Ferndale	115.00
Manchester	44.00
Mukilteo	35.00
Olympia	72.00
Point Wells	20.00
Port Gamble	51.00
Port Townsend (Indian Island)	73.00
Semiahmoo (Blaine)	131.00
Tacoma	37.00
Tacoma Smelter	42.00
Winslow	29.00

- (a) Interport shifts: Transportation paid to and from both points.
- (b) Intraharbor shifts: Transportation to be paid both ways. If intraharbor shift is cancelled on or before scheduled reporting time, transportation paid one way only.
- (c) Cancellation: Transportation both ways unless notice of cancellation is received prior to scheduled reporting time in which case transportation need only be paid one way.
- (d) Any new facilities or other seldom used terminals, not covered above, shall be based on mileage x \$1.40 per mile.

Delinquent payment charge: 1 1/2% per month after 45 days from first billing.

Nonuse of pilots: Ships taking and discharging pilots without using their services through all Puget Sound and adjacent inland waters shall pay full pilotage fees on the LOA zone mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and adjacent inland waters.

LOA rate schedule

The following rate schedule is based upon distances furnished by National Oceanic and Atmospheric Administration, computed to the nearest half-mile and includes retirement fund contributions.

LOA	ZONE I	ZONE II	ZONE III	ZONE IV	ZONE V	ZONE VI
	Intra Harbor	0-30 Miles	31-50 Miles	51-75 Miles	76-100 Miles	101 Miles & Over

<del>Up to 449</del>	<del>125</del>	<del>194</del>	<del>338</del>	<del>506</del>	<del>683</del>	<del>888</del>
<del>450-459</del>	<del>127</del>	<del>199</del>	<del>341</del>	<del>515</del>	<del>692</del>	<del>891</del>
<del>460-469</del>	<del>131</del>	<del>202</del>	<del>344</del>	<del>522</del>	<del>703</del>	<del>895</del>
<del>470-479</del>	<del>136</del>	<del>206</del>	<del>349</del>	<del>533</del>	<del>706</del>	<del>898</del>
<del>480-489</del>	<del>138</del>	<del>211</del>	<del>351</del>	<del>542</del>	<del>712</del>	<del>901</del>
<del>490-499</del>	<del>141</del>	<del>213</del>	<del>355</del>	<del>552</del>	<del>719</del>	<del>907</del>
<del>500-509</del>	<del>147</del>	<del>217</del>	<del>360</del>	<del>560</del>	<del>725</del>	<del>912</del>
<del>510-519</del>	<del>149</del>	<del>223</del>	<del>364</del>	<del>568</del>	<del>731</del>	<del>915</del>
<del>520-529</del>	<del>151</del>	<del>231</del>	<del>371</del>	<del>571</del>	<del>738</del>	<del>923</del>
<del>530-539</del>	<del>157</del>	<del>234</del>	<del>376</del>	<del>577</del>	<del>749</del>	<del>932</del>

LOA	ZONE I	ZONE II	ZONE III	ZONE IV	ZONE V	ZONE VI
	Intra Harbor	0-30 Miles	31-50 Miles	51-75 Miles	76-100 Miles	101 Miles & Over
540-549	160	238	382	583	762	940
550-559	163	244	385	590	768	949
560-569	169	252	393	595	776	960
570-579	173	256	397	597	783	966
580-589	180	260	404	602	789	976
590-599	188	265	407	606	799	986
600-609	194	274	413	608	808	992
610-619	205	277	419	612	817	1002
620-629	214	281	425	617	826	1012
630-639	226	287	429	619	833	1022
640-649	236	293	434	622	843	1029
650-659	249	299	441	627	852	1039
660-669	256	302	446	630	861	1047
670-679	263	308	450	640	870	1055
680-689	269	314	456	647	878	1065
690-699	277	320	461	658	888	1084
700-719	290	330	471	666	904	1099
720-739	306	341	482	675	923	1117
740-759	320	355	493	683	940	1136
760-779	333	370	504	692	960	1153
780-799	349	383	515	703	976	1173
800-819	362	397	524	709	992	1189
820-839	376	410	535	719	1012	1205
840-859	392	426	546	727	1029	1225
860-879	405	441	557	746	1047	1242
880-899	419	455	568	763	1065	1260
900-919	432	469	578	781	1084	1278
920-939	447	482	590	799	1099	1296
940-959	461	496	598	817	1117	1312
960-979	474	511	610	833	1136	1331
980-999	491	524	620	852	1153	1349
1000 & over	504	541	632	870	1173	1366
Up to 449	126	195	340	509	687	893
450-459	128	200	343	518	696	896
460-469	132	203	346	525	707	900
470-479	137	207	351	536	710	903
480-489	139	212	353	545	716	906
490-499	142	214	357	555	723	912
500-509	148	218	362	563	729	917
510-519	150	224	366	571	735	920
520-529	152	232	373	574	742	929
530-539	158	235	378	580	753	938
540-549	161	239	384	586	767	946
550-559	164	245	387	594	773	955
560-569	170	254	395	599	781	966
570-579	174	258	399	601	788	972
580-589	181	262	406	606	794	982
590-599	189	267	409	610	804	992
600-609	195	276	415	612	813	998
610-619	206	279	422	616	822	1008
620-629	215	283	428	621	831	1018
630-639	227	289	432	623	838	1028
640-649	237	295	437	626	848	1035
650-659	250	301	444	631	857	1045
660-669	258	304	449	634	866	1053
670-679	265	310	453	644	875	1061
680-689	271	316	459	651	883	1071
690-699	279	322	464	662	893	1091
700-719	292	332	474	670	909	1106
720-739	308	343	485	679	929	1124
740-759	322	357	496	687	946	1143
760-779	335	372	507	696	966	1160
780-799	351	385	518	707	982	1180
800-819	364	399	527	713	998	1196
820-839	378	412	538	723	1018	1212
840-859	394	429	549	731	1035	1232
860-879	407	444	560	750	1053	1249
880-899	422	458	571	768	1071	1268
900-919	435	472	581	786	1091	1286

LOA	ZONE	ZONE	ZONE	ZONE	ZONE	ZONE
	I	II	III	IV	V	VI
	Intra Harbor	0-30 Miles	31-50 Miles	51-75 Miles	76-100 Miles	101 Miles & Over
920 - 939	450	485	594	804	1106	1304
940 - 959	464	499	602	822	1124	1320
960 - 979	477	514	614	838	1143	1339
980 - 999	494	527	624	857	1160	1357
1000 & over	507	544	636	875	1180	1374

**WSR 86-02-036**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 85-198—Filed December 30, 1985]

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 sturgeon stocks are in need of additional protection and this regulation puts Washington fishermen into equal daily bag limit status with Oregon fishermen.

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 December 30, 1985.

By Russell W. Cahill  
 for William R. Wilkerson  
 Director

**NEW SECTION**

**WAC 220-56-24000C POSSESSION LIMITS — OTHER FOOD FISH.** *Notwithstanding the provisions of WAC 220-56-240, effective January 1, 1986 until further notice (1) It is unlawful for any one person to fish for or possess more than a daily bag limit of two sturgeon not less than 36 inches in length nor more than 72 inches in length taken for personal use from the waters of the Columbia River downstream from a line perpendicular to the river flow where the river begins to be the Washington/Oregon boundary, approximately 17.3 miles above McNary Dam.*

(2) *The possession limit may not exceed the equivalent of two daily bag limits of fresh sturgeon from the above waters. Additional sturgeon may be possessed in a frozen or processed form.*

(3) *Washington residents fishing for sturgeon in the concurrent waters of the Columbia River do not need to have a State or Oregon sturgeon tag, except that all persons fishing for sturgeon from the Oregon bank of the river are required to possess and properly complete an Oregon sturgeon tag.*

**WSR 86-02-037**  
**NOTICE OF PUBLIC MEETINGS**  
**LOTTERY COMMISSION**  
 [Memorandum—December 30, 1985]

**1986 COMMISSION MEETING SCHEDULE**

Type Meeting	Month/Day	Location
Regular	March 7, 1986 Friday	Olympia
Regular	May 16, 1986 Friday	Tri-Cities
Regular	August 1, 1986 Friday	Longview
Regular	October 3, 1986 Friday	Olympia
Regular	December 5, 1986 Friday	Sea-Tac

**WSR 86-02-038**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Filed December 30, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Department of Ecology intends to adopt, amend, or repeal rules concerning:

- Amd WAC 173-19-430 Wahkiakum County.
- Amd WAC 173-19-3701 Anacortes, city of;

that the agency will at 2:00 p.m., Tuesday, February 4, 1986, in the Abbot Raphael Hall, Department of Ecology, Headquarters Office, St. Martin's College Campus, Lacey, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on March 5, 1986.

The authority under which these rules are proposed is chapters 43.21A and 34.94 [34.04] RCW.

The specific statute these rules are intended to implement is chapter 90.58 RCW and RCW 90.58.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 11, 1986.

Dated: December 30, 1985

By: Marc A. Horton  
 for Phillip C. Johnson  
 Deputy Director

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-430 Wahkiakum County and 173-19-3701 Anacortes, city of.

Description of Purpose: Adoption of revised shoreline master programs into the state master program (chapter 173-19 WAC).

Statutory Authority: RCW 90.58.120 and 90.58.200.

Summary of Rule: The amendments adopt revisions to the shoreline master program for Wahkiakum County and the city of Anacortes.

Reasons Supporting Proposed Action: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Administrative Procedure Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lisa Randlette, WDOE, Mailstop PV-11, Olympia, WA 98504, (206) 459-6762.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: Not applicable.

AMENDATORY SECTION (Amending Order DE 85-29 [81-13], filed 12/31/85 [5/21/81])

WAC 173-19-430 WAHAKIYAKUM COUNTY. Wahkiakum County master program approved June 17, 1975. Revision approved January 2, 1980. Revision approved May 20, 1981. Revision approved March 5, 1986.

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

AMENDATORY SECTION (Amending Order DE 85-30 [85-05], filed 12/31/85 [4/15/85])

WAC 173-19-3701 ANACORTES, CITY OF. City of Anacortes master program approved April 9, 1976. Revision approved November 25, 1980. Revision approved July 1, 1981. Revision approved December [15] [23], 1982. Revision approved November 15, 1983. Revision approved March 5, 1986.

**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 86-02-039

ADOPTED RULES

DEPARTMENT OF REVENUE

[Order ET 85-8—Filed December 31, 1985]

I, Matthew J. Coyle, acting director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd WAC 458-20-114 Nonbusiness income—Bona fide initiation fees, dues, contributions, tuition fees and endowment funds.
- Amd WAC 458-20-169 Religious, charitable, benevolent, non-profit service organizations, and sheltered workshops.
- Amd WAC 458-20-244 Food products.

This action is taken pursuant to Notice No. WSR 85-23-072 filed with the code reviser on November 20, 1985. 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 Revenue as authorized in RCW 82.32.300.

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 December 31, 1985.

By Matthew J. Coyle  
Acting Director

AMENDATORY SECTION (Amending Order 84-1, filed 3/27/84)

WAC 458-20-114 NONBUSINESS INCOME—BONA FIDE INITIATION FEES, DUES, CONTRIBUTIONS, TUITION FEES AND ENDOWMENT FUNDS. RCW 82.04.4282 provides for a business and occupation tax deduction for amounts derived from activities and charges of essentially a nonbusiness nature. Thus, outright gifts, donations, contributions, endowments, tuition, and initiation fees and dues which do not entitle the payor to receive any significant goods or services in return for the payment are not subject to business and occupation tax. The scope of this statutory deduction is limited to situations where no business or proprietary activity (including the rendering of goods or services) is engaged in which directly generates the income claimed for deduction.

Many for-profit or nonprofit entities may receive "amounts derived," as defined in this rule, which consist of mixture of tax deductible amounts (bona fide initiation fees and dues) and taxable amounts (payment for significant goods and services rendered). For purposes of distinguishing between these kinds of income, the law requires that tax exemption provisions must be strictly construed against the person claiming exemption. Also, RCW 82.32.070 requires the maintenance of suitable records as may be necessary to determine the amount of any tax due. The result of these legal requirements is that all persons must keep adequate records sufficient to establish their entitlement to any claimed tax exemption or deduction.

CONTRIBUTIONS, DONATIONS, AND ENDOWMENTS.

Only amounts which are received as outright gifts are entitled to deduction. Any amounts, however designated, which are received in return for any goods, services, or business benefits are subject to business and occupation tax under the appropriate classification depending upon the nature of the goods, services, or benefits provided.

Thus, for example, so-called "grants" which are received in return for the preparation of studies, white papers, reports, and the like do not constitute deductible contributions, donations, or endowments. RCW 82.04-.4297 and WAC 458-20-169 provide for a specific deduction for compensation from public entities for health or social welfare services.

#### BONA FIDE INITIATION FEES AND DUES.

The law does not contemplate that the deduction should be granted merely because the payments required to be made by members or customers are designated as "initiation fees" or "dues." The statutory deduction is not available for outright sales of tangible personal property or for providing facilities or services for a specific charge. Neither is it available ". . . if dues are in exchange for any significant amounts of goods or services rendered by the recipient thereof to members without any additional charge to the member, or if the dues are graduated upon the amount of goods or services rendered . . ." (RCW 82.04.4282). Thus, it is only those initiation fees and dues which are paid for the express privilege of belonging as a member of a club, organization, or society, which are deductible.

Also, the statute does not distinguish between the kinds of clubs, organizations, associations, or other entities which may be eligible for this deduction. They may be operated for profit or nonprofit. They may be owned by the members, incorporated, or operating as a partnership, joint venture, sole proprietorship, or cooperative group. They may be of a charitable, fraternal, social, political, benevolent, commercial, or other nature. However, none of these characteristics determines the entitlement to tax deduction. The availability of the deduction is determined solely by the nature of the activity or charge which generates the "amounts derived" as defined in this rule.

The deduction is limited to business and occupation tax. There is no provision under the law for any deduction from retail sales tax or use tax of amounts designated as initiation fees or dues. Consequently, any club or organization that collects dues or initiation fees from members who in turn receive tangible personal property or retail services as defined in RCW 82.04.050, or licenses to use real property as defined in RCW 82.04-.050, must collect and report retail sales tax on the value of such goods or services sold. (See WAC 458-20-183, Places of amusement or recreation, and WAC 458-20-166, Hotels, motels, boarding houses, resorts, summer camps, trailer camps, etc., for additional guidance relative to retail sales and retail services.)

#### DEFINITIONS:

The words and terms utilized in RCW 82.04.4282 are not given a statutory definition in the Revenue Act. Under the general rules of statutory construction, those words and terms are to be given their ordinary and common meaning. Hence, for purposes of RCW 82.04-.4282 and this rule the following definitions will apply:

"Amounts derived" means gross income from whatever source and however designated. It includes "gross proceeds of sales" and "gross income of the business" as

those terms are defined by RCW 82.04.070 and 82.04-.080, respectively. It shall also include income attributable to bona fide initiation fees and bona fide dues.

"Bona fide" shall have its common dictionary meaning, i.e., in good faith, authentic, genuine.

"Initiation fees" are those initial amounts which are paid solely to admit a person as a member to a club or organization. "Bona fide initiation fees" within the context of this rule shall include only those one-time amounts paid which genuinely represent the value of membership in a club or similar organization. It shall not include any amount paid for or attributable to the privilege of receiving any goods or services other than mere nominal membership.

"Dues" are those amounts paid solely for the privilege or right of retaining membership in a club or similar organization. "Bona fide dues" within the context of this rule shall include only those amounts periodically paid by members which genuinely entitle those persons to continued membership in the club or similar organization. It shall not include any amounts paid for goods or services rendered to the member by the club or similar organization.

"Significant amount" relates to the quantity or degree of goods or services rendered and made available to members by the organization. "Significant" is defined as having important meaning or the quality of being important.

"Goods or services rendered" shall include those amusement and recreation activities as defined in RCW 82.04.050, WAC 458-20-166, and 458-20-183. The term shall include the totality or aggregate of goods or services available to members. It is not determinative that some members actually receive more goods or actually enjoy more services than others so long as the totality of the goods or services offered are made available to members in general.

"Any additional charge" means a price or payment other than bona fide initiation fees or dues, paid by persons for particular goods and services received. The additional charge must be reasonable and any business and/or sales taxes must be paid upon such charges in order to qualify other income denominated as "dues" to be deductible. The reasonableness of any additional charge will be based on one of the following two criteria: (1) It must cover all costs reasonably related to furnishing the goods or services, or (2) it must compare with charges made for similar goods or services by other commercial businesses.

"Value of such goods or services" shall mean the market value of similar goods or services or computed value based on costs of production.

#### METHODS OF REPORTING:

Persons who receive any "amounts derived" from initiations fees and/or dues may report their tax liabilities and determine the amount of tax reportable under different classifications (Retailing or Service) by use of alternative methods, based upon:

1. A standard deduction of 20 percent of gross income (This method is available for use only by not-for-profit organizations); or,

- 2. Actual records of facilities usage; or,
- 3. Cost of production of facilities and benefits.

- b) The average comparable charges for such goods or services made by other commercial businesses.

All amounts derived from initiation fees and dues must be reported as gross income which then must be apportioned between taxable and deductible income. The alternative apportionment methods are mutually exclusive. Thus, if a qualifying organization elects to use the standard deduction, neither of the other methods may be used. Organizations which cannot qualify to take the standard deduction, or which elect not to do so, may apportion their income based upon such actual records of facilities usage as are maintained. This method is accomplished by:

- a) The allocation of a reasonable charge for the specific goods or services rendered: **PROVIDED**, That in no case shall any allocation of any separate charge for any goods or services be deemed "reasonable" if the aggregate of such charges is insufficient to cover the costs of providing such goods or services; or,

ACTUAL RECORDS OF FACILITIES USAGE METHOD.

The actual records of facilities usage method must reflect the nature of the goods or services and the frequency of use by the membership, either from an actual tally of times used or a periodic study of the average membership use of facilities. Actual usage reporting may also be based upon a graduated or sliding fees and dues structure. For example, an organization may charge different initiation fees or dues rates for a social membership than for a playing membership. The difference between such rates is attributable to the value of the goods or services rendered. It constitutes the taxable portion of the "amounts derived" allocable to that particular activity. Because of the broad diversification of methods by which "amounts derived" may be assessed or charged to members, the actual records of usage method of reporting may vary from organization to organization. The following are some examples of this reporting method for several different kinds of facilities.

Facility	Period	Source	Value Base	Usage	Value	Taxable Income
Golf	3 mos	Reservations	Mkt Comparison	5,000 rounds	* x \$7.50 per Round	\$37,500
Camping	6 mos	Vacancy Study	Mkt Comparison	4,500 stays	x \$12.50 per Stay	\$56,250
Racquetball	9 mos	Reservations	Charge to Nonmember	1,250 hours	x \$4.00 per Hour	\$5,000
Swimming	12 mos	Member Survey	Actual Charges	3,650 uses	x \$1.00 per Use	\$3,650
Tennis	1 mo	Graduated Fee Structure	Graduated Fee Structure	200 playing members	x \$50.00 per Member	\$10,000

\*Figures and dollar amounts shown are hypothetical.

Organizations which provide more than one kind of "goods or services" as defined in this rule, may provide such actual records for each separate kind of goods or services rendered. Based upon this method the total of apportioned "taxable" income may be subtracted from total gross income to derive the amount of gross income which is entitled to deduction as "bona fide initiation fees and dues" under RCW 82.04.4282.

COST OF PRODUCTION METHOD.

This alternative apportionment method is available only for persons who do not take the standard deduction and when, it is impossible or unfeasible to maintain actual usage records. Under such circumstances apportionment of income may be done based upon the cost of production of goods or services rendered. Persons using this method are advised to seek the department's review of the cost accounting methods applied, in order to avoid

possible tax deficiency assessment if records are audited. In such cases the cost of production shall include all items of expense attributable to the particular facility (goods or services) made available to members, including direct and indirect overhead costs.

Direct overhead costs include all items of expense immediately associated with the specific goods or services for which the costs of production method is used, e.g., the salary of a swimming pool lifeguard or a golf club's greenskeeper.

Indirect overhead costs include a pro rata share of total operating costs, including executive and employee salaries as well as a pro rata share of administrative expense and the cost of depreciable capital assets.

No portion of assets which have been fully depreciated will be included in computing overhead costs, nor will there be included any costs attributable to membership

recruitment and advertising, or providing members with the indicia of membership (membership cards, certificates, contracts of rights, etc.).

The cost of production method is performed by multiplying gross income (all "amounts derived") by a fraction, the numerator of which is the cost of providing any specific goods or service, and the denominator of which is the organization's total operating costs. The formula looks like this:

$$\frac{\text{Direct and Indirect Costs of Specific Goods or Service}}{\text{Total Business Costs}} \times \text{Gross Income}$$

The result is the portion of "amounts derived" which is allocable to the taxable facility (goods or services rendered.) The balance of gross amounts derived is deductible as bona fide initiation fees or dues. If more than one kind of facility (goods or services) is made available to members, this formula must be applied for each in order to determine the total of taxable and deductible amounts and to determine the amount of taxable income to report as either retailing taxable or service taxable.

Under very unique circumstances and only upon advance written request and approval, the department will consider variations of the foregoing accounting methods as well as additional factors shown to be unique to certain kinds of organizations.

Unless income accounting and reporting are accomplished by one or a combination of methods outlined in this rule, or under a unique reporting method authorized in advance by the department, it will be presumed that all "amounts derived" by any person who provides "goods or services" as defined herein, constitute taxable, nondeductible amounts.

TAX CLASSIFICATIONS.

Persons who derive income from initiation fees and dues may find that they have incurred business and occupation tax liability under both the retailing and service and other activities classifications. For example, an organization may furnish golf as well as sauna bath facilities to its members in return for payment of dues. The former is a retailing taxable activity while the latter is taxable under the service business tax. These taxes are at different rates. Once the income has been apportioned between taxable and deductible amounts, the parts of taxable income attributable to either retailing activities or service activities must be reported on the excise tax return under the appropriate classification and under the prevailing tax rates. In addition, state and local retail sales taxes measured by the retailing portions must be separately collected from dues paying members, reported, and remitted with the same excise tax return. (See WAC 458-20-183, 458-20-166, and RCW 82.04.050 for further guidance in distinguishing between retailing and service activities for excise tax purposes.)

NONPROFIT YOUTH ORGANIZATIONS.

Nonprofit youth organizations which, as such, are exempt from property tax under RCW 84.36.030 may deduct fees or dues received from members even though

the members are entitled to use the organization's facilities, including camping and recreational facilities, in return for such payments. (See RCW 82.04.4271.)

TUITION FEES.

The term "tuition fees" refers ((only)) to fees charged by educational institutions, and, in addition to instruction fees, includes library, laboratory, health and other special fees and amounts charged for room and board when the property or service for which such charges are made is furnished exclusively to the students or faculty of such institutions.

"Educational institutions" which may deduct "tuition fees" are those which have been created or generally accredited as such by the state or defined as a degree granting institution under RCW 28B.05.030(1) \*and accredited by an accrediting association recognized by the United States secretary of education, and which offer to students an educational program of a general academic nature and those institutions which are not operated for profit and which are privately endowed under a deed of trust to offer instruction in trade, industry and agriculture, but not including specialty schools, business colleges, other trade schools or similar institutions. \*"Degree granting institution" shall mean an educational institution, which offers educational credentials, instruction, or services prerequisite to or indicative of an academic or professional degree or certificate beyond the secondary level.

A business college, dancing school, music school or specialty school is not an "educational institution" within the meaning of that term as defined above. Tuition fees collected by such institutions are taxable under the service and other business activities classification of the business and occupation tax.

The right to deduct bona fide initiation fees, dues, contributions, donations, tuition fees and endowment funds does not exempt any person, association or society from tax liability upon selling tangible personal property or upon providing facilities or services for which a special charge is made to members or others. However, agencies or institutions of the state of Washington, such as the University of Washington and community colleges are exempt from payment of the business and occupation tax.

Revised March 27, 1984.

AMENDATORY SECTION (Amending Order ET 83-16, filed 3/15/83)

WAC 458-20-169 RELIGIOUS, CHARITABLE, BENEVOLENT, NONPROFIT SERVICE ORGANIZATIONS, AND SHELTERED WORKSHOPS. Religious, charitable, benevolent, and nonprofit service organizations are subject to the excise taxes imposed by the Revenue Act of 1935 with the following exceptions only:

Religious, charitable, benevolent, and nonprofit service organizations serving meals for fund raising purposes are not engaged in the business of making sales at retail and are not required to collect the retail sales tax upon such sales, nor pay the business and occupation tax, unless such meals are served more frequently than once every

two weeks. Religious, charitable, benevolent, and non-profit service organizations conducting bazaars or rummage sales who are not generally engaged in the business of making sales at retail are not required to collect the retail sales tax nor pay the business and occupation tax where such bazaars or rummage sales are conducted no more than twice per year and do not extend over a period of more than two days each, if the gross receipts from each such bazaar or rummage sale is \$1,000 or less. Similarly, when such organizations make retail sales in the course of annual fund raising drives, or make such sales through concessions operated intermittently and for short periods of time for the support of various benevolent, athletic, recreational, or cultural programs, the retail sales tax and business and occupation tax need not be accounted for.

Neither the retail sales tax nor the use tax applies to prepared meals provided to senior citizens, disabled persons, or low-income persons by not-for-profit organizations organized under chapter 24.03 or 24.12 RCW.

However, in every case where such organizations conduct business activities other than as outlined above, the retail sales tax and business and occupation tax are fully applicable to the gross sales made and merchandise may be purchased for resale without paying the retail sales tax by furnishing vendors with resale certificates as prescribed in published WAC 458-20-102.

**SHELTERED WORKSHOPS.** The gross income received by nonprofit organizations from the operation of "sheltered workshops" is exempt from the business and occupation tax. "Sheltered workshops" is defined by the law to mean "rehabilitation facilities, or that part of rehabilitation facilities, where any manufacture or handiwork is carried on and which is operated for the primary purpose of (1) providing gainful employment or rehabilitation services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist; or (2) providing evaluation and work adjustment services for handicapped individuals."

**HEALTH OR SOCIAL WELFARE SERVICES.** In computing business tax there may be deducted amounts received from the United States or any instrumentally thereof or from the state of Washington or any municipal corporation or political subdivision thereof as compensation for, or to support, health or social welfare services rendered by a health or social welfare organization or by a municipal corporation or political subdivision.

The term "health or social welfare organization" means an organization which renders health or social welfare services as defined below, which is a not-for-profit corporation under chapter 24.03 RCW and which is managed by a governing board of not less than eight individuals none of whom is a paid employee or the organization or which is a corporation sole under chapter 24.12 RCW. In addition a corporation in order to be exempt under RCW 82.04.4297 shall satisfy the following conditions:

(a) No part of its income may be paid directly or indirectly to its members, stockholders, officers, directors,

or trustees except in the form of services rendered by the corporation in accordance with its purposes and bylaws;

(b) Salary or compensation paid to its officers and executives must be only for actual services rendered, and at levels comparable to the salary or compensation of like positions within the public service of the state;

(c) Assets of the corporation must be irrevocably dedicated to the activities for which the exemption is granted and, on the liquidation, dissolution, or abandonment by the corporation, may not inure directly or indirectly to the benefit of any member or individual except a nonprofit organization, association, or corporation which also would be entitled to the exemption;

(d) The corporation must be duly licensed or certified where licensing or certification is required by law or regulation;

(e) The amounts received qualifying for exemption must be used for the activities for which the exemption is granted;

(f) Services must be available regardless of race, color, national origin, or ancestry; and

(g) The director of revenue shall have access to its books in order to determine whether the corporation is entitled to this exemption.

The term "health or social welfare services" includes and is limited to:

(a) Mental health, drug, or alcoholism counseling or treatment;

(b) Family counseling;

(c) Health care services;

(d) Therapeutic, diagnostic, rehabilitative, or restorative services for the care of the sick, aged, or physically, developmentally, or emotionally-disabled individuals;

(e) Activities which are for the purpose of preventing or ameliorating juvenile delinquency or child abuse, including recreational activities for those purposes;

(f) Care of orphans or foster children;

(g) Day care of children;

(h) Employment development, training, and placement; and

(i) Legal services to the indigent.

**AMENDATORY SECTION** (Amending Order ET 83-6, filed 8/23/83)

**WAC 458-20-244 FOOD PRODUCTS.** RCW 82.08.0293 and 82.12.0293 exempt certain food products for human consumption away from the retailer's premises from retail sales tax and use tax. There is no food products exemption for business and occupation tax. The effective date of these exemptions is July 1, 1983. The word "tax" as used hereafter in this rule means retail sales tax. "Food products" include generally those products normally ingested by humans for nourishment; but the term excludes seeds, seedlings, trees, and the like, for home gardens, as well as breeding stock of animals, birds, insects, and other animate creatures.

The law exempts most, but not all, food products from tax, but even the food products qualified for exemption are made subject to tax by the law if any one of the following circumstances is present:

(a) The food products are furnished, prepared, or served for consumption at tables, chairs, or counters or

from trays, glasses, dishes, or other tableware whether provided by the seller or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals (i) under a state administered nutrition program for the aged as provided for in the Older Americans Act (PL 95-478 Title III) and RCW 74.38.040(6) or (ii) which are provided to senior citizens, disabled persons, or low-income persons by a not-for-profit organization organized under chapter 24.03 or 24.12 RCW;

OR,

(b) The food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location. Where such facilities are provided the tax applies even if the food products are sold on a "take out" or "to go" order and it is immaterial that the products are actually packaged or wrapped and that they are in fact taken from the premises of the retailer;

OR,

(c) The food products are sold for consumption within a place (except national or state parks or monuments), the entrance to which is subject to an admission charge. But, even if the admission-charged place is a national or state park or monument such that the admission charge does not negate the exemption, the tax will apply if either circumstances (a) or (b) above are present.

**VENDORS WHO ARE REQUIRED TO COLLECT TAX**

(1) Sales of food products are subject to tax when sold by cafes, caterers, restaurants, pizza parlors, food drive-ins, and businesses which are operated in such a way as to invite or permit consumption of the food at or near the premises where the food is sold. This circumstance is presumed to occur where customers are provided facilities for immediate consumption of food sold, such as tables, chairs, or counters; trays, glasses, dishes, or tableware (whether reusable or not); or a nearby parking area available for immediate use of customers in consuming the food. It is the intent of the law that tax be charged by retailers who sell food products ready for consumption at or near the premises of the vendor by furnishing cups, spoons, straws, or the like to facilitate immediate consumption. If such facilities are provided the tax applies even though the food is sold, packaged, or wrapped "to go" and even if the food is in fact removed from the premises of the retailer and is consumed elsewhere. The test is not where the food is actually consumed but whether the customer is provided any of the described facilities for consumption of the food. In the case of vending machine operators, the sale of food products is subject to tax. The selling price of food products sold by vending machine operators is fifty-seven percent of the gross receipts, except for hot prepared food products for which the selling price is one hundred percent of the gross receipts. Vending machine operators are not required to collect the tax from buyers or to separately state the tax.

(2) Sales by theaters, fair grounds concessions, athletic arena concessions, and any other businesses selling food products within a place to which an admission price is charged are taxable. The only exceptions as to admission-charged areas are national or state parks or monuments, but even sales of food products within such state or national areas are taxable if customers are provided facilities for consumption as described in paragraph (1).

**EXEMPT AND TAXABLE SALES BY GROCERS**

The following are lists of exempt and taxable items normally sold by grocery stores, supermarkets, and similar businesses. The examples are meant to be illustrative and are not all inclusive.

The exempt products listed are exempt when sold for off premises consumption but are taxable if sold for immediate consumption as described in paragraph (1) above.

**EXEMPT IF CONSUMPTION FACILITIES NOT PROVIDED**

Baby foods	Marshmallows
Bakery products	Mayonnaise
Baking soda	Meat, meat products
Bouillon cubes	Milk, milk products
Candy	Mustard
Cereal products	Noncarbonated soft drinks
Chocolate	Nuts
Cocoa	Oleomargarine
Coffee and coffee substitutes	Olives, olive oil
Condiments	Peanut butter
Crackers	Popcorn
*Diet food	Popsicles
Eggs, egg products	Potato chips
Extracts and flavoring for food	Powdered drink mixes
Fish, fish products	Sandwich spreads
Flour	Sauces
Food coloring	Sherbet
Frozen foods	Shortening
Fruit, fruit products	Soup
Gelatin	Sugar, sugar products, sugar substitutes
*Health foods	Syrups
Honey	Tea
Ice cream, toppings	Vegetables, vegetable products
Jam, jelly, jello	Yeast

The products listed as taxable are subject to tax however sold or prepared.

**SPECIFIC CLASSES OF ITEMS TAXABLE IN ALL CASES**

Alcoholic beverages	First aid products
Aspirin	Ice, bottled Water (mineral or otherwise)
Beer or wine making supplies	Mouthwashes
Calcium tablets	Nonedible cake decorations
Carbonated beverages	Nonprescription medicines
Chewing tobacco	Patent medicines
Cod liver oil	Pet food and supplies
Cough medicines (liquid or lozenge)	Seeds and plants for gardens
*Dietary supplements or adjuncts	Tonics, vitamins
	Toothpaste

\* NOTE: Sales of dietary supplements which are subject to regulation by the United States Federal Drug Administration are subject to tax. Regulated dietary supplements are those preparations which provide fifty percent or more of the United States Recommended Daily Allowance (U.S. RDA) of essential vitamins and minerals per serving. Health foods or dietary preparations containing less than fifty percent of U.S. RDAs per serving may be sold tax exempt as food and FDA regulations (21 CFR, chapter 1, Part 80) adopted October 12, 1976, effective January 1, 1978.

prohibit any claim that such preparations are "dietary supplements." Dietary supplements do not include any food in its raw or natural state, which means that nothing has been done to the product, other than superficial treatment (such as washing its surface), to change the product physically or chemically before marketing.

Dietary adjuncts are vitamin/mineral preparations taken to meet special vitamin or mineral needs occasioned by drug therapy. Dietary adjuncts are not tax exempt food products.

Retailers of food products are required to keep adequate records to demonstrate that any sales claimed tax exempt in fact qualify for exemption under this rule and the law.

#### COMBINATION BUSINESS

Persons operating a combination of two businesses at one location, one of which provides facilities for consumption on the premises (see paragraph (1), "Vendors who are required to collect tax"), such as a lunch counter along with a grocery store or a cafe along with a bakery, are required to keep their accounting records and sales receipts segregated between the two businesses. If the two businesses are commingled in accounting, all sales will be deemed subject to tax.

#### COMBINATION PACKAGES

When a package consists of both food and nonfood products, such as a holiday or picnic basket containing beer and pretzels, cups or glasses containing food items, or carbonated beverages along with cheese and crackers, the food portion may be tax exempt if its price is stated separately; if the price is a lump sum, the tax applies to the entire price.

However, promotional give-aways of nonfood items to enhance food sales, such as coffee sold in a decorative apothecary container or cheese sold in a serving dish are not taxable and are not deemed combination packages where it is clear that the container or dish is simply a gift furnished as a sales inducement for the food. In the same way, promotional give-aways of food items as an inducement for sales of nonfood items are not exempt (e.g., the sale of fancy crystal ware containing candy or nuts is fully subject to sales tax).

#### COMMISSARIES OR GROCERY SHOPS IN INSTITUTIONS OR OTHER RESTRICTED (NOT OPEN TO THE PUBLIC) AREAS

Food products sold by commissaries which restrict sales generally to residents, inmates, or a similarly limited group of customers are tax exempt if the food products are for consumption away from the general area reserved for merchandizing such products.

#### OTHER FOOD VENDORS

(1) Restaurants and transportation companies (e.g., air, rail, water), and businesses furnishing meals to employees, see WAC 458-20-119.

(2) Hotels, motels, boarding or rooming houses, resorts, and trailer camps, see WAC 458-20-166.

(3) Religious, charitable, benevolent, and nonprofit service organizations, see WAC 458-20-169.

(4) Certain persons, groups, or institutions purchase food products for purposes of serving meals to individuals and historically have been required to pay sales tax

as consumers on such purchases because of a unique relationship between the food purchases and the nature of the services rendered by such groups. Food sales taxed in this way were the following:

(a) Furnishing of meals by hospitals, rest homes, sanitariums, and similar institutions to patients as a part of the service rendered in the conduct of such institutions.

(b) Serving of meals to members by fraternities, sororities, and other similar groups who reside in one place and jointly share the expenses of the household including expenses of meals provided by them.

(c) Providing of meals by public schools, high schools, colleges, universities, or private schools operating lunch rooms, cafeterias, or dining rooms for the exclusive purpose of providing students and faculty with meals as a part of the educational program.

(d) Providing of meals by guest ranches or summer camps which, in addition to supplying meals and lodging, offer special recreation facilities and instruction in sports, boating, riding, outdoor living, etc., and which make an unsegregated charge for meals, lodging, and services, and report such charges under the service classification as provided by WAC 458-20-166.

Since purchase of food products in any of these four situations has been subject to sales tax in the past, the food products exemption applies to these purchases of food products for human consumption. However, sales of meals by such groups in circumstances other than furnishing them in connection with services in the four situations described above are governed by WAC 458-20-119. Further, when such groups do not provide their own meals, but the meals are purchased from caterers or concessionaires, the caterers or concessionaires are making retail sales subject to the tax.

#### USE TAX

All of the foregoing provisions of this rule dealing with sales tax are equally applicable with respect to the use tax of chapter 82.12 RCW. Effective July 1, 1983.

**WSR 86-02-040**  
**EMERGENCY RULES**  
**DEPARTMENT OF GAME**  
**(Game Commission)**

[Order 282—Filed December 31, 1985]

Be it resolved by the State Game Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to 1986 Washington game fish seasons and catch limits—Snoqualmie River, new section WAC 232-28-61501.

We, the State Game 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 this amendment to



<p>From Beaver Cr. Rd. bridge to 200' below weir at Beaver Cr. hatchery. From West Fork to source</p>	<p>CLOSED WATERS May 31-Oct. 31</p>	<p>TROUT—min. lgth. 12".</p>
<p>GRAYS RIVER, 76: From mouth to mouth of South Fork.</p>	<p>Jan. 1-Mar. 31 May 31-Dec. 31</p>	<p>TROUT—min. lgth. 12". Only steelhead with dorsal fins measuring less than 2 inches in height when fully extended or with missing adipose or ventral fins may be reduced to possession. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin.</p>
<p>East Fork</p>	<p>May 31-Oct. 31</p>	<p>TROUT—min. lgth. 12"; BAIT PROHIBITED.</p>
<p>NEWAUKUM RIVER, 117 Main river, Middle Fork and South Fork.</p>	<p>Jan. 1-Mar. 31</p>	<p>TROUT—min. lgth. 12". Only steelhead with dorsal fins measuring less than 2 inches in height when fully extended or with missing adipose or ventral fins may be reduced to possession. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin.</p>
<p>North Fork from mouth to 400' below Chehalis City water intake.</p>	<p>Jan. 1-Mar. 31</p>	<p>TROUT—min. lgth. 12". Only steelhead with dorsal fins measuring less than 2 inches in height when fully extended or with missing adipose or ventral fins may be reduced to possession. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin.</p>
<p>North Fork above Chehalis City water intake.</p>	<p>CLOSED WATERS</p>	
<p>SKAMOKAWA CREEK, 156 Mouth to forks just below Oatfield and Middle Valley Rd.</p>	<p>Jan. 1-Mar. 31</p>	<p>TROUT—min. lgth. 12". Only steelhead with dorsal fins measuring less than 2 inches in height when fully extended or with missing adipose or ventral fins may be reduced to possession. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin.</p>
	<p>May 31-Dec. 31</p>	<p>TROUT—min. lgth. 12". WILD STEELHEAD RELEASE, see page 6.</p>

**WSR 86-02-042**  
**EMERGENCY RULES**  
**DEPARTMENT OF GAME**  
**(Game Commission)**

[Order 292—Filed December 31, 1985]

Be it resolved by the State Game Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to amendment to 1986 Washington game fish seasons and catch limits—Mill Creek, Snake River, Touchet River, and Walla Walla River, adopting WAC 232-28-61504.

We, the State Game 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 hatchery fish returning in the 1985 run year (1985-86) were not marked by removal of the adipose fin and an alternative regulation is needed to protect wild fish while still allowing harvest of hatchery-origin steelhead. Hatchery fish returning in 1986 run year (1986-87) are marked and the original regulations for the fall seasons are still correct.

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

This rule is promulgated pursuant to RCW 77.12.040 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 December 30, 1985.

By Jack S. Wayland  
Director

NEW SECTION

**WAC 232-28-61504 AMENDMENT TO 1986 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—MILL CREEK, SNAKE RIVER, TOUCHET RIVER, AND WALLA WALLA RIVER. Notwithstanding the provisions of WAC 232-28-615, the seasons and special regulations for the above named waters will be as follows.**

<p>MILL CREEK, 106 (Walla Walla County) From mouth to Mullen Bridge</p>	<p>Jan. 1-Mar. 31</p>	<p>Open only to the taking of steelhead. Only steelhead with dorsal fins measuring less than 2 inches in height when fully extended or with missing adipose or ventral fins may be reduced to possession. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin.</p>
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**Snake River, 164, 165, 166, 167, 168**  
 May 31-Dec. 31 Open only to the taking of steelhead Sept. 1-Dec. 31; WILD STEELHEAD RELEASE, see page 6.  
 Year around **TROUT**-min. lgth. 10"; catch limit 6, no more than 2 over 20". Closed to the taking of all trout Apr. 1-May 31. Closed to the taking of steelhead over 20" June 1-Aug. 31. From Jan. 1-Mar. 31, only steelhead with dorsal fins measuring less than 2 inches in height when fully extended or with missing adipose or ventral fins may be reduced to possession. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin. From Sept. 1-Dec. 31 WILD STEELHEAD RELEASE, see page 6.  
 CLOSED WATERS: within 400' of the base of any dam and within a 400' radius around the fish ladder entrance at Lyons Ferry Hatchery.  
 NOTE: On the mainstem Snake River between Washington and Idaho the license of either state is valid. The angler must be in compliance with the laws of the state issuing the license. This provision does not allow an angler licensed in Idaho to fish on the Washington shore, or in the sloughs or tributaries of Washington. An angler fishing the Snake River is restricted to one daily catch limit even if licensed by both states.

**TOUCHET RIVER, 185**  
 From mouth to Forks. Jan. 1-Mar. 31 Open only to the taking of steelhead. Only steelhead with dorsal fins measuring less than 2 inches in height when fully extended or with missing adipose or ventral fins may be reduced to possession. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin.

**WALLA WALLA RIVER, 194**  
 From mouth to Nine Mile Bridge on Highway 12. Year around  
 From Nine Mile Bridge upstream to state line. Jan. 1-Apr. 15 Open only to the taking of steelhead. Only steelhead with dorsal fins measuring less than

2 inches in height when fully extended or with missing adipose or ventral fins may be reduced to possession. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin.

May 31-Dec. 31 Open only to the taking of steelhead from Sept. 1-Dec. 31; WILD STEELHEAD RELEASE, see page 6.

**WSR 86-02-043**  
**EMERGENCY RULES**  
**DEPARTMENT OF GAME**  
**(Game Commission)**  
 [Order 293—Filed December 31, 1985]

Be it resolved by the State Game Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to amendment to 1986 Washington game fish seasons and catch limits—Wenatchee River, WAC 232-28-61505.

We, the State Game 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 hatchery fish returning in the 1985 run year (1985-86) were not marked by removal of the adipose fin and an alternative regulation is needed to protect wild fish while still allowing harvest of hatchery-origin steelhead. Hatchery fish returning in 1986 run year (1986-87) are marked and the original regulations for the fall seasons are still correct.

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

This rule is promulgated pursuant to RCW 77.12.040 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 December 31, 1985.  
 By Jack S. Wayland  
 Director

**NEW SECTION**

**WAC 232-28-61505 AMENDMENT TO 1986 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—WENATCHEE RIVER.** Notwithstanding the provisions of WAC 232-28-615, the seasons and special regulations for the Wenatchee River will be as follows.

WENATCHEE RIVER, 199  
From mouth to Icicle  
River Road Bridge at  
Leavenworth.

May 31-Nov. 14 Selective Fishery  
Regulations, see page 6.  
TROUT—poss. limit—2,  
min. lgth. 12". All  
steelhead over 20" must  
be released unharmed.

Jan. 1-Feb. 28 Trout—min. lgth. 12".  
Only steelhead with  
dorsal fins measuring  
less than 2 inches in  
height when fully  
extended or with missing  
adipose or ventral fins  
may be reduced to  
possession. It is  
unlawful to possess a  
steelhead with a freshly  
cut or mutilated dorsal,  
ventral or adipose fin.

Nov. 15-Dec. 31 Trout—min. lgth. 12".  
WILD STEELHEAD RELEASE,  
see page 6.

Mar. 1-Mar. 31 Open for WHITEFISH ONLY.

From Icicle River Road  
Bridge at Leavenworth to  
U.S. Highway 2 Bridge at  
Tumwater Campground.

May 31-Nov. 30 All steelhead over 20"  
must be released  
unharmed.

From U.S. Highway 2  
Bridge at Tumwater  
Campground to Lake  
Wenatchee.

May 31-Nov. 30 Selective Fishery  
Regulations, see page 6.  
TROUT—poss. limit—2,  
min. lgth. 12". All  
steelhead over 20" must  
be released unharmed.

STATEMENT OF PURPOSE

Amend WAC 356-15-060.

Title: Shift premium provisions and compensation.

Purpose: Defines provisions for night and evening  
work shifts and compensation for these shifts.

Statutory Authority: RCW 41.06.150.

Specific Statute: RCW 41.06.430.

Summary: To add law enforcement work period em-  
ployees to those who receive the benefits presently listed  
for alternate, unlisted, nonscheduled and exception work  
period employees.

Reasons: The recent adoption of law enforcement as a  
new work period designation necessitates this change to  
maintain benefits already being paid to these employees  
under the former class designation.

Responsibility for Drafting: Gail Salisbury, Depart-  
ment of Personnel, 600 South Franklin, Mailstop FE-11,  
Olympia, WA 98504, phone 234-5383 scan; Implemen-  
tation: All state agencies; and Enforcement: Department  
of Personnel.

Proposed by: Washington Public Employee Associa-  
tion, employee organization.

Amend WAC 356-15-100.

Title: Call-back provisions and compensation for work  
preceding or following a scheduled workshift.

Purpose: Provides 2 hours of overtime rates penalty  
for call back after the end of the workshift.

Statutory Authority: RCW 41.06.150.

Specific Statute: RCW 41.06.430.

Summary: Proposed change to include law enforce-  
ment work period employees who are not normally paid  
for call-back.

Reasons: The recent addition of the law enforcement  
work period designation omitted the agency option to  
pay the call back penalty, which the Liquor Control  
Board had been doing for it's enforcement officers. This  
will restore that right.

Responsibility for Drafting: Gail Salisbury, Depart-  
ment of Personnel, 600 South Franklin, Mailstop FE-11,  
Olympia, WA 98504, phone 234-5383 scan; Implemen-  
tation: All state agencies; and Enforcement: Department  
of Personnel.

Proposed by: Washington Public Employee Organiza-  
tion, employee organization.

Amend WAC 356-15-130.

Title: Special pay ranges.

Purpose: To provide special incentive pay for lottery  
district sales representatives in sales promotion drives.

Statutory Authority: RCW 41.06.150.

Specific Statute: RCW 41.06.430.

Summary: To make this special range available for  
the use of the new class of lottery telephone sales repre-  
sentative (formerly part of the lottery district sales rep-  
resentative class).

Reasons: The positions in this new class were formerly  
lottery district sales representatives; the same reasons for  
incentive range pay continue to exist for them.

Responsibility for Drafting: Gail Salisbury, Depart-  
ment of Personnel, 600 South Franklin, Mailstop FE-11,

**WSR 86-02-044**  
**PROPOSED RULES**  
**DEPARTMENT OF PERSONNEL**  
**(Personnel Board)**  
[Filed December 31, 1985]

Notice is hereby given in accordance with the provi-  
sions of RCW 34.04.025, that the State Personnel Board  
intends to adopt, amend, or repeal rules concerning:

- Amd WAC 356-15-060 Shift premium provisions and  
compensation.
- Amd WAC 356-15-100 Call-back provisions and compensation  
for work preceding or following a sched-  
uled workshift.
- Amd WAC 356-15-130 Special pay ranges;

that the agency will at 10:00 a.m., Thursday, Febru-  
ary 13, 1986, in the Board Hearings Room, Department  
of Personnel, 600 South Franklin, 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 41.06.040.

The specific statute these rules are intended to imple-  
ment is RCW 41.06.150 and 41.06.430.

Interested persons may submit data, views, or argu-  
ments to this agency in writing to be received by this  
agency before February 11, 1986.

Dated: December 30, 1986 [1985]

By: Leonard Nord  
Secretary

Olympia, WA 98504, phone 234-5383 scan; Implementation: Lottery Commission; and Enforcement: Department of Personnel.

Proposed by: Lottery Commission, governmental agency.

**AMENDATORY SECTION** (Amending Order 224, filed 6/24/85)

WAC 356-15-060 **SHIFT PREMIUM PROVISIONS AND COMPENSATION.** (1) For purposes of this section, night shift and evening shift are defined as work shifts of eight or more hours which start by 3 a.m. or end at or after 10 p.m. respectively.

(2) Employees are entitled to shift premium in the amount specified in WAC 356-15-061 under the following circumstances only:

- (a) Scheduled standard work period employees:
- (i) For their scheduled hours which extend before 6 a.m. or after 6 p.m.
  - (ii) For all hours on their scheduled evening and/or night shift.
  - (iii) For all additional compensated hours worked by employees whose work schedules consist entirely of evening and/or night shifts.

(b) Scheduled alternate, unlisted, nonscheduled, ~~((and))~~ exceptions, and law enforcement work period employees:

(i) For conditions mentioned in (a) of this subsection, shift premium is payable.

(ii) Employees who are scheduled to work at least one, but not all, night or evening shifts each week, are entitled to shift premium for those scheduled evening or night shifts, and for all adjoining hours which are worked and compensated.

(c) Part-time employees:

- (i) For all assigned hours of work after 6 p.m. and before 6 a.m.
- (ii) For assigned full night or evening shifts, as defined in subsection (1) of this section.

(d) Intermittent and temporary employees are entitled to shift premium depending on whether their assignment fits into the part-time category (c) of this subsection) or into one of the full-time categories ((a) or (b) of this subsection).

(3) Monthly shift premium rates: In cases where shift premium hours are regularly scheduled over a year, agencies may pay shift premium at a monthly rate which is equal for all months of the year. Such monthly rates shall be calculated by dividing twelve into the amount of shift premium an employee would earn in a year if the hourly rules in subsection (1) of this section were applied. This option is granted to simplify bookkeeping and is not authorized to establish shift premium rates higher or lower than those set by the board.

(4) Shift premium and overtime: When an employee is compensated for working overtime during hours for which shift premium is authorized in subsection (2) (a) through (c) of this section, the overtime rate shall be calculated on the combined basic salary and shift premium rate.

(5) Payment during leave periods: Employees eligible for shift premium for all or part of their regular shifts will receive the same proportion of shift premium for authorized periods of paid leave, i.e., vacation leave, sick leave, military leave, holiday leave, etc.

**AMENDATORY SECTION** (Amending Order 206, filed 6/6/84)

WAC 356-15-100 **CALL-BACK PROVISIONS AND COMPENSATION FOR WORK PRECEDING OR FOLLOWING A SCHEDULED WORKSHIFT.** (1) Scheduled work period employees shall be notified prior to their scheduled quitting time either to return to work after their workshift ends or to change the starting time of their next scheduled workshift.

(a) Failure to give such notice for such work shall be considered call-back and shall result in a penalty of three hours of pay at the straight time rate (or two hours at one-and-one-half times the regular rate of pay) in addition to all other compensation due. This penalty shall apply to each call.

(b) The appointing authority may cancel a call-back notification to work extra hours at any time but cancellation shall not waive the penalty cited in this subsection ~~((†) above))~~.

(c) These provisions shall not apply to the mid-shift interval in a split shift and an employee called back while in standby status.

(2) Nonscheduled ~~((and))~~, exceptions, and law enforcement work period employees are not normally paid for call-back. However, if the appointing authority deems it appropriate, those employees may receive compensation, not to exceed the penalty cited above, for call-back.

**AMENDATORY SECTION** (Amending Order 221, filed 4/12/85)

WAC 356-15-130 **SPECIAL PAY RANGES.** These ranges are used to equal or approximate prevailing rate practices found in private industry or other governmental units. An affected class is identified either by a letter designation following the basic salary range number or by a letter designation preceding a number. In the latter case, a special salary schedule will be used for such classes.

(1) "E" range: This range is used for classes having a prevailing pay range which is shorter than Washington's standard ranges. An "E" range is a standard range with the first four steps removed. Thus, the first step of such a range is the same as Step E of the standard range having the same range number. Periodic increases through the steps of this range are made at the same time intervals as through standard ranges, i.e., a two-step increase after six months at Step E and two annually thereafter up to the maximum step of the range.

(2) "L" range: This special range is used only for the class of liquor store clerk (0628). The "L" range was designed to more closely parallel the prevailing pay structure for retail clerks in private industry. Periodic increases through the steps of the "L" range are made at the same time intervals as through a standard range. Normal progression is Steps A, D, G and K, which represents ten percent per periodic increase.

(3) "T" range: Used only for the classes of institution teachers. These ranges are constructed by identifying Step K of the correspondingly numbered regular state ranges as "Step 10" of the T-range; the lower nine steps of the T-range are each two regular-range steps (approximately 5%) apart. Advancement through these ranges is at the rate of one step per year.

(4) "V" range: Used only for the classes of teachers of the deaf or blind and principals, school for the deaf or blind. "V" ranges are the same as the current ranges of Vancouver, Washington School District #37 for certificated employees of similar background and experience. Advancement through the range is at the rate of one step per year.

(5) "I" range: ~~((This range is))~~ These ranges are always ten ranges higher than the ranges approved for lottery district sales representative and lottery telephone sales representative, respectively, and ~~((†))~~ they may be applied only to ~~((that))~~ those classes. Use of ~~((this))~~ these ranges is limited to sales incentive programs which: (a) May not exceed ten weeks for any program; (b) may not exceed four programs in any consecutive twelve months; (c) require achievement of specific goals which are set for each program by the lottery, such goals to be in excess of normal performance standards for the class.

The lottery is authorized to compensate individual employees on the "I" range for not more than three months as a result of any one sales incentive program, with the number of months stipulated in the incentive program announcement. Within these limits, movement of any employee to and from the "I" range will be at the discretion of the lottery, and shall be from and to the same step, subject to change by the employee's periodic increase date.

**WSR 86-02-045**

**ADOPTED RULES**

**DEPARTMENT OF REVENUE**

[Order FT-85-5—Filed December 31, 1985]

I, Matthew J. Coyle, acting director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

New	WAC 458-40-18719	Stumpage values (tables for January 1, through June 30, 1986).
New	WAC 458-40-18720	Harvester adjustments (tables for January 1, through June 30, 1986).
Amd	WAC 458-40-18700	Definitions.
Amd	WAC 458-40-18706	Timber quality code numbers—Tables.

This action is taken pursuant to Notice No. WSR 85-22-077 filed with the code reviser on November 6, 1985. 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 84.33 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 December 31, 1985.

By John B. Conklin  
Forest Tax Supervisor

AMENDATORY SECTION (Amending Order FT-84-7, filed 12/28/84)

WAC 458-40-18700 DEFINITIONS. (1) Acceptable log scaling rule. The acceptable log scaling rule shall be the Scribner Decimal C Log Scale Rule or other prevalent measuring practice, provided that such other prevalent measuring practice shall be submitted to the department for approval prior to the time of harvest.

(2) Applicable rate of tax. The applicable rate of tax shall be that excise tax rate in effect at the time the timber is harvested.

(3) Approved log scaling and grading rules.

(a) West of the Cascade summit—Approved scaling and grading rule. With respect to the reporting of timber harvested from private or public lands in areas west of the Cascade summit, which areas are designated as stumpage value areas 1, 2, 3, 4, and 5 in the stumpage value area map of WAC 458-40-18704, the methods and procedures published by the Columbia River Log Scaling and Grading Bureau, Grays Harbor Log Scaling and Grading Bureau, and the Puget Sound Log Scaling and Grading Bureau and published as the "Official Log Scaling and Grading Rules" are approved by the department for use in those areas.

(b) East of the Cascade summit—Approved scaling rule. With respect to the reporting of timber harvested from private or public lands in areas east of the Cascade summit, which areas are designated as stumpage value areas 6, 7, 8, 9, and 10 in the stumpage value area map of WAC 458-40-18704, the methods and procedures published by the United States Forest Service under the title "National Forest Log Scaling Handbook" procedures are approved by the department for use in those areas. This log scaling handbook is published under the title FSH 2409-11 National Forest Log Scaling Handbook, Forest Service, United States Department of Agriculture.

(c) East of the Cascade summit—Established grading rule. Because the National Forest Log Scaling Handbook does not contain grading rules, a separate computation shall be made to arrive at the proper grade for purposes of determining the timber quality code number for timber harvested east of the Cascade summit. The grade for quality classification purposes of the timber harvested from private or public land east of the Cascade summit shall be determined by the number of sawable sixteen foot logs per thousand feet net Scribner Decimal C Log Scale. The computation shall be made under the following three-step procedure:

(i) Step 1. The highest possible total number of sawable sixteen foot logs which could be recovered shall be determined by dividing the sum total of length of all sawable logs harvested by the number sixteen.

(ii) Step 2. The average net volume per sixteen foot recoverable log shall be determined by dividing the total volume harvested (net log scale) by the total number of sixteen foot logs as determined in Step 1.

(iii) Step 3. The total number of logs per thousand board feet (MBF) shall be determined by dividing one thousand by the average net volume as determined in step 2.

(4) Codominant trees. Trees whose crowns form the general level of the crown cover and receive full light from above, but comparatively little light from the sides.

(5) Competitive bidding process. The competitive bidding process means the offering of timber which is advertised to the general public for sale at a public auction under terms wherein all qualified potential buyers have an equal opportunity to bid on the sale, and the sale is awarded to the highest qualified bidder. For purposes of this chapter the competitive bidding process includes making available to the general public permits for the removal of forest products.

(6) Department. Department, for the purposes of this chapter, shall mean the department of revenue of the state of Washington.

(7) Dominant trees. Trees whose crowns are higher than the general level of the canopy and who receive full light from the sides as well as from above.

(8) Forest excise tax payment. Every person who is engaged in business as a harvester of timber from privately or publicly owned land shall pay a forest excise tax which shall be equal to the taxable stumpage value of timber harvested for sale or for commercial or industrial use and multiplied by the applicable rate of tax as provided in chapter 84.33 RCW.

(9) Harvester. Harvester shall mean every person who from his own land or from land of another under a right or license granted by lease or contract, either directly or by contracting with others, fells, cuts, or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(10) Harvested timber—When determined. Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined.

(11) Harvesting and marketing costs. Harvesting and marketing costs means only those costs directly associated with harvesting the timber from the land and delivering it to the buyer and may include the costs of disposing of logging residues but does not include any other costs which are not directly and exclusively related to harvesting and marketing of the timber such as costs of permanent roads or costs of reforesting the land following harvest.

(12) Harvest type. Harvest type shall be a term referring to the grouping of harvested timber by age and type of harvest and shall include and is limited to the following harvest types:

(a) Merchantable sawtimber, all ages—The removal of timber east of the Cascade summit shall be reported as merchantable sawtimber, all ages, unless the harvest type comes within the definition in this chapter of special forest products.

(b) Old growth. The removal of any timber from a harvest unit that is 100 years of age or older and west of the Cascade summit shall be reported as old growth unless the harvest type comes within the definition in this chapter of special forest products.

(c) Special forest products. The removal of Christmas trees (except as provided in RCW 84.33.170), shake blocks and boards, and posts and other western redcedar products shall be reported as special forest products.

(d) Thinning. The removal of timber from a harvest unit meeting all the following conditions:

(i) Harvest unit located west of the Cascade summit;

(ii) Timber that is less than 100 years of age;

(iii) The total merchantable volume which is removed is less than forty percent of the total merchantable volume of the harvest unit prior to harvest;

(iv) Not more than forty percent of the total volume removed is from the dominant and codominant trees;

(v) The trees removed in the harvest operation shall be distributed over the entire harvest unit.

(e) Young growth. The removal of any timber from a harvest unit that is less than 100 years of age and does not meet the definition of thinning in (d) of this subsection and west of the Cascade summit shall be reported as young growth unless the harvest type comes within the definition in this chapter of special forest products or within the definition of thinning.

(13) Harvest unit. A harvest unit is a harvest area having the same forest excise tax permit number, stumpage value area, hauling distance zone, harvest type, harvest adjustments and harvester. A harvest unit may include more than one section.

(14) Lump sum sale. A lump sum sale, also known as a cash sale or an installment sale, is a sale of timber wherein the total sale price as determined at the time of sale is final and not dependent upon the volume of timber actually harvested.

(15) MBF. As used herein MBF shall mean one thousand board feet measured in Scribner Decimal C Log Scale Rule.

(16) Other consideration. As used herein other consideration shall mean improvements to the land that are required by contract by the seller and are of a permanent nature. For instance, other consideration may include, but is not limited to the construction of permanent roads, and the installation of permanent bridges.

(17) Permanent road. A road built as part of the harvesting operation which is intended to have a useful life subsequent to the completion of the harvest is a permanent road.

(18) Private timber. Private timber is all timber harvested from privately owned lands. Private timber includes timber on reclassified reforestation land under chapters 84.28 and 84.33 RCW.

(19) Pro rata unit price. The pro rata unit price shall be the result of dividing the total sale price of a lump sum sale by the sale volume.

(20) Public timber. Public timber is timber harvested from state, federal, municipal, county, and other government owned lands.

(21) Remote island. A remote island is an area of land which is totally surrounded by water at normal high tide and which has no bridge or causeway connecting it to the mainland.

(22) Sale price. The sale price shall mean the amount paid for standing timber in cash or other consideration.

(23) Sawlog. Sawlog shall mean any log large enough to produce one-third of its gross volume in sound lumber or other products that can be sawed.

(24) Scale sale. A scale sale means a sale in which the sale price is the product of the actual volume harvested and the unit price at the time of harvest.

(25) Small harvester. Small harvester means every person who from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, fells, cuts, or takes timber for sale or for commercial or industrial use in an amount not exceeding 500 MBF in a calendar quarter and not exceeding 1000 MBF in a calendar year of combined public and private harvest (excluding conifer and hardwood utility). It does not include persons performing under contract the necessary labor or mechanical services for a harvester, and it does not include harvests of forest products classified by the department as special forest products including Christmas trees, posts, shake boards, bolts, flatsawn, and shingle blocks.

(26) Small harvester option. Harvesters of no more than 500 MBF per calendar quarter or a total of 1000 MBF in a calendar year of combined public and private harvest (excluding conifer and hardwood utility) may elect to calculate the timber tax in the manner provided by RCW 84.33.073 and 84.33.074. A harvester who elects to use this option shall use the quarterly reporting forms provided for this option by the department.

(27) Species. Species designation is a biologically-based grouping of harvested timber and shall include but is not limited to the following designations of species and subclassifications thereof (as defined in Agriculture Handbook No. 541 Checklist of United States Trees (Native and Naturalized)):

(a) Douglas-fir, western hemlock, true fir, noble fir, western redcedar, Alaska-cedar, western larch, ponderosa pine, lodgepole pine, western white pine, Sitka spruce, Engelmann spruce, red alder, and cottonwood shall be reported as separate species where designated as such in the stumpage value tables.

(b) Species designations for the harvest type special forest products shall be western redcedar shake blocks and boards, western redcedar flatsawn and shingle blocks, western redcedar and other posts, lodgepole pine and other posts, pine Christmas trees, Douglas-fir Christmas trees, Douglas-fir and other Christmas trees, true fir and other Christmas trees.

(c) Other conifer, as used in the stumpage value tables, shall be all other conifers not separately designated in the applicable stumpage value tables.

(d) Hardwood, and other hardwood, as used in the stumpage value tables, shall be all hardwoods not separately designated in the applicable stumpage value tables.

(e) Utility, conifer utility, and hardwood utility are separate species as defined by the "Official Log Scaling and Grading Rules" published by the Puget Sound Log Scaling and Grading Bureau and shall be reported as separate species where designated as such in the stumpage value tables.

(28) Stumpage value area. A stumpage value area is an area with specified boundaries which contains timber having similar growing, harvesting, and marketing conditions. Presently, there are ten such stumpage value areas designated in the state of Washington as shown under WAC 458-40-18704. Stumpage value areas 1, 2, 3, 4, and 5 are located west of the Cascade summit and stumpage value areas 6, 7, 8, 9, and 10 are located east of the Cascade summit.

(29) Taxable stumpage value of timber. The taxable stumpage value of timber shall be the value determined by one of the following methods as appropriate:

(a) Private timber. The taxable stumpage value of private timber shall be the appropriate value for each species of timber harvested, or for each species of special forest product harvested, as set forth in the stumpage value tables adopted under this chapter.

(b) Private timber — small harvester option. The taxable stumpage value for the small harvester option shall be determined by one of the following methods, whichever is most appropriate to the circumstances of the harvest.

(i) Sale of logs — Timber which has been severed from the stump and cut into various lengths for further processing. The taxable stumpage value is the actual gross receipts from the harvested timber less the costs of harvesting and marketing. Actual harvesting and marketing costs must be used in all instances where documented records are available. When the taxpayer is unable to provide documented proof of harvesting and marketing costs, the deduction shall be a percentage of the gross receipts from the sale of the harvested timber as determined by the department. The deduction shall be fifty percent of the gross receipts. A landowner who has sold logs for a percentage share of gross receipts should report the value received under WAC 458-40-18700 (29)(b)(ii).

(ii) Sale of stumpage — Standing or fallen trees which have not been severed from the stump, providing the harvest occurs within twelve months of the date of sale. The taxable stumpage value is the actual gross receipts received for the timber for the most recent sale prior to harvest. No harvesting and marketing cost deduction is allowable. If there has been a sale of stumpage and a subsequent sale of logs within twelve months, the taxable stumpage value shall be the gross receipts for the stumpage. If harvest occurs more than twelve months after the date of sale, report under WAC 458-40-18700 (29)(b)(i).

(c) Public timber. The taxable stumpage value for public timber sales shall be determined as follows:

(i) Noncompetitive sales: Timber not sold by a competitive bidding process shall be valued in the same manner as private timber.

(ii) Scale sales: The taxable stumpage value shall be the sum of the products of each species volume multiplied by the unit price for each species.

(iii) Lump sum sales: For sales in which the harvest is completed within a single quarterly reporting period, the taxable value shall be the actual sale price for the timber in cash or other consideration. For sales in which the harvest extends over more than one quarterly reporting period, the taxable value for each period shall be based on the actual quantity harvested and the estimated pro rata unit price. In no event shall the taxable value of the sale differ from the original sale price in cash or other consideration.

(iv) Sale of logs: When public timber is sold in the form of logs, the taxable value shall be the actual purchase price for the logs less deductions as appropriate for the costs of felling, bucking, and yarding the logs to the point of sale. Cost deductions shall be the actual costs when documented proof of such costs are available. In the absence of verifiable actual cost data, cost deductions shall be based on the appraised costs as appraised by the seller, if available; or an estimate of such costs based on the best available information from the sale of similar timber under similar harvesting conditions.

(30) Timber. Timber shall include forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170 includes Christmas trees, shake blocks and boards, posts and other western redcedar products.

(31) Timber quality code number. The timber quality code number is a number assigned to the harvest of a particular species within a harvest type under WAC 458-40-18706, and is based upon the constituent percentage of log grade specifications within the total volume of timber harvested for that particular species.

(32) Unit price. The unit price shall mean the sale price (including cash or other consideration) for each unit of volume. The unit price will most often be expressed as dollars per MBF.

(33) This rule shall not be construed to affect any public timber contracts in effect prior to August 1, 1982.

#### AMENDATORY SECTION (Amending Order FT-84-7, filed 12/28/84)

WAC 458-40-18706 TIMBER QUALITY CODE NUMBERS—TABLES. In order to allow for differences in age, size, quality of timber and other relevant factors as required by chapter 84.33 RCW, the department has assigned timber quality code numbers for harvests of the various designated harvest types and species.

Scaling and grading information derived from an acceptable log scaling and grading rule for the particular harvest type and species shall be used to determine the proper quality code number.

For each timber quality code number in the following tables, there is a corresponding timber quality code number for that particular harvest type and species in

the stumpage value tables which is to be used in computing timber harvest value.

The following timber quality code tables are hereby adopted:

**TABLE 1—TIMBER QUALITY CODE TABLE  
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5  
OLD GROWTH  
(100 years of age or older)**

Timber Quality Code Number	Species	Log Grade Specifications <sup>1</sup>
1	Douglas-fir	Over 40% Special Mill, No. 1 Sawmill & better log grade
	Western Redcedar & Alaska-cedar	Over 20% Special Mill, No. 1 Sawmill, Peeler & better log grade
	((Noble Fir &)) Spruce	Over 35% No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, True Firs & Other Conifer	Over 25% Special Mill, No. 1 Sawmill & better log grade
	Hardwoods	All No. 3 Sawmill logs & better log grades
2	Douglas-fir	15-40% inclusive Special Mill, No. 1 Sawmill & better log grade
	Western Redcedar & Alaska-cedar	10-20% inclusive Special Mill, No. 1 Sawmill, Peeler & better log grade
	((Noble Fir &)) Spruce	15-35% inclusive No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, True Firs & Other Conifer	5-25% inclusive Special Mill, No. 1 Sawmill & better log grade
3	Douglas-fir	Less than 15% Special Mill, No. 1 Sawmill & better log grade
	Western Redcedar & Alaska-cedar	Less than 10% Special Mill, No. 1 Sawmill, Peeler & better log grade
	((Noble Fir &)) Spruce	Less than 15% No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, True Firs & Other Conifer	Less than 5% Special Mill, No. 1 Sawmill & better log grade
5	Conifer Utility	All conifer logs graded as utility log grade
	Hardwood Utility	All No. 4 Sawmill log grade and all hardwood logs graded as utility

<sup>1</sup> For detailed descriptions and definitions of approved log scaling, grading rules, and procedures see the Official Rules for the following Log Scaling and Grading Bureaus: Columbia River, Grays Harbor, Northern California, Puget Sound, Southern Oregon, and Yamhill.  
(January 1, 1982 edition)

**TABLE 2—TIMBER QUALITY CODE TABLE  
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5  
YOUNG GROWTH OR THINNING  
(less than 100 years of age)**

Timber Quality Code Number	Species	Log Grade Specifications <sup>1</sup>
1	Douglas-fir	Over 70% No. 2. Sawmill & better log grade
	Western Redcedar & Alaska-cedar	Over 20% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	Over 70% No. 2 Sawmill & better log grade
	Hardwoods	All No. 3 Sawmill logs & better log grades
2	Douglas-fir	40-70% inclusive No. 2 Sawmill & better log grade
	Western Redcedar & Alaska-cedar	5-20% inclusive No. 2 Sawmill & better log grade
3	Western Hemlock & Other Conifer	40-70% inclusive No. 2 Sawmill & better log grade
	Douglas-fir	5% to but not including 40% No. 2 Sawmill & better log grade
4	Western Redcedar & Alaska-cedar	Less than 5% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	5% to but not including 40% No. 2 Sawmill & better log grade
5	Douglas-fir, Western Hemlock & Other Conifer, except Western Redcedar & Alaska-cedar	Less than 5% No. 2 Sawmill & better log grade
	Conifer Utility	All conifer logs graded as utility log grade
5	Hardwood Utility	All No. 4 Sawmill log grade and all hardwood logs graded as utility

<sup>1</sup> For detailed descriptions and definitions of approved log scaling, grading rules, and procedures see the Official Rules for the following Log Scaling and Grading Bureaus: Columbia River, Grays Harbor, Northern California, Puget Sound, Southern Oregon, and Yamhill.  
(January 1, 1982 edition)

**TABLE 3—TIMBER QUALITY CODE TABLE  
STUMPAGE VALUE AREAS 6((:)) AND 7((-8;  
AND-9))**

MERCHANTABLE SAWTIMBER, ALL AGES

Timber Quality Code Number	Species	Log Grade Specifications
1	Ponderosa Pine	Less than 10 logs 16 feet long per thousand board feet Scribner scale
	All Conifers Other than Ponderosa Pine	All log sizes
	Hardwoods	Sawlogs only
2	Ponderosa Pine	10 or more logs 16 feet long per thousand board feet Scribner scale
5	Utility	All logs graded as utility

**TABLE 4—TIMBER QUALITY CODE TABLE  
STUMPAGE VALUE AREA 10**

MERCHANTABLE SAWTIMBER, ALL AGES

Timber Quality Code Number	Species	Log Grade Specifications
1	Ponderosa Pine & Other Conifers	Less than 5 logs 16 feet long per MBF net log Scribner scale
	Hardwoods	All logs graded as sawlogs
2	Ponderosa Pine	5 to 9 logs inclusive 16 feet long per MBF net log Scribner scale
	Other Conifer	5 to 12 logs inclusive 16 feet long per MBF net log scale
3	Ponderosa Pine	More than 9 logs 16 feet long per MBF net log Scribner scale
	Other Conifer	More than 12 logs 16 feet long per MBF net log Scribner scale
5	Utility	All logs graded as utility

**NEW SECTION**

WAC 458-40-18719 STUMPAGE VALUES—TABLES FOR JANUARY 1 THROUGH JUNE 30, 1986. As required by chapter 84.33 RCW the department has prepared tables which assign stumpage value rates for the various harvest types, which rates vary depending upon the stumpage value area, species, timber quality code number and hauling distance zone involved. Where the timber harvested is used to produce harvest type special forest products the value tables of this section shall establish the values for such special forest products.

The following stumpage value and special forest product value tables are hereby adopted for use during the period of January 1 through June 30, 1986.

**TABLE 1—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 1**

January 1 through June 30, 1986

OLD GROWTH  
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$167	\$161	\$155	\$149	\$143
		2	112	106	100	94	88
		3	110	104	98	92	86
Western Hemlock <sup>2</sup>	WH	1	147	141	135	129	123
		2	100	94	88	82	76
		3	63	57	51	45	39
Western Redcedar <sup>3</sup>	RC	1	234	228	222	216	210
		2	208	202	196	190	184
		3	182	176	170	164	158
Sitka Spruce	SS	1	195	189	183	177	171
		2	163	157	151	145	139
		3	74	68	62	56	50
Other Conifer	OC	1	147	141	135	129	123
		2	100	94	88	82	76
		3	63	57	51	45	39
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	32	25	18	11	4
Other Hardwoods	OH	1	41	34	27	20	13
Hardwood Utility	HU	5	10	10	10	10	10
Conifer Utility	CU	5	11	11	11	11	11

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

<sup>2</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

<sup>3</sup> Includes Alaska-cedar.

**TABLE 2—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 1**

January 1 through June 30, 1986

YOUNG GROWTH OR THINNING  
(less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$157	\$150	\$143	\$136	\$129
		2	156	149	142	135	128
		3	128	121	114	107	100
		4	119	112	105	98	91
Western Hemlock <sup>2</sup>	WH	1	109	102	95	88	81
		2	99	92	85	78	71
		3	82	75	68	61	54
		4	80	73	66	59	52

TABLE 2—cont.  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar <sup>3</sup>	RC	1	189	182	175	168	161
		2	177	170	163	156	149
		3	168	161	154	147	140
Other Conifer	OC	1	109	102	95	88	81
		2	99	92	85	78	71
		3	82	75	68	61	54
		4	80	73	66	59	52
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	32	25	18	11	4
Other Hardwoods	OH	1	41	34	27	20	13
Hardwood Utility	HU	5	10	10	10	10	10
Conifer Utility	CU	5	11	11	11	11	11

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.  
<sup>2</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."  
<sup>3</sup> Includes Alaska-cedar.

TABLE 3—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 1  
January 1 through June 30, 1986

SPECIAL FOREST PRODUCTS  
Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards <sup>1</sup>	RCS	1	\$115	\$109	\$103	\$97	\$91
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	46	40	34	28	22
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.31	0.31	0.31	0.31	0.31
Douglas-fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot.

TABLE 4—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 2  
January 1 through June 30, 1986

OLD GROWTH  
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$166	\$160	\$154	\$148	\$142
		2	137	131	125	119	113
		3	112	106	100	94	88
Western Hemlock <sup>2</sup>	WH	1	109	103	97	91	85
		2	101	95	89	83	77
		3	70	64	58	52	46
Western Redcedar <sup>3</sup>	RC	1	247	241	235	229	223
		2	208	202	196	190	184
		3	173	167	161	155	149
Sitka Spruce	SS	1	190	184	178	172	166
		2	135	129	123	117	111
		3	116	110	104	98	92
Other Conifer	OC	1	109	103	97	91	85
		2	101	95	89	83	77
		3	70	64	58	52	46
Red Alder	RA	1	51	44	37	30	23
Cottonwood	BC	1	39	32	25	18	11
Other Hardwoods	OH	1	41	34	27	20	13
Hardwood Utility	HU	5	10	10	10	10	10
Conifer Utility	CU	5	12	12	12	12	12

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.  
<sup>2</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."  
<sup>3</sup> Includes Alaska-cedar.

TABLE 5—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 2  
January 1 through June 30, 1986

YOUNG GROWTH OR THINNING  
(less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$177	\$170	\$163	\$156	\$149
		2	153	146	139	132	125
		3	106	99	92	85	78
		4	102	95	88	81	74
Western Hemlock <sup>2</sup>	WH	1	92	85	78	71	64
		2	89	82	75	68	61
		3	89	82	75	68	61
		4	64	57	50	43	36
Western Redcedar <sup>3</sup>	RC	1	226	219	212	205	198
		2	159	152	145	138	131
		3	150	143	136	129	122

TABLE 5—cont.  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Other Conifer	OC	1	92	85	78	71	64
		2	89	82	75	68	61
		3	89	82	75	68	61
		4	64	57	50	43	36
Red Alder	RA	1	51	44	37	30	23
Cottonwood	BC	1	39	32	25	18	11
Other Hardwoods	OH	1	41	34	27	20	13
Hardwood Utility	HU	5	10	10	10	10	10
Conifer Utility	CU	5	12	12	12	12	12

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.  
<sup>2</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."  
<sup>3</sup> Includes Alaska-cedar.

TABLE 6—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 2  
January 1 through June 30, 1986

SPECIAL FOREST PRODUCTS  
Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar—Shake Blocks & Boards <sup>1</sup>	RCS	1	\$115	\$109	\$103	\$ 97	\$ 91
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	46	40	34	28	22
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.31	0.31	0.31	0.31	0.31
Douglas-fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot.

TABLE 7—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 3  
January 1 through June 30, 1986

OLD GROWTH  
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$178	\$172	\$166	\$160	\$154
		2	164	158	152	146	140
		3	117	111	105	99	93
Western Hemlock <sup>2</sup>	WH	1	116	110	104	98	92
		2	78	72	66	60	54
		3	62	56	50	44	38
Western Redcedar <sup>3</sup>	RC	1	185	179	173	167	161
		2	181	175	169	163	157
		3	147	141	135	129	123
Other Conifer	OC	1	116	110	104	98	92
		2	78	72	66	60	54
		3	62	56	50	44	38
Red Alder	RA	1	40	33	26	19	12
Cottonwood	BC	1	36	29	22	15	8
Other Hardwoods	OH	1	41	34	27	20	13
Hardwood Utility	HU	5	10	10	10	10	10
Conifer Utility	CU	5	10	10	10	10	10

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.  
<sup>2</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."  
<sup>3</sup> Includes Alaska-cedar.

TABLE 8—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 3  
January 1 through June 30, 1986

YOUNG GROWTH OR THINNING  
(less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$170	\$163	\$156	\$149	\$142
		2	151	144	137	130	123
		3	142	135	128	121	114
		4	131	124	117	110	103
Western Hemlock <sup>2</sup>	WH	1	105	98	91	84	77
		2	93	86	79	72	65
		3	77	70	63	56	49
		4	65	58	51	44	37
Western Redcedar <sup>3</sup>	RC	1	161	154	147	140	133
		2	155	148	141	134	127
		3	148	141	134	127	120
Other Conifer	OC	1	105	98	91	84	77
		2	93	86	79	72	65
		3	77	70	63	56	49
		4	65	58	51	44	37
Red Alder	RA	1	40	33	26	19	12

**TABLE 8—CONT.**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Cottonwood	BC	1	36	29	22	15	8
Other Hardwoods	OH	1	41	34	27	20	13
Hardwood Utility	HU	5	10	10	10	10	10
Conifer Utility	CU	5	10	10	10	10	10

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

<sup>2</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

<sup>3</sup> Includes Alaska-cedar.

**TABLE 9—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 3**  
January 1 through June 30, 1986

**SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar—Shake Blocks & Boards <sup>1</sup>	RCS	1	\$115	\$109	\$103	\$ 97	\$ 91
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	46	40	34	28	22
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.31	0.31	0.31	0.31	0.31
Douglas-fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot.

**TABLE 10—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 4**  
January 1 through June 30, 1986

**OLD GROWTH**  
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir <sup>2</sup>	DF	1	\$179	\$173	\$167	\$161	\$155
		2	139	133	127	121	115
		3	117	111	105	99	93
Western Hemlock <sup>3</sup>	WH	1	117	111	105	99	93
		2	86	80	74	68	62
		3	85	79	73	67	61
Western Redcedar <sup>4</sup>	RC	1	280	274	268	262	256
		2	199	193	187	181	175
		3	158	152	146	140	134
Other Conifer	OC	1	117	111	105	99	93
		2	86	80	74	68	62
		3	85	79	73	67	61
Red Alder	RA	1	46	39	32	25	18
Cottonwood	BC	1	30	23	16	9	2
Other Hardwoods	OH	1	40	33	26	19	12
Hardwood Utility	HU	5	10	10	10	10	10
Conifer Utility	CU	5	8	8	8	8	8

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

<sup>4</sup> Includes Alaska-cedar.

**TABLE 11—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 4**  
January 1 through June 30, 1986

**YOUNG GROWTH OR THINNING**  
(less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir <sup>2</sup>	DF	1	\$190	\$183	\$176	\$169	\$162
		2	153	146	139	132	125
		3	126	119	112	105	98
		4	95	88	81	74	67
Western Hemlock <sup>3</sup>	WH	1	111	104	97	90	83
		2	91	84	77	70	63
		3	86	79	72	65	58
		4	55	48	41	34	27
Western Redcedar <sup>4</sup>	RC	1	204	197	190	183	176
		2	162	155	148	141	134
		3	153	146	139	132	125
Other Conifer	OC	1	111	104	97	90	83
		2	91	84	77	70	63
		3	86	79	72	65	58
		4	55	48	41	34	27
Red Alder	RA	1	46	39	32	25	18

TABLE 11—cont.  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Cottonwood	BC	1	30	23	16	9	2
Other Hardwoods	OH	1	40	33	26	19	12
Hardwood Utility	HU	5	10	10	10	10	10
Conifer Utility	CU	5	8	8	8	8	8

<sup>1</sup>Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

<sup>2</sup>Includes Western Larch.

<sup>3</sup>Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

<sup>4</sup>Includes Alaska-cedar.

TABLE 13—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 5  
January 1 through June 30, 1986

OLD GROWTH

(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir <sup>2</sup>	DF	1	\$228	\$222	\$216	\$210	\$204
		2	210	204	198	192	186
		3	151	145	139	133	127
Western Hemlock <sup>3</sup>	WH	1	130	124	118	112	106
		2	127	121	115	109	103
		3	123	117	111	105	99
Western Redcedar <sup>4</sup>	RC	1	216	210	204	198	192
		2	174	168	162	156	150
		3	155	149	143	137	131
Other Conifer	OC	1	130	124	118	112	106
		2	127	121	115	109	103
		3	123	117	111	105	99
Red Alder	RA	1	39	32	25	18	11
Cottonwood	BC	1	26	19	12	5	1
Other Hardwoods	OH	1	44	37	30	23	16
Hardwood Utility	HU	5	10	10	10	10	10
Conifer Utility	CU	5	6	6	6	6	6

<sup>1</sup>Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

<sup>2</sup>Includes Western Larch.

<sup>3</sup>Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

<sup>4</sup>Includes Alaska-cedar.

TABLE 12—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 4  
January 1 through June 30, 1986

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar—Shake Blocks & Boards <sup>1</sup>	RCS	1	\$115	\$109	\$103	\$97	\$91
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	46	40	34	28	22
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.31	0.31	0.31	0.31	0.31
Douglas-fir Christmas Trees <sup>2</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup>Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.

<sup>2</sup>Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup>Stumpage value per lineal foot.

TABLE 14—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 5  
January 1 through June 30, 1986

YOUNG GROWTH OR THINNING  
(less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir <sup>2</sup>	DF	1	\$166	\$159	\$152	\$145	\$138
		2	123	116	109	102	95
		3	111	104	97	90	83
		4	102	95	88	81	74
Western Hemlock <sup>3</sup>	WH	1	107	100	93	86	79
		2	84	77	70	63	56
		3	74	67	60	53	46
		4	67	60	53	46	39
Western Redcedar <sup>4</sup>	RC	1	196	189	182	175	168
		2	138	131	124	117	110
		3	129	122	115	108	101
Other Conifer	OC	1	107	100	93	86	79
		2	84	77	70	63	56
		3	74	67	60	53	46
		4	67	60	53	46	39
Red Alder	RA	1	39	32	25	18	11

**TABLE 14—cont.**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Cottonwood	BC	1	26	19
Other Hardwoods	OH	1	44	37	30	23	16
Hardwood Utility	HU	5	10	10	10	10	10
Conifer Utility	CU	5	6	6	6	6	6

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

<sup>4</sup> Includes Alaska-cedar.

**TABLE 15—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 5**  
January 1 through June 30, 1986

**SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Western Redcedar-Shake Blocks & Boards <sup>1</sup>	RCS	1	\$115	\$109
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	46	40	34	28	22
Western Redcedar & Other Posts <sup>2</sup>	RCP	1	0.31	0.31	0.31	0.31	0.31
Douglas-fir Christmas Trees <sup>3</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
True fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>1</sup> Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot.

**TABLE 16—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 7**  
January 1 through June 30, 1986

**MERCHANTABLE SAWTIMBER, ALL AGES**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Ponderosa Pine	PP	1	\$150	\$144
		2	90	84	78	72	66

**TABLE 16—cont.**  
Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Douglas-fir <sup>2</sup>	DF	1	80	74
Western Hemlock <sup>3</sup>	WH	1	62	56	50	44	38
Engelmann Spruce	ES	1	52	46	40	34	28
Western Redcedar <sup>4</sup>	RC	1	152	146	140	134	128
Western White Pine	WP	1	152	146	140	134	128
Lodgepole Pine	LP	1	50	44	38	32	26
Hardwoods	OH	1	18	12	6	1	1
Utility	CU	5	1	1	1	1	1

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.

<sup>2</sup> Includes Western Larch.

<sup>3</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

<sup>4</sup> Includes Alaska-cedar.

**TABLE 17—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 7**  
January 1 through June 30, 1986

**SPECIAL FOREST PRODUCTS**  
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$54	\$48
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>1</sup> Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.

<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

<sup>4</sup> Stumpage value per lineal foot.

**TABLE 18—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREAS 6, 8 AND 9**  
 January 1 through June 30, 1986

**MERCHANTABLE SAWTIMBER, ALL AGES**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine 100	PP	1	\$124	\$118	\$112	\$106	\$
		2	94	88	82	76	
70							
Douglas-fir <sup>2</sup>	DF	1	71	65	59	53	47
Western Hemlock <sup>3</sup>	WH	1	47	41	35	29	23
Engelmann Spruce	ES	1	47	41	35	29	23
Western Redcedar <sup>4</sup>	RC	1	130	124	118	112	106
Western White Pine	WP	1	130	124	118	112	106
Lodgepole Pine	LP	1	47	41	35	29	23
Hardwoods	OH	1	18	12	6	1	1
Utility	CU	5	2	2	2	2	2

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."  
<sup>4</sup> Includes Alaska-cedar.

**TABLE 20—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 10**  
 January 1 through June 30, 1986

**MERCHANTABLE SAWTIMBER, ALL AGES**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>1</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine	PP	1	\$79	\$73	\$67	\$61	\$55
		2	65	59	53	47	41
		3	50	44	38	32	26
Douglas-fir <sup>2</sup>	DF	1	97	91	85	79	73
		2	92	86	80	74	68
		3	48	42	36	30	24
Western Hemlock <sup>3</sup>	WH	1	78	72	66	60	54
		2	75	69	63	57	51
		3	73	67	61	55	49
Other Conifer	OC	1	78	72	66	60	54
		2	75	69	63	57	51
		3	73	67	61	55	49
Hardwoods	OH	1	18	12	6	1	1
Utility	CU	5	5	5	5	5	5

<sup>1</sup> Log scale conversions between Western and Eastern Washington. See conversion method Tables 4 and 5 WAC 458-40-19004.  
<sup>2</sup> Includes Western Larch.  
<sup>3</sup> Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

**TABLE 19—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREAS 6, 8 AND 9**  
 January 1 through June 30, 1986

**SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>1</sup> Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.  
<sup>4</sup> Stumpage value per lineal foot.

**TABLE 21—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 10**  
 January 1 through June 30, 1986

**SPECIAL FOREST PRODUCTS**

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.22	0.22	0.22	0.22	0.22
Pine Christmas Trees <sup>3</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>1</sup> Stumpage value per MBF net Scribner scale. See conversion method Table 2 WAC 458-40-19004.  
<sup>2</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.  
<sup>4</sup> Stumpage value per lineal foot.

**NEW SECTION**

WAC 458-40-18720 HARVESTER ADJUSTMENTS—TABLES FOR JANUARY 1 THROUGH

JUNE 30, 1986. In order to make reasonable and adequate allowances for costs of removal and size of logging operation in computation of stumpage value rates as required by chapter 84.33 RCW, the department has prepared tables which allow for adjustments to the stumpage value rates derived from the stumpage value tables of WAC 458-40-18719.

Harvest adjustments relating to harvest volume per acre, logging conditions and average volume per log shall be allowed against the stumpage value rates for the designated harvest types and in the designated stumpage value areas as set forth in the following tables with the following limitations:

- (1) No harvest adjustment shall be allowed against special forest products.
- (2) No harvest adjustment shall be allowed against utility, conifer utility, and hardwood utility.
- (3) Stumpage value rates for conifers and hardwoods shall be adjusted to a value no lower than \$1 per thousand board feet.

Timber harvesters planning to remove timber from areas having damaged timber may apply to the department for adjustment in stumpage value rates. Such applications should contain a map with the legal description of the area from which the timber will be removed, a description of the damage sustained by the timber, and a listing of additional costs incurred. Such applications should be sent to the Department of Revenue AX-02, Forest Tax Division, General Administration Building, Olympia, Washington 98504, before the harvest commences.

In the event the extent of such timber damage or additional costs are not known at the time the application is filed, the harvester may supplement the application when the necessary information is obtained, but in no event later than 90 days following completion of the harvest unit.

Upon application from any person who plans to harvest damaged timber the department will make a determination as to the amount of adjustment to be allowed. The harvester will be notified by the department of the amount of the adjustment. This amount can then be taken as a credit against tax liabilities or if the harvester is no longer harvesting, a refund will be authorized.

The following harvest adjustment tables are hereby adopted for use during the period of January 1 through June 30, 1986:

**TABLE 1—HARVEST ADJUSTMENT TABLE  
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5  
January 1 through June 30, 1986**

**OLD GROWTH  
(100 years of age, or older)**

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>I. Volume per acre</b>		
Class 1	Harvest of more than 40 thousand board feet per acre.	\$0.00

**TABLE 1—cont.**

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
Class 2	Harvest of 15 thousand board feet to 40 thousand board feet per acre.	– \$4.00
Class 3	Harvest of less than 15 thousand board feet per acre.	– \$7.00
<b>II. Logging conditions</b>		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	– \$7.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	– \$16.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	– \$99.00
<b>III. Remote island adjustment:</b>		
	For timber harvested from a remote island	– \$50.00

**TABLE 2—HARVEST ADJUSTMENT TABLE  
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5  
January 1 through June 30, 1986**

**YOUNG GROWTH OR THINNING  
(less than 100 years of age)**

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>I. Volume per acre</b>		
Class 1	Harvest of more than 30 thousand board feet per acre.	\$0.00
Class 2	Harvest of 10 thousand board feet to 30 thousand board feet per acre.	– \$2.00
Class 3	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	– \$6.00
Class 4	Harvest of less than 5 thousand board feet per acre.	– \$8.00
<b>II. Logging conditions</b>		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	– \$7.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	– \$16.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	– \$99.00

TABLE 2—cont.

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00
IV. Thinning (see WAC 458-40-18700 (12)(d))		
Class 1	Average log volume of 50 board feet or more.	- \$25.00
Class 2	Average log volume of less than 50 board feet.	- \$35.00

TABLE 3—HARVEST ADJUSTMENT TABLE  
STUMPAGE VALUE AREAS 6, 7, 8, 9 AND 10  
January 1 through June 30, 1986

MERCHANTABLE SAWTIMBER, ALL AGES

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	- \$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	- \$10.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	- \$13.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	- \$26.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	- \$109.00
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00
DOMESTIC MARKET ADJUSTMENT:		
Harvest of timber not sold by a competitive bidding process which is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber which must be processed domestically. According to type of sale, the adjustment may be applied to the following species:		
Federal Timber Sales: All species except Alaska yellow cedar. (Stat. Ref. - 36 CFR 223.10)		
State Timber Sales: Western red cedar only. (Stat. Ref. - 50 USC appendix 2406.1)		
The adjustment amounts shall be as follows:		
Class 1:	All eligible species in Western Washington (SVA's 1 through 5)	- \$13.00 per MBF

TABLE 3—cont.

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
Class 2:	All eligible species in Eastern Washington (SVA's 6 through 7)	- \$10.00 per MBF
NOTE: The adjustment will not be allowed on conifer utility, hardwood utility or special forest products.		

WSR 86-02-046  
EMERGENCY RULES  
DEPARTMENT OF REVENUE  
[Order FT-85-4—Filed December 31, 1985]

I, Matthew J. Coyle, acting director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

New	WAC 458-40-18719	Stumpage values (tables for January 1, through June 30, 1986).
New	WAC 458-40-18720	Harvester adjustments (tables for January 1, through June 30, 1986).
Amd	WAC 458-40-18700	Definitions.
Amd	WAC 458-40-18706	Timber quality code numbers—Tables.

I, Matthew J. Coyle, 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 chapter 84.33 RCW requires stumpage value for timber be shown on tables to be prepared by the Department of Revenue each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, which stumpage tables shall in accordance with the Department of Revenue reflect the most recent sales data which is available.

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

This rule is promulgated pursuant to chapter 84.33 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 December 31, 1985.

By John B. Conklin  
Forest Tax Supervisor

Reviser's note: The rules relating to stumpage values, chapter 458-40 WAC, were adopted both as permanent and emergency rules by the Department of Revenue in Administrative Order Numbers FT-85-5 and FT-85-4, respectively. Due to length of the rules, and the fact that they are identical in both their permanent and emergency versions, they are displayed in the Register only once, under WSR 86-02-045.

**WSR 86-02-047  
PROPOSED RULES  
HIGHER EDUCATION PERSONNEL BOARD**  
[Filed December 31, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd	WAC 251-04-020	Definitions ("affirmative action," "goals," "protected groups," "timetables").
Amd	WAC 251-18-035	Recruitment notices—Required content.
Amd	WAC 251-18-060	Examination—Eligibility.
Amd	WAC 251-18-240	Certification—Method.
Rep	WAC 251-18-250	Certification—Selective.
Rep	WAC 251-18-390	Corrective employment programs.
New	WAC 251-23-010	Affirmative action—Authority.
New	WAC 251-23-020	Affirmative action plans—Requirements, approval.
New	WAC 251-23-030	Affirmative action plans—Monitoring progress, reporting.
New	WAC 251-23-040	Affirmative action plans—Content.
New	WAC 251-23-050	Affirmative action plans—Goals and timetables.
New	WAC 251-23-060	Affirmative action plans—Supplemental certification;

that the agency will at 9:00 a.m., Friday, February 21, 1986, in the Board Room, Administration Building, Bellevue Community College, Bellevue, Washington, 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.16.100.

The specific statute these rules are intended to implement is chapter 28B.16 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 21, 1986.

Dated: December 31, 1985  
By: John A. Spitz  
Director

**STATEMENT OF PURPOSE**

This statement is related to the notice filed with the code reviser on December 31, 1985, and is filed pursuant to RCW 34.04.025.

Description of Purpose: To specify the development and implementation of affirmative action plans/programs, goals and timetables and the monitoring of progress by higher education institutions and related boards in the state of Washington.

Specific Statute this Rule is Intended to Implement: RCW 28B.16.100(22).

Statutory Authority: RCW 28B.16.100 to implement the provisions of that section.

Title: WAC 251-04-020 Definitions ("affirmative action, goals, timetables, protected groups, supplemental certification").

Summary of Rule: To provide meanings for words in the context that they are used in these rules.

Title: WAC 251-18-035 Recruitment notices—Required content.

Summary of Rule: To provide for public notification that certification of additional eligibles may be used with an approved affirmative action program.

Title: WAC 251-18-060 Examination—Eligibility.

Summary of Rule: To provide for the addition of members of under-utilized protected groups to eligible lists where an affirmative action program is operative.

Title: WAC 251-18-240 Certification—Method.

Summary of Rule: To provide for the certification of eligibles when there are names on the institution-wide layoff list; when there are no names on the institution-wide layoff list and when additional eligibles who meet affirmative action criteria shall be certified.

Title: WAC 251-18-250 Certification—Selective.

Summary of Rule: Abolish this rule, as it is replaced by WAC 251-23-060, Affirmative action—Supplemental certification.

Title: WAC 251-18-390 Corrective employment programs.

Summary of Rule: Abolish this rule, as it is replaced by WAC 251-23-040, Affirmative action plans—Content.

Title: WAC 251-23-010 Affirmative action—Authority.

Summary of Rule: To provide the statutory authority from which the development and implementation of affirmative action rules follows.

Title: WAC 251-23-020 Affirmative action plans—Requirements, approval.

Summary of Rule: To provide the requirement for each higher education institution/related board to develop and implement an affirmative action policy statement and plan that meets with the approval of the director of the Higher Education Personnel Board.

Title: WAC 251-23-030 Affirmative action plans—Monitoring progress, reporting.

Summary of Rule: To provide that each higher education institution/related board shall monitor its progress under its affirmative action plan and provide an annual report of that progress including such other information as required by the director of the Higher Education Personnel Board.

Title: WAC 251-23-040 Affirmative action plans—Content.

Summary of Rule: To provide for the entire content of a complete affirmative action plan including such programs that may be necessary in the achievement of goals and timetables and the elimination of the under-utilization of protected group members in higher education institutions/related boards.

Title: WAC 251-23-050 Affirmative action—Goals and timetables.

Summary of Rule: To provide for the development and implementation of goals and timetables for hiring and promoting members of protected groups into job classes/categories where it has been determined that under-utilization exists.

Title: WAC 251-23-060 Affirmative action—Supplemental certification.

Summary of Rule: To provide for the certification of additional eligibles who meet affirmative action criteria, when the initial certification process does not provide such eligibles.

Reasons Supporting Proposed Action: The legislature passed and the governor signed Engrossed Substitute Senate Bill 3346, which mandated the Higher Education Personnel Board to adopt rules on affirmative action as it relates to higher education institutions/related boards.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Spitz, Director, Higher Education Personnel Board, 1202 Black Lake Boulevard, FT-11, Olympia, WA 98504, scan 234-3730 or 753-3730.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Higher Education Personnel Board staff, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: [No information supplied by agency.]

The change is not the result of federal law or state or federal court action.

#### AMENDATORY SECTION (Amending Order 136, filed 9/25/85)

WAC 251-04-020 DEFINITIONS. Unless the context clearly indicates otherwise, the words used in these rules shall have the meanings given in this section.

"ADMINISTRATIVE ASSISTANT EXEMPTION" – A president or vice president may have individual(s) acting as his/her administrative assistant(s). The employee normally performs supportive work for his/her superior as an individual contributor without subordinates.

"ADMINISTRATIVE EMPLOYEES" – Personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty is office or nonmanual work directly related to the management policies or general business operations; and

(2) Must have the authority to make important decisions, customarily and regularly exercise discretion and independent judgment, as distinguished from using skills and following procedures; and

(3) Must regularly assist an executive or administrative employee, or perform work under, only general supervision along specialized or technical lines requiring special training, experience or knowledge; and

(4) Must be paid at a rate of at least \$672 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if the primary duty consists of responsible office or nonmanual work directly related to management policies or general business operations.

"AFFIRMATIVE ACTION" – A procedure by which racial/ethnic minorities, women, disabled persons, persons in the protected age category, Vietnam-era veterans, and disabled veterans are provided with increased employment opportunities. It shall not mean any sort of quota system.

"AGRICULTURAL EMPLOYEES" – 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.

"ALLOCATION" – The assignment of an individual position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work of the position.

"ANNUAL PERFORMANCE EVALUATION" – The official annual performance rating of an employee recorded on a form approved by the board.

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

"AVAILABILITY" – An estimate of the number of women, minorities, and handicapped persons who have the skills and abilities required for

employment in a particular job group as determined from an analysis of relevant data.

"BOARD" – The higher education personnel board established under the provisions of the higher education personnel law.

"CERTIFICATION" – The act of providing an employing official or appointing authority with the names of the appropriate eligibles to be considered for appointment to fill a vacancy.

"CHARGES" – A detailed statement of the specific incidents alleging cause for dismissal or disciplinary action.

"CLASS" – One or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with propriety to designate each position allocated to the class; that the same general qualification requirements are needed for performance of the duties of the class; that the same tests of fitness may be used to select employees; and that the same schedule of pay can be applied with equity to all positions in the class under the same or substantially the same employment conditions.

"CLASSIFIED SERVICE" – All positions in the higher education institutions which are subject to the provisions of the higher education personnel law.

"COLLECTIVE BARGAINING" – The performance of the mutual obligation of the appointing authority and the certified exclusive bargaining representative to meet at reasonable times, to confer and bargain in good faith, and to execute a written agreement with respect to those personnel matters over which the appointing authority may lawfully exercise discretion.

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

"CORRECTIVE EMPLOYMENT PROGRAM" – A program designed to increase the employment of handicapped persons and of women and minorities who are underutilized in certain job groups because of present or past practices or other conditions which resulted in limited employment opportunities.

"COUNSELING EXEMPTION" – Individuals in counseling-exempt positions are responsible for directing and/or participating in providing academic, athletic, medical, career, financial aid, student activity and/or personal counseling to students. Such activities include, but are not limited to, providing individual and group guidance services using recognized professional techniques and practices.

"CYCLIC YEAR POSITION" – A position scheduled to work less than twelve full months each year, due to known, recurring periods in the annual cycle when the position is not needed.

"DEMOTION" – The change of an employee from a position in one class to a position in another class which has a lower salary range maximum.

"DEVELOPMENT" – The attainment through work experience and training of proficiency in skills which will enable the employee to perform higher level duties.

"DIRECTOR" – The personnel director of the higher education personnel board.

"DISMISSAL" – The termination of an individual's employment for just cause as specified in these rules.

"ELIGIBLE" – An applicant for a position in the competitive service who has met the minimum qualifications for the class involved, has been admitted to and passed the examinations, and has met all requirements for eligibility as stated on the bulletin board posting; or an applicant for a position in the noncompetitive service who has met all requirements for eligibility as stated on the bulletin board posting.

"ELIGIBLE LIST" – A list established by the personnel officer, composed of names of persons who have made proper application, met the minimum qualifications, and successfully completed the required examination process to be certified for vacancies in a class at the institution.

"EMPLOYEE" – A person working in the classified service at an institution.

"EMPLOYEE ORGANIZATION" – Any lawful association, labor organization, federation, council, or brotherhood, having as one of its purposes the improvement of working conditions among employees, and which has filed a notice of intent to represent employees with the director, and which has been authorized in accordance with WAC 251-14-020.

"EMPLOYING OFFICIAL" – An administrative or supervisory employee designated by the appointing authority to exercise responsibility for requesting certification, interviewing eligibles, and employing classified employees.

"ESSENTIAL JOB ELEMENTS" – Knowledges, skills, and abilities which persons must possess in order to perform the duties of a class or a specific position in a class.

"EXAMINATIONS" – Any measures or assessments used in the process of identifying names for certification to vacancies in accordance with RCW 28B.16.100(2) and WAC 251-18-240. Examinations include examination content, administration, and evaluation.

"EXECUTIVE EMPLOYEES" – Management personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty must be management of a recognized department or subdivision; and

(2) Must customarily and regularly direct the work of two or more employees; and

(3) Must have the authority to hire and fire, or to recommend with authority on these and other actions affecting employees; and

(4) Must customarily and regularly exercise discretionary powers; and

(5) Must be paid at a rate of at least \$672 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if he/she regularly directs the work of at least two other employees and the primary duty is management of a recognized department or subdivision.

"EXECUTIVE HEAD EXEMPTION" – Executive heads of major academic or administrative divisions are analogous in the hierarchy to vice presidents, deans and chairmen. Directors may be executive heads as determined by the higher education personnel board. An executive head is in charge of a separate budget unit and directs subordinates.

"EXEMPT POSITION" – A position properly designated as exempt from the application of these rules as provided in WAC 251-04-040. (Also see separate definitions of "administrative assistant exemption," "executive head exemption," "research exemption," "counseling exemption," "extension and/or continuing education exemption," "graphic arts or publication exemption," and "principal assistant exemption.")

"EXTENSION AND/OR CONTINUING EDUCATION EXEMPTION" – Individuals considered exempt in this category are responsible for originating and developing formal education programs for the general public, usually involving close contact with faculty and staff or training or consulting with specific groups in the community to enable them to provide specialized training and/or services to the community.

"FINAL EXAMINATION SCORE" – An applicant's final passing score on an examination, plus any veterans preference or other applicable credits added in accordance with WAC 251-18-130, 251-18-180 (6) and/or (8)(b).

"FRINGE BENEFITS" – As used in the conduct of salary surveys, the term shall include but not be limited to compensation for leave time, including vacation, civil, and personal leave; employer retirement contributions; health insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and stock options, bonuses, and purchase discounts where appropriate.

"FULL-TIME EMPLOYMENT" – Work consisting of forty hours per week.

"GOALS" (hiring and/or promotion) – The projected number of hires and/or promotions needed to correct identified areas of under-utilization.

"GRAPHIC ARTS OR PUBLICATION EXEMPTION" – Individuals qualifying for exemption under this category will be involved in performing selected graphic arts or publication activities requiring prescribed academic preparation or special training. Positions of this type are those which use special visual techniques, require original design and layout and/or can be distinguished from positions associated with the standard editorial functions.

"GRIEVANCE" – A dispute filed in accordance with a grievance procedure of a signed collective bargaining agreement.

"HANDICAPPED PERSON" – Any person 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.

"HEARING EXAMINER" – An individual appointed by the board to preside over, conduct and make recommended decisions including findings of fact and conclusions of law in all cases of employee appeals to the board.

"INSTITUTIONAL EXAMINATION" – An examination developed to meet unique requirements of a single institution.

"INSTITUTIONS OF HIGHER EDUCATION" – The University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges. For purposes of application of these rules, the term shall be considered to include the various related boards as defined in this section, unless specifically indicated to the contrary.

"JOB ANALYSIS" – Any systematic procedure for gathering, documenting and analyzing information about the job content and requirements for a class or position in a class.

"JOB CATEGORIES" – Those groupings required in equal employment opportunity reports to federal agencies.

"JOB GROUP" – For affirmative action goal-setting purposes, a group of jobs having similar content, wage rates and opportunities. An EEO job category may consist of one or more job groups.

"LATERAL MOVEMENT" – Appointment of an employee to a position in another class which has the same salary range maximum as the employee's current class.

"LAYOFF" – Any of the following management initiated actions caused by lack of funds or lack of work:

(1) Separation from service to an institution;

(2) Separation from service within a class;

(3) Reduction in the work year; and/or

(4) Reduction in the number of work hours.

"LAYOFF SENIORITY" – The total amount of service an employee earns as a result of unbroken classified employment and statutory allowance.

"LAYOFF UNIT" – A clearly identified structure within an institution, which is approved by the director, and within which employment/lay-off options are determined in accordance with the reduction in force procedure.

"LEAD" – An employee who performs the same duties as other employees in his/her work group and in addition regularly assigns, instructs and checks the work of the employees.

"NONCOMPETITIVE SERVICE" – All positions in the classified service for which a competitive examination is not required.

"ORGANIZATIONAL UNIT" – A clearly identified structure, or sub-structure of persons employed to achieve a common goal or function under the direction of a single official. An organizational unit may consist of either an administrative entity or a geographically separated activity.

"PART-TIME EMPLOYMENT" – Work of twenty or more hours per week but less than full time employment with an understanding of continuing employment for six months or more.

"PERIODIC INCREMENT DATE" – ("P.I.D.") – The date upon which an employee is scheduled to move to a higher salary step within the range for his/her current class.

"PERMANENT EMPLOYEE" – An employee who has successfully completed a probationary period at the institution within the current period of employment or trial service period resulting from promotion, transfer, lateral movement, or voluntary demotion from another institution, related board or state agency.

"PERSONNEL OFFICER" – The principal employee in each institution/related board responsible for administrative and technical personnel activities of the classified service.

"P.I.D." – Commonly used abbreviation for periodic increment date.

"POSITION" – A set of duties and responsibilities normally utilizing the full or part time employment of one employee.

"PRINCIPAL ASSISTANT EXEMPTION" – Individuals qualifying for exemption under this category function as second-in-command in importance levels. The individual may perform many of the functions of his/her superior in the superior's absence, or alternatively may have major administrative or program responsibilities. Reporting relationships will not be below that of the executive head. In some institutions an executive head may have more than one principal assistant as determined by the higher education personnel board.

"PROBATIONARY PERIOD" – The initial six-month period of employment in a class following appointment from an eligible list of a non-permanent employee. However, upon prior approval by the board, the probationary period for selected classes may be established for a period in excess of six months but not to exceed twelve months.

"PROBATIONARY REAPPOINTMENT" – Appointment of a probationary employee from an eligible list to a position in a different class.

"PROFESSIONAL EMPLOYEES" – Personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty must involve work that requires knowledge of an advanced type in a field of science or learning, customarily obtained by a prolonged course of specialized instruction and study or work that is original and creative in character in a recognized field of artistic endeavor and the result of which depends primarily on invention, imagination, or talent; and

(2) Must consistently exercise discretion and judgment; and

(3) Must do work that is predominantly intellectual and varied, as distinguished from routine or mechanical duties; and

(4) Must be paid at a rate of at least \$737 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if the primary duty consists of work requiring knowledge of an advanced type in a field of science or learning which requires consistent exercise of discretion and judgment.

"PROMOTION" – The appointment as a result of recruitment, examination and certification, of a permanent employee to a position in another class having a higher salary range maximum.

"PROTECTED GROUPS" – For affirmative action purposes means racial/ethnic minorities (Black, Asian/Pacific Islander, Hispanic, Native American Indian), women, persons in the protected age class, persons of disability, Vietnam-era and disabled veterans.

"PROVISIONAL APPOINTMENT" – Appointment made prior to establishment of an eligible list, per the provisions of WAC 251-18-300. A person so appointed is required to apply through the competitive process to be considered for the position on a permanent basis.

"PUBLIC RECORDS" – Any writing containing information relating to conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

"RATING FACTOR" – An element, duty, responsibility, skill, ability, or other specific aspect of performance which is rated as part of the annual performance evaluation.

"RATING GUIDE" – A written document which outlines the way in which ratings are assigned to applicants' experience, training, or other qualifications on each job element in an examination. It specifies the range of ratings to be given for each job element and gives examples of the experience, training, or other qualifications that will be used to assign ratings.

"REALLOCATION" – The assignment of a position by the personnel officer to a different class.

"REASSIGNMENT" – A management initiated movement of a classified employee from one position to another in the same class.

"RELATED BOARDS" – The state board for community college education, the council for postsecondary education, the higher education personnel board, and such other boards, councils and commissions related to higher education as may be established. For purposes of application of these rules, the term "institution" shall be considered to include these related boards, unless specifically indicated to the contrary.

"RESEARCH EXEMPTION" – Individuals in research-exempt positions spend the majority of their time in one or more of the following activities: Identification and definition of research problems, design of approaches or hypotheses and methodology to be used, design of specific phases of research projects, analysis of results, development of conclusion and hypothesis, presentation of research results in publishable form.

"RESIGNATION" – A voluntary termination of employment.

"REVERSION" – The return of a permanent employee from trial service to the most recent class in which permanent status was achieved at the institution.

"SPECIFIC POSITION ELEMENTS" – Knowledges, skills, and abilities which a job analysis indicates to be significant for performing the duties of a specific position in a class but which are not significant for the class in general.

"SPECIFIC POSITION REQUIREMENTS" – Specific position elements which are essential job elements.

"SUPERVISOR" – Any individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibility to direct them or adjust their grievances, or effectively to recommend such action if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

"SUPPLEMENTAL CERTIFICATION" – A process by which eligible members of protected groups can be referred to employing officials for

the filling of position vacancies in job classes/categories where it has been determined that under-utilization exists.

"SUSPENSION" – An enforced absence without pay for disciplinary purposes.

"SYSTEM EXAMINATION" – An examination developed to meet the requirements of all institutions in the HEPB system and approved by the director for use by all such institutions.

"TEMPORARY APPOINTMENT" –

(1) Work performed in the absence of an employee on leave for:

(a) Less than ninety consecutive calendar days (WAC 251-18-350(4));

(b) Ninety or more consecutive calendar days (WAC 251-18-350(2)); or

(2) Formal assignment of the duties and responsibilities of a higher level class for a period of less than ninety consecutive calendar days; or

(3) Performance of extra work required at a work load peak, a special project, or a cyclic work load which does not exceed one hundred seventy-nine consecutive calendar days.

"TIMETABLES" – Established time periods during which identified areas of under-utilization will be corrected.

"TRAINING" – Formal and systematic learning activities intended to provide employees with the knowledge and skills necessary to become proficient or qualified in a particular field.

"TRANSFER" – An employee initiated change from one classified position to another in the same class without a break in service.

"TRIAL SERVICE" – The initial period of employment following promotion, transfer, demotion, or lateral movement into a class in which the employee has not held permanent status at the institution or related board, beginning with the effective date of the change and continuing for six months, unless interrupted as provided in these rules or extended as provided in WAC 251-18-330(6).

"UNDERUTILIZATION" – Having fewer minorities, women, or handicapped persons in a particular job group than would reasonably be expected by their availability.

"UNION SHOP" – A union membership provision which, as a condition of employment, requires all employees within a bargaining unit to become members of an employee organization.

"UNION SHOP REPRESENTATIVE" – An employee organization which is the exclusive representative of a bargaining unit that has been certified by the director as the union shop representative following an election wherein a majority of employees in the bargaining unit voted in favor of requiring membership in the employee organization as a condition of employment.

"UNION SHOP REPRESENTATION FEE" – Employees who are granted a nonassociation right based on religious tenets or teachings of a church or religious body of which they are members, must pay a representation fee to the union shop representative. Such fee is equivalent to the regular dues of the employee organization minus any monthly premiums for union sponsored insurance programs.

"WRITING" – Handwriting, typewriting, printing, photostating, photographing and every other means of recording any form of communication or representation including letters, words, pictures, sounds; or symbols or combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

#### AMENDATORY SECTION (Amending Order 139, filed 10/10/85)

WAC 251-18-035 RECRUITMENT NOTICES—REQUIRED CONTENT. Official institutional recruitment notices (not to include media or other supplemental publicity) shall contain the following information:

(1) For promotional examinations, a statement that the examination is open only to organizational unit and/or institution-wide promotional applicants.

(2) The title of the HEPB classification for which the list is open.

(3) The salary range for the class.

(4) Any conditions of employment for the class or position(s).

(5) The closing date of the recruitment notice, i.e., the specific date and time by which applications must be received by the personnel officer.

(6) When the recruitment notice is to be widely distributed, a statement of the specific locations at which corrected or extended recruitment notices will be displayed.

(7) A brief description of the duties of the class and, if applicable, the duties of the specific position(s).

(8) The minimum qualifications of the classification, if any.

(9) When applicable, a statement regarding the use of a combined list per WAC 251-18-180(10).

(10) When applicable, a statement that supplemental certification (~~for corrective employment per WAC 251-18-250~~) may be utilized in accordance with an approved affirmative action program, as provided in WAC 251-23-060.

(11) When applicable, a statement that certification for specific position requirements per WAC 251-18-255 may be utilized.

(12) When applicable per WAC 251-18-060(3), the minimum number of most highly qualified applicants who will be admitted to each phase of the examination other than the screening or other initial phase, provided that at least this number of applicants pass the initial phase(s) of the examination.

(13) For classes in the approved noncompetitive service of the institution:

(a) That applicants will be placed on the list(s) in the order in which they complete making proper application for the class.

(b) The number of applicants who will be placed on the eligible list(s).

#### AMENDATORY SECTION (Amending Order 117, filed 6/1/84)

WAC 251-18-060 EXAMINATION—ELIGIBILITY. (1) Open-competitive examinations shall be open to all persons who apply according to the provisions of these rules and meet the minimum qualifications for the class.

(2) Promotional examinations shall be limited to those current permanent employees of the classified service at the institution who apply according to the provisions of these rules and meet the minimum qualifications for the class. The personnel officer may open promotional examinations on either an organizational unit or institution-wide basis, whichever the personnel officer determines to be in the interest of the service.

(3) When the number of qualified applicants for a class in the competitive service is expected to result in an eligible list in excess of the institution's current needs, the personnel officer may limit the applications to be admitted to the intermediate and/or final phase(s) of the examination to those most qualified, based on an assessment of qualifications in the initial and/or intermediate phase(s) of the examination. Such limitation must be specified in the recruitment notice. If no such limitation is specified, all applicants who pass the entire examination shall be placed on the eligible list for the class.

(4) The personnel officer may add members of under-utilized groups to (~~promotional and open-competitive~~) all eligible lists, except layoff lists, at anytime in accordance with the institution's (~~corrective employment~~) affirmative action program as provided in WAC (~~251-18-390(2)(c)~~) 251-23-040 (7)(b), provided such persons pass the examination for the class.

(5) The personnel officer may add employees who complete institution-approved training programs to the appropriate eligible list at any time, provided such employees meet the minimum qualifications and pass the examination for the class.

#### AMENDATORY SECTION (Amending Order 134, filed 7/31/85, effective 9/1/85)

WAC 251-18-240 CERTIFICATION—METHOD. (1) Upon receipt of a personnel request, the personnel officer shall provide the following number of names to the employing official in writing:

(a) When there are names on the institution-wide layoff list for the class, a single name for each vacancy to be filled by the certification.

(b) When there are no names on the institution-wide layoff list for the class, four more names than there are vacancies to be filled by the certification and, as provided in WAC 251-23-060, up to three additional names of eligibles who meet the applicable affirmative action criteria.

(2) Names shall be certified in strict order of standing on the eligible list(s).

(3) When it is necessary to use more than one eligible list to complete a certification, each eligible list must be exhausted before progressing to the next eligible list. Eligible lists shall be used for filling classified vacancies in the strict order of priority listed below:

(a) Unless the personnel officer has established a combined eligible list in accordance with WAC 251-18-180(10):

- (i) Institution-wide layoff list;
- (ii) Organizational unit promotional list;
- (iii) Institution-wide promotional list;
- (iv) Special employment program layoff list;

(v) State-wide layoff list;

(vi) Interinstitutional employee list;

(vii) Intersystem employee list;

(viii) Open competitive or noncompetitive list.

(b) When the personnel officer has established a combined eligible list:

(i) Institution-wide layoff list;

(ii) Combined eligible list.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 251-18-250 CERTIFICATION—SELECTIVE.  
WAC 251-18-390 CORRECTIVE EMPLOYMENT PROGRAMS.

#### Chapter 251-23 WAC AFFIRMATIVE ACTION

WAC	
251-23-010	Affirmative action—Authority.
251-23-020	Affirmative action plans—Requirements—Approval.
251-23-030	Affirmative action plans—Monitoring progress—Reporting.
251-23-040	Affirmative action plans—Content.
251-23-050	Affirmative action—Goals and timetables.
251-23-060	Affirmative action—Supplemental certification.

#### NEW SECTION

WAC 251-23-010 AFFIRMATIVE ACTION—AUTHORITY. The rules contained in this chapter follow from the authority of the higher education personnel law, RCW 28B.16.100, which provides in part, ". . . The higher education personnel board shall adopt rules, consistent with the purposes and provisions of this chapter . . . regarding the basis and procedures to be followed for . . ."; RCW 28B.16.100(22), which provides in part, ". . . Affirmative action in appointment, promotion, transfer, recruitment, training, and career development; development and implementation of affirmative action goals and timetables; and monitoring of progress against those goals and timetables . . ."

#### NEW SECTION

WAC 251-23-020 AFFIRMATIVE ACTION PLANS—REQUIREMENTS—APPROVAL. (1) Each higher education institution/related board shall be required to develop and implement both an equal employment opportunity/affirmative action policy statement and an affirmative action plan.

(2) Equal employment opportunity/affirmative action policy statements and affirmative action plans shall comply with applicable state and federal laws, regulations, and guidelines, and shall require the approval of the director of the higher education personnel board and the executive secretary of the human rights commission or their designees.

#### NEW SECTION

WAC 251-23-030 AFFIRMATIVE ACTION PLANS—MONITORING PROGRESS—REPORTING. Each higher education institution/related board shall monitor progress under its affirmative action plan/program and shall submit a report to the director of the higher education personnel board, at least annually, reflecting progress against goals and timetables and containing such other information as required by the director.

#### NEW SECTION

WAC 251-23-040 AFFIRMATIVE ACTION PLANS—CONTENT. Each higher education institution/related board shall apply affirmative action plans/programs to increase the representation of protected group members in their workforce when it is determined that a particular group is under-utilized. Affirmative action plans/programs shall address recruitment, appointment, promotion, transfer, training and career development, and shall include but not be limited to the following:

(1) An equal employment opportunity/affirmative action policy statement.

(2) An identification of the individual responsible for implementing the affirmative action plan/program and the specific responsibilities of that individual.

(3) Provisions for internal and external communication of the affirmative action plan/program.

(4) A workforce profile by race/ethnic origin, sex, age, disability, Vietnam-era and disabled veteran status and job class/category and provisions for ascertaining the same.

(5) The development and implementation of utilization analysis, goals, and timetables where availability data exists.

(6) An identification of the causes of under-utilization and/or problem areas related to under-utilization.

(7) The development and implementation of specific programs for correcting the identified causes of under-utilization and/or problem areas, in order to achieve goals, such as:

(a) Provision for supplemental certification of under-utilized groups from all eligible lists, except institution-wide layoff lists, in accordance with WAC 251-23-060;

(b) Provision that, when goals exist for a class and when it is determined by the personnel officer that an eligible list does not contain sufficient numbers of members of under-utilized protected groups, applicants who are members of such groups and who meet the minimum qualifications for the class may be admitted to the examination at any time. Those who pass the examination for the class shall be placed on the appropriate eligible list;

(c) Provision for members of protected groups to enter the employment process, but not to exclude others from it;

(d) Provision for special employee training and development programs and selective appointment of employees who are members of protected groups into the programs, in accordance with WAC 251-24-030(8).

(8) A system for monitoring and evaluating progress under the affirmative action plan/program.

(9) Supportive programs, internally and externally, which will enhance the achievement of affirmative action goals.

#### NEW SECTION

**WAC 251-23-050 AFFIRMATIVE ACTION—GOALS AND TIMETABLES.** Each higher education institution/related board shall develop and implement goals and timetables for hiring and/or promoting members of protected groups into job classes/categories where it has been determined that under-utilization exists.

(1) Goals shall be established based on the relevant availability statistics and in direct relationship to the institution's/related board's workforce profile and utilization analysis.

(2) Timetables shall be developed on both a short-range (one year) and/or a long-range (three to five years) bases, whichever is determined to be appropriate for correcting identified areas of under-utilization.

#### NEW SECTION

**WAC 251-23-060 AFFIRMATIVE ACTION—SUPPLEMENTAL CERTIFICATION.** When an institution/related board is utilizing an approved affirmative action program in accordance with WAC 251-23-020 and 251-23-040 (7)(a), and when the initial certification process does not provide the names of at least three eligibles who are members of the specific under-utilized protected group(s), the personnel officer shall certify from the eligible list up to three additional eligibles who meet the applicable affirmative action criteria. Such additional certification shall be made in strict order of standing on the eligible list. Certification of additional eligibles shall not result in more than a total of three eligibles of the specific under-utilized protected group(s).

**WSR 86-02-048**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Order 2296—Filed December 31, 1985]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to children's involuntary treatment, new chapter 275-54 WAC.

I, David A. Hogan, 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 these rules are necessary to implement chapter 354, Laws of 1985, which becomes effective on January 1, 1986. A public hearing relating to these rules was held on December 11, 1985, and public testimony has been considered.

These rules are therefore adopted as emergency rules to take effect on January 1, 1986.

This rule is promulgated pursuant to chapter 354, Laws of 1985, 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 December 31, 1985.

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

*Chapter 275-54 WAC*  
**JUVENILE INVOLUNTARY TREATMENT**

#### NEW SECTION

**WAC 275-54-010 PURPOSE.** *Adopted pursuant to and in accordance with Chapter 354, Laws of 1985. These regulations are adopted to provide operational procedures to ensure minors in need of mental health care receive appropriate care and treatment, and to enable treatment decisions to be made in response to clinical needs and in accordance with sound professional judgment while also recognizing parents' rights to participate in treatment decisions for their minor children, and to protect minors against needless hospitalization and deprivations of liberty.*

#### NEW SECTION

**WAC 275-54-020 DEFINITIONS.** (1) "Child psychiatrist" means a person having a license as a physician and surgeon in this state, having had graduate training in child psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and who is board eligible or board certified in child psychiatry.

(2) "Children's mental health specialist" means a mental health professional who has completed a minimum of one hundred actual hours, not quarter or semester hours, of specialized training devoted to the study of child development and the treatment of children and who has the equivalent of one year of full-time experience in the treatment of children under the supervision of a children's mental health specialist.

(3) "Commitment" means a determination by a judge or court commissioner, made after a commitment hearing, that the minor is in need of inpatient diagnosis, evaluation, or treatment or the minor is in need of less restrictive alternative treatment.

(4) "County-designated mental health professional" means a mental health professional designated by one or more counties to perform the functions of a county-designated mental health professional described in this chapter.

(5) "Department" means the department of social and health services.

(6) "Evaluation and treatment facility" means a public or private facility or unit certified by the department to provide emergency, inpatient, residential, or outpatient mental health evaluation and treatment services for minors. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility for minors. A facility which is part of or operated by the department or federal agency does not require certification. No correctional institution or facility, juvenile court detention facility, or jail may be an evaluation and treatment facility within the meaning of this chapter.

(7) "Evaluation and treatment program" means the total system of services and facilities coordinated and approved by a county or combination of counties for the evaluation and treatment of minors under this chapter.

(8) "Gravely disabled minor" means a minor who, as a result of a mental disorder, is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety, or manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

(9) "Inpatient treatment" means twenty-four-hour-per-day mental health care provided within a general hospital, psychiatric hospital, or residential treatment facility certified by the department as an evaluation and treatment facility for minors.

(10) "Involuntary patient" means a person presenting, as a result of a mental disorder, a likelihood of serious harm or is gravely disabled, and is initially detained and/or court-committed for evaluation and treatment.

(11) "Less restrictive alternative" or "less restrictive setting" means outpatient treatment provided to a minor not residing in a facility providing inpatient treatment as defined in this chapter.

(12) "Likelihood of serious harm" means either:

(a) A substantial risk physical harm will be inflicted by an individual upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;

(b) A substantial risk physical harm will be inflicted by an individual upon another, as evidenced by behavior having caused such harm or placing another person or persons in reasonable fear of sustaining such harm; or

(c) A substantial risk physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior having caused substantial loss or damage to the property of others.

(13) "Mental disorder" means any organic, mental, or emotional impairment having substantial adverse effects on an individual's cognitive or volitional functions. The presence of alcohol abuse, drug abuse, juvenile criminal history, antisocial behavior, or mental retardation alone is insufficient to justify a finding of "mental disorder" within the meaning of this section.

(14) "Mental health professional" means a person regularly involved in mental health evaluation and treatment, and qualifying as one of the following:

(a) A psychiatrist, psychologist, psychiatric nurse, or social worker.

(b) A person with a masters degree or further advanced degree in counseling or one of the social sciences from an accredited college or university. Such person shall have, in addition, at least two years of experience in direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional.

(c) A licensed physician permitted to practice medicine or osteopathy in the state of Washington.

(d) A person otherwise qualified to perform the duties of a mental health professional but does not meet the requirements listed in subsection (14)(a), (b), or (c) of this section, where an exception to such requirements has been granted by the director upon submission of a written request by the county involved, such request to document the following:

(i) The extent to which the county has made an effort to provide and has the capability of providing a mental health professional;

(ii) The amount and type of employment experience the applicant possesses. Such an applicant shall have had at least three years' experience in the direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional, as defined under subsection (14)(a), (b), or (c) of this section;

(iii) The overall needs of the mental health program in the particular county involved; and

(iv) Such factors as shall be brought to the attention of the director by the county involved.

(15) "Minor" means any person under the age of eighteen years.

(16) "Outpatient treatment" means any of the non-residential services mandated under chapter 71.24 RCW and provided by licensed services providers as identified by RCW 71.24.025(3).

(17) "Parent" means:

(a) A biological or adoptive parent having legal custody of the child, including either parent if custody is shared under a joint custody agreement; or

(b) A person or agency judicially appointed as legal guardian or custodian of the child.

(18) "Professional person in charge" means a physician or other mental health professional empowered by an evaluation and treatment facility with authority to make admission and discharge decisions on behalf of that facility.

(19) "Psychiatric nurse" means a registered nurse having a bachelor's degree from an accredited college or university, and having had, in addition, at least two years' experience in the direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional. "Psychiatric nurse" shall also mean any other registered nurse having three years of such experience.

(20) "Psychiatrist" means a person having a license as a physician in this state having completed residency training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and is board eligible or board certified in psychiatry.

(21) "Psychologist" means a person licensed as a psychologist under chapter 18.83 RCW.

(22) "Responsible other" means the minor, the minor's parent or estate, or any other person legally responsible for support of the minor.

(23) "Secretary" means the secretary of the department or secretary's designee.

(24) "Social worker" means a person with a masters or further advanced degree from an accredited school of social work or a degree from a graduate school deemed equivalent under rules and regulations adopted by the secretary.

(25) "Start of initial detention" means the time of arrival of the minor at the first evaluation and treatment facility offering inpatient treatment if the minor is being involuntarily detained at the time. With regard to voluntary patients, "start of initial detention" means the time at which the minor gives notice of intent to leave under the provisions of this chapter.

(26) "State-funded facility" means those long-term inpatient hospital or residential facilities receiving state funds to pay part or all of the cost of care for juveniles under one hundred eighty-day commitment and placed in these facilities by the placement committee.

## NEW SECTION

WAC 275-54-030 APPLICATION FOR ADMISSION—VOLUNTARY MINOR. (1) Outpatient – Any minor thirteen years or older may request and receive outpatient treatment without the consent of the minor's parents. Parental authorization is required for outpatient treatment of a minor under the age of thirteen.

(2) Inpatient – When in the judgment of the professional person in charge of an evaluation and treatment facility it is not feasible to treat a minor in a less restrictive setting and the minor is in need of inpatient treatment because of a mental disorder, and the facility

provides the type of evaluation and treatment services needed by the minor, the minor may be voluntarily admitted to an evaluation and treatment facility in accordance with the following requirements:

(a) A minor under thirteen years of age may only be admitted on the application of the minor's parents.

(b) A minor thirteen years or older may be voluntarily admitted by application of the parent. Such application must be accompanied by the written consent, knowingly and voluntarily given, of the minor.

(c) A minor thirteen years or older may, with concurrence of the professional person in charge of the evaluation and treatment facility, admit himself or herself without parental consent to the evaluation and treatment facility. Notice must be given by the facility to the minor's parents in accordance with the following requirements:

(i) Notice shall be in the form most likely to reach the parent within twenty-four hours of the minor's voluntary admission for inpatient treatment.

(ii) The notice must contain the location and telephone number of the facility providing such treatment and the name of the professional person on the staff of the facility providing that treatment who is designated to discuss the minor's need for inpatient treatment with the parent.

(iii) The minor shall be released to the parent, at the parent's request, unless the facility files a petition with the court requesting authorization to provide voluntary treatment to the minor, and setting forth the basis for the facility's belief that the minor is in need of inpatient treatment and that release would constitute a threat to the minor's health or safety.

(iv) The petition shall be signed by the professional person in charge and shall contain the following:

(A) The name and address of the petitioner.

(B) The name of the minor whose release is alleged to constitute a threat to the minor's health or safety.

(C) The name, telephone number, and address if known of every person believed by the petitioner to be legally responsible for the minor.

(D) A statement and the supporting facts for this statement that the petitioner has examined the minor and finds the minor in need of inpatient treatment and that release would constitute a threat to the minor's health or safety.

(E) A statement that the minor has been advised of the need for inpatient treatment and knowingly and voluntarily consented to such treatment.

(F) A statement concerning whether a less-restrictive alternative is available or is in the best interest of the minor.

(v) A copy of the petition shall be personally delivered to the minor and a copy shall be sent to the minor's attorney and the minor's parents.

(vi) The hearing shall be heard within three judicial days from the filing of the petition, and shall be conducted by a judge, court commissioner, or licensed attorney designated by the superior court as a hearing officer for such hearing. The hearing may be held at the treatment facility. The petition shall be presented by the prosecuting attorney.

(vii) The facility must demonstrate at the hearing by a preponderance of the evidence presented that the minor is in need of inpatient treatment and that release would constitute a threat to the minor's health or safety, and that the minor has knowingly and voluntarily consented to treatment.

(viii) The hearing shall not be conducted using rules of evidence. The admission or exclusion of evidence sought to be presented shall be within the exercise of sound discretion by the judicial officer conducting the hearing.

(ix) The parent and child may apply to the court for separate counsel to represent the parent if the parent cannot afford counsel.

(x) If by the preponderance of evidence the minor is found to be in need of inpatient treatment and that release would constitute a threat to the minor's health or safety, and that the minor's parent refuses to give parental consent for such treatment, and that the minor has knowingly and voluntarily consented to treatment, the petition shall be approved. The parent, then, will not have the right to demand immediate release until the next renewal of voluntary admission.

(d) The minor's need for continued inpatient treatment shall be reviewed and documented at least each one hundred eighty days.

(e) Written renewal of voluntary consent must be obtained from the applicant and the minor thirteen years or older no less than once every twelve months.

(f) A notice by a voluntary minor of intent to leave shall result in the following:

(i) Any minor under the age of thirteen must be discharged immediately upon written request of the parent.

(ii) Any minor thirteen years or older may give notice of intent to leave at any time. The notice need not follow any specific form so long as it is written and the intent of the minor can be discerned.

(iii) The staff member receiving notice shall date it immediately, record its existence in the minor's clinical record, and send copies of it to the minor's attorney, if any, the county-designated mental health professional, and the parent.

(iv) In the case of a minor thirteen years or older, the professional person in charge of the evaluation and treatment facility shall discharge that minor from the facility within twenty-four hours upon receipt of the minor's notice of intent to leave, unless the county-designated mental health professional serves on the minor a copy of a petition for initial detention, a notice of initial detention, and a statement of rights. The county-designated mental health professional shall file the original petition for initial detention with the court on the next judicial day following the minor's notice of intent to leave.

#### NEW SECTION

##### WAC 275-54-040 EMERGENCY DETENTION.

(1) When a minor, thirteen years of age or older, is brought to an evaluation and treatment facility or emergency room for immediate mental health services, the professional person in charge of the facility shall:

(a) Evaluate the minor's mental condition to determine whether the minor suffers from a mental disorder and is in immediate need of inpatient treatment.

(b) Determine if the minor is willing to consent to voluntary admission.

(2) If the minor is unwilling to consent to voluntary admission and the professional person in charge believes the minor meets the criteria for initial detention, the facility may detain or arrange for the detention of the minor for up to twelve hours in order to enable the county-designated mental health professional to evaluate the minor and commence initial detention proceedings.

#### NEW SECTION

WAC 275-54-050 INVESTIGATION AND INVOLUNTARY DETENTION. (1) When a county-designated mental health professional receives information that a minor thirteen years or older, as a result of mental disorder, presents a likelihood of serious harm or is gravely disabled, and has investigated the specific facts and the credibility of the person or persons providing the information, and has determined voluntary admission for inpatient treatment is not possible, the county-designated mental health professional may take or cause the minor to be taken into custody and transported to an evaluation and treatment facility providing inpatient treatment.

(2) Within twelve hours of the minor's arrival at that facility, the minor shall be served with a copy of the petition for initial detention, notice of initial detention, and a statement of rights.

(3) On the next judicial day following the initial detention, the county-designated mental health professional shall file with the court the original petition for initial detention, the notice of initial detention, and the statement or rights along with an affidavit of service, and shall commence service of the petition for initial detention on the minor's parents and minor's attorney.

(4) At the time of initial detention, the county-designated mental health professional shall advise the minor both orally and in writing that a commitment hearing shall be held within seventy-two hours of the minor's provisional acceptance to the facility. Within twelve hours of the admission, the facility shall advise the minor of his or her rights, including the fact the minor has the right to communicate immediately with an attorney and the minor has a right to have an attorney appointed to represent him or her before and at the hearing if the minor is indigent.

(5) The evaluation and treatment facility must immediately accept on a provisional basis the petition and the minor and within twenty-four hours must conduct an initial evaluation of the minor's condition and either admit or release the minor. If the minor is not approved for admission, the facility shall make such recommendations and referrals for further care and treatment of the minor as necessary.

(6) If the minor is approved for inpatient admission, the minor shall be examined and evaluated by a children's mental health specialist or other mental health professional, identified in WAC 275-54-170 (2)(e), within twenty-four hours of admission to determine the

child's mental condition and by a physician to determine the child's physical condition. Reasonable measures shall be taken to ensure medical treatment is provided for any condition requiring immediate medical attention.

(7) The admitting facility shall take reasonable steps to notify immediately the minor's parents of the admission. The minor has the right to associate or receive communications from parents or others unless the professional person in charge determines such communication would be seriously detrimental to the minor's condition or treatment and so indicates in the minor's clinical records and notifies the minor's parents of this determination. In no event may the minor be denied the opportunity to consult an attorney.

(8) The minor's property shall be protected in accordance with the following:

(a) Articles brought to the facility shall be inventoried and articles not kept by the patient shall be housed by the facility giving due regard to reasonable precautions necessary to safeguard such property.

(b) The peace officer or mental health professional escorting the patient to the facility shall take reasonable precautions to safeguard the property of the patient in the immediate vicinity of the point of apprehension.

(c) Reasonable precautions shall be taken to safeguard belongings not in the immediate vicinity of the patient by the escorting officer or mental health professional, and/or facility when notice of possible danger thereto is received. Further, reasonable precautions shall be taken to lock and otherwise secure the domicile of the patient as soon as possible after the patient's initial detention.

(9) The facility may detain the minor for evaluation and treatment for a period not to exceed seventy-two hours from the time of provisional acceptance. The seventy-two-hour period shall exclude Saturdays, Sundays, or holidays. At the expiration of this time period the minor must be released unless a fourteen-day petition has been filed or the minor's good-faith application for voluntary treatment is accepted.

#### NEW SECTION

WAC 275-54-060 **FOURTEEN-DAY COMMITMENT PETITION.** (1) The professional person in charge of an evaluation and treatment facility may petition to have a minor committed for fourteen days of diagnosis, evaluation, and treatment. The petition must be filed within the seventy-two-hour initial detention period with the superior court in the county where the minor is residing or being detained.

(2) This petition shall be signed either by two physicians or by one physician and a mental health professional examining the minor, and it shall contain the following:

(a) The name and address of the petitioner.

(b) The name of the minor alleged to meet the criteria for fourteen-day commitment.

(c) The name, telephone number, and address if known of every person believed by the petitioner to be legally responsible for the minor.

(d) A statement and the supporting facts for this statement that the petitioner has examined the minor

and finds the minor's condition meeting required criteria for fourteen-day commitment.

(e) A statement the minor has been advised of the need for but has been unwilling or unable to consent to voluntary treatment.

(f) A statement recommending the appropriate facility or facilities for this commitment.

(g) A statement concerning whether a less-restrictive alternative is available or is in the best interest of the minor.

(3) A copy of the petition shall be personally delivered to the minor and a copy shall be sent to the minor's attorney and the minor's parents.

#### NEW SECTION

WAC 275-54-070 **FOURTEEN-DAY COMMITMENT—HEARING.** (1) A fourteen-day commitment hearing shall be held within seventy-two hours from the minor's provisional acceptance. Seventy-two hours does not include Saturdays, Sundays, or legal holidays. The hearing shall be conducted at the superior court, or an appropriate place at the facility, in the county where the minor is being detained.

(a) At such hearing the court must find by preponderance of the evidence the minor has a mental disorder, presents a likelihood of serious harm or is gravely disabled, is in need of inpatient treatment of the type provided by the recommended facility, or is in need of less-restrictive alternative treatment found to be in the best interests of the minor, and the minor is unwilling or unable in good faith to consent to voluntary treatment.

(b) Rules of evidence shall not apply in fourteen-day commitment hearings.

(c) The judicial officer may exercise discretion regarding the admission or exclusion of evidence.

(d) This hearing shall be held within seventy-two hours unless a continuance is requested by the minor or the minor's attorney. The court may, for good cause, transfer the proceeding to the county of the minor's residence, or to the county in which the alleged conduct evidencing need for commitment occurred. If the county of detention is changed, subsequent petitions may be filed in the county in which the minor is detained without the necessity of a change of venue.

(e) Evidence in support of the petition shall be presented by the county prosecutor.

(f) The minor shall be present at the hearing unless the minor, with the assistance of the minor's attorney, waives the right to be present.

(g) If the parents are opposed to the petition, they may be represented at the hearing and shall be entitled to a court-appointed counsel if they are indigent.

(2) At the commitment hearing, the minor shall have the following rights:

(a) To be represented by an attorney.

(b) Present evidence on his or her behalf.

(c) To question persons testifying in support of the petition.

(d) If the minor has received medication within twenty-four hours of the hearing, the court shall be informed of that fact and the probable effects of the medication.

(3) If the court finds a less-restrictive alternative is in the best interests of the minor, the court shall order less-restrictive alternative treatment upon conditions as necessary.

(4) If the court determines the minor does not meet the criteria for a fourteen-day commitment, the minor shall be released.

(5) A minor having been committed for fourteen days shall be released at the end of that period unless a petition for a one hundred eighty-day commitment is pending before the court.

#### NEW SECTION

**WAC 275-54-080 ONE HUNDRED EIGHTY-DAY PETITION, HEARING, AND COMMITMENT.** (1) At any time during the minor's fourteen-day commitment, the professional person in charge may petition the court for an additional one hundred eighty-day period of treatment. If this professional person is in charge of a facility other than a state-operated facility, then the evidence in support of the petition shall be presented by the county prosecutor. If the professional person in charge is employed by the state-operated facility, the evidence shall be presented by the attorney general.

(2) The petition for one hundred eighty-day commitment shall contain the following:

(a) The name and address of the petitioner or petitioners.

(b) The name of the minor alleged to meet the criteria for one hundred eighty-day commitment.

(c) A statement the petitioner is the professional person in charge of the facility responsible for the treatment of the minor.

(d) The date of the fourteen-day commitment order.

(e) A summary of the facts supporting the petition.

(f) Affidavits which describe in detail the behavior of the detained minor which supports the petition and shall state whether a less-restrictive alternative to inpatient treatment is in the best interest of the minor shall be signed by two examining physicians, one of whom shall be a child psychiatrist, or by one examining physician and one children's mental health specialist.

(3) The petition shall be filed with the clerk of the court at least three days before the expiration of the fourteen-day commitment period.

(4) The hearing shall be conducted at the superior court, or an appropriate place at the facility in the county where the minor is being detained. The court may, for good cause, transfer the proceeding to the county of the minor's residence or to the county where the alleged conduct evidencing need for commitment occurred. If the county of detention is changed, subsequent petition may be filed in the county where the minor is detained without the necessity of a change of venue.

(5) The petitioner shall serve a copy of the petition on the minor and notify the minor's attorney and the minor's parent within twenty-four hours of filing. A copy of the petition shall be provided to the minor's attorney and the minor's parent at least twenty-four hours prior to the hearing.

(6) At the time of the filing, the court shall set a hearing date which is to be within seven days of filing of the petition.

(7) The court may continue the hearing for not more than ten days upon the written request of the minor or the minor's attorney. The minor or the parents shall be afforded the same rights as in a fourteen-day commitment hearing. Treatment of the minor shall continue pending the proceeding.

(8) The court must find by clear, cogent, and convincing evidence the minor is suffering from a mental disorder and presents a likelihood of serious harm or is gravely disabled and is in need of further treatment that only can be provided in a one hundred eighty-day commitment.

(9) If the court finds the minor meets the criteria for continued commitment, and a less-restrictive alternative is not appropriate or available, the court may order the minor committed for further inpatient treatment to:

(a) A private evaluation and treatment facility if the minor's parents have assumed responsibility for payment of such treatment;

(b) The custody of the secretary if placement in a state-funded program is required.

(10) If the court finds a less-restrictive alternative is in the best interest of the minor, the court shall order less-restrictive alternative treatment upon conditions as necessary.

(11) If the minor does not meet the criteria for continued commitment, the minor shall be released.

(12) Successive one hundred eighty-day commitments are permissible on the same grounds under the same procedures as the original one hundred eighty-day commitment. Such petitions shall be filed at least five days prior to the expiration of the previous one hundred eighty-day commitment order.

#### NEW SECTION

**WAC 275-54-090 DETENTION AND COMMITMENT AFTER EIGHTEENTH BIRTHDAY.** No minor may be detained or committed under chapter 354, Laws of 1985 after his or her eighteenth birthday unless commitment procedures under chapter 71.05 RCW have been initiated: **PROVIDED**, That a minor may be detained after his or her eighteenth birthday for the purpose of completing the fourteen-day diagnosis, evaluation, and treatment.

#### NEW SECTION

**WAC 275-54-100 TRANSFER FROM JUVENILE CORRECTIONAL INSTITUTIONS.** (1) Any person committed to or confined in any juvenile correctional institution and determined to be in need of observation, diagnosis, or treatment in an inpatient evaluation and treatment facility may be transferred or moved to such facility by the secretary or the secretary's designee upon written authorization for a period of up to fourteen days, **PROVIDED**, That:

(a) The secretary notifies the original committing court of the transfer.

(b) The inpatient evaluation and treatment facility is in agreement with the transfer.

(2) No minor transferred under the provisions of this section may be detained in an inpatient evaluation and treatment facility for more than fourteen days unless the minor is admitted as a voluntary patient or is committed for one hundred eighty-day treatment in accordance with provisions of WAC 275-54-030 and 275-54-080, or ninety-day treatment under chapter 71.05 RCW if eighteen years of age or older.

(3) Underlying jurisdiction of minors transferred, admitted, or committed under this section remains with the state correctional institutions.

(4) If a voluntarily admitted minor or minor committed under this section is no longer in need of the treatment provided by the facility or no longer meets the criteria for one hundred eighty-day commitment, the minor shall be returned to the state correctional institution to serve the remaining time of the underlying dispositional order or sentence.

(5) Time spent by the minor at the evaluation and treatment facility shall be credited toward the minor's juvenile court sentence.

#### NEW SECTION

**WAC 275-54-110 CONDITIONAL RELEASE OR EARLY DISCHARGE.** (1) The professional person in charge of the inpatient facility may authorize the minor's release under such conditions as appropriate. Conditional release may be revoked pursuant to WAC 275-54-150 if release conditions are not met or the minor's functioning substantially deteriorates.

(2) Minors may be discharged prior to the expiration of the commitment period if the treating physician or the professional person in charge concludes the minor no longer meets commitment criteria.

(3) Whenever the minor is conditionally released or discharged prior to the expiration of the commitment, the professional person in charge shall within three days of the conditional release or discharge notify the court and the placement committee, in the case of one hundred eighty-day commitment, in writing of the release.

#### NEW SECTION

**WAC 275-54-120 RELEASE OF VOLUNTARY/INVOLUNTARY MINORS TO THE CUSTODY OF PARENTS.** (1) The facility shall release the minor to the custody of the minor's parent or other responsible person authorized by the parent to take custody of the minor. If the parent refuses to accept custody of the released minor, or to designate and authorize another responsible person to take custody of the minor on their behalf, the minor shall be referred and released to the appropriate juvenile authority for necessary dependency action. The facility shall furnish transportation for the minor to the minor's residence or other appropriate place.

(2) If the minor is released to someone other than the minor's parent, the facility shall make every effort to notify the minor's parents of the release as soon as possible.

(3) No indigent minor may be released to a less-restrictive alternative or discharged from inpatient treatment without suitable clothing. As funds are available from the department, these may be used to provide necessary funds for the immediate welfare of the indigent minor upon discharge. The superintendent of the state hospital in the releasing facility's catchment area should be contacted for prior approval of such funds for these needs.

#### NEW SECTION

**WAC 275-54-130 ELOPEMENT OF MINORS.** In the event of a minor's elopement from an evaluation and treatment facility, the professional person in charge shall immediately notify parents and appropriate law enforcement agencies.

#### NEW SECTION

**WAC 275-54-140 LONG-TERM PLACEMENT—DESIGNATED PLACEMENT COMMITTEE.** (1) The secretary's placement authority shall be exercised through a designated placement committee composed of children's mental health specialists and established in accordance with chapter 354, Laws of 1985.

(2) The secretary shall appoint membership of the placement committee, at least one of whom shall be a child psychiatrist representing one of the state-funded, long-term evaluation and treatment facilities for minors.

(3) The committee's responsibilities shall include:

(a) The committee shall accept immediately, authorize, and effect placement of any minor committed to the secretary for one hundred eighty-day inpatient treatment in the most appropriate state-funded, long-term evaluation and treatment facility. Placement criteria shall include:

- (i) The treatment needs of the minor;
- (ii) The most appropriate facility able to respond to the minor's treatment needs;
- (iii) The geographic proximity of the facility to the minor's family and home community;
- (iv) The immediate availability of bed space;
- (v) The probable impact of the minor's placement on other residents.

(b) The committee shall approve or deny requests from the state-funded facilities for transfer of a minor between facilities.

(c) Develop, maintain, and update policies and procedures to carry out the provisions of this section. Such policies and procedures shall be reviewed and approved by the mental health division.

(d) Receive and monitor reports and make such appropriate recommendations to the mental health division as may be necessary concerning needed individual patient or program corrective action. Such reports shall include:

- (i) Individual patient status reports, at a minimum providing information concerning the minor's individual treatment plan and progress, recommendations for future treatment, anticipated discharge date, and possible less-restrictive treatment.

(ii) Incident reports covering such events as will be required by the placement committee's policies and procedures.

(iii) Individual patient discharge summaries.

(iv) Program utilization information as identified in the placement committee's policies and procedures.

(4) The responsibilities of the professional person in charge of the long-term state-funded inpatient evaluation and treatment facilities shall include:

(a) Establish policies, procedures, and practices assuring compliance with the provisions of this WAC.

(b) Provide the array and quality of evaluation and treatment services needed to respond to the needs of the minor in accordance with the provisions of WAC 275-54-200.

(c) Notify the court, the placement committee, and all responsible others of any major change in the minor's status and make such notification within three days of the date of any change in legal status, conditional release, or discharge.

(d) Provide the placement committee within ninety days of admission and at least one hundred eighty days thereafter with a report setting forth such facts as the committee requires, including the minor's individual treatment plan and progress, recommendations for future treatment, recommendations regarding less-restrictive treatment, and anticipated discharge date.

(e) Provide the placement committee with incident reports, discharges, program utilization information, and such other reports and information as may be specified in the placement committee policies and procedures.

(5) The placement committee shall provide the facility at the time of the minor's placement with formal written notification of placement. Such notification shall include authorization of the professional person in charge of the facility to carry out the secretary's responsibility for the care and custody of the minor and authorization to request the assistance of law enforcement agencies to return the minor in case of elopement.

(6) Any minor committed to the secretary shall remain at the treatment facility where the minor was held at the time of the commitment hearing, in accordance with the provisions of applicable mental health division issuance. The department's placement committee will be notified within twenty-four hours of the commitment to the secretary by the facility holding the minor.

(7) The committee will advise the treating facility as to the committee's requirements for information about the minor that will allow the committee to make a decision concerning placement of that minor.

#### NEW SECTION

**WAC 275-54-150 REVOCATION OF A LESS-RESTRICTIVE ALTERNATIVE TREATMENT OR CONDITIONAL RELEASE.** (1) If a minor is failing to adhere to the conditions of the court-ordered less-restrictive alternative treatment or the stipulations of a conditional release or if substantial deterioration of a minor's functioning has occurred, the county-designated mental health professional or the secretary may order the minor be taken into custody and transported to an inpatient evaluation and treatment facility.

(2) An order of apprehension and detention shall be filed by the county-designated mental health professional or the secretary, and it shall be served upon the minor who shall, at the time of the service, be informed of the right to a hearing and to representation by an attorney. The minor's parent and attorney shall be notified of the detention within two days of return.

(3) The county-designated mental health professional or secretary may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(4) A petition for revocation of a less-restrictive alternative treatment shall be filed by the county-designated mental health professional or the secretary with the same court that ordered such placement. A petition for revocation of a conditional release may be filed in either the county originally ordering inpatient treatment or in the county where the minor is presently residing.

(5) In either case, as identified in subsection (4) of this section, upon motion for good cause, the hearing may be transferred to the county where the minor resides or where the alleged violations occurred. The minor may waive the hearing and be returned to inpatient treatment or to less-restrictive alternative placement or conditional release on the same or modified grounds.

(6) The petition for revocation of less-restrictive alternative treatment or conditional release shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and dispositional recommendations.

(7) The hearing shall be held within seven days of the minor's return and shall determine the following:

(a) Whether the minor adhered to the conditions of the less-restrictive placement or conditional release.

(b) Whether the minor's routine functioning has substantially deteriorated.

(c) Whether the conditions of less-restrictive placement or conditional release should be modified or if the minor should be returned to inpatient treatment.

(8) If the court decides the minor is to be returned to inpatient treatment, the secretary's placement responsibility as set forth in WAC 275-54-140 shall apply.

#### NEW SECTION

**WAC 275-54-160 REQUIREMENTS FOR CERTIFYING EVALUATION AND TREATMENT COMPONENTS FOR MINORS.** (1) Each county or combination of counties shall develop and coordinate an evaluation and treatment program consistent with chapter 354, Laws of 1985 and chapter 71.24 RCW. Such program shall include, but is not limited to components of outpatient services, emergency services, and short-term inpatient services. The county may directly provide such a program in its entirety, or may provide one or more components of such a program directly, or may through contract or written agreement with an agency or agencies, provide the remaining component or components required, or may through contract or agreement arrange with an agency or agencies to provide such a program in its entirety. Component or components obtained on this basis from an agency or agencies shall be subject to all applicable provisions of these rules and of

chapter 354, Laws of 1985. The county will maintain coordination responsibility over the program.

Any contract or agreement between county and agencies, or between two or more agencies, shall be required to comply with the standards for evaluation and treatment components and shall indicate the department will consider those standards in the department's site visit and certification procedure as directed by WAC 275-54-210.

(2) In addition to the responsibilities specified, the following shall be required of the county or of such individual designated by the county as administrator of the evaluation and treatment program:

(a) To identify, recommend to the department for certification, and coordinate the various facilities and components of the evaluation and treatment program.

(b) To assist the department in ensuring facilities and components are in compliance with all applicable rules and regulations set forth in chapter 354, Laws of 1985 and this chapter.

(3) Any agency desiring certification of a component or components in order to become an evaluation and treatment facility shall make application for such to the county-designated administrator of the evaluation and treatment program.

(4) The department is responsible for certifying each component of an agency desiring to become an evaluation and treatment facility. Upon formal request of the county-designated administrator of the evaluation and treatment program, the department shall:

(a) Inspect and evaluate the applicant agency's component or components for certification in accordance with the provisions of WAC 275-54-210.

(b) On-site visits for the purposes of certification will, where possible, include the county-designated administrator of the evaluation and treatment program as part of the site visit team.

(5) The department is responsible for making periodic inspections of a certified component. Such inspections may be in addition to any conducted by the county-designated administrator of the evaluation and treatment program.

(6) All facilities shall be recognized elements of the county's mental health plan. The plan shall list the agencies for which certification is requested, the components to be provided by each, the method whereby components will be coordinated among the several agencies when more than one agency provides evaluation and treatment services, and the method whereby the services of the facility will be coordinated with other elements of the county mental health program.

#### NEW SECTION

**WAC 275-54-170 CERTIFICATION STANDARDS FOR EVALUATION AND TREATMENT PROGRAM FOR MINORS.** (1) The following general requirements shall apply to any agency desiring certification as a component or components of the evaluation and treatment program:

(a) The spectrum of evaluation and treatment services provided by the agency shall include at least one of the following:

(i) Outpatient.

(ii) Emergency.

(iii) Inpatient.

(b) The agency may directly provide one or more of the components specified in subsection (1)(a) of this section, or may indirectly provide one or more through contractual arrangement or agreements with other agencies. Such arrangements shall be set forth in WAC 275-54-160.

(c) The agency shall maintain a written statement describing the organizational structure, objectives, and the philosophy of the therapeutic program, such statement to include contractual affiliates (if any).

(d) The agency shall document and otherwise ensure that:

(i) Care for patients is provided in a therapeutic environment.

(ii) Patient rights as described in WAC 275-54-290 is incorporated into this environment.

(iii) The use of the least restrictive treatment alternative is considered for each patient and such consideration is documented in each patient's clinical record.

(iv) Continuity of care, coordination, and integration of services is provided.

(v) Immediate transfer from the outpatient component to the inpatient or emergency component of the agency or of the evaluation and treatment program is provided for a patient when a change in the patient's condition necessitates such transfer. In the case of the involuntary patient, such transfer shall be made pursuant to WAC 275-54-150. Patients within any component can and will be transferred without unreasonable delay to any other component, and the patient's necessary clinical information will be made available to persons responsible for the patient's treatment within any other component. In the event of a referral, the original agency will maintain responsibility for follow-up of the patient until such time as the receiving agency may assume primary service responsibility.

(vi) Referral services and assistance in obtaining supportive services appropriate to treatment including, but not limited to, community support services, vocational rehabilitation, and legal services, are provided to each patient.

(e) The agency desiring certification of the agency's component or components shall make application for such certification pursuant to WAC 275-54-160.

(2) In addition to the requirements specified for each in WAC 275-54-180, 275-54-190, and 275-54-200, the following general requirements shall apply to all facilities:

(a) Admissions. Admission to the inpatient component shall not be denied except under the following circumstances:

(i) There is a determination the person does not present a likelihood of serious harm, or an imminent likelihood of serious harm, or the person is not gravely disabled, and does not require inpatient care.

(ii) The person requires specialized medical care and support services of a type not provided by the facility.

(iii) A greater degree of control is required than can be provided by the facility.

(iv) No treatment space is available and is so documented.

(v) A less restrictive alternative provided by another facility is more appropriate and available.

(vi) For situations arising pursuant to subsection (2)(a)(ii) through (iv) of this section in the case of a seventy-two-hour detention, the county-designated mental health professional shall make arrangements for the most appropriate placement available.

(b) In general, adults and minors shall be provided services separate from one another, wherever possible. Joint use by adults and minors of a facility's inpatient services is permitted only if the minor's clinical record contains documentation that:

(i) The anticipated effects of such joint use on the minor have been considered by the professional staff, and

(ii) A professional judgment has been made that such joint use will not be deleterious to the minor. No minor shall be placed on an adult inpatient unit unless no other alternative is available, or an emergency exists, and documentation has been made pursuant to subsection (2) of this section.

(c) Admission evaluations. Within twenty-four hours of initial detention, to include Saturday, Sunday, and holidays, evaluations shall be conducted to determine the nature of the disorder, the treatment necessary, and whether or not detention is required. Such evaluations shall include at least a:

(i) Medical evaluation by a licensed physician.

(ii) Psychosocial evaluation by a mental health professional to include at least an assessment of family dynamics, interaction with other persons, educational, developmental, legal, and other social service needs of the minor.

(d) Treatment plan and clinical record. All components shall:

(i) Maintain, for each patient, a plan of treatment, and a plan for discharge including a plan for follow-up where appropriate. The treatment plan shall address the needs identified in the admission evaluation of the minor. Such treatment and discharge plans shall be entered in the patient's clinical record and shall be revised periodically as appropriate.

(ii) Maintain, for each patient, a clinical record containing sufficient information to justify the diagnosis, delineate the individual treatment plan, and document the course of treatment. The responsibility of the agency is to safeguard the record against loss, defacement, tampering, or use by unauthorized persons.

(e) Evaluation and treatment services provided to minors shall be provided by:

(i) A child mental health specialist, as defined by WAC 275-54-020(2), or

(ii) A mental health professional, as defined by WAC 275-54-020(14) directly supervised by a child mental health specialist, or

(iii) A mental health professional receiving at least one hour per week of clinical consultation from a child mental health specialist for each involuntarily detained minor provided direct client services during the week.

(f) Treatment. The evaluation and treatment program shall:

(i) Provide family therapy as needed.

(ii) Have available, as needed, professional personnel including, but not limited to, a licensed physician and a mental health professional skilled in crisis intervention.

(iii) Ensure each patient has access to necessary medical treatment and support services and access to emergency life-sustaining treatment and medication.

(iv) Have psychiatric consultation available to other physicians or mental health professionals when treatment is not provided by or under the supervision of a psychiatrist.

(g) Use of restraints and seclusion. The use of medication, physical restraints, or locked seclusion rooms in response to assaultive, self-destructive, or unruly patient behavior shall occur only to the extent necessary to ensure the safety of patients and staff, and subject to the following conditions:

(i) In the event of an emergency use of restraints or seclusion, a licensed physician must be immediately notified and shall authorize the restraints or seclusion.

(ii) No patient may be restrained or secluded for a period in excess of four hours without having been examined by a mental health professional. Such patient must be directly observed every thirty minutes and the observation recorded in the patient's clinical record.

(iii) If restraint or seclusion exceeds twenty-four hours, patient shall be examined by a licensed physician. The facts determined by his or her examination and any resultant decision to continue restraint or seclusion over twenty-four hours shall be recorded in the patient's clinical record over the signature of the authorizing physician. This procedure must be repeated for each subsequent twenty-four hour period of restraint or seclusion.

(h) Periodic evaluation. Each involuntary patient shall be evaluated periodically for release from commitment, and such evaluation will be documented in each involuntary patient's clinical record.

(i) Training. All components shall develop an inservice training plan and provide regular training to all personnel having responsibility for any aspect of patient care. Documentation of the type and amount of training received by staff members shall be maintained. Such training shall include information about:

(i) The availability and utilization of less restrictive alternatives.

(ii) Approved methods of patient care.

(iii) Managing assaultive and/or self-destructive behavior.

(iv) Related services, including, but not limited to, transportation, law enforcement, courts, prosecutors, caseworkers, family support systems, advocacy, pharmacotherapy, and hospitals.

(v) The provisions and requirements of this chapter and chapter 354, Laws of 1985 and standards and guidelines promulgated by the department.

(vi) Other appropriate subject matter.

(j) Administration. All components shall:

(i) Maintain written procedures for managing assaultive and/or self-destructive patient behavior, and assure

staff has access to and are familiar with these procedures.

(ii) Maintain adequate fiscal accounting records.

(iii) Prepare and submit such reports as are required by the secretary.

(iv) Maintain a procedure for collection of fees and third-party payments.

(3) Whenever a component is also subject to licensure under other federal or state statutes or regulations, the more limiting or more specific standard shall apply.

#### NEW SECTION

**WAC 275-54-180 OUTPATIENT COMPONENT.** (1) The outpatient component is defined as a setting where evaluation and treatment services are provided on a regular basis to patients not in residence in the component. These services are intended to stabilize, sustain, and facilitate recovery of the individual within his or her living setting. Services may include, but are not limited to, day treatment and community support services provided directly by a licensed physician licensed pursuant to chapter 18.57 or 18.71 RCW, a psychologist licensed pursuant to chapter 18.83 RCW, a psychiatric nurse licensed pursuant to chapter 18.88 RCW, or by an agency licensed pursuant to chapter 71-.24 RCW and chapter 275-54 WAC.

(2) In addition to the general requirements stated in WAC 275-54-170, the following requirements shall apply to all outpatient components:

(a) Such component shall provide a therapeutic program including, but not limited to, generally accepted treatment modalities such as:

(i) Individual.

(ii) Group.

(iii) Family/marital.

(iv) Pharmacotherapy.

(b) Such component shall provide treatment to each patient under the supervision of a mental health professional.

(c) Each patient must be seen at least weekly by assigned staff during the period of involuntary treatment. A mental health professional must review each outpatient case at least weekly to ensure updating of the treatment plan and such review must be recorded in the patient's clinical record. The frequency of patient contact and case review may be modified if in the opinion of a mental health professional such is warranted and the reasons for so doing are recorded in the patient's clinical record.

(d) Such component must have access to consultation by a psychiatrist or a physician with at least one year's experience in the direct treatment of mentally ill or emotionally disturbed persons, such access to be a minimum of one hour per week for each forty hours of direct client services provided by nonmedical staff.

(e) Such component shall include medical consultation with the involuntary patient to assess and prescribe psychotropic medication to meet the needs of the patient. Such consultation shall occur at least weekly during the fourteen-day period, and monthly during the ninety-day

period and the one hundred eighty-day period of involuntary treatment unless determined otherwise by the attending physician and the reasons for so doing are recorded in the patient's clinical record.

(f) Whenever possible, medication should be made available to the patient at a reduced rate through a state medication purchase contract or through the state hospital pharmacy.

#### NEW SECTION

**WAC 275-54-190 EMERGENCY COMPONENT.** (1) The emergency component is defined as a hospital emergency room or another setting where prompt therapeutic intervention occurs. The term "emergency" refers to a set of circumstances (physiological, psychological, and/or social) posing an imminent threat to the safety and/or well-being of the patient or others.

(2) In addition to the general requirements stated in WAC 275-54-170, the following requirements shall apply to all emergency components:

(a) Such component shall have the ability to respond promptly to individual crisis situations and to arrange for admission to an inpatient component on a twenty-four-hour-per-day, seven-day-per-week basis.

(b) Such component shall have the capability to detain persons dangerous to self, dangerous to others, or gravely disabled.

(c) Such component shall have immediate access to life support systems and emergency medical services. A mental health professional and/or licensed physician shall be available for consultation and communication with the patient and the component staff on a twenty-four-hour-per-day, seven-day-per-week basis.

#### NEW SECTION

**WAC 275-54-200 INPATIENT COMPONENT.** (1) The inpatient component is a hospital or residential setting where an array of treatment services is provided on a twenty-four-hour-per-day basis for patients on seventy-two-hour detentions, or fourteen-day commitments, or one hundred eighty-day commitments.

(2) In addition to the general requirements stated in WAC 275-54-170, the following requirements shall apply to all inpatient components:

(a) The inpatient component shall meet the standards required for state licensing as a psychiatric hospital, general medical hospital, skilled nursing facility, intermediate care facility, or residential treatment facility.

(b) Such component shall have the capability to admit the patient on a twenty-four-hour-per-day, seven-day-per-week basis.

(c) Such component shall have the capability to detain persons dangerous to self, others, or gravely disabled, and shall provide or have access to at least one seclusion room meeting the requirements of WAC 248-18-001 now or as hereafter amended.

(d) Such component shall provide a therapeutic program including, but not limited to, generally accepted treatment modalities such as:

(i) Individual.

- (ii) Group.
- (iii) Family/marital.
- (iv) Pharmacotherapy.
- (v) Therapeutic community.
- (e) Such component shall provide treatment to each patient under the supervision of the professional person in charge.

(f) A mental health professional must have contact with each involuntary patient daily for the purpose of observation, evaluation, and the provision of continuity of treatment.

(g) Such component shall have access to a mental health professional and a licensed physician for consultation and communication with the patient and the component staff on a twenty-four-hour-per-day, seven-day-per-week basis.

(h) Such component shall periodically evaluate each involuntary patient for conditional release, and such evaluation shall be documented in each involuntary patient's clinical record.

#### NEW SECTION

**WAC 275-54-210 CERTIFICATION PROCEDURE—WAIVERS—PROVISIONAL CERTIFICATION—RENEWAL OF CERTIFICATION.** (1) In order to certify an agency's component or components, the department shall:

(a) Receive a formal request from the county-designated administrator of the evaluation and treatment program; and

(b) Conduct a site visit of the component or components including an inspection and examination of any records, procedures, materials, areas, programs, staff, and patients necessary to determine compliance with WAC 275-54-170, and the appropriate sections of WAC 275-54-180 through 275-54-220.

(2) The department shall issue full certification to a component only if the component is in full compliance with the applicable sections of this chapter.

(3) Variances from a rule may be granted by the department in the form of a waiver, pursuant to the provisions of WAC 275-55-371.

(4) Provisional certification may be granted by the director to a component or components which are in substantial compliance with the applicable sections of this chapter. Such provisional certification shall specify the number and type of deficiencies temporarily allowed and the length of provisional status.

(5) Renewal of certification is required at least every other year, and may require a complete site visit of the component or components as specified in subsection (1)(b) of this section.

#### NEW SECTION

**WAC 275-54-220 DECERTIFICATION.** The department may decertify any component in accordance with the provisions of RCW 71.05.540 (4) and (5), guidelines promulgated and procedures for investigation of complaints set forth by the director.

#### NEW SECTION

**WAC 275-54-230 APPEAL PROCEDURE.** (1) Any agency whose component or components have been denied certification or have been decertified by the department may appeal such a decision.

(2) Such appeal shall:

(a) Be made in writing;

(b) Specify the date of the decision being appealed;

(c) Specify clearly the issue to be reviewed;

(d) Be signed by and include the address of the agency;

(e) Be made within thirty days of notification of the decision being appealed.

(3) An appeal on decisions should be made in accordance with the Administrative Procedure Act, chapter 34.04 RCW.

#### NEW SECTION

**WAC 275-54-240 INVOLUNTARY EVALUATION AND TREATMENT COSTS—SEVENTY-TWO HOUR DETENTIONS/FOURTEEN-DAY COMMITMENTS.** (1) Responsibility of involuntary patient.

(a) Any person, or his or her estate, or his or her spouse, or the parents of a minor becoming an involuntary patient pursuant to chapter 354, Laws of 1985 shall be responsible for the cost of such evaluation and treatment. Payment of such costs by the involuntary patient, or on behalf of the involuntary patient by third-party payors, or other legally responsible persons or entities shall be made to:

(i) The state in instances where evaluation and treatment is provided in a facility maintained and operated by the department, pursuant to RCW 71.02.411.

(ii) The local agency in instances where evaluation and treatment is provided by the agency and the agency is not a facility maintained and operated by the department.

(b) In instances where inability to pay or substantial hardship is determined for an involuntary patient pursuant to this section, any unpaid costs for evaluation and treatment provided to such involuntary patient by a nondepartment agency shall be borne by the department, subject to the provisions of WAC 275-54-240 (2) and (3).

(2) Collection by agency.

(a) Definitions. For the purposes of this section:

(i) "Involuntary patient" is as defined by WAC 275-54-020.

(ii) "Title XIX" means Title XIX of the Social Security Act.

(iii) "CSO" means community services office of the department.

(b) Collection of costs for evaluation and treatment provided an involuntary patient by an agency not operated and maintained by the department shall be the responsibility of the agency. Such agency shall make reasonable efforts to make such collection pursuant to the agency's own regulations and policies. Such effort

shall also include, but is not limited to, billing all appropriate resources of the involuntary patient and the patient's family, third-party payors, and other legally responsible persons and entities.

(c) Any involuntary patient not having private insurance to cover his or her costs, not already eligible for Title XIX or other state or federal assistance for his or her costs, or not otherwise paying for his or her evaluation and treatment costs, shall be referred by the agency providing the inpatient component to a local CSO for determination of eligibility for Title XIX or other state medical benefits in accordance with applicable mental health issuance benefits. If such patient is determined so eligible by the CSO, the agency shall bill according to the instructions set forth by the department.

(d) In the case of any involuntary patient not eligible for Title XIX benefits, the agency providing the inpatient component shall be responsible for collecting the amount the patient should participate in the treatment costs. As required by subsection (2)(c) of this section and applicable mental health issuance, the amount to be collected shall be determined by the local CSO.

(e) The agency may bill the department for the balance of costs in excess of the amount of required patient participation determined by the local CSO. Such billing shall be subject to the following:

(i) Reimbursement is sought through the appropriate county as defined by WAC 275-54-240(3). All bills shall be verified by the county or the county's designee before forwarding by the county to the department for payment.

(ii) Any collections made prior to such billing shall be shown and deducted from such billing. Any collections made subsequent to such billings shall be submitted to the department.

(f) In the event an involuntary patient is determined by the agency or by the local CSO (in instances where such patient had been referred for eligibility determination) to be fully capable of paying for his or her evaluation and treatment services, and such patient refuses to do so, the agency shall have primary responsibility for collection of costs and shall not expect the department to reimburse the agency for any uncollected balance, except as stated in the applicable mental health division issuance.

(g) The agency shall maintain appropriate records and other supporting material necessary to document billings and collection of costs for evaluation and treatment provided any involuntary patient, and shall permit authorized representatives of the county and/or the department to make such review of the records of the agency as may be deemed necessary to satisfy audit purposes. Such review shall be restricted to records for involuntary patients only.

(3) Responsibility of the county.

(a) All requests for reimbursement shall be made through the county of detention which shall review and approve requests pursuant to the following:

(i) The person being billed for was in fact an involuntary patient for the period of evaluation and treatment specified.

(ii) The date of initial detention is indicated.

(iii) Date of the seventy-two-hour (probable cause) hearing is indicated.

(iv) Date of conversion to voluntary patient status is shown (if appropriate).

(v) Date of release, transfer, or discharge is shown.

(vi) Days allowed by an approved extension request are shown (if appropriate).

(vii) The "patient participation" calculation is shown on inpatient facility invoices or the patient is shown to be eligible for Medicaid or LCP-MI.

(viii) If insurance coverage is indicated, such coverage collections have been deducted.

(b) All reimbursement payments for evaluation and treatment costs for involuntary patients shall be made directly to the service-providing agency.

(c) No payments will be made to agencies not certified pursuant to WAC 275-54-170, and not a part of a county's evaluation and treatment program pursuant to WAC 275-54-160, except in the case of licensed physicians.

(d) The counties shall maintain appropriate records and other supporting material necessary to document related administrative costs and shall submit such reports as the department shall request and shall permit authorized representatives of the department to make such review of records as may be deemed necessary to satisfy audit purposes.

(4) Responsibility of the department.

(a) In instances where an involuntary patient is unable to pay any or all of the costs of evaluation and treatment from all of the personal, family when legally responsible, or third-party payor resources available to him or her as required by WAC 275-54-240(1), or if payment would result in substantial hardship upon such patient or his or her family, the department shall be responsible for paying any uncollected balance of such costs, as set forth in the applicable mental health division issuance, except costs for which the CSO has determined the patient should continue to be liable.

(b) The department shall reimburse the counties for increased administrative costs, if any, resulting from implementation of the provisions of the Juvenile Involuntary Treatment Act. Additional costs to the counties shall be reimbursed in accordance with the following rules, subject to the availability of state and federal funds.

(c) For all increased involuntary commitment administrative costs, the department shall award an amount to the counties to pay such costs pursuant to RCW 71.05-.550. "Increased costs" as used here shall mean costs exceeding the level financed by the county for calendar year 1984, resulting from implementation of the provisions of the Involuntary Treatment Act, and subsequent amendments.

(d) Involuntary commitment administrative costs are for services not listed under the Title XIX modality schedule. Such costs include:

(i) All travel and transportation expenses, whether for staff or involuntary patients;

(ii) All investigative costs not otherwise recoverable as a Title XIX listed service;

(iii) Expenses for hearings, testimony, legal services, courts, and prosecutors; and

(iv) The percentage of total staff time of the county mental health coordinator and agency administrative staff allocated to and expended in the involuntary commitment process.

(e) State funds shall in no case be used to replace local funds from any source used to finance administrative costs for involuntary commitment procedures conducted prior to January 1, 1985.

(f) For the evaluation and treatment provided each and every involuntary patient by a qualifying agency, the department shall reimburse the agencies in the amount of the actual expenditures incurred pursuant to this chapter and applicable departmental instructions. Such reimbursement by the department shall not exceed the Title XIX rate and shall not be allowed for any costs already reimbursed by other means. Such reimbursement by the department shall cover the following involuntary evaluation and treatment statuses only:

(i) Emergency component services for individuals where a petition for initial detention is filed under WAC 275-54-050 within twelve hours of admission to that component.

(ii) Initial detention period including Saturdays, Sundays, holidays, and up to three judicial days.

(iii) Fourteen-day period, including any involuntary outpatient treatment or less restrictive placement recommended by agency staff for the remainder of this period. Reimbursement beyond this fourteen-day period shall require approval from the department consistent with the applicable mental health division issuance.

(iv) Conditional release effected pursuant to the applicable provisions of this chapter and chapter 354, Laws of 1985. Reimbursement shall be restricted to the initial seventeen-day period.

(v) Conversion to voluntary status. Reimbursement shall be restricted to inpatient or outpatient services provided during the initial seventeen-day period, regardless of the day within that period the involuntary patient converts to voluntary status.

(g) The department may withhold department reimbursement in whole or in part from any county or agency in the event of a failure to comply with the provisions of this chapter.

#### NEW SECTION

**WAC 275-54-250 INVOLUNTARY EVALUATION AND TREATMENT COSTS—ONE HUNDRED EIGHTY-DAY COMMITMENTS.** (1) Responsibility of involuntary patient.

(a) Payment for costs of care for an involuntary patient on a one hundred eighty-day commitment awaiting placement in a state-funded long-term inpatient facility shall be in accordance with the provisions of WAC 275-54-240.

(b) Any minor becoming an involuntary patient on a one hundred eighty-day commitment and placed in a state-funded long-term inpatient facility by the placement committee pursuant to chapter 354, Laws of 1985, or his or her estate, or his or her parents shall be responsible for the cost of such evaluation and treatment

based upon a determination by the inpatient facility of ability to pay.

(c) Payment of such costs by the involuntary patient, or on behalf of the involuntary patient by third-party payors, or other legally responsible persons or entities shall be made to:

(i) The state in instances where evaluation and treatment is provided in a facility maintained and operated by the department, pursuant to RCW 71.02.411.

(ii) The local agency in instances where evaluation and treatment is provided by the agency and the agency is supported by, but not operated by the department.

(2) Collection by agency.

(a) Definitions.

(i) "Involuntary patient" is as defined by WAC 275-54-020(10).

(ii) "Title XIX" means Title XIX of the Social Security Act.

(iii) "CSO" means community services office of the department.

(b) Collection of costs for evaluation and treatment provided an involuntary patient by an agency not operated and maintained by the department shall be the responsibility of the agency. Such agencies shall make reasonable efforts to make such collection pursuant to the agency's own regulations and policies. Such efforts shall also include, but are not limited to, billing all appropriate resources of the involuntary patient, the patient's family, third-party payors, and other legally responsible persons and entities.

(c) Any involuntary patient who is a minor not having private insurance to cover his or her costs, not already eligible for Title XIX or other state or federal assistance for his or her costs, or not otherwise paying for their evaluation and treatment costs, shall be referred by the agency providing the inpatient component to a local CSO for determination of eligibility for Title XIX benefits. If such patient is determined so eligible by the CSO, the agency shall bill according to the instructions set forth by the department.

(d) The agency providing the long-term inpatient care shall determine the amount, if any, the patient, or his or her parents, or any responsible others should contribute to the cost of treatment. Such contributions shall be determined in accordance with the following:

(i) The agency shall have established financial screening criteria, policy, procedures, and format, and a sliding fee schedule or formula used to determine ability to contribute to the cost of inpatient care.

(ii) The financial screening criteria and the sliding fee schedule or formula shall take into consideration available income, family size, and allowable deductions.

(iii) Allowable deductions shall include unusual and exceptional circumstances and other pertinent factors as defined in WAC 275-16-075 and 275-16-085.

(iv) The agency shall establish a formal appeal policy and process allowing responsible others to appeal any financial contribution decision to the individual and agency administrative entity responsible for such decisions.

(3) Responsibility of department.

(a) The agency may bill the department for the balance of costs not collectible by actions taken in accordance with this subsection, for the care and treatment of minors on a one hundred eighty-day commitment and placed in the state-supported inpatient facility by the admissions committee.

(b) Such billing and reimbursement shall be in accordance with the instructions set forth in the department's contract for the provision of these services with the state-funded inpatient facility.

#### NEW SECTION

WAC 275-54-260 INVOLUNTARY TREATMENT PROGRAM ADMINISTRATIVE COSTS—SEVENTY-TWO HOUR/FOURTEEN-DAY COMMITMENT. The mental health division will establish a maintenance of effort level for each county by January 1, 1986.

#### NEW SECTION

WAC 275-54-270 INVOLUNTARY TREATMENT PROGRAM TRANSPORTATION COSTS.

(1) The minor or his or her parents shall be responsible for any transportation costs incurred in transporting a minor to an evaluation and treatment facility for seventy-two-hour detention, fourteen-day commitment, or initial one hundred eighty-day commitment to the custody of the secretary. Such responsibility shall be based upon a determination of ability to pay as prescribed in WAC 275-54-240.

(2) Where inability to pay has been determined by the local CSO in accordance with the provisions of WAC 275-54-240, and eligibility for federal or state medical assistance has been established in compliance with applicable mental health division issuance, the department shall be responsible for payment of transportation costs incurred in transporting the eligible minor to an evaluation and treatment facility for seventy-two-hour detention, fourteen-day commitment, or one hundred eighty-day commitment. Such payments shall be made in accordance with instructions set forth in mental health division issuance.

(3) Transportation shall be provided to involuntarily committed minors under chapter 354, Laws of 1985 by the most appropriate, safest, and most cost-effective means available. Transporting by ambulance shall be used only in those circumstances dictated by medical necessity.

(4) If a minor is released from a long-term evaluation and treatment facility and no other transportation is available, that facility shall furnish transportation to the minor's residence or other appropriate place.

#### NEW SECTION

WAC 275-54-280 INVOLUNTARY TREATMENT PROGRAM—LEGAL COSTS. (1) Responsible others shall bear the costs of attorneys appointed for the minor or his or her parent if financially able according to standards set by the court of the county in which the proceeding is held.

(2) If all responsible others are indigent as determined by these standards, the costs of the legal services shall be borne by the county in which the proceeding is held.

#### NEW SECTION

WAC 275-54-290 PATIENT RIGHTS. Absent a risk to self or others, minors treated under this chapter have the following rights, which shall be prominently posted in the evaluation and treatment facility:

(1) To wear their own clothes and to keep and use personal possessions;

(2) To keep and be allowed to spend a reasonable sum of their own money for canteen expenses and small purchases;

(3) To have individual storage space for private use;

(4) To have visitors at reasonable times;

(5) To have reasonable access to a telephone, both to make and receive confidential calls;

(6) To have ready access to letter-writing materials, including stamps, and to send and receive uncensored correspondence through the mail;

(7) To discuss treatment plans and decisions with mental health professionals;

(8) To have the right to adequate care and individualized treatment;

(9) Not to consent to the performance of electroconvulsive treatment or surgery, except emergency life-saving surgery, upon him or her, and not to have electroconvulsive treatment or nonemergency surgery in such circumstance unless ordered by the court pursuant to a judicial hearing in which the minor is present and represented by counsel, and the court shall appoint a psychiatrist, psychologist, or physician designated by the minor or the minor's counsel to testify on behalf of the minor. The minor's parent may exercise this right on the minor's behalf, and must be informed of any impending treatment;

(10) Not to have psychosurgery performed on him or her under any circumstances.

#### NEW SECTION

WAC 275-54-300 CONFIDENTIALITY. The fact of admission and all information obtained through treatment under this chapter is confidential. Confidential information may be disclosed only:

(1) In communications between mental health professionals to meet the requirements of this chapter, in the provision of services to the minor, or in making appropriate referrals;

(2) In the course of guardianship or dependency proceedings;

(3) To persons with medical responsibility for the minor's care;

(4) To the minor, the minor's parent, and the minor's attorney, subject to RCW 13.50.100;

(5) When the minor or the minor's parent designates in writing the persons to whom information or records may be released;

(6) To the extent necessary to make a claim for financial aid, insurance, or medical assistance to which the minor may be entitled or for the collection of fees or

costs due to providers for services rendered under this chapter;

(7) To the courts as necessary to the administration of this chapter;

(8) To law enforcement officers or public health officers as necessary to carry out the responsibilities of their office. However, only the fact and date of admission, and the date of discharge, the name and address of the treatment provider, if any, and the last known address shall be disclosed upon request;

(9) To law enforcement officers, public health officers, appropriate relatives, and other governmental law enforcement agencies, if a minor has escaped from custody, disappeared from an evaluation and treatment facility, violated conditions of a less-restrictive treatment order, or failed to return from an authorized leave, and then only such information as may be necessary to provide for public safety or to assist in the apprehension of the minor. The officers are obligated to keep the information confidential in accordance with this chapter;

(10) To the secretary for assistance in data collection and program evaluation or research, provided the secretary adopts rules for the conduct of such evaluation and research. The rules shall include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I, ....., agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding minors who have received services in a manner such that the minor is identifiable.

I recognize unauthorized release of confidential information may subject me to civil liability under state law.

/s/....."

(11) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure shall be made by the professional person in charge of the public or private agency or his or her designee and shall include the dates of admission, discharge, authorized or unauthorized absence from the agency's facility, and only such other information pertinent to the threat or harassment. The decision to disclose or not shall not result in civil liability for the agency or the agency's employees so long as the decision was reached in good faith and without gross negligence;

(12) To a minor's next-of-kin, attorney, guardian, or conservator, if any, the information that the minor is presently in the facility or that the minor is seriously physically ill and a statement evaluating the mental and physical condition of the minor as well as a statement of the probable duration of the minor's confinement;

(13) Upon the death of a minor, to the minor's next-of-kin;

(14) To a facility where the minor resides or will reside. This section shall not be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary. The fact of admission and all information obtained pursuant to this chapter are not admissible as evidence in any legal proceeding outside this chapter, except guardianship or dependency, without the written consent of the minor or the minor's parent;

(15) When disclosure of information on records is made, the date and circumstances, the name or names of the person or agencies to whom such disclosure was made, the relationship to the minor, if any, and the information disclosed shall be entered in the minor's clinical record.

NEW SECTION

WAC 275-54-310 CONFIDENTIALITY OF COURT PROCEEDING RECORDS. The records and files maintained in any court proceeding are confidential and available only to the minor, the minor's parents, and the minor's attorney. The court may order release or use of these records if the court finds appropriate safeguards for strict confidentiality will be maintained.

**WSR 86-02-049  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 2317—Filed December 31, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to foster care, amending chapter 388-70 WAC.

I, Lee D. Bomberger, 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 these rules are necessary to update payment standards set by the biennial budget which go into effect on January 1, 1986.

These rules are therefore adopted as emergency rules to take effect on January 1, 1986.

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 December 31, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1849, filed 7/30/82)

WAC 388-70-013 AUTHORIZATION FOR FOSTER CARE PLACEMENT. A child may be placed in foster care only under the following circumstances:

(1) The child has been placed in temporary residential care after having been taken into custody pursuant to chapter 13.32A RCW, Runaway Youth Act. A child shall in no event remain in temporary residential care for more than seventy-two hours from the time of initial contact with the law enforcement officer, except as otherwise provided in this section.

(2) A petition, by child, ~~((parent(s)))~~ parent or parents, or the department requesting alternative residential placement for the child has been filed pursuant to RCW 13.32A.120 or 13.32A.140, or approved pursuant to RCW 13.32A.170, or upon a child having been admitted directly by RCW 13.32A.090.

(3) A child has been placed in shelter care as provided in the following:

(a) The child has been taken into custody~~((;))~~ and placed in shelter care when there is probable cause to believe, pursuant to RCW 26.44.050, that the child is abused or neglected and the child would be injured or could not be taken into custody as provided in RCW 13.34.050.

(b) A petition has been filed with the juvenile court alleging the child is dependent; that the child's health, safety, and welfare will be seriously endangered if not taken into custody and the juvenile court enters an order placing the child in shelter care. See RCW 13.34.050 and 13.34.060.

(c) No child shall be held longer than seventy-two hours, excluding Sundays and holidays, after such child is taken into custody, unless a court order has been entered for continued shelter care.

(d) No child shall be detained for longer than thirty days without a court order, authorizing continued shelter care.

(4) A juvenile court has determined a child is dependent and the court's order of disposition issued pursuant to RCW 13.34.130 removes the child from his or her home.

(5) A juvenile court has terminated the parent and child relationship pursuant to chapter 13.34 RCW~~((;))~~ and placed the custody of the child with the department or a licensed child placing agency.

(6) The child and his or her ~~((parent(s)))~~ parent or parents agree to the arrangement and/or continuation of alternative residential placement pursuant to RCW 74.13.031, as evidenced by a written consent to placement subject to limitations in subsection (8) of this section.

(7) If a child is to be placed in group care, such placement shall only be made when the department has assessed the child's and family's needs and determined ~~((that))~~ group care is the most appropriate placement option.

(a) The department will only provide financial support for a child's group care placement when the placement is in a licensed group care facility, and

(b) The department has custody of the child~~((;))~~ and the authority to remove the child in a cooperative manner after at least seventy-two hours notice to the child care provider, such notice may be waived in emergency situations.

(8) The child's ~~((parent(s)))~~ parent or parents or legal ~~((guardian(s)))~~ guardian or guardians has voluntarily requested, on forms prescribed by the department, the placement of the child by the department or a licensed child placement agency into foster care and the department concurs ~~((that))~~ such placement is currently necessary, provided that the maximum time period for the voluntary placement shall be three months. The placement may be extended if an exception to policy is approved per WAC 388-20-010. Such requests shall comply with foster care placement criteria as developed by the department.

AMENDATORY SECTION (Amending Order 2242, filed 6/18/85)

WAC 388-70-042 PAYMENT STANDARDS—REGULAR FOSTER FAMILY CARE. ~~((Effective July 1, 1984.))~~ Foster care payment standards shall be as follows. Effective May 1, 1985, exceptions to the standards may be approved by a DCFS administrator or designee.

(1) The board payment for foster care of a child in a family foster home is one hundred thirty-four dollars and ~~((forty-four))~~ thirty-five cents per month for a child less than six years of age, one hundred ~~((sixty-nine))~~ seventy-four dollars and ~~((forty-five))~~ fifty-three cents per month for children six through eleven years of age, and two hundred ~~((three))~~ nine dollars and ~~((fifty-seven))~~ sixty-eight cents per month for a child twelve and over. For the purposes of determining the payment for board, the child's birthdate is considered to be the first of the month in which his or her birthday occurs.

(2) Foster parents shall be provided ~~((eighteen))~~ twenty-eight dollars and ~~((sixty-seven))~~ sixty-five cents per month for personal incidentals including school supplies for children less than age six; thirty-one dollars and seventeen cents for children age six through eleven years; and thirty-three dollars and forty-five cents for a child twelve and over. A monthly clothing allowance of twenty-one dollars ~~((and thirty-eight cents))~~ is paid for children under twelve years, while twenty-four dollars and ~~((twenty-three))~~ ninety-five cents is paid for children twelve years and older.

(3) An initial clothing allowance for children placed in foster care is provided to supplement a child's clothing supply, where necessary, at the time a child is placed in foster care. This allowance may not exceed one hundred dollars unless otherwise authorized by a DCFS administrator.

(4) Additional individual child-specific amounts may be authorized by a DCFS administrator or his or her designee.

AMENDATORY SECTION (Amending Order 2242, filed 6/18/85)

WAC 388-70-044 PAYMENT STANDARDS—RECEIVING HOME CARE—STANDARDS FOR USING. (1) The purpose and/or use of a receiving home is to allow the department or private agency to care for a child in a foster family home on a temporary, emergent, or interim basis in order that there be sufficient time for the development of a plan including the involvement of the child whenever possible.

(2) There are two types of receiving homes:

(a) Regular receiving homes for children age zero through seventeen, and

(b) Specialized receiving homes for children age twelve through seventeen who are runaways or in conflict with their parents.

(3) Receiving homes supported by the department shall be limited to the number the DCFS administrator determines necessary in his or her geographical area. The criteria to be followed are:

(a) Each DCFS office or private agency shall document need for a receiving home and present the request in writing, giving the specifics, to the DCFS administrator.

(b) All receiving homes shall be licensed as foster family homes.

(c) The need for a receiving home or homes must carry a direct relationship to the department's or private agency's type of program and service responsibilities.

(d) The intent of the service is to allow the department or private agency to develop and carry out a suitable plan for the child.

(4) Length of stay guidelines for receiving homes are as follows:

(a) Regular receiving homes provide care up to thirty days;

(b) Specialized receiving homes provide care up to fifteen days.

(5) Every six months the DCFS administrator shall receive a written report on each receiving home, resubstantiating continued use and need.

(6) Foster family homes regularly providing care for children on a temporary, emergent, or interim basis and are available for placement twenty-four hours per day shall be designated as regular or specialized receiving homes.

(a) Regular receiving homes shall be paid ~~((thirty-two))~~ thirty-three dollars and ~~((thirty-five))~~ thirty-two cents per month for each bed available for the emergency placement of children. In addition, the daily rate for receiving home care shall be ~~((eleven))~~ twelve dollars and ~~((thirty-four))~~ twenty cents per day per child.

(b) Specialized receiving homes shall be paid ~~((sixty-five))~~ sixty-seven dollars and ~~((twenty-one))~~ seventeen cents per month for each bed available for the emergency placement of children. In addition, the daily rate for specialized receiving home care shall be ~~((fifteen))~~ sixteen dollars and ~~((sixty-seven))~~ sixty-six cents per day per child.

(7) Other foster homes occasionally providing temporary, emergent, or interim care shall not be designated

as receiving homes nor receive the retainer fee, but shall be reimbursed for such care at the receiving home rate of ~~((eleven))~~ twelve dollars and ~~((thirty-four))~~ twenty cents per day per child.

(c) Payments in excess of the standards in subsection (6)(a) and (b) of this section may be authorized by the DCFS administrator or his or her designee for individual, child-specific situations.

(8) Temporary or emergency care for a child shall not exceed thirty days. After thirty days, the rate for children remaining in care in a receiving home shall be that for regular full-time foster care except as authorized by the DCFS administrator. Clothing and personal incidentals are purchased for the child in receiving home care as needed.

(9) Private group care facilities may, at the discretion of the DCFS administrator, be utilized to provide interim care for children and youths requiring care in a group setting. Unless an alternate agreement is made, contracted group care facilities shall be paid for providing interim care at their established daily rate.

AMENDATORY SECTION (Amending Order 2242, filed 6/18/85)

WAC 388-70-048 PAYMENT STANDARDS—SPECIALIZED RATE FOSTER FAMILY CARE—CHILD WITH SPECIAL NEEDS. In addition to the basic rate for regular foster family home care specified in this chapter, an additional amount may be paid for the specialized care of a child with special needs as determined by the department. The additional amounts are:

- (1) Children with ~~((behav-  
ior))~~ behavioral/emotional problems \$ ~~((+36.53))~~ 140.63 per month
- (2) Intellectually/physically handicapped children \$ ~~((+36.53))~~ 140.63 per month
- ~~((+3))~~ Emotionally handi-  
capped children \$ ~~+36.53~~ per month)

Reviser's note: The typographical errors 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 86-02-050  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Commission for Vocational Rehabilitation)  
[Order 2324—Filed December 31, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Economic need—Standard for determining, amending WAC 490-500-190.

I, Lee D. Bomberger, 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 these rules will be of substantial benefit to certain vocational rehabilitation clients.

These rules are therefore adopted as emergency rules to take effect on January 1, 1986.

This rule is promulgated pursuant to RCW 74.29.025 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 74.29 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 December 31, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2149, filed 9/12/84)

WAC 490-500-190 ECONOMIC NEED—STANDARDS FOR DETERMINING. (1) A client shall be eligible to receive vocational rehabilitation services or extended evaluation services from the division when total obligations, debts, and expenses equals or exceeds income and nonexempt assets and resources. When income and nonexempt assets are greater than the value of obligations, debts, and expenses, the excess is to be made available by the client to pay for rehabilitation services unless the service is exempted by law and/or WAC 490-500-180.

(2) Determination of a client's economic need involves an evaluation of the income, assets, debts, obligations, and expenses of his or her entire family unit, including his or her dependents or, if the client is an unemancipated minor, his or her parents.

(3) The following shall be considered income for the purpose of determining the economic need of a client:

(a) Wages paid to the client and to any dependent family members living in the home. For purposes of this section, wages shall be equal to gross wages less deductions for income taxes, Social Security, taxes, retirement deductions, and other involuntary deductions.

(b) Contributions from relatives or others, in cash or in kind, on a regular and predictable basis<sup>(:);</sup><sub>2</sub>

(c) Net profit from roomers or boarders<sup>(:);</sup><sub>2</sub>

(d) Net profit from property rentals<sup>(:);</sup><sub>2</sub>

(e) Net profit from farm products<sup>(:);</sup><sub>2</sub>

(f) Net profit from business enterprises<sup>(:);</sup><sub>2</sub>

(g) Scholarship or fellowship funds<sup>(:);</sup><sub>2</sub>

(h) Income from public or private welfare agencies<sup>(:);</sup><sub>2</sub> or

(i) Any other income received on a regular and predictable basis, including but not limited to alimony, dividends from stocks, annuity payment, unemployment compensation, insurance, pensions, etc.

(4) The following types of property shall be considered exempt assets and may not be considered in determining the client's economic need:

(a) The home occupied by the client or his or her family, including any contiguous real property. A house trailer is an exempt asset when it is being regularly occupied by the client or his or her family as the principle place of residence or when it will be so occupied in the predictable future.

(b) Household furniture, clothing, life insurance, and other personal effects;

(c) An automobile when one or more of the following conditions is met:

(i) The client and his or her family have only one automobile, or

(ii) All automobiles used by the family are for the purpose of transportation to work or school, or

(iii) The automobile has been furnished in whole or in part to the client or to one of his or her dependents by the Veterans' Administration, or

(iv) The automobile is essential to the client's vocational rehabilitation objective.

(d) Vocational equipment and machinery owned by the client is an exempt asset if the equipment and/or machinery is being used to provide part or all of the living expenses of the client and his or her dependents or if the equipment and/or machinery may be so used after completion of the vocational rehabilitation plan;

(e) Livestock is an exempt asset to the extent the livestock produces income or otherwise helps the client to meet normal living requirements.

(5) All types of tangible and intangible property, including but not limited to real property, personal property, stocks, bonds, savings accounts, and checking accounts, which are not exempt under subsection (4) of this section shall constitute the client's nonexempt assets and shall be considered in determining the client's economic need. The value of a nonexempt asset shall be equal to the nonexempt assets fair market value less any unpaid encumbrances of record.

(6) The following obligations, debts, and expenses shall be deducted from the client's income and nonexempt assets in determining the client's economic need:

(a) The client's actual shelter and living expenses,

(b) Shelter and living expenses for the client's dependents,

(c) Payments which the client is required to make under court order,

(d) Outstanding taxes on earnings or personal or real property,

(e) Insurance premium payments,

(f) Contractual payments on real or personal property if such obligations were incurred prior to the client's application for vocational rehabilitation services.

(7) When maintenance is to be paid by the division of vocational rehabilitation to a client, the maintenance paid shall be in the amount the division has determined to be necessary to maintain the client up to a maximum of ((three hundred four dollars)) the current one-person payment standard as defined in WAC 388-29-100.

**WSR 86-02-051**  
**ADOPTED RULES**  
**DEPARTMENT OF CORRECTIONS**  
[Order 85-11—Filed December 31, 1985]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to petition for promulgation, amendment, or repeal of rule or for declaratory ruling, adopting chapter 137-10 WAC.

This action is taken pursuant to Notice No. WSR 85-23-022 filed with the code reviser on November 13, 1985. 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 34.04.060 and 34.04.080 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 December 31, 1985.  
By Robert E. Trimble  
for Amos E. Reed  
Secretary

Chapter 137-10 WAC  
**PETITION FOR PROMULGATION, AMENDMENT, OR REPEAL OF RULE OR FOR DECLARATORY RULING**

<b>WAC</b>	
137-10-005	Purpose.
137-10-010	Definitions.
137-10-015	Qualifications and filing.
137-10-020	Form of petition.
137-10-025	Consideration and disposition.

**NEW SECTION**

**WAC 137-10-005 PURPOSE.** The purpose of this rule is to establish the procedures by which an interested party may petition the department of corrections for the promulgation, amendment, or repeal of a rule pursuant to RCW 34.04.060, or for a declaratory ruling pursuant to RCW 34.04.080.

**NEW SECTION**

**WAC 137-10-010 DEFINITIONS.** (1) "Department" means the department of corrections.  
(2) "Secretary" means the secretary of the department of corrections or the secretary's designee.

**NEW SECTION**

**WAC 137-10-015 QUALIFICATIONS AND FILING.** (1) Any interested person may petition the department for the promulgation of a new department rule, the amendment or repeal of an existing department

rule, or for a declaratory ruling with respect to the applicability to any person, property, or state of facts of any rule or statute enforced by the department.

(2) All such petitions shall be delivered or mailed to the office of the secretary, department of corrections, P.O. Box 9699, Olympia, Washington 98504.

**NEW SECTION**

**WAC 137-10-020 FORM OF PETITION.** (1) A petition filed under this chapter shall be typewritten or prepared in other legible form on 8 1/2" by 11" white paper.

(2) If such petition is for the promulgation, amendment, or repeal of a department rule, it shall be captioned as follows:

In the matter of the petition of (name of the petitioning party).	} Petition for (state whether for promulgation, amendment, or repeal) of rule(s).
-------------------------------------------------------------------	-----------------------------------------------------------------------------------

(3) If such petition is for a declaratory ruling it shall be captioned as follows:

In the matter of the petition of (name of petitioning party)	} Petition for Declaratory Ruling
--------------------------------------------------------------	-----------------------------------

(4) The text of such petitions shall be set out in consecutively numbered paragraphs, the first of which shall contain the name and mailing address of the petitioning party. All petitions shall be dated and signed by the petitioning party.

(5) A petition for the promulgation, amendment, or repeal of a department rule shall set forth:

(a) A statement of whether the petition is for the promulgation of a new rule, or the amendment or repeal of an existing rule;

(b) The full text of any desired new rule, or the citation and full text of any existing rule and the full text of the amendment sought, or the citation and full text of any rule sought to be repealed;

(c) The reason for the requested promulgation, amendment, or repeal;

(d) The facts, allegations, and arguments on which the petitioning party relies in support of the requested promulgation, amendment, or repeal; and

(e) The nature of the interest of the petitioning party in the subject matter of the rule.

(6) A petition for a declaratory ruling of the department shall set forth:

(a) The full text and citation of the rule or statute upon which the declaratory ruling is sought;

(b) The nature of the declaratory ruling sought;

(c) The reasons why the declaratory ruling is sought;

(d) The facts, allegations, and arguments on which the petitioning party relies in support of the issuance of the declaratory ruling; and

(e) The nature of the interest of the petitioning party in the subject matter of the petition.

**NEW SECTION**

**WAC 137-10-025 CONSIDERATION AND DISPOSITION.** (1) Within thirty days after its receipt, a petition filed pursuant to this chapter will be considered by a member(s) of the department's staff appointed

by the secretary for that purpose. Such staff member(s) may conduct a hearing on the petition, in which event the petitioning party will be given twenty days notice of the date, time, and place for such hearing. Upon completion of its consideration, the department staff will submit its recommendation with respect to the petition to the secretary.

(2) Within thirty days after receipt of the staff's recommendations the secretary will consider the petition and the recommendations and decide either to deny the petition or, as the case may be, to direct rule-making proceedings consistent with the petition be commenced; or decide that a declaratory ruling be issued.

(3) The petitioning party will be notified of the secretary's decision in writing. If the petition is denied, the reason for such denial will be set forth in the notice. If a declaratory ruling is issued, a copy will be mailed to the petitioning party.

**WSR 86-02-052**

**ADOPTED RULES**

**DEPARTMENT OF CORRECTIONS**

[Order 85-12—Filed December 31, 1985]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Rep ch. 275-53 WAC Sale of items produced by vocational training students in correctional institutions.
- New ch. 137-20 WAC Sale of products and services of vocational education students.

This action is taken pursuant to Notice No. WSR 85-23-023 filed with the code reviser on November 13, 1985. 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 72.01.090.

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 December 31, 1985.

By Robert E. Trimble  
for Amos E. Reed  
Secretary

Chapter 137-20 WAC

**SALE OF PRODUCTS AND SERVICES OF VOCATIONAL EDUCATION STUDENTS**

WAC

- 137-20-005 Definitions.
- 137-20-010 Sale of products and services.

137-20-015 Proceeds of sales.

NEW SECTION

WAC 137-20-005 DEFINITIONS. As used in this chapter the following words shall have the following meanings:

- (1) "Vocational education" shall have the same meaning as set forth in RCW 72.62.020.
- (2) "Students" means inmates of adult correctional institutions or facilities enrolled in a vocational education program.
- (3) "Products" means goods, wares, articles, or merchandise produced by students as part of a vocational education program.
- (4) "Services" means work performed for others by students as part of a vocational education program not related to the production of products.

NEW SECTION

WAC 137-20-010 SALE OF PRODUCTS AND SERVICES. Superintendents and administrators of adult correctional institutions and facilities, or their designees, may adopt procedures for the sale of products and services on the open market. The prices for products sold on the open market may be established at levels sufficient to recover the cost of production, including the cost of materials used and the value of depreciation of equipment used to produce the products. The prices for services sold on the open market may be established at levels sufficient to recover the cost of performing the service.

NEW SECTION

WAC 137-20-015 PROCEEDS OF SALES. The proceeds from the sale of products shall be credited to the institution or facility where the products were produced, deposited in a revolving fund, and expended for the purchase of supplies, materials, and equipment for use in vocational education programs. The proceeds from the sale of services shall be credited to the institution or facility where the services were performed, and may be expended for the purchase of supplies, materials, and equipment for use in vocational education programs, and for the payment of wages earned by students in performing services.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 275-53-050 SALE OF ITEMS PRODUCED BY VOCATIONAL TRAINING STUDENTS.

WAC 275-53-055 REQUIREMENTS OF SALE AND NOTICE.

WAC 275-53-060 DISPLAY.

WAC 275-53-065 PROCEEDS OF SALE.

**WSR 86-02-053**  
**ADOPTED RULES**  
**DEPARTMENT OF CORRECTIONS**  
 [Order 85-13—Filed December 31, 1985]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Reimbursable impact/rates—Criminal justice costs, amending WAC 137-70-040.

This action is taken pursuant to Notice No. WSR 85-23-021 filed with the code reviser on November 13, 1985. 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 December 31, 1985.

By Robert E. Trimble  
for Amos E. Reed  
Secretary

AMENDATORY SECTION (Amending Order 85-08, filed 5/29/85, effective 7/1/85)

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

(1) 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:

(a) \$19.03 per hour for the period July 1, 1985, through June 30, 1986.

(b) \$19.81 per hour for the period July 1, 1986, through June 30, 1987.

(2) 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:

(a) \$45.50 per hour from July 1, 1985, through June 30, 1986.

(b) \$47.37 per hour from July 1, 1986, through June 30, 1987.

(3) 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:

(a) Judges – \$42.41 per hour from July 1, 1985, through June 30, 1986, and \$44.15 per hour for the period July 1, 1986, through June 30, 1987. These costs shall include the services of court clerks and bailiffs.

(b) Court reporters – \$19.08 per hour from July 1, 1985, through June 30, 1986, and \$19.86 per hour for the period July 1, 1986, through June 30, 1987.

(c) Transcript typing services – \$3.80 per page from July 1, 1985, through June 30, 1986, and \$3.96 per page for the period July 1, 1986, through June 30, 1987.

(d) Expert witnesses – \$63.86 per hour from July 1, 1985, through June 30, 1986, and \$66.48 per hour for the period July 1, 1986, through June 30, 1987.

(e) Witness fees/nonexpert – jury fees – reimbursable at the rate established by the local governmental legislative authority up to a maximum of \$28.67 per day for the period July 1, 1985, through June 30, 1986, and \$29.85 for the period July 1, 1986, through June 30, 1987.

(4) Jail facility costs resulting from the escape or criminal complaint shall be reimbursed at the following maximum rate: ~~\$(8-02)~~ 15.00 per inmate day from July 1, 1985, through June 30, 1986 and ~~\$(8-35)~~ 15.00 for the period July 1, 1986, through June 30, 1987.

(5) 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.

(6) 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.

**WSR 86-02-054**  
**EXECUTIVE ORDER**  
**OFFICE OF THE GOVERNOR**  
 [EO 85-08]

ESTABLISHING FIRE PROTECTION SERVICES  
IN THE DEPARTMENT OF COMMUNITY  
DEVELOPMENT

Chapter 470, Laws of 1985, will consolidate two state-level fire protection programs into one agency. In my partial veto of that law, I emphasized my desire to locate the fire protection functions within an existing executive agency and stated the desirability of having that agency seek advice from a board that has knowledge of fire protection services. I also stated my intention to propose to the Legislature, amendments which would bring the new law into compliance with these management principles. Lastly, the Legislature did not include a redesignation of the current statutory designation for the State Fire Marshal; this designation will expire on January 1, 1986.

As a result, there is no specific legal authority for the succession of this critical position.

This Order establishes the executive intent for implementation of Chapter 470, Laws of 1985, until such time as the Legislature acts on my proposed amendments to Chapter 470, Laws of 1985.

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the power vested in me, do hereby declare that beginning on January 1, 1986:

1. The position currently titled as Director, Office of the State Fire Marshal, under the State Insurance Commissioner will serve as the State Fire Marshal after December 31, 1985.
2. The appointed members of the State Fire Protection Board will work with the State Fire Marshal, Director of Fire Service Training, and the Director of Community Development pertaining to fire protection.
3. The Department of Community Development will be the receiving administrative jurisdiction and agency for the purpose of the transfer language contained in Sections 28 and 29 of Chapter 470, Laws of 1985, pertaining to the State Fire Marshal program within the Office of the Insurance Commissioner.
4. The Department of Community Development will be the receiving administrative jurisdiction and agency for the purpose of the transfer language contained in Sections 32 and 33 of Chapter 470, Laws of 1985, pertaining to the Fire Service Training Program within the Commission for Vocational Education.
5. The Director of the Office of Financial Management, under the authority in Chapter 43.88 RCW and Chapter 470, Laws of 1985, shall certify the necessary transfers and apportionments from the State Insurance Commissioner and the Commissioner for Vocational Education to the Department of Community Development solely for activities under Chapter 470, Laws of 1985.
6. The State Fire Protection Board, through the administrative functions of the Department of Community Development, shall request the State Personnel Board to authorize the position designated as the Fire Marshal to be exempt from the provisions of Chapter 41.06 RCW, the State Civil Service Act. The exempt position will be used to carry out the intent of this Executive Order and Chapter 470, Laws of 1985.
7. This Executive Order will continue in effect until the Legislature acts to amend Chapter 470, Laws of 1985, but in no event later than April 1, 1986.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of December, A.D., nineteen hundred and eighty-five.

Booth Gardner

\_\_\_\_\_  
Governor of Washington

BY THE GOVERNOR:

Guy N. Dorland

\_\_\_\_\_  
Acting Deputy Secretary of State

**WSR 86-02-055**  
**EXECUTIVE ORDER**  
**OFFICE OF THE GOVERNOR**  
[EO 85-09]

**PROHIBITING DISCRIMINATION AND  
ESTABLISHING AFFIRMATIVE ACTION  
POLICY AND RESCINDING EXECUTIVE  
ORDER 84-10.**

WHEREAS, it is the long established policy of the State of Washington that the State should not discriminate in its employment practices based on characteristics that are not directly related to the ability of an individual to perform the requirements of a job;

WHEREAS, state government has traditionally adopted employment policies and procedures to encourage non-discriminatory employment practices intended to provide desirable models for the private sector and local governments;

WHEREAS, after many years of effort to address problems in hiring, promoting, and retaining an employment force which reflects the composition of the broad community of the citizens of the state, certain groups which have suffered discrimination in society still are not adequately represented in the state's work force;

WHEREAS, the state has an existing policy that its departments and agencies undertake affirmative action programs to recruit into all levels of employment certain under-represented groups which include women, ethnic and racial minorities, persons of disability, persons between the ages of 40 and 70, disabled veterans, and Vietnam era veterans; and

WHEREAS, certain groups, including some which are not otherwise protected under existing state and federal law, may experience discrimination in hiring, promotion, recruitment, and tenure associated with their employment with the state.

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the power vested in me, do hereby:

Affirm my commitment to elimination of all barriers to employment which artificially restrict hiring, promotion, recruitment, and tenure on the basis of any physical, cultural, religious, or other status which is not directly related to the performance of a job; and

Direct that all state agencies and institutions of higher education continue to use corrective employment measures to employ designated under-represented groups in all job categories. Departments, agencies, and higher education institutions shall base their corrective programs on applicable state and federal law including the Washington Administrative Code (WAC) covering employment based on Revised Code of Washington 49.60 and Chapter 365 Laws of 1985, and comply with Federal Executive Order 11246 as amended by Federal Executive Order 11375, the Vietnam Era Readjustment Act of 1976, Section 503 of the Vocational Rehabilitation Act of 1974, and the Age Discrimination Act of 1967 as amended.

Direct that barriers to the employment of the persons of disability continue to be eliminated and that reasonable accommodation continue to be made to ensure the inclusion of handicapped individuals in the work force;

Direct that all state agencies and institutions of higher education continue to improve the employment opportunities for Vietnam era veterans;

Direct that no state agency or institution of higher education shall discriminate in employment solely on the basis of an individual's sexual orientation. No state agency or institution of higher education shall be required to establish employment goals based on sexual orientation; and,

Urge all state agencies and institutions of higher education to take reasonable and appropriate steps to encourage the participation in the state work force of persons with limited ability to speak English.

Accordingly, in order to implement the aforesaid policies, I direct all state agencies and institutions of higher education:

1. Review policy statements, programs, and procedures to ensure that all possible actions are being taken to assure that equal employment opportunity exists in accordance with state and federal laws;
2. Maintain a current affirmative action program with specific, measurable goals and objectives for the employment and promotion of ethnic and racial minorities, women, persons of disability, persons between the ages of 40 and 70, disabled veterans, and Vietnam era veterans. Programs shall include target dates and supportive systems and shall comply with all applicable state and federal laws;
3. Appoint an official who shall be the chief executive officer, his or her deputy, or another official who reports to the chief executive officer to be responsible for the

implementation and supervision of the affirmative action program. The name and title of the person so designated shall be reported to the Department of Personnel or the Higher Education Personnel Board within 30 days from the date of this order; and,

4. Ensure that any state agency or institution of higher education procedures for evaluating and acting upon complaints of employment discrimination reflect current state and federal law and the policies promulgated in this executive order. These procedures shall provide appropriate requirements for confidentiality in cases arising from complaints of discrimination based on sexual orientation. Every effort shall be made by agencies of the state to resolve all complaints in the spirit and intent of this executive order.

Furthermore, the Governor's Affirmative Action Policy Committee established under Executive Order 84-10 is hereby reestablished 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 Higher Education Personnel Board which meet guidelines established by the Higher Education Personnel Board.
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 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.

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 annual reports to the Governor, the Affirmative Action Policy Committee, and the Human Rights Commission.

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 annual reports to the Governor, the Affirmative Action Policy Committee, and the Human Rights Commission.

The Human Rights Commission shall:

1. Provide the Department of Personnel and the Higher Education Personnel Board with information to assist the Department of Personnel and the Higher Education Personnel Board 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

Higher Education Personnel Board 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 Higher Education Personnel Board 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.

The Office of the Governor shall:

1. Through the executive cabinet review affirmative action plans and progress reports submitted through the affirmative action policy committee and other sources and recommend action to correct continuing deficiencies.
2. Maintain regular communications with the Affirmative Action Policy Committee and other agencies, advisory groups and advocacy organizations concerned with employment discrimination.
3. Approve state-wide affirmative action goals submitted by the Department of Personnel and the Higher Education Personnel Board after consideration of the Affirmative Action Policy Committee's recommendations.
4. Take such additional action as 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 24th day of December, A.D., nineteen hundred and eighty-five.

Booth Gardner

BY THE GOVERNOR:

Guy N. Dorland

Acting Deputy Secretary of State

**WSR 86-02-056****ADOPTED RULES****DEPARTMENT OF LICENSING**

[Order TL-RG-22—Filed December 31, 1985]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to restrictions and conditions, WAC 308-99-040.

This action is taken pursuant to Notice No. WSR 85-23-064 filed with the code reviser on November 19, 1985. 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 46.85.060 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 December 31, 1985.

By Theresa Anna Aragon  
Director

**AMENDATORY SECTION** (Amending Order 729-DOL [TL/RG 17], filed 9/9/83 [9/30/85])

WAC 308-99-040 RESTRICTIONS AND CONDITIONS. A vehicle properly licensed or registered in another jurisdiction may be operated in Washington without further registration requirements subject to the following conditions and restrictions:

(1) Nonresident tourists or other nonresident visitors: Length of stay cannot exceed one hundred eighty days in a calendar year.

(2) Nonresident students: The student must be in full-time attendance at an institution of higher learning in Washington accredited by the Northwest Association of Schools and Colleges and maintain their legal home of record at a location outside the state of Washington. Students' vehicles must be registered in their name or the name of their parent or legal guardian in the resident state of record. The student must carry documentation issued by the institution in the vehicle which readily establishes the nonresident status. Employment incidental to the full-time student status is permitted. The spouse of a nonresident student has the same licensing privilege as long as the vehicle is registered to the student or jointly to the student and spouse, regardless of the spouse's legal residence or employment.

(3) Nonresident military personnel: Vehicles must be currently registered in the name of the military person at their official home of record. A vehicle licensed at the last duty station may be operated until expiration of the registration at which time it must be licensed in the home of record or in Washington. The spouse of a nonresident military person has the same licensing privilege as long as the vehicle is registered to the military person

or jointly to the military person and spouse, regardless of the spouse's legal residence or employment.

(4) Temporary employment: Nonresident persons engaged in employment of a temporary nature may operate a vehicle in this state which is currently licensed in another jurisdiction for a period not to exceed one hundred eighty days in a calendar year. Proof of the temporary nature of the employment may be required.

(5) Borrowed vehicle: A borrowed vehicle currently licensed in another jurisdiction may be operated by a Washington resident for a period not to exceed ten days in any one calendar year. If the period of use exceeds ten days the vehicle must be registered and licensed in Washington. This provision does not apply to business vehicles.

(6) Salespersons: Nonresident salespersons based at a location outside Washington are permitted to operate vehicles not to exceed 12,000 pounds registered gross vehicle weight licensed in another jurisdiction in this state without registration.

(7) Business vehicle: A vehicle or a combination of vehicles, not exceeding a registered gross or combined gross vehicle weight of 12,000 pounds, which is properly base licensed in another jurisdiction, and used for business purposes in this state is not required to obtain Washington vehicle license registration except when such vehicle is owned or operated by a business or branch office of a business located in Washington.

(8) Nonresident employed in Washington: A nonresident employed in Washington for more than one hundred eighty days in a calendar year may operate a vehicle licensed in another jurisdiction as long as no permanent, temporary, or part-time residence is maintained in this state.

(9) New resident: New Washington residents shall be allowed sixty days from the date of establishing residency to procure Washington registration for their vehicle.

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

**WSR 86-02-057****ADOPTED RULES****DEPARTMENT OF LICENSING**

[Order TL-RG-23—Filed December 31, 1985]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to definitions, WAC 308-78-010.

This action is taken pursuant to Notice No. WSR 85-23-083 filed with the code reviser on November 20, 1985. 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 82.42.030 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 December 31, 1985.

By Theresa Anna Aragon  
Director

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 December 31, 1985.

By Theresa Anna Aragon  
Director

#### AMENDATORY SECTION

WAC 308-78-010 DEFINITIONS. (1) "Aircraft fuel" includes any combustible gas or liquid, which is normally defined as motor vehicle fuel under chapter 82.36 RCW or a special fuel under chapter 82.38 RCW, when it is used to propel an aircraft.

(2) "User" means any person other than a distributor who is licensed to acquire aircraft fuel without payment of the aircraft fuel tax at time of acquisition.

(3) "Local service commuter" means an air taxi operator who operates at least five round trips per week between two or more points (~~((in passenger service))~~); ~~((and))~~ publishes flight schedules which specify the times, days of the week, and points between which it operates; and whose aircraft has maximum capacity of sixty passengers or eighteen thousand pounds of useful load.

(4) "Operation for testing and experimental purposes" shall include only those flights conducted under either an experimental, research and development, or special airworthiness certificate issued by the FAA or other documented experimental or testing flights including the flight of other aircraft used in the test or experimental flight.

(5) "Private, nonstate funded airfield" means an airport not eligible to receive state funding under chapter 47.68 RCW.

**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 86-02-058**

##### **ADOPTED RULES**

##### **DEPARTMENT OF LICENSING**

{Order TL-RG-24—Filed December 31, 1985}

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 308-77-040 Issuance of license.  
Amd WAC 308-77-045 Expiration of license.  
Rep WAC 308-77-065 Tax liability on leased motor vehicles.

This action is taken pursuant to Notice No. WSR 85-23-082 filed with the code reviser on November 20, 1985. 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 82.38.260 and is intended to administratively implement that statute.

#### AMENDATORY SECTION (Amending Order 548 DOL, filed 8/1/79)

WAC 308-77-040 ISSUANCE OF LICENSE. A special fuel supplier or dealer who wishes to conduct separate businesses at different locations will be issued a license for each business upon request and filing an application for a license and a bond (if required) for each. The license shall be displayed or kept available for inspection at the place of each business where fuel is sold and delivered to users.

A special fuel supplier or dealer having more than one place of business holding a single license shall reproduce the license and keep a photocopy on display at each additional place of business, each place of storage from which special fuel is sold or delivered, and in each motor vehicle used to transport special fuel owned by him for sale, delivery or use, and in addition, must identify by location and capacity all bulk storage plants of #1 and #2 distillates capable of being used as vehicle fuel as required by the department.

A special fuel user who wishes to conduct separate businesses at different locations or to operate two or more separate fleets of motor vehicles will be issued a license for each separate business or fleet upon request and filing an application for a license and a bond (if required) for each location or fleet. The license shall be displayed or be kept available for inspection at the owner's principal place of business and a reproduced copy thereof shall be carried in each motor vehicle entering this state from another state or province. A special fuel tax trip permit may be purchased by a user entering this state in lieu of a special fuel license. ~~((Any one special fuel tax trip permit cannot be used for more than one entry into the state of Washington.))~~ The user must be the registered owner and/or lessee of the vehicle, or a dealer of motor vehicles. Operators of vehicles with a registered gross weight of more than 10,000 pounds will require a special fuel license or a special fuel tax trip permit to enter this state.

#### AMENDATORY SECTION (Amending Order 548 DOL, filed 8/1/79)

WAC 308-77-045 EXPIRATION OF LICENSE. All special fuel licenses will expire on ~~((February))~~ April 15 of the year following the year of issuance. A new license valid for the succeeding year will be automatically mailed to each license holder prior to ~~((February))~~ April 15 providing all reports due for the previous calendar year have been submitted to the department, and the department is satisfied that all special fuel taxes owed by the license holder have been properly remitted.

**REPEALER**

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

WAC 308-77-065 TAX LIABILITY ON LEASED MOTOR VEHICLES.

**WSR 86-02-059**

NOTICE OF PUBLIC MEETINGS  
**URBAN ARTERIAL BOARD**  
[Memorandum—December 31, 1985]

MEETING NOTICE  
URBAN ARTERIAL BOARD  
TRANSPORTATION BUILDING  
OLYMPIA, WASHINGTON  
(Transportation Board Room)

Beginning at 9:30 a.m., Friday, January 17, 1986.

Note: Persons wishing to testify at this meeting will be required to contact the UAB in writing prior to January 13, 1986.

**WSR 86-02-060**

EMERGENCY RULES  
**DEPARTMENT OF  
LABOR AND INDUSTRIES**  
[Order 85-38—Filed December 31, 1985]

I, Richard A. Davis, director of the Department of Labor and Industries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to medical aid rules and maximum fee schedule, WAC 296-23-301 dealing with rules for hospital reimbursement.

I, Richard A. Davis, 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 maintain the financial integrity of the medical aid fund and purchase hospital services in a prudent manner. The regulation must be effective, January 1, 1986, in order to coincide with the fiscal period of most hospitals.

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

This rule is promulgated pursuant to RCW 51.04.020(4) and 51.04.030 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 December 31, 1985.

By R. A. Davis  
Director

AMENDATORY SECTION (Amending Order 81-28, filed 11/30/81, effective 1/1/82)

WAC 296-23-301 RATES FOR DAILY AND ANCILLARY SERVICES. The department or self-insurer will pay ((rates)) for daily and ancillary services ((as approved)) by multiplying allowed charges times the ratio of total rate setting revenue minus bad debt to total rate setting revenue for each hospital set annually based upon the latest budget available from the Washington state hospital commission. Doctor services (other than professional component) are not included in WSHC rates and should be billed using appropriate fee schedule procedure codes.

This rule shall be effective January 1, 1986.

**WSR 86-02-061**

PROPOSED RULES  
**DEPARTMENT OF FISHERIES**  
[Filed December 31, 1985]

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 personal use rules;

that the agency will at 10:00 a.m., Saturday, February 8, 1985 [1986], in the Large Conference Room, General Administration 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 February 14, 1985 [1986].

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 February 8, 1985 [1986].

Dated: December 31, 1985

By: Russell W. Cahill  
for William R. Wilkerson  
Director

**STATEMENT OF PURPOSE**

Title: WAC 220-56-100, 220-56-150, 220-56-180, 220-56-190, 220-56-195, 220-56-205, 220-56-240, 220-56-295, 220-56-305, 220-56-310, 220-56-312, 220-56-325, 220-56-330, 220-56-335, 220-56-350, 220-56-365, 220-56-380, 220-56-382, 220-56-400, 220-57-001, 220-57-138, 220-57-140, 220-57-160, 220-57-175, 220-57-200, 220-57-220, 220-57-235, 220-57-260, 220-57-270, 220-57-290, 220-57-319, 220-57-335, 220-57-350, 220-57-435, 220-57-450, 220-57-455 and chapter 220-57A WAC.

Description of Purpose: Modify rules affecting recreational sport fishing for 1986-1987 season.

Statutory Authority: RCW 75.08.080.

Summary of Rule: WAC 220-56-100 adds shellfish to definition of processed fish, defines Bonilla-Tatoosh Line and Buoy 10 Line; 220-56-150 clarifies rule, making it

illegal to take another's sport limit; 220-56-180 provides alternative restrictions in Areas 9, 10, 11, and 13, modifies Bag Limit 1; 220-56-190 modifies restrictions in 4A; 220-56-195 closes spring fishery in Dungeness Bay; 220-56-205 conforms Chehalis River to freshwater hook requirements; 220-56-240 reduces sturgeon bag limit and increases possession limit; 220-56-295 prohibits use of gaff when landing sturgeon; 220-56-305 closes Snake River tributaries to taking of sturgeon; 220-56-310 establish daily bag limit of shellfish; 220-56-312 establish possession limit of shellfish; 220-56-325 establish opening date of Hood Canal shrimp season; 220-56-330 establish sport pot closure in coastal harbors and ocean crab fisheries; 220-56-335 establish 6 1/4 size limit for crab in coastal harbor and ocean sport crab fisheries; 220-56-350 rescind closure to hardshell clam digging at Shine Tidelands and Fry Cove; 220-56-365 differentiate daily bag and possession limit; 220-56-380 open Dosewallips and Belfair state parks to year-round oyster harvest, relax restriction at Kitsap Memorial State Park; 220-56-382 differentiate daily bag and possession limits; 220-56-400 differentiate daily bag and possession limits; chapter 220-57 WAC, modify salmon stream regulations; and chapter 220-57A WAC, modify salmon lake regulations.

Reasons Supporting Proposed Action: WAC 220-56-100, the change in the possession limit for shellfish makes it necessary to add shellfish to the processed fish definition, the two boundary lines are frequently used to delineate management areas, and ease of reference is needed; 220-56-150, clarification that it is unlawful to take another's limit or part of limit; 220-56-180, the alternative restrictions provide management options to redress chinook imbalances, the change in Bag Limit 1 reflects management changes by the game department in fresh water lakes; 220-56-190, 4A is managed consistent with adjacent ocean waters; 220-56-195, Dungeness River spring chinook salmon are in need of protection; 220-56-205, single hooks allow release of fish that do not need bag limit requirements; 220-56-240, the sturgeon fishery has expanded rapidly, and this measure will reduce the harvest; 220-56-295, penetration wounds cause mortality in undersize sturgeon; 220-56-305, clarification that the tributaries of the Snake River as well as the river itself are closed to sturgeon fishing; 220-56-310, clarify that the daily bag limit is not the possession limit; 220-56-312, multiple day bag limits in possession should be allowed if frozen or processed for future use; 220-56-330, softshell crab mortality is high when shellfish pot gear is used. This regulation would mirror commercial pot gear restrictions; 220-56-335, an increase in size will allow full maturity prior to harvest; 220-56-350, harvestable numbers of clams are available at these two sites; 220-56-365, 220-56-382 and 220-56-400, the change in shellfish possession limits requires that the daily bag limit be referenced in these regulations; 220-56-380, limited harvest is allowable at Kitsap Memorial State Park, harvestable numbers of oysters are available for year-round harvest at Belfair and Dosewallips parks; chapter 220-57 WAC, changes in stream regulations for salmon angling reflect anticipated 1986 run conditions;

and chapter 220-57A WAC, Bag Limit 1 lakes are managed consistent with the gamefish populations, Lake Wenatchee is expected to have a harvestable sockeye salmon return.

Agency Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, 754-2429; Implementation: Edward P. Manary and Ronald E. Westley, 115 General Administration Building, Olympia, 753-6600; and Enforcement: James W. McKillip, 115 General Administration Building, Olympia, 753-6585.

These rules are proposed by the Washington Department of Fisheries.

Comments: None.

These rules are not the result of federal law or any court order with the exception of proposals affecting Puget Sound salmon angling. Those rules are in response to federal court order, *U.S. vs. Washington*, Case No. 9213, U.S. District Court, Arizona, January 23, 1984.

Small Business Economic Impact Statement: No effect, these proposals regard recreational angling.

#### AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-56-100 DEFINITIONS—PERSONAL USE. (1) "Personal-use possession" and "daily bag limits" are defined as the numbers or pounds of food fish or shellfish which may be taken in a single day or held in possession at one time, unless otherwise provided.

(2) A "single hook" is defined as a hook having a single point or barb; a "double hook" as a hook having two points or barbs on a common shank; and a "treble hook" as a hook having three points or barbs on a common shank.

(3) A "lure" is defined as any object made of animal, vegetable or mineral materials which has attached thereto one or more hooks and is used as bait while angling for food fish.

(4) The term "processed ((fish))" as it applies in this title is defined as ((salmon or other)) food fish or shellfish which ((has)) have been processed by heat for human consumption as kippered, smoked, or canned fish and is exclusive of iced, frozen, or salted fish.

(5) The term "fresh fish" is defined as salmon or other food fish which has not been processed by heat for human consumption and is inclusive of iced, frozen, or salted fish except that fresh fish as provided in WAC 220-56-180 shall not include frozen.

(6) "Hook and line" or "angling" shall be identical in meaning and, except as provided in WAC 220-56-115, shall be defined as the use of not more than one line with one lure in the act of fishing for personal use and not for sale or barter, to be attached to a pole held in hand while landing fish, or the use of a hand-operated line without rod or reel, to which may be attached not more than one lure. When fishing for bottomfish, "angling" and "jigging" shall be identical in meaning.

(7) The term "snag or snagging" is defined as any method of taking or attempting to take food fish with one or more hooks in such a manner that the fish does not take the hook or hooks voluntarily in its mouth.

(8) The term "underwater spearfishing" is defined as any method of taking or attempting to take food fish by using any object or objects to impale or hook fish while the fisherman is swimming or floating in the water.

(9) The term "bow and arrow fishing" is defined as any method of taking, or attempting to take, food fish by the use of an arrow equipped with a barbed head and a line attached, and propelled by a bow, as in the sport of archery, while the fisherman is above the surface of the water.

(10) The term "natural bait," unless otherwise provided, is defined as a lure consisting of an animal or part of an animal with one single hook.

(11) The term "freshwater area" means, for purposes of this chapter:

(a) Within any freshwater river, lake, stream, or pond.

(b) On the bank or within 10 yards of any freshwater river, lake, stream, or pond.

(c) On or within any boat launch, ramp, or parking facility associated with any freshwater river, lake, stream, or pond.

(12) The term "Bonilla-Tatoosh Line" is defined as a line projected from the most westerly point on Cape Flattery to the Tatoosh Island Light then to Bonilla Point on Vancouver Island.

(13) The term "Buoy 10 Line" is defined as a true north-south line projected through Buoy 10 at the mouth of the Columbia River.

(14) The term "Buoy 10 Fishery" is defined as a fishery between the down stream side of the Megler-Astoria Bridge and the Buoy 10 Line.

AMENDATORY SECTION (Amending Order 80-12, filed 2/27/80, effective 4/1/80)

WAC 220-56-150 UNLAWFUL TO TAKE ANOTHER'S LIMIT. It ~~((shall be))~~ is unlawful for any person to catch, dig or possess ~~((the daily personal use catch))~~ food fish or ~~((bag limit of))~~ shellfish for another person except razor clams as provided in WAC 220-56-370.

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-56-180 BAG LIMIT CODES. (1) Code A: In waters having this code designation, the bag limit in any one day is six salmon not less than 10 inches in length, not more than two of these six salmon may be any combination of the following:

Chinook over 24 inches in length

Coho over 20 inches in length

Pink, chum or sockeye over 10 inches in length.

(2) Code C: In waters having this code designation, the bag limit in any one day is six chinook and coho salmon in the aggregate not less than 10 inches in length or more than the following:

24 inches in length for chinook; 20 inches in length for coho.

(3) Code F: In waters having this code designation, the bag limit in any one day is two salmon provided that:

(a) Chinook salmon must be not less than 24 inches in length, coho salmon must be not less than 16 inches, but there is no minimum size on other salmon.

(b) During the period April 15 through June 15 in waters of the Strait of Juan de Fuca between the mouth of the Sekiu River and a line from the most westerly point on Cape Flattery to the Tatoosh Island Light then to Bonilla Point on Vancouver Island, it is unlawful to take and retain chinook salmon greater than 30 inches in length.

(4) Code H: In waters having this code designation, the bag limit in any one day is three salmon provided that:

(a) Chinook salmon must be not less than 22 inches in length, but there is no minimum size for other salmon.

(b) During the period April 15 through June 15 in Punch Card Areas 5, 6, and 7, it is unlawful to retain or possess chinook salmon greater than 30 inches in length.

(c) In contiguous marine waters of Puget Sound east of the mouth of the Sekiu River, no more than two of the three salmon daily bag limit may be chinook, except:

(i) During the period ~~((March))~~ February 15 through ~~((the Friday preceding Memorial Day,))~~ April 4 it is unlawful to retain or possess chinook salmon taken for personal use while fishing in Punch Card Areas 9, 10, 11, or 13.

or

(i) During the period March 15 through May 23 it is unlawful to retain or possess chinook salmon taken for personal use while fishing in Punch Card Areas 9, 10, 11, or 13.

or

(i) During the period April 5 through May 23 it is unlawful to retain or possess chinook salmon taken for personal use while angling in Punch Card Areas 9, 10, 11, or 13.

(ii) ~~((During the period the Saturday preceding Memorial Day through July 31, it is unlawful to retain and possess chinook salmon taken for personal use while fishing in waters of Carr Inlet northerly of a line running westerly 273 degrees true from the northernmost point of land on the south side at the entrance of Horsehead Bay to a marker on the Longbranch Peninsula.~~

~~((iii))~~ The daily bag limit in Punch Card Area 12 is three salmon of any species.

(5) Code I: In waters having this code designation, the bag limit and opening and closing dates in any one day ~~((is eight salmon, not less than 6 inches in length or an aggregate daily catch of eight salmon and other salmonid fish. The aggregate catch may not contain more than 3 fish over 14 inches nor more than 2 fish over 20 inches))~~ are the same as those for gamefish as regulated under Title 77 RCW by the

Washington game commission. Salmon angling catch record card is not required, but a gamefish license is required to take, fish for or possess gamefish.

(6) The possession limit in all waters regulated under Bag Limits A, C, F, H, and special bag limits shall not exceed the equivalent of two daily bag limits of fresh salmon, and additional salmon may be possessed in frozen or processed form. The possession limit in waters regulated under Bag Limit I is the same as the ~~((daily bag limit, and additional salmon may not be possessed in any form))~~ possession limit for gamefish as regulated under Title 77 RCW by the Washington game commission.

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-56-190 SALTWATER SEASONS AND BAG LIMITS—SALMON. It shall be unlawful to take, fish for or possess salmon taken by angling for personal use except from the following areas, during the seasons, in the quantities, sizes and for the species designated in this section and as defined in the bag limit codes in WAC 220-56-180:

(1) Puget Sound contiguous marine waters east of the mouth of the Sekiu River – bag limit H – open the entire year, except as provided in WAC 220-56-120, 220-56-128, 220-56-130, and 220-56-195.

(2) Strait of Juan de Fuca from the mouth of the Sekiu 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))~~ – Tatoosh Line – Bag limit H except during the period April 15 through June 15 maximum size limit of 30 inches on chinook salmon if the waters described in this subsection are open – open ~~((entire year, unless the season in the Pacific Ocean closes a week or more before Puget Sound coho salmon management needs prevail (the Sunday nearest September 2), in which case, this area will be closed))~~ concurrently with the ocean ~~((from the time of the ocean closure until the Puget Sound coho management period (the Sunday nearest September 2). Bag and size limits shall conform with Pacific Ocean regulations during those times when salmon angling is permitted in adjacent coastal ocean waters. During those periods when the ocean salmon angling season is closed and the area described in this subsection is open to salmon angling, the bag limit shall conform with regulations of adjacent waters of the Strait of Juan de Fuca (Area 5—Sekiu), but minimum size limits shall remain unchanged from those which were in effect when the ocean season was last open)), and these waters will remain open through October 31 or until the ocean salmon quota for any species is taken.~~

(3) Pacific Ocean coastal waters: All waters west of a line from Tatoosh Island Light to Bonilla Point, Pacific Ocean, and Washington waters at the mouth of the Columbia River west of a line projected true north and south through Buoy 10 – bag limit F – open on the Saturday preceding Memorial Day through Labor Day.

(4) Grays Harbor (waters east of a line from the outermost end of the north jetty to the outermost exposed end of the south jetty including the waters of the Westport Boat Basin) – (a) Open to salmon angling coincidentally with the season, bag limit, size, and gear restrictions in adjacent waters of the Pacific Ocean, but not to extend beyond August 15, unless otherwise provided, (b) all Westport Boat Basin waters and adjacent waters of Grays Harbor when fishing from the Westport Marina Fishing Boardwalk only – special bag limit – six salmon per day not less than 10 inches in length, not more than two of which may be any combination of the following: Pink, sockeye or chum salmon over 10 inches in length or coho salmon over 20 inches in length. All chinook salmon over 24 inches in length must be released. Open to personal use salmon fishing October 1 through November 30.

(5) Willapa Harbor (waters east of a line from Leadbetter Point to Cape Shoalwater Light and downstream from river mouths as defined in WAC 220-56-105) – (a) Open to salmon angling coincidentally with the season, bag limit, size, and gear restrictions in adjacent waters of the Pacific Ocean, (b) special bag limit – six salmon not less than 10 inches in length not more than two of which may be any combination of the following: Chinook over 24 inches in length; coho over 20 inches in length; pink, chum, or sockeye over 10 inches in length – open September 1 through November 30.

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-56-195 CLOSED AREAS—SALTWATER SALMON ANGLING. The following areas shall be closed to salmon angling during the times indicated:

(1) Skagit Bay: Those waters lying easterly of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, northerly of a line projected from Polnell Point to Rocky Point, northerly of the state Highway 532 Bridge between Camano Island and the mainland and south of the Burlington Northern Railroad Bridge at the north end of Swinomish Slough shall be closed to salmon angling April 15 through June 30.

(2) Bellingham Bay: Those waters of Portage Bay and Bellingham Bay north of a line from Point Francis to Post Point shall be closed to salmon angling April 15 through July 15.

(3) Carr Inlet: Those waters of Carr Inlet within 1,000 feet of the outer oyster stakes at the mouth of Minter Creek are closed to salmon angling March 15 through August 31.

(4) Quilcene Bay: Those waters west and north of a line projected true north from Point Whitney to the Bolton Peninsula are closed to salmon angling April 15 through June 30.

(5) Dungeness Bay: Those waters westerly of a line projected 155 degrees true from Dungeness Spit Light to Kulo Kala Point are closed to salmon angling April 15 through June 30.

#### AMENDATORY SECTION (Amending Order 82-19, filed 3/18/82)

WAC 220-56-205 HOOK REGULATIONS—FRESHWATER SALMON ANGLING. (1) Nonbuoyant lures are defined as lures that do not have enough buoyancy to float in freshwater. Nonbuoyant lures other than natural bait lures must have no more than one single hook and that hook must not exceed 3/4 inch from point to shank. Nonbuoyant natural bait lures may have up to two single hooks not exceeding 3/4 inch from point to shank.

(2) Buoyant lures are defined as lures that have enough buoyancy to float in freshwater and may have any number of hooks.

(3) No leads, weights or sinkers may be attached below the lure or less than 12 inches above the lure.

(4) It is unlawful to take, fish for or possess salmon in any freshwater areas of the state with nonbuoyant lures unless they meet the requirements for nonbuoyant lures as defined in subsection (1) of this section. This subsection does not apply to Lake Washington, that portion of the Columbia River below Bonneville Dam, ~~((that portion of the Chehalis River below the mouth of the Satsop River))~~ or that portion of the Skagit River below the mouth of Gilligan Creek.

#### AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-56-240 ~~((POSSESSION))~~ DAILY BAG LIMITS—OTHER FOOD FISH. It shall be lawful, unless otherwise provided, for any one person to take in any one day ~~((or possess at any one time in the state of Washington))~~ the following quantities and sizes of food fish for personal use:

(1) Sturgeon: ~~((3))~~ 2 fish not less than 36 inches nor more than 72 inches in length ~~((state-wide, except as provided for in (b) of this subsection))~~. The possession limit is two daily bag limits of fresh sturgeon. Additional sturgeon may be possessed in a frozen or processed form.

~~((b) Columbia River and mainstem impoundments upstream from a line perpendicular to the river flow where the river ceases to be the Oregon/Washington boundary approximately 17.3 miles above McNary Dam to the United States/Canada border and those waters of the Snake River from its mouth upstream to the powerline crossing below Highway 12 Bridge at Clarkston—2 fish not less than 48 inches nor more than 72 inches in length:))~~

(2) Smelt: 20 pounds. The daily bag limit and the possession limit are the same. It is unlawful for any person to possess more than 20 pounds of smelt at any time.

(3) Herring: 20 pounds fresh. Additional herring may be possessed in a frozen or processed form.

(4) All other food fish: No limit.

#### AMENDATORY SECTION (Amending Order 84-22, filed 4/11/84)

WAC 220-56-295 STURGEON—UNLAWFUL ACTS. (1) It is unlawful to possess in the field or transport for personal use any sturgeon from which either the head or tail or both have been removed.

(2) It is unlawful to use a gaff ~~((in the restraint))~~ or other fish landing aid that penetrates the fish while restraining, handling or landing ~~((of))~~ any sturgeon ~~((which is not of legal size))~~.

(3) It is unlawful to fail to immediately return to the water any sturgeon that is not of legal size.

(4) It is unlawful to fish for sturgeon with artificial lures.

#### AMENDATORY SECTION (Amending Order 80-12, filed 2/27/80, effective 4/1/80)

WAC 220-56-305 STURGEON—SNAKE RIVER. It ~~((shall be lawful))~~ is unlawful to ~~((take;))~~ fish for and possess sturgeon ~~((as provided in WAC 220-56-285. PROVIDED, That))~~ taken for personal use from those waters of the Snake River within 400 feet down stream below any dam, rack or obstruction, and in ~~((Washington))~~ waters of the Snake River and tributaries upstream from the powerline crossing below the U.S. 12 Bridge at Clarkston, it ~~((shall be))~~ is unlawful for anglers to retain any sturgeon and those hooked must be immediately released and returned to the water.

#### AMENDATORY SECTION (Amending Order 85-57, filed 6/5/85)

WAC 220-56-310 SHELLFISH—~~((POSSESSION))~~ DAILY BAG LIMITS. It is unlawful for any one person to take in any one day ~~((or possess))~~ for personal use ~~((at any one time))~~ more than the following quantities and sizes of shellfish:

(1) Cockles, borers and clams in the shell, except razor clams, geoduck clams and horse clams:

(a) Hood Canal south of a line projected from Tala Point to Foulweather Bluff - 60 clams or 10 pounds in the shell in the aggregate, whichever occurs first.

(b) Puget Sound south and west of the Tacoma Narrows Bridge. This also includes Carr and Case Inlets and Pickering Passage - 40 clams or 7 pounds in the shell in the aggregate, whichever occurs first.

(c) All portions of Puget Sound except those described in (a) and (b) of this subsection - Bag limit January 1 - May 31: 60 clams or 10 pounds in the shell in the aggregate, whichever occurs first. Bag limit June 1 - December 31: 40 clams or 7 pounds in the shell in the aggregate, whichever occurs first.

(d) In Skagit Bay, east of a line projected from Browns Point to Swinomish Slough entrance, diggers may retain up to 20 pounds of eastern softshell clams in the shell in addition to the limit set in (c) of this subsection.

(e) Willapa Bay - clams and borers five pounds in the shell in the aggregate.

(f) Willapa Bay - twenty-four cockles.

(g) In English Camp tidelands the bag limit shall be as described in (c) of this subsection plus an additional 10 pounds of clams in the shell.

(h) Grays Harbor - 40 clams or 7 pounds in the shell in the aggregate, whichever occurs first.

(2) Razor clams: 15 clams.

(3) Geoduck clams: 3 clams.

(4) Horse clams: First 7 clams taken.

(5) Oysters: 18 oysters.

(6) Rock scallops: 12 scallops.

(7) Sea scallops: 12 scallops (over 4 inches).

(8) Common or pink scallops: 20 pounds or 10 quarts in the shell.

(9) Shrimp: 10 pounds or 10 quarts in the shell.

(10) Octopus: 2 octopus.

(11) Abalone (Kamschatka): 5 abalone, minimum size limit 3-1/2 inches measured in horizontal line across the longest portion of the shell.

(12) Crawfish: 10 pounds in the shell.

(13) Squid: 10 pounds or 5 quarts.

(14) Sea cucumbers: 25 sea cucumbers.

(15) Red sea urchins: 18 sea urchins.

(16) Purple sea urchins: 18 sea urchins.

(17) Green sea urchins: 36 sea urchins.

(18) Dungeness crabs: 6 male crabs.

(19) Red crabs: 18 crabs.

(20) Blue mussels and sea mussels: 10 pounds in the shell.

#### NEW SECTION

WAC 220-56-312 SHELLFISH—POSSESSION LIMITS. It is unlawful for any one person to possess any time more than one daily bag limit of fresh shellfish. Additional shellfish may be possessed in a frozen or processed form.

#### AMENDATORY SECTION (Amending Order 84-22, filed 4/11/84)

WAC 220-56-325 SHRIMP—AREAS AND SEASONS. (1) It shall be unlawful to ~~((take;))~~ fish for or possess shrimp taken for personal use except from May 15 through September 15 ~~((;))~~ unless otherwise provided for in this section.

(2) It is unlawful to fish for or possess shrimp taken for personal use from all waters of Hood Canal (~~(southerly)~~) south of ~~((the site of))~~ the Hood Canal Floating Bridge ~~((and))~~ except from 9:00 a.m. on the third Saturday in May through June 30.

(3) It is unlawful to fish for or possess shrimp taken for personal use from the waters of Carr Inlet inside and northerly of a line projected from Penrose Point to Green Point ~~((shall remain closed except as specifically provided for by emergency regulation; it shall be unlawful to set any Hood Canal shrimp gear prior to 9:00 a.m. on the opening day of the season))~~.

#### AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-56-330 CRAB—AREAS AND SEASONS. (1) It is unlawful to fish for or possess crab taken for personal use with shellfish pot gear or to have in the water, set or fish any shellfish pot gear except during the open gear season. The open gear season for crab in Puget Sound waters may open by emergency regulation prior to July 15, but in any case will open July 15 ~~((, and will close))~~ through April 15. The open gear season in waters of the Pacific Ocean, Grays Harbor, Willapa Harbor, and waters of the Columbia River is December 1 through September 15.

(2) Except as provided in subsection (1) of this section, it is lawful to fish for and possess male Dungeness crabs taken for personal use the entire year in state waters.

(3) Except as provided in subsection (1) of this section, it is lawful to fish for and possess red rock crabs of either sex taken for personal use the entire year in state waters.

#### AMENDATORY SECTION (Amending Order 85-18, filed 3/13/85)

WAC 220-56-335 CRAB—UNLAWFUL ACTS. (1) It is unlawful for any person to take or possess for personal use any female Dungeness crabs.

(2) It is unlawful to take or possess any male Dungeness crabs which measure less than 6 1/4 inches taken for personal use from the waters of the Pacific Ocean, Grays Harbor, Willapa Bay, the waters ~~((at the mouth))~~ of the Columbia River ~~((inside Buoy 10))~~, or Puget Sound ~~((, except for the waters))~~ inside Punch Card Area 7.

(3) It is unlawful to take or possess any male Dungeness crab which measure less than 6 ~~((and 1/4))~~ inches taken for personal use from the waters of Puget Sound outside of Punch Card Area 7.

(4) All measurement shall be made horizontally across the back (caliper measurement) immediately in front of the points.

(5) It is unlawful to possess in the field any crab or parts thereof without retaining the back shell.

#### AMENDATORY SECTION (Amending Order 82-19, filed 3/18/82)

WAC 220-56-340 GENERAL PROVISIONS—CLAMS, COCKLES, MUSSELS—GEAR. (1)(a) It is lawful to take, dig for and possess clams (excluding razor clams), cockles, and mussels taken for personal use by hand or with hand-operated forks, picks, mattocks and shovels.

(b) It is lawful to take, dig for and possess razor clams taken for personal use by hand, shovels or with cylindrical cans, tubes or hinged digging devices ~~((PROVIDED, That when used for digging razor clams;))~~. The opening of ~~((these devices))~~ tubes or cans must be either circular or elliptical ~~((;))~~ with the circular can/tube having a minimum outside diameter of 4 inches and the elliptical can/tube having a minimum dimension of 4 inches long and 3 inches wide outside diameter. The hinged digging device when opened in a cylindrical position, must have a minimum outside diameter of 4 inches at the bottom.

(2) Any newly-designed or modified digging device intended for the recreational use of razor clams must receive the specific approval of the director of fisheries.

(3) Each digger, including holders of razor clam disability permits, must have his or her daily bag limit in a separate container.

#### AMENDATORY SECTION (Amending Order 85-57, filed 6/5/85)

WAC 220-56-350 HARDSHELLS, COCKLES, MUSSELS—AREAS AND SEASONS. (1) It is lawful to take, dig for and possess clams, cockles, borers and mussels taken for personal use on Puget Sound the entire year except that it is unlawful to take, dig for or possess such shellfish taken for personal use:

(a) West of the tip of Dungeness Spit from April 1 through October 31.

(b) Garrison Bay: All state-owned and federally-owned tidelands south of a boundary marker located approximately 1,010 yards southerly of Bell Point are closed to clam digging the entire year. Those tidelands north of the above-described boundary marker are open to harvest the entire year.

(c) Saltwater State Park—All state-owned tidelands at Saltwater State Park shall be closed to the personal use harvest of all species of clams from June 16 through December 31.

(d) Twanoh State Park—All state-owned tidelands at Twanoh State Park shall be closed to the personal use harvest of all species of clams from June 16 through December 31.

~~((e))~~ ~~((Shine Tidelands—A 1.5-acre plot (160'x400') located 1/4 mile north of the west approach to the former Hood Canal Floating Bridge shall be closed to clam digging the entire year.~~

~~((f))~~ ~~((Fry Cove, Thurston County Parks—A 1-acre gravel plot (290'x140') located 1/4 mile north of Fry Cove on Eld Inlet shall be closed to clam digging the entire year.~~

~~((g))~~ ~~((Point Whitney—All publicly owned tidelands at Point Whitney lying north of point located at the base of the United States Navy Dock to a point 250 yards west (280°) are closed from July 15 through December 31.~~

~~((h))~~ ~~((f))~~ Eagle Creek—All publicly owned tidelands at Eagle Creek lying east of a point located at the mouth of Eagle Creek where it passes beneath Highway 101 to a point 250 yards southwest (228°) are closed from January 1 through June 30.

~~((i))~~ ~~((g))~~ State oyster reserves are closed to clam digging the entire year.

(2) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams, taken for personal use in Grays Harbor and Willapa Harbor the entire year, except from state oyster reserves, which are closed to clam digging the entire year.

(3) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams taken for personal use from the Pacific Ocean beaches from November 1 through March 31.

#### AMENDATORY SECTION (Amending Order 81-13, filed 2/17/81, effective 4/1/81)

WAC 220-56-365 RAZOR CLAMS—UNLAWFUL ACTS. It is unlawful to return any razor clams to the beach or water regardless of size or condition, and all razor clams taken for personal use must be retained by the digger as a part of his ~~((possession))~~ daily bag limit.

#### AMENDATORY SECTION (Amending Order 84-22, filed 4/11/84)

WAC 220-56-380 OYSTERS—AREAS AND SEASONS. (1) It is unlawful to take oysters for any purpose from state oyster reserves without written permission of the director of fisheries.

(2) It is unlawful to take or possess oysters for personal use from public tidelands from July 15 through September 15 except that it is lawful to take and possess oysters for personal use from the tidelands of Dosewallips and Belfair State Parks from January 1 through December 31, 1986.

(3) It is unlawful to take or possess oysters for personal use from federally-owned tidelands at Seal Rock Forest Service campground except during the period May 16 through July 14.

(4) It is unlawful to take or possess oysters for personal use from tidelands of Kitsap Memorial State Park ~~((through))~~ except during the period May ((+5, +986)) 16 through June 15.

(5) It is unlawful to take or possess oysters for personal use from tidelands at Scenic Beach State Park except during the period March 15 through May 15.

(6) It is unlawful to take or possess oysters for personal use from tidelands at department of natural resources beach number 43 (north of Hoodspout) except during the period March 15 through May 15.

(7) It is unlawful to take or possess oysters for personal use from department of fisheries tidelands at Hoodspout Salmon Hatchery except during the period May 16 through July 14.

(8) It is unlawful to take or possess oysters for personal use from state tidelands at Bywater Bay except during the period May 16 through July 14.

(9) It is unlawful to pick or take oysters for personal use from waters measuring more than two feet in depth at the time of removal.

AMENDATORY SECTION (Amending Order 80-123, filed 9/17/80)

WAC 220-56-382 OYSTERS AND CLAMS ON PRIVATE TIDELANDS—PERSONAL USE. (1) WAC 220-56-340 through 220-56-355, and 220-56-375 through 220-56-385 shall not apply to private tideland owners or lessees of state tidelands taking or possessing oysters, clams, cockles, borers and mussels for personal use from their own tidelands or leased state tidelands.

(2) It shall be unlawful for private tideland owners or lessees of state tidelands to transport or possess unfrozen or unprocessed oysters, clams, cockles, borers, or mussels away from their owned or leased tidelands or adjoining owned or leased uplands in excess of ((personal use limits as provided in WAC 220-56-310)) the daily bag limit.

(3) This section shall not apply to razor clams.

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-56-400 ABALONE. (1) It is unlawful to remove undersized abalone from the water, and any undersized abalone must be replaced immediately with the shell outward to the site from which it was removed.

(2) The first five legal size abalone taken must be retained, and it is unlawful to detach abalones once the ((personal possession)) daily bag limit has been taken.

(3) It is unlawful to possess in the field any abalone taken for personal use which has the shell removed.

AMENDATORY SECTION (Amending Order 82-19, filed 3/18/82)

WAC 220-57-001 FRESHWATER SEASONS AND BAG LIMITS. It shall be unlawful to take, fish for or possess salmon taken for personal use, except from the following areas during the seasons, in the quantities, sizes, and for the species designated as follows in chapters 220-57 and 220-57A WAC and for the bag limits as defined in WAC 220-56-180. All freshwater streams and lakes not listed as open for salmon fishing are closed.

AMENDATORY SECTION (Amending Order 83-16, filed 3/17/83)

WAC 220-57-138 CHAMBERS CREEK. Bag limit A - ((October)) July 1 through November 15: Downstream from a set of markers 400 feet below the Boise-Cascade Dam (immediately upstream from the Boise-Cascade West Tacoma Mill).

AMENDATORY SECTION (Amending Order 84-25, filed 3/28/84)

WAC 220-57-140 CHEHALIS RIVER. Special bag limit - Six salmon not less than ten inches in length, not more than two of which may be chum salmon. Chinook salmon greater than ((24)) 28 inches in length ((and coho salmon greater than 20 inches in length)) must be released immediately((:)) - September 1 through January 31: Downstream from the Porter Bridge to the Union Pacific Railroad Bridge in Aberdeen except during the period October 16 through January 31 coho salmon greater than 20 inches in length must be released immediately.

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-57-160 COLUMBIA RIVER. (1) Bag limit C - June 1 through December 31: Downstream from Chief Joseph Dam to ((the Richland - Pasco Highway 12 Bridge except those waters between the Vernita Bridge and the old Hanford townsite wooden powerline towers are open only during the period July 1 through October 15, and except for the special season and bag limited provided for in subsection (2) of this section)) Priest Rapids Dam. The following are closed waters:

(a) Chief Joseph Dam - waters between the upstream line of Chief Joseph Dam to a line perpendicular to the thread of the stream from a point 400 feet downstream from the west end of the tailrace deck.

(b) Wells Dam - waters between the upstream line of Wells Dam and a point 400 feet below the spawning channel discharge stream.

(c) Rocky Reach, Rock Island and Wanapum Dams - waters between the upstream lines of these dams and points 400 feet downstream.

((†)) (2) Priest Rapids Dam to the Vernita Bridge: Bag limit C - June 1 through August 15; Special daily bag limit of 6 salmon - August 16 through October 31; Bag limit C - November 1 through December 31. The following are closed waters:

(a) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam and a point 400 feet downstream.

((†)) (b) Jackson (Moran) Creek - waters within 500 feet of the mouth.

((†)) (3) Vernita Bridge to old Hanford townsite wooden power line towers: Bag limit C - July 1 through August 15; Special daily bag limit of 6 salmon - August 16 through October 15.

(4) Old Hanford townsite wooden power line towers to Hood River Bridge: Bag limit A - April 1 through July 31: East bank only in that portion of the Columbia River from WDF boundary marker located approximately 1/2 mile upstream from Spring Creek (Ringold hatchery rearing pond outlet) downstream to a WDF boundary marker located approximately 1/4 mile downstream of Ringold wasteway outlet; Bag limit C - July 1 through July 31 in those waters from the power line towers to the WDF boundary marker above Spring Creek and in those waters from the WDF boundary marker below the waterway outlet to Hood River Bridge; Bag limit C - August 1 through August 15; Special bag limit of 6 salmon - August 16 through December 31.

((†)) (3) Waters downstream from the Richland-Pasco Highway 12 Bridge to Hood River Bridge: Closed entire year.) The following waters are closed to fishing for food fish at all times:

(a) McNary Dam - waters between the upstream line of McNary Dam and a line across the river from the red and white marker on the Oregon shore to the downstream end of the wingwall of the boat lock near the Washington shore.

(b) John Day Dam - waters between the upstream line of John Day Dam and markers approximately 3,000 feet downstream, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(c) The Dalles Dam - waters between the upstream line of the Dalles Dam and the upstream side of the Interstate 197 Bridge, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

((†)) (4) Bag limit A - September 1 through March 15. That portion ((at Vancouver, except waters of Camas Slough are open under this bag limit from August 1 through March 15 between the upper Highway 14 Bridge on Lady Island to a line projected true north from the lower end of Lady Island and hook regulations and shad and sturgeon seasonal restrictions in Camas Slough are identical with regulations and restrictions in adjacent mainstem Columbia River waters)): Bag limit C - July 1 through July 31; Special daily bag limit of 6 salmon only 2 of which may be adult salmon - August 1 through December 31. The following are closed waters:

(a) Spring Creek - waters within 1/4 mile of the U.S. Fish and Wildlife Service Hatchery grounds between posted boundary markers located 1/4 mile on either side of the fish ladder entrance.

(b) Bonneville Dam - waters between the upstream line of Bonneville Dam and a point 600 feet below the fish ladder at the new Bonneville Dam powerhouse.

((†)) (5) Special bag limit - six chinook, coho, and sockeye salmon in the aggregate not less than 10 inches in length or more than the following: 24 inches in length for chinook; 20 inches in length for coho; no maximum length restriction for sockeye - June 1 through July 25: Waters downstream from the Interstate 5 Bridge to the Megler-Astoria Bridge.)

(6) ((Bag limit A - August 16 through March 31: Waters downstream from the)) Interstate 5 Bridge to the Megler-Astoria Bridge((: During the month of September, it is unlawful to fish for or possess salmon taken for personal use in those waters of the Columbia River extending to midstream between a line projected perpendicular to the stream flow from Abernathy Point Light to a line projected perpendicular to the stream flow from a boundary marker east of the mouth of Abernathy Creek)): Special daily bag limit of 6 salmon only 2 of which may be adult salmon - January 1 through March 31; Bag limit C - May 16 through July 31; Special daily bag limit of 6 salmon only 2 of which may be adult salmon - August 1 through December 31.

(7) ((Bag limit A - August 16 through March 31: Waters downstream from the)) Megler-Astoria Bridge to ((a line projected true north and south through)) the Buoy 10 Line: Bag limit A - August 16 through March 31, except that during the period August 16 through September 30 ((when)) size and bag limit regulations shall conform with the most recent ocean fishing regulations for adjacent waters of Punch Card Area 1.

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-57-175 COWLITZ RIVER. (1) Special bag limit - April 1 through July 31: Downstream from ~~((a)) fishing boundary markers 400 feet below barrier dam structures at the Cowlitz Salmon Hatchery Barrier Dam~~ (on the north side of the river and downstream from the base of the barrier dam on the south side of the river to the mouth). Bag limit is six salmon per day not less than 10 inches in length, only three of which may exceed 24 inches in length.

(2) That portion of the Cowlitz River downstream from the mouth of Mill Creek is open to salmon angling 24 hours per day during the period April 1 to July 31.

(3) Bag limit A - August 1 through March 31: Downstream from fishing boundary markers 400 feet below the barrier dam structures except, during the period October 1 through December 31, chinook salmon over 28 inches in length taken upstream of the Interstate 5 Bridge must be released.

(4) Salmon angling from boats is prohibited the entire year in designated open waters between the barrier dam and a line from the mouth of Mill Creek to a boundary marker on the opposite shore.

(5) Bag limit A - Open the entire year: From the confluence of the Muddy Fork and Ohanapcosh rivers downstream to Riffe (Davisson) Lake.

AMENDATORY SECTION (Amending Order 84-22, filed 4/11/84)

WAC 220-57-200 DICKEY RIVER. (1) Bag limit C - July 1 through ~~((September 30))~~ August 31: Downstream of the mouth of east fork of the Dickey River to the National Park boundary. ~~((All coho salmon greater than 20 inches in length must be released immediately.))~~

(2) Bag limit A - ~~((October))~~ September 1 through November 30: Downstream of the mouth of east fork of the Dickey River to the National Park boundary. All coho salmon greater than 20 inches in length must be released immediately.

AMENDATORY SECTION (Amending Order 83-16, filed 3/17/83)

WAC 220-57-220 DUWAMISH RIVER. Bag limit A - July 1 through November 30: Upstream from the First Avenue South Bridge to the Highway 405 Bridge except that all chinook salmon greater than 24 inches in length must be released immediately.

AMENDATORY SECTION (Amending Order 83-16, filed 3/17/83)

WAC 220-57-235 ELOCHOMAN RIVER. ~~((+))~~ Bag limit A - September 1 through December 31: Downstream from mouth of the west fork, except closed to salmon angling in the following waters:

(1) From a point 100 feet above the upper hatchery rack to the Elochoman Salmon Hatchery Bridge located approximately 400 feet below the upper hatchery rack ~~((and closed))~~.

(2) From the department of fisheries temporary rack downstream to Foster (Risk) Road Bridge while this rack is installed in the river.

(3) Between points 50 feet above and 100 feet below the outlet pipes from the most downstream Elochoman Salmon Hatchery rearing pond and extending 30 feet out from the south bank of the river.

(4) From the Beaver Creek Bridge to 200 feet below the weir at Beaver Creek Hatchery.

AMENDATORY SECTION (Amending Order 83-16, filed 3/17/83)

WAC 220-57-260 GREEN RIVER (KING COUNTY). (1) Bag limit A - July 1 through October 15: Downstream from the Porter Bridge (Auburn Eighth Street NE Bridge) to Highway 405 Bridge except that all chinook salmon greater than 24 inches in length must be released immediately.

(2) Bag limit A - October 16 through November 30: Downstream from the downstream side of the Highway 18 Bridge to the Highway 405 Bridge except that all chinook salmon greater than 24 inches in length must be released immediately.

AMENDATORY SECTION (Amending Order 84-22, filed 4/11/84)

WAC 220-57-270 HOH RIVER. (1) Bag limit C - Saturday preceding Memorial Day through November 30: Downstream from the Olympic National Park boundary below the confluence of the south fork to the mouth of Willoughby Creek.

(2) ~~((Bag limit C - Saturday preceding Memorial Day to June 30: Downstream from the mouth of Willoughby Creek to the Highway 101 Bridge.~~

~~((3))~~ Bag limit A - ~~((July 1))~~ Saturday preceding Memorial Day through November 30: Downstream from the mouth of Willoughby Creek to the Highway 101 Bridge. All coho salmon over 20 inches in length must be released immediately.

~~((4))~~ (3) Bag limit A - Saturday preceding Memorial Day through September 30: Downstream from the Highway 101 Bridge. All coho salmon greater than 20 inches in length must be released immediately.

~~((5))~~ (4) Special bag limit - Six salmon not less than 10 inches in length not more than four of which may exceed 24 inches in length - October 1 through November 30: Downstream from the Highway 101 Bridge. All coho salmon greater than 20 inches in length must be released immediately.

AMENDATORY SECTION (Amending Order 83-16, filed 3/17/83)

WAC 220-57-290 ICICLE RIVER. ~~((Closed to salmon angling the entire year))~~ Bag limit A - Saturday preceding Memorial Day through June 30 in those waters downstream from a point 400 feet below the Leavenworth National Fish Hatchery rack.

AMENDATORY SECTION (Amending Order 84-22, filed 4/11/84)

WAC 220-57-319 LEWIS RIVER. (1) Mainstem - bag limit A - open entire year: Downstream from east fork to mouth.

(2) East fork:

(a) Bag limit A - open entire year: Downstream from the LaCenter Bridge.

(b) Bag limit A - ~~((Saturday preceding Memorial Day))~~ April 1 through December 31: Downstream from Lucia Falls to the LaCenter Bridge. All chinook salmon over 28 inches caught after September 30 must be released immediately.

(3) North fork:

(a) Bag limit A - January 1 through September 30: Downstream from overhead power lines below Ariel Dam except as provided in subsection (3)(b).

(b) Bag limit A - open entire year: Downstream from the mouth of Colvin Creek (approximately 1/4 mile upstream of the salmon hatchery) to the mouth of the east fork, except that at all times it is unlawful to take, fish for or possess salmon taken for personal use from waters shoreward of the cable, buoy, and corkline located at the mouth of the Lewis River Salmon Hatchery Fishway.

(c) The use of internal combustion engines is prohibited in waters downstream from the overhead powerlines below Ariel Dam to the mouth of Colvin Creek.

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-57-335 NASELLE RIVER. (1) Bag limit A - July 1 through September 30: Downstream from a point 400 feet below the entrance to the Naselle Salmon Hatchery Attraction Channel to Highway 101 Bridge except only one chinook salmon greater than 24 inches in length may be retained as part of the daily bag limit.

(2) Special bag limit - six salmon per day not less than 10 inches in length, not more than four of which may be adult salmon, defined as chinook salmon greater than 24 inches in length, coho salmon greater than 20 inches in length and chum salmon greater than 10 inches in length. Not more than two of the salmon in the daily bag limit may be chum salmon, and all chinook salmon over 28 inches in length must be released immediately - October 1 through ~~((January))~~ October 31: Downstream from the Big Hill Bridge to the Highway 101 Bridge.

(3) Waters within 400 feet both upstream and downstream from the entrance to the Naselle Salmon Hatchery Attraction Channel are closed to salmon angling at all times.

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-57-350 NOOKSACK RIVER. (1) ~~((Bag limit A))~~ Special daily bag limit of six salmon per day - August 1 through December 31: Downstream from the confluence of north and south forks to Lummi Indian Reservation boundary.

(2) Bag limit C - September 1 through October 31: (North fork) downstream from Maple Creek to mouth of north fork.

(3) The entire Nooksack River is closed to the taking of pink salmon in odd-numbered years.

AMENDATORY SECTION (Amending Order 82-61, filed 6/9/82)

WAC 220-57-435 SKYKOMISH RIVER. Bag limit A, except that the daily bag limit may contain up to 6 adult coho salmon - July 1 through December 31: Downstream from the confluence of north and south forks. Closed to the taking of pink salmon in odd-numbered years.

AMENDATORY SECTION (Amending Order 82-61, filed 6/9/82)

WAC 220-57-450 SNOHOMISH RIVER. Bag limit A, except that the daily bag limit may contain up to 6 adult coho salmon - July 1 through December 31: Downstream from confluence of Skykomish and Snoqualmie rivers. Closed to the taking of pink salmon in odd-numbered years.

AMENDATORY SECTION (Amending Order 82-61, filed 6/9/82)

WAC 220-57-455 SNOQUALMIE RIVER. Bag limit A, except that the daily bag limit may contain up to 6 adult coho salmon - July 1 through December 31. Closed to the taking of pink salmon in odd-numbered years.

NEW SECTION

WAC 220-57A-001 GENERAL PROVISIONS—LAKES. (1) It is unlawful to fish for or possess salmon taken from any lake not listed in this chapter.

(2) The daily bag limit, possession limit, opening and closing hours, and seasons of all lakes regulated under Bag limit I are identical with those limits and times as provided for gamefish, as regulated by the Washington game commission under Title 77 RCW.

(3) The daily bag limit, possession limit, and seasons of all lakes regulated under Bag limit A, Bag limit C, or Special bag limits, are in addition to gamefish limits as regulated by the Washington game commission, under Title 77 RCW.

(4) The daily bag limit, possession limit, opening and closing hours, and seasons codified by the department of game in chapter 232-24 WAC are incorporated herein and by reference made a part hereof.

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-57A-012 BAKER LAKE (WHATCOM COUNTY). Bag limit I (~~April 21 through October 31~~).

AMENDATORY SECTION (Amending Order 83-16, filed 3/17/83)

WAC 220-57A-015 BANKS LAKE (GRANT COUNTY). (~~Special~~) Bag limit (~~13 salmon not less than 6 inches in length and other salmonid fish in the aggregate, not more than 5 of which may be trout and char in any combination - open entire year~~) 1.

AMENDATORY SECTION (Amending Order 80-12, filed 2/27/80, effective 4/1/80)

WAC 220-57A-017 BIG LAKE (SKAGIT COUNTY). Bag limit I (~~open entire year~~).

AMENDATORY SECTION (Amending Order 76-14, filed 3/15/76, effective 5/1/76)

WAC 220-57A-035 CHELAN LAKE (CHELAN COUNTY). Bag limit I (~~open entire year~~).

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-57A-037 CLEAR LAKE (PIERCE COUNTY). Bag limit I (~~April 21 through July 4 and September 1 through October 31~~).

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-57A-040 CUSHMAN LAKE (MASON COUNTY). Bag limit I (~~April 21 through October 31~~).

AMENDATORY SECTION (Amending Order 77-3, filed 1/28/77, effective 3/1/77)

WAC 220-57A-045 DAVISSON LAKE (RIFFE) (LEWIS COUNTY). Bag limit I (~~open entire year~~).

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-57A-080 GOODWIN LAKE (SNOHOMISH COUNTY). Bag limit I (~~April 21 through October 31~~).

AMENDATORY SECTION (Amending Order 76-14, filed 3/15/76, effective 5/1/76)

WAC 220-57A-110 MAYFIELD LAKE (LEWIS COUNTY). Bag limit I (~~open entire year~~).

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-57A-112 MCMURRAY LAKE (SKAGIT COUNTY). Bag limit I (~~April 21 through September 2~~).

AMENDATORY SECTION (Amending Order 84-22, filed 4/11/84)

WAC 220-57A-120 MERWIN LAKE (RESERVOIR). Bag limit I (~~Open the entire year~~).

AMENDATORY SECTION (Amending Order 76-14, filed 3/15/76, effective 5/1/76)

WAC 220-57A-140 ROOSEVELT LAKE (FERRY COUNTY). Bag limit I (~~open entire year~~).

AMENDATORY SECTION (Amending Order 85-20, filed 4/9/85)

WAC 220-57A-152 SHANNON RESERVOIR (SKAGIT COUNTY). Bag limit I (~~April 21 through October 31~~).

NEW SECTION

WAC 220-57A-183 LAKE WENATCHEE. Special daily bag limit of three sockeye salmon not less than 16 inches in length - August 1 through Labor Day, except closed to salmon angling within 300 feet of the mouths of the Little Wenatchee River and the White River.

**WSR 86-02-062****PROPOSED RULES****PARKS AND RECREATION COMMISSION**

[Filed December 31, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning definition WAC 352-32-010, camping 352-32-030, picnicking 352-32-040, park periods 352-32-050, park capacities 352-32-053, peace and quiet 352-32-055, swimming 352-32-080, games 352-32-090, firearms and/or weapons 352-32-120, and consumption of alcohol 352-32-210;

that the agency will at 9:00 a.m., Friday, February 21, 1986, in the Thurston County Courthouse, Building #1, Room 152, 2000 Lakeridge Drive S.W., 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 43.51.040 and 43.51.060.

The specific statute these rules are intended to implement is RCW 43.51.040 and 43.51.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 18, 1986.

Dated: December 31, 1985

By: Mike Reed  
Executive Assistant

## STATEMENT OF PURPOSE

Title: Definitions WAC 352-32-010; Camping 352-32-030; Picnicking 352-32-040; Park periods 352-32-050; Park capacities 352-32-053; Peace and quiet 352-32-055; Swimming 352-32-080; Games 352-32-090; Firearms and/or weapons 352-32-120; and Consumption of alcohol 352-32-210.

Description of Purpose: Revise and expand definitions, prohibit residence at state parks, modify reservation provisions; establish requirements for quiescence; expand provisions related to playing of games; include additional weapons in weapons discharge prohibition; and limit use of kegs for alcohol consumption.

Statutory Authority: RCW 43.51.040 and 43.51.060.

Summary of Rule: Redefines emergency area, defines "camping unit," "residence" and "motorcycle"; prohibits use of park facilities for residence use; eliminates prohibition against tent campers utilizing utility sites; provides that state parks not on the reservation system are first-come, first-served basis; requires a camping party to vacate a site for three consecutive nights after a camping period of 10-15 days; limits tent and motorcycle occupation of campsites; places time and volume limits on disturbing noises; modifies limitation on games; adds spears, spear guns and harpoons to the list of weapons which may not be discharged in a state park; and prohibits dispensing of alcoholic beverages from kegs or containers larger than two gallons.

Reasons Supporting Proposed Action: Use of park facilities for residence purposes has become problematic; need for prohibition against tent campers in utility sites is not apparent; clarifies the first-come basis of campsite use; clarifies numbers of tents and motorcycles per site; responds to concerns about noise disturbances; includes wider range of potentially problematic weapons in weapons discharge limitations; and clarifies rules on use of kegs in alcohol consumption at state parks.

Agency Personnel Responsible for Drafting: Darrell Skaggs, Law Enforcement and Visitor Protection, 7150 Cleanwater Lane, KY-11, Olympia, WA 98504-5711; Implementation and Enforcement: Lynn Genasci, Assistant Director, Operations, 7150 Cleanwater Lane, KY-11, Olympia, WA 98504-5711.

Proposing: Washington State Parks and Recreation Commission.

Agency Comments: [No information supplied by agency.]

Federal Law/Court Action: [No information supplied by agency.]

## AMENDATORY SECTION (Amending Order 50, filed 4/14/81)

WAC 352-32-010 DEFINITIONS. Whenever used in this chapter the following terms shall be defined as herein indicated:

(1) "Commission" shall mean the Washington state parks and recreation commission.

(2) "Director" shall mean the director of the Washington state parks and recreation commission.

(3) "Ranger" shall mean a duly appointed Washington state parks ranger who is vested with police powers under RCW 43.51.170 (~~and WAC 352-32-020~~), and shall include the park manager in charge of any state park area.

(4) "Person" shall mean all natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.

(5) "Recreation vehicle" shall mean a vehicle/trailer unit, van, pickup truck with camper, motor home, converted bus, or any similar type vehicle which contains sleeping and/or housekeeping accommodations.

(6) "Standard campsite" shall mean a designated camping site which is served by nearby domestic water, sink waste, garbage disposal and flush comfort station. Each campsite includes a camp stove and picnic table.

(7) "Utility campsite" shall mean a standard campsite with the addition of one or all of the following utility hookups: Domestic water, sewer and electricity.

(8) "Primitive campsite" shall mean a campsite not provided with flush comfort station nearby and which may not have any of the amenities of a standard campsite.

(9) "Camping" shall mean erecting a tent or shelter or arranging bedding, or both, (~~for the purpose of, or in such a way as will permit remaining overnight;~~) or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

(10) "Group camping areas" are designated areas usually primitive with minimal utilities and site amenities and are for the use of organized groups. Facilities and extent of development vary from park to park.

(11) "Emergency area" is an area in (~~a park which can be used for camping but is not part of the designated overnight camping area~~) the park separate from the designated overnight camping area, which may be used for camping between the hours of 9 p.m. and 8 a.m. when no alternative camping facilities are available within reasonable driving distances.

(12) "State park area" shall mean any area under the ownership, management, or control of the commission, including trust lands which have been withdrawn from sale or lease by order of the commissioner of public lands and the management of which has been transferred to the commission, and specifically including all those areas defined in WAC 352-16-020.

(13) "Environmental learning centers (ELC)" shall mean those designated specialized facilities (formerly called resident group camps) designed to promote outdoor camping experiences and environmental education by groups in a residential setting. A group can be formalized group or an organized collection of families wishing to camp or use the ELC. ELCs are located at Camp Wooten, Columbia County; Brooks Memorial State Park, Klickitat County; Sun Lakes State Park, Grant County; Deception Pass State Park, Island and Skagit Counties; Fort Flagler State Park, Jefferson County; Millersylvania State Park, Thurston County; Moran State Park, San Juan County; Fields' Spring State Park, Asotin County; and Sequim Bay State Park, Clallam County.

(14) "Camping unit" a group of people (one or more persons) that is organized, equipped and capable of sustaining their own camping activity.

(15) "Residence" shall mean the long-term habitation of facilities at a given state park for purposes whose primary character is not recreational. "Residence" is characterized by one or both of the following patterns:

Camping at a given park for or more than twenty days within a thirty-day time period May 1 through September 30; or thirty days within a sixty-day time period October 1 through April 30. As provided in WAC 352-32-030(6), continuous occupancy of facilities by the same camping unit shall be limited to ten consecutive nights May 1 through September 30 and fifteen consecutive nights October 1 through April 30 in one park, after which the camping unit must vacate the overnight park facilities for three consecutive nights.

The time period shall begin the date for which the first night's fee is paid.

The designation of the park facility as a permanent or temporary address on official documents or applications submitted to public or private agencies or institutions.

(16) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor and a moped.

## AMENDATORY SECTION (Amending Resolution No. 67, filed 4/15/83)

WAC 352-32-030 CAMPING. (1) Camping facilities of the state parks within the Washington state parks and recreation commission system are designed and administered specifically to provide recreational opportunities for park visitors. Use of park facilities for

purposes which are of a nonrecreational nature, such as long-term residency at one or several park facilities, obstructs opportunities for recreational use, and is inconsistent with the purposes for which those facilities were designed.

No person or camping unit may use any state park facility for residence purposes, as defined (WAC 352-32-010(15)).

(2) No person shall camp in any state park area except in areas specifically designated and/or marked for that purpose or as directed by a ranger.

((2)) (3) Occupants shall vacate camping facilities by removing their personal property therefrom prior to 3:00 p.m., (or other appropriate, established time in parks where camping is reserved) if the applicable camping fee has not been paid or if the time limit for occupancy of the campsite has expired or the site is reserved by another party. Remaining in a campsite beyond the established checkout time shall subject the occupant to the payment of an additional camping fee.

((3)) (4) Use of utility campsites by tent campers shall be subject to payment of the utility campsite fee except when ((directed)) otherwise specified by a ranger ((to occupy a utility campsite)).

((4)) (5) A campsite is considered occupied when it is being used for purposes of camping by a person or persons who have paid the camping fee within the applicable time limits or when it has been reserved through the appropriate procedures of the reservation system. No person shall take or attempt to take possession of a campsite when it is being occupied by another party, or when informed by a ranger that such site is occupied, or when the site is posted with a "reserved" sign. In the case of a reserved site, a person holding a valid reservation for that specific site may occupy it according to the rules relating to the reservation system for that park. In order to afford the public the greatest possible use of the state park system on a fair and equal basis, campsites in those parks not on the state park reservation system will be available on a first-come, first-serve basis. No person shall hold or attempt to hold campsite(s), for another camping unit for present or future camping dates. The site must be occupied by a member of the camping unit.

((5)) (6) In order to afford the general public the greatest possible use of the state park system, on a fair and equal basis, and to prevent residential use continuous occupancy of facilities by the same person shall be limited to ten consecutive nights in one park, May 1 through September 30, and fifteen consecutive nights October 1 through April 30, after which the camping unit must vacate the overnight park facility for three consecutive nights. This limitation shall not apply to those individuals who meet the qualifications of WAC 352-32-280 and 352-32-285.

((6)) (7) Only one camping unit with a maximum of eight people shall be permitted at a campsite, unless otherwise authorized by a ranger. The number of vehicles occupying a campsite shall be limited to one car or one recreational vehicle: PROVIDED, That one additional vehicle without built-in sleeping accommodations may occupy a designated campsite when in the judgment of a ranger the constructed facilities so warrant. The number of tents allowed at each campsite shall be limited to the number that will fit on the designated or developed tent pad as determined by a ranger.

((7)) (8) Persons traveling by bicycles, motor bikes or other similar modes of transportation and utilizing campsites shall be limited to six persons per site, provided no more than four motorcycles shall occupy a campsite.

((8)) (9) All persons camping in organized groups shall use designated group camp areas unless otherwise directed by a ranger and shall pay the applicable group camping fee.

A group can be any formalized group or an organized collection of families wishing to camp together.

Group camping areas may be reserved in advance through contact with the local ranger. Any group must have a leader who has reached the age of majority who will be required to read and sign a "Group use permit and regulation form."

((9)) (10) Emergency camping areas set aside in certain state parks may be used only when all designated campsites are full but may not be used prior to 9:00 p.m. Persons using emergency areas must pay the standard campsite fee and must vacate the site by 8:00 the following morning.

#### AMENDATORY SECTION (Amending Order 9, filed 11/24/70)

WAC 352-32-040 PICNICKING. Picnicking is permitted only in designated and marked picnicking areas, or in such other places within a state park area as ((may from time to time be)) designated by a ranger.

#### AMENDATORY SECTION (Amending Order 45, filed 4/4/80)

WAC 352-32-050 PARK PERIODS. ((+)) The director shall establish for each state park area, according to existing conditions, times, and periods when it will be open or closed to the public. Such times and periods shall be posted at the entrance to the state park area affected and at the park office. No person shall enter or be present in a state park area after closing time except when camping, in a designated campsite or camping area, who has paid the applicable camping fee; as a state parks employee; or as a guest of a state parks employee.

((2) The director may establish for each state park area according to facilities, design, and/or staffing levels, the number of individuals and/or vehicles allowed in any state park area or structure at any given time or period. No person shall enter in any state park area or facility or bring in or cause to be brought in any vehicle and/or persons which would exceed the capacity as established by the director and when the individual is informed either by signs or by park staff that such capacity has been met and the park is full:))

#### NEW SECTION

WAC 352-32-053 PARK CAPACITIES. The director may establish for each state park area according to facilities, design, and/or staffing levels, the number of individuals and/or vehicles allowed in any state park area or structure at any given time or period. No person shall enter in any state park area or facility or bring in or cause to be brought in any vehicle and/or persons which would exceed the capacity as established by the director and when the individual is informed either by signs or by park staff that such capacity has been met and the park is full.

#### NEW SECTION

WAC 352-32-056 PEACE AND QUIET. To insure peace and quiet for visitors:

(1) No person shall conduct himself so that he disturbs park users in their sleeping quarters or in campgrounds or park employees in their sleeping quarters between the quiet hours of 11:00 p.m. and 6:30 a.m. daily.

(2) No person shall, at any time, use outside electronic equipment including electrical speakers, radios, phonographs, televisions, or other machinery, at a volume which emits sound beyond the immediate individual camp or picnic site without specific permission of the area ranger.

(3) Engine driven electric generators may be operated only between the hours of 8:00 a.m. and 9:00 p.m.

#### AMENDATORY SECTION (Amending Order 10, filed 8/3/71)

WAC 352-32-080 SWIMMING. (1) Swimming areas in state park areas are marked with buoys, log booms, or other markers, clearly designating the boundaries of such areas. ((Swimming shall be permitted only within these areas:))

(2) Any person swimming outside the boundaries of a designated swimming area, or in any area not designated for swimming, or in any area, whether designated for swimming or not, where no lifeguard is present, shall do so at his or her own risk.

(3) All persons using any designated swimming area shall obey all posted beach rules and/or the instructions of lifeguards, rangers, or other state parks employees.

(4) No person shall swim ((or sunbathe)) in any designated boat launching area.

(5) No person shall give or transmit a false signal or false alarm of drowning in any manner.

(6) Use of inflated mattresses, rubber rafts, rubber boats, inner tubes, or other objects, except U.S. Coast Guard approved life jackets, in state park areas for the purpose of buoyancy while swimming or playing in any designated swimming area is prohibited. Concessionaires are not permitted to rent or sell such floating devices within state parks without written approval of the commission.

AMENDATORY SECTION (Amending Order 9, filed 11/24/70)

WAC 352-32-090 GAMES (~~(ON BEACHES)~~). Playing games (~~((and general horseplay on crowded swimming beaches is prohibited. At times large uncrowded beach areas can safely permit some games. Such games will be permitted only with the consent of a ranger))~~) in a manner and/or location which subjects people or personal property, the park resource or facilities to risk of injury or damage shall be prohibited.

AMENDATORY SECTION (Amending Order 9, filed 11/24/70)

WAC 352-32-120 FIREARMS AND/OR WEAPONS. No person shall possess a firearm with a cartridge in any portion of the mechanism; nor shall any person discharge across, in, or into any state park area a firearm, bow and arrow, spear, spear gun, harpoon, or air or gas weapon, or any device capable of injuring or killing any person or animal, or damaging or destroying any public or private property, except where the commission for good cause has authorized a special recreational activity upon finding that it is not inconsistent with state parks use.

AMENDATORY SECTION (Amending Order 55, filed 11/24/81)

WAC 352-32-210 CONSUMPTION OF ALCOHOL IN STATE PARK AREAS. (1) Opening, possessing alcoholic beverage in an open container, or consuming any alcoholic beverages in any state park area shall be prohibited except in the following designated areas and under the following circumstances:

(a) In designated campgrounds, by registered campers or their guests;

(b) In designated picnic areas, which shall include those sites within state park areas where picnic tables, benches, fireplaces, and/or outdoor kitchens are available, even though not signed as designated picnic areas; (~~and~~)

(c) In any building operated and maintained under a concession agreement, wherein the concessionaire has been licensed to sell alcoholic beverages by the Washington state liquor control board, and where the dispensation of such alcoholic beverages by such concessionaire has been approved by the commission; and

(d) Dispensing alcoholic beverages from kegs or containers larger than two gallons is prohibited in state park areas except when authorized in writing (group use permit) by the park manager.

(2) The provisions of this rule shall not apply to any part of the Seashore Conservation Area, as designated and established by RCW 43.51.655.

(3) Opening, consuming, or storing alcoholic beverages in Fort Simcoe State Park shall be prohibited.

## 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
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

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.

**Suffixes:**

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- W = Withdrawal of proposed action
- No suffix means permanent action

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16-333-060	NEW-P	85-19-073	16-470-120	AMD-P	85-11-084	16-555-040	NEW	85-11-030
16-333-060	NEW	85-22-053	16-470-120	AMD-E	85-11-087	16-555-041	NEW-P	85-05-038
16-333-070	NEW-P	85-19-073	16-470-120	AMD	85-15-007	16-555-041	NEW	85-11-030
16-333-070	NEW	85-22-053	16-470-200	NEW-P	85-11-083	16-555-050	NEW-P	85-05-038
16-333-080	NEW-P	85-19-073	16-470-200	NEW-E	85-11-088	16-555-050	NEW	85-11-030
16-333-080	NEW	85-22-053	16-470-200	NEW	85-15-008	16-555-060	NEW-P	85-05-038
16-333-090	NEW-P	85-19-073	16-470-210	NEW-P	85-11-083	16-555-060	NEW	85-11-030
16-333-090	NEW	85-22-053	16-470-210	NEW-E	85-11-088	16-555-070	NEW-P	85-05-038
16-354-005	AMD-P	85-11-079	16-470-210	NEW	85-15-008	16-555-070	NEW	85-11-030
16-354-005	AMD	85-15-046	16-470-220	NEW-P	85-11-083	16-555-080	NEW-P	85-05-038
16-354-010	AMD-P	85-11-079	16-470-220	NEW-E	85-11-088	16-555-080	NEW	85-11-030
16-354-010	AMD	85-15-046	16-470-220	NEW	85-15-008	16-560-06001	AMD-P	85-02-054
16-354-020	AMD-P	85-11-079	16-470-230	NEW-P	85-11-083	16-560-06001	AMD	85-10-005
16-354-020	AMD	85-15-046	16-470-230	NEW-E	85-11-088	16-565-010	AMD-P	85-11-078
16-354-030	AMD-P	85-11-079	16-470-230	NEW	85-15-008	16-565-010	AMD	85-15-018
16-354-030	AMD	85-15-046	16-470-300	NEW-P	85-11-085	16-565-020	AMD-P	85-11-078

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
16-565-020	AMD	85-15-018	50-12-050	AMD-C	85-19-045
16-620-110	NEW-E	85-20-092	50-12-050	AMD	85-19-052
16-620-110	NEW-P	85-20-101	50-12-100	NEW-P	85-16-116
16-620-110	NEW	85-24-015	50-12-100	NEW-C	85-19-045
16-620-115	NEW-E	85-20-092	50-12-100	NEW	85-19-052
16-620-115	NEW-P	85-20-101	50-12-110	NEW-P	85-16-116
16-620-115	NEW	85-24-015	50-12-110	NEW-C	85-19-045
16-654-050	NEW-P	86-01-074	50-12-110	NEW	85-19-052
16-654-060	NEW-P	86-01-074	50-16-030	AMD-P	85-16-055
16-666-140	NEW-P	85-10-051	50-16-030	AMD-C	85-19-043
16-666-140	NEW-W	85-12-053	50-16-030	AMD	85-19-054
16-750-010	AMD-P	85-03-102	50-20-010	AMD-P	85-16-056
16-750-010	AMD	85-07-003	50-20-010	AMD-C	85-19-044
24-12-012	AMD-P	85-21-007	50-20-010	AMD	85-19-053
24-12-012	AMD	86-01-082	50-20-050	AMD-E	85-15-074
25-15-010	NEW-E	85-20-008	50-20-050	AMD-P	85-16-056
25-15-020	NEW-E	85-20-008	50-20-050	AMD-C	85-19-044
25-15-030	NEW-E	85-20-008	50-20-050	AMD	85-19-053
25-15-040	NEW-E	85-20-008	50-20-055	AMD-E	85-15-074
25-15-050	NEW-E	85-20-008	50-20-055	AMD-P	85-16-056
25-15-060	NEW-E	85-20-008	50-20-055	AMD-C	85-19-044
25-15-070	NEW-E	85-20-008	50-20-055	AMD-P	85-19-088
25-15-080	NEW-E	85-20-008	50-20-055	AMD	85-22-014
25-15-090	NEW-E	85-20-008	50-20-090	NEW-E	85-15-074
25-15-100	NEW-E	85-20-008	50-20-090	NEW-P	85-16-056
25-15-110	NEW-E	85-20-008	50-20-090	NEW-C	85-19-044
25-15-120	NEW-E	85-20-008	50-20-090	NEW	85-19-053
30-01-010	NEW-P	86-01-087	50-24-100	AMD-P	85-16-116
30-01-020	NEW-P	86-01-087	50-24-100	AMD-C	85-19-045
30-01-030	NEW-P	86-01-087	50-24-100	AMD	85-19-052
30-01-040	NEW-P	86-01-087	50-44-030	AMD-P	85-16-116
30-01-050	NEW-P	86-01-087	50-44-030	AMD-C	85-19-045
30-01-060	NEW-P	86-01-087	50-44-030	AMD	85-19-052
30-04-010	NEW-P	86-01-087	50-48-020	AMD-P	85-16-116
30-04-020	NEW-P	86-01-087	50-48-020	AMD-C	85-19-045
30-04-030	NEW-P	86-01-087	50-48-020	AMD	85-19-052
30-04-040	NEW-P	86-01-087	51-10	AMD-P	85-02-055
30-04-050	NEW-P	86-01-087	51-10	AMD	85-03-095
30-04-060	NEW-P	86-01-087	51-10	AMD	85-07-036
30-04-070	NEW-P	86-01-087	51-12-100	NEW-P	85-18-068
30-04-080	NEW-P	86-01-087	51-12-100	NEW	85-24-028
30-04-090	NEW-P	86-01-087	51-12-101	NEW-P	85-18-068
30-04-100	NEW-P	86-01-087	51-12-101	NEW	85-24-028
30-04-110	NEW-P	86-01-087	51-12-102	NEW	85-18-068
30-04-120	NEW-P	86-01-087	51-12-102	NEW	85-24-028
30-08-010	NEW-P	86-01-087	51-12-103	NEW-P	85-18-068
30-08-020	NEW-P	86-01-087	51-12-103	NEW	85-24-028
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30-12-110	NEW-P	86-01-087	51-12-200	NEW	85-24-028
30-12-120	NEW-P	86-01-087	51-12-201	NEW-P	85-18-068
30-12-130	NEW-P	86-01-087	51-12-201	NEW	85-24-028
30-12-140	NEW-P	86-01-087	51-12-202	NEW-P	85-18-068
30-12-150	NEW-P	86-01-087	51-12-202	NEW	85-24-028
30-12-160	NEW-P	86-01-087	51-12-203	NEW-P	85-18-068
30-12-170	NEW-P	86-01-087	51-12-203	NEW	85-24-028
50-12-010	REP-P	85-16-116	51-12-204	NEW-P	85-18-068
50-12-010	REP-C	85-19-045	51-12-204	NEW	85-24-028
50-12-010	REP	85-19-052	51-12-205	NEW-P	85-18-068
50-12-040	AMD-P	85-16-116	51-12-205	NEW	85-24-028
50-12-040	AMD-C	85-19-045	51-12-206	NEW-P	85-18-068
50-12-040	AMD	85-19-052	51-12-206	NEW	85-24-028
50-12-050	AMD-E	85-16-030	51-12-207	NEW-P	85-18-068
50-12-050	AMD-P	85-16-116	51-12-207	NEW	85-24-028
51-12-208	NEW-P	85-18-068	51-12-208	NEW-P	85-18-068
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51-12-402	NEW-P	85-18-068	51-12-402	NEW-P	85-18-068
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51-12-403	NEW-P	85-18-068	51-12-403	NEW-P	85-18-068
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51-12-404	NEW-P	85-18-068	51-12-404	NEW-P	85-18-068
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51-12-405	NEW-P	85-18-068	51-12-405	NEW-P	85-18-068
51-12-405	NEW	85-24-028	51-12-405	NEW	85-24-028
51-12-406	NEW-P	85-18-068	51-12-406	NEW-P	85-18-068
51-12-406	NEW	85-24-028	51-12-406	NEW	85-24-028
51-12-407	NEW-P	85-18-068	51-12-407	NEW-P	85-18-068
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51-12-413	NEW-P	85-18-068	51-12-413	NEW-P	85-18-068
51-12-413	NEW	85-24-028	51-12-413	NEW	85-24-028
51-12-414	NEW-P	85-18-068	51-12-414	NEW-P	85-18-068
51-12-414	NEW	85-24-028	51-12-414	NEW	85-24-028
51-12-415	NEW-P	85-18-068	51-12-415	NEW-P	85-18-068
51-12-415	NEW	85-24-028	51-12-415	NEW	85-24-028



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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
106-120-033	NEW-P	85-03-086	118-03-050	AMD	85-20-062	120-52-050	REP	85-15-013
106-120-033	NEW	85-07-032	118-03-070	AMD-P	85-17-003	120-52-070	REP-P	85-11-041
106-120-040	REP-P	85-03-086	118-03-070	AMD-E	85-17-004	120-52-070	REP	85-15-013
106-120-040	REP	85-07-032	118-03-070	AMD	85-20-062	120-52-090	REP-P	85-11-041
106-120-041	REP-P	85-03-086	118-03-090	AMD-P	85-17-003	120-52-090	REP	85-15-013
106-120-041	REP	85-07-032	118-03-090	AMD-E	85-17-004	131-08-010	NEW-P	85-24-014
106-120-042	REP-P	85-03-086	118-03-090	AMD	85-20-062	131-08-010	NEW-E	86-01-037
106-120-042	REP	85-07-032	118-03-110	AMD-P	85-17-003	131-16-005	AMD-P	85-16-103
106-120-043	REP-P	85-03-086	118-03-110	AMD-E	85-17-004	131-16-005	AMD	85-19-056
106-120-043	REP	85-07-032	118-03-110	AMD	85-20-062	131-16-011	AMD-P	85-16-103
106-120-050	REP-P	85-03-086	118-03-130	AMD-P	85-17-003	131-16-011	AMD-W	85-19-055
106-120-050	REP	85-07-032	118-03-130	AMD-E	85-17-004	131-24-040	NEW-P	85-16-102
106-120-051	REP-P	85-03-086	118-03-130	AMD	85-20-062	131-24-040	NEW	85-20-045
106-120-051	REP	85-07-032	118-03-150	AMD-P	85-17-003	132B-122-010	NEW-P	85-04-051
106-120-053	REP-P	85-03-086	118-03-150	AMD-E	85-17-004	132B-122-010	NEW	85-08-025
106-120-053	REP	85-07-032	118-03-150	AMD	85-20-062	132C-104-060	AMD-P	85-07-050
106-120-055	REP-P	85-03-086	118-03-170	AMD-P	85-17-003	132C-104-060	AMD	85-13-024
106-120-055	REP	85-07-032	118-03-170	AMD-E	85-17-004	132C-120-010	AMD-P	85-07-051
106-120-056	REP-P	85-03-086	118-03-170	AMD	85-20-062	132C-120-010	AMD	85-13-067
106-120-056	REP	85-07-032	118-03-190	AMD-P	85-17-003	132C-120-015	AMD-P	85-07-051
106-120-057	REP-P	85-03-086	118-03-190	AMD-E	85-17-004	132C-120-015	AMD	85-13-067
106-120-057	REP	85-07-032	118-03-190	AMD	85-20-062	132C-120-020	AMD-P	85-07-051
106-120-058	REP-P	85-03-086	118-03-210	AMD-P	85-17-003	132C-120-020	AMD	85-13-067
106-120-058	REP	85-07-032	118-03-210	AMD-E	85-17-004	132C-120-025	AMD-P	85-07-051
106-120-060	REP-P	85-03-086	118-03-210	AMD	85-20-062	132C-120-025	AMD	85-13-067
106-120-060	REP	85-07-032	118-03-230	AMD-P	85-17-003	132C-120-030	AMD-P	85-07-051
106-120-061	REP-P	85-03-086	118-03-230	AMD-E	85-17-004	132C-120-030	AMD	85-13-067
106-120-061	REP	85-07-032	118-03-230	AMD	85-20-062	132C-120-035	AMD-P	85-07-051
106-120-062	REP-P	85-03-086	118-03-250	AMD-P	85-17-003	132C-120-035	AMD	85-13-067
106-120-062	REP	85-07-032	118-03-250	AMD-E	85-17-004	132C-120-040	AMD-P	85-07-051
106-120-064	REP-P	85-03-086	118-03-250	AMD	85-20-062	132C-120-040	AMD	85-13-067
106-120-064	REP	85-07-032	118-03-270	AMD-P	85-17-003	132C-120-045	AMD-P	85-07-051
106-120-066	REP-P	85-03-086	118-03-270	AMD-E	85-17-004	132C-120-045	AMD	85-13-067
106-120-066	REP	85-07-032	118-03-270	AMD	85-20-062	132C-120-050	AMD-P	85-07-051
106-120-131	NEW-P	85-03-086	118-03-290	AMD-P	85-17-003	132C-120-050	AMD	85-13-067
106-120-131	NEW	85-07-032	118-03-290	AMD-E	85-17-004	132C-120-055	AMD-P	85-07-051
106-120-132	NEW-P	85-03-086	118-03-290	AMD	85-20-062	132C-120-055	AMD	85-13-067
106-120-132	NEW	85-07-032	118-03-310	AMD-P	85-17-003	132C-120-060	AMD-P	85-07-051
106-120-143	NEW-P	85-03-086	118-03-310	AMD-E	85-17-004	132C-120-060	AMD	85-13-067
106-120-143	NEW	85-07-032	118-03-310	AMD	85-20-062	132C-120-065	AMD-P	85-07-051
106-120-200	REP-P	85-03-086	120-04-010	REP-P	85-11-041	132C-120-065	AMD	85-13-067
106-120-200	REP	85-07-032	120-04-010	REP	85-15-013	132C-120-070	REP-P	85-07-051
106-120-210	REP-P	85-03-086	120-04-030	REP-P	85-11-041	132C-120-070	REP	85-13-067
106-120-210	REP	85-07-032	120-04-030	REP	85-15-013	132C-120-075	REP-P	85-07-051
106-120-220	REP-P	85-03-086	120-04-050	REP-P	85-11-041	132C-120-075	REP	85-13-067
106-120-220	REP	85-07-032	120-04-050	REP	85-15-013	132C-120-080	REP-P	85-07-051
106-120-230	REP-P	85-03-086	120-06-010	REP-P	85-11-041	132C-120-080	REP	85-13-067
106-120-230	REP	85-07-032	120-06-010	REP	85-15-013	132C-120-085	REP-P	85-07-051
106-120-240	REP-P	85-03-086	120-06-020	REP-P	85-11-041	132C-120-085	REP	85-13-067
106-120-240	REP	85-07-032	120-06-020	REP	85-15-013	132C-120-090	REP-P	85-07-051
106-120-250	REP-P	85-03-086	120-06-030	REP-P	85-11-041	132C-120-090	REP	85-13-067
106-120-250	REP	85-07-032	120-06-030	REP	85-15-013	132C-120-095	REP-P	85-07-051
106-120-700	REP-P	85-03-086	120-06-040	REP-P	85-11-041	132C-120-095	REP	85-13-067
106-120-700	REP	85-07-032	120-06-040	REP	85-15-013	132C-120-100	AMD-P	85-07-051
106-120-800	REP-P	85-03-086	120-06-050	REP-P	85-11-041	132C-120-100	AMD	85-13-067
106-120-800	REP	85-07-032	120-06-050	REP	85-15-013	132C-120-105	AMD-P	85-07-051
106-120-900	REP-P	85-03-086	120-06-060	REP-P	85-11-041	132C-120-105	AMD	85-13-067
106-120-900	REP	85-07-032	120-06-060	REP	85-15-013	132C-120-110	AMD-P	85-07-051
113-12-005	REP-E	85-16-067	120-06-070	REP-P	85-11-041	132C-120-110	AMD	85-13-067
113-12-005	REP-P	85-16-089	120-06-070	REP	85-15-013	132C-120-115	AMD-P	85-07-051
113-12-005	REP	85-20-078	120-06-080	REP-P	85-11-041	132C-120-115	AMD	85-13-067
114-12-005	REP-P	85-10-068	120-06-080	REP	85-15-013	132C-120-120	AMD-P	85-07-051
114-12-005	REP	85-13-081	120-06-090	REP-P	85-11-041	132C-120-120	AMD	85-13-067
114-12-121	REP-P	85-10-068	120-06-090	REP	85-15-013	132C-120-125	AMD-P	85-07-051
114-12-121	REP	85-13-081	120-06-100	REP-P	85-11-041	132C-120-125	AMD	85-13-067
114-12-125	NEW-P	85-10-068	120-06-100	REP	85-15-013	132C-120-130	AMD-P	85-07-051
114-12-125	NEW	85-13-081	120-06-110	REP-P	85-11-041	132C-120-130	AMD	85-13-067
114-12-125	AMD-P	85-21-102	120-06-110	REP	85-15-013	132C-120-135	AMD-P	85-07-051
114-12-125	AMD	86-01-040	120-06-120	REP-P	85-11-041	132C-120-135	AMD	85-13-067
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118-03-010	AMD-E	85-17-004	120-08-010	REP-P	85-11-041	132C-120-140	AMD	85-13-067
118-03-010	AMD	85-20-062	120-08-010	REP	85-15-013	132C-120-145	AMD-P	85-07-051
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118-03-030	AMD-E	85-17-004	120-52-010	REP	85-15-013	132C-120-150	AMD-P	85-07-051
118-03-030	AMD	85-20-062	120-52-030	REP-P	85-11-041	132C-120-150	AMD	85-13-067
118-03-050	AMD-P	85-17-003	120-52-030	REP	85-15-013	132C-120-155	REP-P	85-07-051
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132C-120-165	REP-P	85-07-051	132F-104-819	AMD	85-21-016	132H-120-230	AMD-E	85-19-074
132C-120-165	REP	85-13-067	132F-116-020	AMD-P	85-18-059	132H-120-230	AMD-P	85-22-044
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132C-120-170	REP	85-13-067	132F-116-070	REP-P	85-18-059	132H-120-330	AMD-E	85-19-074
132C-120-175	REP-P	85-07-051	132F-116-100	AMD-P	85-18-059	132H-120-330	AMD-P	85-22-044
132C-120-175	REP	85-13-067	132F-116-110	AMD-P	85-18-059	132H-120-330	AMD	86-01-056
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132C-120-180	REP	85-13-067	132F-116-130	AMD-P	85-18-059	132H-120-340	AMD-P	85-22-044
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132C-120-185	REP	85-13-067	132F-116-150	AMD-P	85-18-059	132H-120-360	AMD-E	85-19-074
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132C-120-195	REP	85-13-067	132F-136-020	AMD-P	85-18-059	132H-120-490	NEW-P	85-22-044
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132C-120-205	AMD-P	85-07-051	132F-136-050	AMD-P	85-18-059	132L-30-010	AMD-P	85-16-087
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132C-120-210	AMD	85-13-067	132F-148-010	AMD-P	85-09-057	132L-30-040	AMD-P	85-16-087
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132C-120-215	AMD	85-13-067	132F-148-020	AMD-P	85-09-057	132L-30-060	AMD-P	85-16-087
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132C-120-220	AMD	85-13-067	132F-148-030	AMD-P	85-09-057	132L-30-110	AMD-P	85-16-087
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132C-120-225	AMD	85-13-067	132F-148-040	AMD-P	85-09-057	132L-30-130	AMD-P	85-16-087
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132E-116-004	REP	85-04-003	132F-148-070	AMD-P	85-09-057	132L-30-190	AMD-P	85-16-087
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132E-116-012	REP	85-04-003	132F-168-030	AMD-P	85-18-059	132L-30-210	AMD-P	85-16-087
132E-116-016	REP	85-04-003	132F-168-040	AMD-P	85-18-059	132L-30-230	AMD-P	85-16-087
132E-116-020	REP	85-04-003	132F-168-050	AMD-P	85-18-059	132L-30-260	AMD-P	85-16-087
132E-116-024	REP	85-04-003	132F-168-060	AMD-P	85-18-059	132L-30-270	AMD-P	85-16-087
132E-116-028	REP	85-04-003	132F-168-070	AMD-P	85-18-059	132L-30-280	AMD-P	85-16-087
132E-116-032	REP	85-04-003	132F-168-080	AMD-P	85-18-059	132L-30-290	AMD-P	85-16-087
132E-116-036	REP	85-04-003	132F-168-090	AMD-P	85-18-059	132L-30-300	REP-P	85-16-087
132E-116-040	REP	85-04-003	132F-168-100	AMD-P	85-18-059	132L-136-010	REP-P	85-22-082
132E-116-044	REP	85-04-003	132F-168-110	AMD-P	85-18-059	132L-136-030	AMD-P	85-22-082
132E-116-048	REP	85-04-003	132F-200-010	AMD-P	85-16-120	132L-136-050	AMD-P	85-22-082
132E-116-052	REP	85-04-003	132F-200-010	AMD	85-21-016	132L-136-060	AMD-P	85-22-082
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132E-116-060	REP	85-04-003	132F-325-030	AMD-P	85-18-059	132L-136-080	AMD-P	85-22-082
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132E-116-076	REP	85-04-003	132F-419-010	NEW	85-13-075	132Q-01-010	NEW-P	85-23-071
132E-116-080	REP	85-04-003	132F-419-020	NEW-P	85-07-056	132Q-01-020	NEW-P	85-23-071
132E-116-084	REP	85-04-003	132F-419-020	NEW-C	85-12-016	132Q-01-030	NEW-P	85-23-071
132E-116-088	REP	85-04-003	132F-419-020	NEW	85-13-075	132Q-01-040	NEW-P	85-23-071
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132E-116-100	REP	85-04-003	132F-419-030	NEW	85-13-075	132Q-04-095	NEW	85-19-032
132E-116-104	REP	85-04-003	132F-419-040	NEW-P	85-07-056	132R-128-010	REP-P	85-05-007
132E-116-108	REP	85-04-003	132F-419-040	NEW-C	85-12-016	132R-128-010	REP	85-14-078
132E-116-112	REP	85-04-003	132F-419-040	NEW	85-13-075	132R-128-020	REP-P	85-05-007
132E-116-116	REP	85-04-003	132F-419-050	NEW-P	85-07-056	132R-128-020	REP	85-14-078
132E-116-120	REP	85-04-003	132F-419-050	NEW-C	85-12-016	132R-128-030	REP-P	85-05-007
132E-116-124	REP	85-04-003	132F-419-050	NEW	85-13-075	132R-128-030	REP	85-14-078
132F-104-010	AMD-P	85-16-120	132F-419-060	NEW-P	85-07-056	132R-128-040	REP-P	85-05-007
132F-104-010	AMD	85-21-016	132F-419-060	NEW-C	85-12-016	132R-128-040	REP	85-14-078
132F-104-020	AMD-P	85-16-120	132F-419-060	NEW	85-13-075	132R-128-050	REP-P	85-05-007
132F-104-020	AMD	85-21-016	132F-419-070	NEW-P	85-07-056	132R-128-050	REP	85-14-078
132F-104-030	AMD-P	85-16-120	132F-419-070	NEW-C	85-12-016	132R-128-060	REP-P	85-05-007
132F-104-030	AMD	85-21-016	132F-419-070	NEW	85-13-075	132R-128-060	REP	85-14-078
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132F-104-812	AMD	85-21-016	132H-120-200	AMD-P	85-22-044	132R-128-070	REP	85-14-078
132F-104-813	AMD-P	85-16-120	132H-120-200	AMD	86-01-056	132R-128-080	REP-P	85-05-007
132F-104-813	AMD	85-21-016	132H-120-205	AMD-E	85-19-074	132R-128-080	REP	85-14-078
132F-104-815	AMD-P	85-16-120	132H-120-205	AMD-P	85-22-044	132R-128-090	REP-P	85-05-007
132F-104-815	AMD	85-21-016	132H-120-205	AMD	86-01-056	132R-128-090	REP	85-14-078
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132R-128-110	REP	85-14-078	137-10-015	NEW	86-02-051	137-67-010	NEW	85-18-061
132R-128-120	REP-P	85-05-007	137-10-020	NEW-P	85-23-022	137-67-015	NEW-P	85-15-093
132R-128-120	REP	85-14-078	137-10-020	NEW	86-02-051	137-67-015	NEW	85-18-061
132R-128-121	REP-P	85-05-007	137-10-025	NEW-P	85-23-022	137-67-020	NEW-P	85-15-093
132R-128-121	REP	85-14-078	137-10-025	NEW	86-02-051	137-67-020	NEW	85-18-061
132R-128-122	REP-P	85-05-007	137-20-005	NEW-P	85-23-023	137-67-025	NEW-P	85-15-093
132R-128-122	REP	85-14-078	137-20-005	NEW	86-02-052	137-67-025	NEW	85-18-061
132R-128-130	REP-P	85-05-007	137-20-010	NEW-P	85-23-023	137-67-030	NEW-P	85-15-093
132R-128-130	REP	85-14-078	137-20-010	NEW	86-02-052	137-67-030	NEW	85-18-061
132R-180-010	REP-P	85-05-007	137-20-015	NEW-P	85-23-023	137-67-035	NEW-P	85-15-093
132R-180-010	REP	85-14-078	137-20-015	NEW	86-02-052	137-67-035	NEW	85-18-061
132R-180-020	REP-P	85-05-007	137-28-030	AMD-P	85-05-048	137-67-040	NEW-P	85-15-093
132R-180-020	REP	85-14-078	137-28-030	AMD	85-08-026	137-67-040	NEW	85-18-061
132R-180-030	REP-P	85-05-007	137-52-005	NEW-P	85-03-104	137-67-045	NEW-P	85-15-093
132R-180-030	REP	85-14-078	137-52-005	NEW	85-07-042	137-67-045	NEW	85-18-061
132R-180-040	REP-P	85-05-007	137-52-010	NEW-P	85-03-104	137-70-040	AMD-P	85-09-056
132R-180-040	REP	85-14-078	137-52-010	NEW	85-07-042	137-70-040	AMD	85-12-020
132R-180-050	REP-P	85-05-007	137-52-015	NEW-P	85-03-104	137-70-040	AMD-P	85-23-021
132R-180-050	REP	85-14-078	137-52-015	NEW	85-07-042	137-70-040	AMD	86-02-053
132R-180-060	REP-P	85-05-007	137-52-020	NEW-P	85-03-104	137-70-060	AMD-P	85-03-103
132R-180-060	REP	85-14-078	137-52-020	NEW	85-07-042	137-70-060	AMD	85-07-017
132R-180-070	REP-P	85-05-007	137-52-025	NEW-P	85-03-104	137-70-070	AMD-P	85-03-103
132R-180-070	REP	85-14-078	137-52-025	NEW	85-07-042	137-70-070	AMD	85-07-017
132R-180-080	REP-P	85-05-007	137-52-030	NEW-P	85-03-104	139-04-010	AMD-P	85-03-076
132R-180-080	REP	85-14-078	137-52-030	NEW	85-07-042	139-04-010	AMD	85-08-010
132R-180-090	REP-P	85-05-007	137-52-030	AMD-P	85-17-056	139-08-005	AMD-P	85-03-077
132R-180-090	REP	85-14-078	137-52-030	AMD	85-20-081	139-08-005	AMD	85-08-011
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132W-129-001	NEW	85-21-044	137-52-035	NEW	85-07-042	139-08-010	REP	85-08-011
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132Y-100-008	AMD	85-18-010	137-52-040	NEW	85-07-042	139-08-020	REP-P	85-03-077
132Y-100-010	NEW-P	85-14-111	137-52-045	NEW-P	85-03-104	139-08-020	REP	85-08-011
132Y-100-010	NEW	85-18-010	137-52-045	NEW	85-07-042	139-08-030	REP-P	85-03-077
132Y-140-102	REP-P	85-16-001	137-52-050	NEW-P	85-03-104	139-08-030	REP	85-08-011
132Y-140-102	REP	85-20-044	137-52-050	NEW	85-07-042	139-08-040	AMD-P	85-03-077
132Y-140-104	REP-P	85-16-001	137-54-010	NEW-P	85-02-067	139-08-040	AMD	85-08-011
132Y-140-104	REP	85-20-044	137-54-010	NEW	85-05-019	139-08-060	REP-P	85-03-077
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136-150-050	NEW-P	85-14-052	137-56-100	AMD-E	86-02-022	139-08-280	AMD	85-08-011
136-150-050	NEW-W	85-20-109	137-56-100	AMD-P	86-02-023	139-08-290	AMD-P	85-03-077
136-160-024	NEW-P	85-07-053	137-56-110	NEW-E	86-02-022	139-08-290	AMD	85-08-011
136-160-024	NEW	85-11-053	137-56-110	NEW-P	86-02-023	139-08-320	AMD-P	85-03-077
136-160-060	AMD-P	86-02-025	137-56-160	AMD-E	86-02-022	139-08-320	AMD	85-08-011
136-190-010	NEW-P	85-07-054	137-56-160	AMD-P	86-02-023	139-08-330	AMD-P	85-03-077
136-190-010	NEW	85-11-055	137-56-170	AMD-E	86-02-022	139-08-330	AMD	85-08-011
136-190-020	NEW-P	85-07-054	137-56-170	AMD-P	86-02-023	139-08-350	AMD-P	85-03-077
136-190-020	NEW	85-11-055	137-56-180	AMD-E	86-02-022	139-08-350	AMD	85-08-011
136-190-030	NEW-P	85-07-054	137-56-180	AMD-P	86-02-023	139-08-360	AMD-P	85-03-077
136-190-030	NEW	85-11-055	137-56-190	AMD-E	86-02-022	139-08-360	AMD	85-08-011
136-190-040	NEW-P	85-07-054	137-56-190	AMD-P	86-02-023	139-08-370	AMD-P	85-03-077
136-190-040	NEW	85-11-055	137-56-200	AMD-E	86-02-022	139-08-370	AMD	85-08-011
136-190-050	NEW-P	85-07-054	137-56-200	AMD-P	86-02-023	139-08-390	REP-P	85-03-077
136-190-050	NEW	85-11-055	137-56-210	AMD-E	86-02-022	139-08-390	REP	85-08-011
137-08-060	AMD-P	85-10-066	137-56-210	AMD-P	86-02-023	139-08-400	REP-P	85-03-077
137-08-060	AMD	85-13-020	137-56-220	AMD-E	86-02-022	139-08-400	REP	85-08-011
137-08-105	NEW-P	85-10-066	137-56-220	AMD-P	86-02-023	139-08-410	REP-P	85-03-077
137-08-105	NEW	85-13-020	137-56-230	AMD-E	86-02-022	139-08-410	REP	85-08-011
137-08-110	AMD-P	85-10-066	137-56-230	AMD-P	86-02-023	139-08-420	REP-P	85-03-077
137-08-110	AMD	85-13-020	137-56-240	AMD-E	86-02-022	139-08-420	REP	85-08-011
137-08-150	AMD-P	85-10-066	137-56-240	AMD-P	86-02-023	139-08-430	REP-P	85-03-077
137-08-150	AMD	85-13-020	137-56-250	AMD-E	86-02-022	139-08-430	REP	85-08-011
137-10-005	NEW-P	85-23-022	137-56-250	AMD-P	86-02-023	139-08-440	REP-P	85-03-077
137-10-005	NEW	86-02-051	137-56-280	NEW-E	86-02-022	139-08-440	REP	85-08-011
137-10-010	NEW-P	85-23-022	137-56-280	NEW-P	86-02-023	139-08-450	REP-P	85-03-077

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139-08-460	REP-P	85-03-077	173-06-030	AMD	85-24-019	173-100-020	NEW	86-02-004
139-08-460	REP	85-08-011	173-14-040	AMD-P	85-06-065	173-100-030	NEW-P	85-20-093
139-08-470	REP-P	85-03-077	173-14-040	AMD	85-09-043	173-100-030	NEW	86-02-004
139-08-470	REP	85-08-011	173-14-064	AMD-P	85-06-065	173-100-040	NEW-P	85-20-093
139-08-480	REP-P	85-03-077	173-14-064	AMD	85-09-043	173-100-040	NEW	86-02-004
139-08-480	REP	85-08-011	173-14-090	AMD-P	85-06-065	173-100-050	NEW-P	85-20-093
139-08-490	REP-P	85-03-077	173-14-090	AMD	85-09-043	173-100-050	NEW	86-02-004
139-08-490	REP	85-08-011	173-14-110	AMD-P	85-06-065	173-100-060	NEW-P	85-20-093
139-08-510	REP-P	85-03-077	173-14-115	AMD-P	85-06-065	173-100-060	NEW	86-02-004
139-08-510	REP	85-08-011	173-14-115	AMD	85-09-043	173-100-070	NEW-P	85-20-093
139-08-570	AMD-P	85-03-077	173-14-130	AMD-P	85-06-065	173-100-070	NEW	86-02-004
139-08-570	AMD	85-08-011	173-14-130	AMD	85-09-043	173-100-080	NEW-P	85-20-093
139-08-600	NEW-P	85-03-077	173-16-030	AMD-P	85-06-065	173-100-080	NEW	86-02-004
139-08-600	NEW	85-08-011	173-16-030	AMD	85-09-043	173-100-090	NEW-P	85-20-093
139-22-020	NEW-P	85-07-040	173-16-070	AMD-P	85-06-065	173-100-090	NEW	86-02-004
139-22-020	NEW-P	85-14-094	173-16-070	AMD	85-09-043	173-100-100	NEW-P	85-20-093
139-22-020	NEW	85-21-074	173-18-380	AMD-P	85-06-065	173-100-100	NEW	86-02-004
139-36-031	AMD-E	85-14-006	173-18-380	AMD	85-09-043	173-100-110	NEW-P	85-20-093
139-36-031	AMD-P	85-14-095	173-19-130	AMD-P	85-12-049	173-100-110	NEW	86-02-004
139-36-031	AMD	85-21-073	173-19-130	AMD-C	85-16-104	173-100-120	NEW-P	85-20-093
140-08-010	REP	85-03-004	173-19-130	AMD-C	85-17-063	173-100-120	NEW	86-02-004
140-08-020	REP	85-03-004	173-19-130	AMD-C	85-21-017	173-100-130	NEW-P	85-20-093
140-08-030	REP	85-03-004	173-19-2204	AMD-P	85-07-061	173-100-130	NEW	86-02-004
140-08-040	REP	85-03-004	173-19-2204	AMD	85-10-030	173-100-140	NEW	86-02-004
140-08-050	REP	85-03-004	173-19-230	AMD-P	85-10-072	173-100-150	NEW	86-02-004
140-08-060	REP	85-03-004	173-19-230	AMD	85-12-051	173-134A-080	AMD-P	85-23-078
140-08-070	REP	85-03-004	173-19-240	AMD-P	85-06-065	173-134A-085	NEW-P	85-23-078
140-08-080	REP	85-03-004	173-19-240	AMD	85-09-043	173-144-010	NEW-E	85-03-075
140-08-090	REP	85-03-004	173-19-250	AMD-P	85-10-073	173-144-010	NEW-E	85-09-067
140-08-100	REP	85-03-004	173-19-250	AMD	85-13-054	173-144-020	NEW-E	85-03-075
140-08-110	REP	85-03-004	173-19-2501	AMD-P	85-10-073	173-144-020	NEW-E	85-09-067
140-09-010	NEW	85-03-004	173-19-2501	AMD	85-13-054	173-144-030	NEW-E	85-03-075
140-09-020	NEW	85-03-004	173-19-2511	AMD-P	85-06-065	173-144-030	NEW-E	85-09-067
140-09-030	NEW	85-03-004	173-19-2511	AMD	85-09-043	173-144-040	NEW-E	85-03-075
140-09-040	NEW	85-03-004	173-19-2515	AMD-P	85-10-073	173-144-040	NEW-E	85-09-067
140-09-050	NEW	85-03-004	173-19-2515	AMD	85-13-054	173-144-050	NEW-E	85-03-075
140-09-058	NEW	85-03-004	173-19-2521	AMD-P	85-16-072	173-144-050	NEW-E	85-09-067
140-09-065	NEW	85-03-004	173-19-2521	AMD	85-20-094	173-144-060	NEW-E	85-03-075
140-09-080	NEW	85-03-004	173-19-260	AMD-P	85-05-044	173-144-060	NEW-E	85-09-067
140-09-090	NEW	85-03-004	173-19-260	AMD	85-10-014	173-144-070	NEW-E	85-03-075
140-09-100	NEW	85-03-004	173-19-2901	AMD-P	85-06-065	173-144-070	NEW-E	85-09-067
140-09-110	NEW	85-03-004	173-19-2901	AMD	85-09-043	173-144-080	NEW-E	85-03-075
140-09-120	NEW	85-03-004	173-19-3210	AMD	85-04-039	173-144-080	NEW-E	85-09-067
140-09-128	NEW	85-03-004	173-19-3210	AMD-P	85-05-045	173-144-090	NEW-E	85-03-075
140-09-130	NEW	85-03-004	173-19-3210	AMD	85-08-016	173-144-090	NEW-E	85-09-067
140-09-140	NEW	85-03-004	173-19-3514	AMD-P	85-05-046	173-145-010	NEW-P	85-10-071
140-09-150	NEW	85-03-004	173-19-3514	AMD	85-10-013	173-145-010	NEW	85-14-002
140-09-155	NEW	85-03-004	173-19-3701	AMD-P	85-06-065	173-145-020	NEW-P	85-10-071
140-09-160	NEW	85-03-004	173-19-3701	AMD	85-09-043	173-145-020	NEW	85-14-002
140-09-173	NEW	85-03-004	173-19-3701	AMD-P	86-02-038	173-145-030	NEW-P	85-10-071
140-09-175	NEW	85-03-004	173-19-3903	AMD-P	85-06-065	173-145-030	NEW	85-14-002
140-09-180	NEW	85-03-004	173-19-3903	AMD	85-09-043	173-145-040	NEW-P	85-10-071
140-09-185	NEW	85-03-004	173-19-430	AMD-P	86-02-038	173-145-040	NEW	85-14-002
140-09-200	NEW	85-03-004	173-19-4402	AMD-P	85-13-053	173-145-050	NEW-P	85-10-071
140-09-220	NEW	85-03-004	173-19-4402	AMD	85-16-105	173-145-050	NEW	85-14-002
140-09-230	NEW	85-03-004	173-19-450	AMD-C	85-03-046	173-145-060	NEW-P	85-10-071
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142-30-010	AMD-P	85-11-071	173-19-4506	AMD-P	85-16-073	173-145-070	NEW-P	85-10-071
142-30-010	AMD-E	85-14-020	173-19-4506	AMD	85-20-095	173-145-070	NEW	85-14-002
142-30-010	AMD-C	85-14-040	173-20-120	AMD-P	85-06-065	173-145-080	NEW-P	85-10-071
142-30-010	AMD-E	85-14-088	173-20-120	AMD	85-09-043	173-145-080	NEW	85-14-002
142-30-010	AMD	85-15-003	173-20-130	AMD-P	85-06-065	173-145-090	NEW-P	85-10-071
172-144-010	AMD-P	85-21-109	173-20-130	AMD	85-09-043	173-145-090	NEW	85-14-002
172-144-010	AMD	86-01-042	173-20-550	AMD-P	85-06-065	173-145-100	NEW-P	85-10-071
172-144-020	AMD-P	85-21-109	173-20-550	AMD	85-09-043	173-145-100	NEW	85-14-002
172-144-020	AMD	86-01-042	173-20-700	AMD-P	85-06-065	173-145-110	NEW-P	85-10-071
172-144-040	AMD-P	85-21-109	173-20-700	AMD	85-09-043	173-145-110	NEW	85-14-002
172-144-040	AMD	86-01-042	173-22-040	AMD-P	85-06-065	173-145-120	NEW-P	85-10-071
172-144-050	AMD-P	85-21-109	173-22-040	AMD	85-09-043	173-145-120	NEW	85-14-002
172-144-050	AMD	86-01-042	173-22-060	AMD-P	85-06-065	173-145-130	NEW-P	85-10-071
172-180-010	AMD-P	85-21-109	173-22-060	AMD	85-09-043	173-145-130	NEW	85-14-002
172-180-010	AMD	86-01-042	173-22-060	AMD-P	85-09-066	173-145-140	NEW-P	85-10-071
172-180-020	AMD-P	85-21-109	173-22-060	AMD-C	85-13-029	173-145-140	NEW	85-14-002
172-180-020	AMD	86-01-042	173-22-060	AMD	85-14-001	173-145-150	NEW-P	85-10-071
172-180-040	AMD-P	85-21-109	173-100-010	NEW-P	85-20-093	173-145-150	NEW	85-14-002
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173-304-200	NEW	85-22-013	173-516	NEW-C	86-01-011
173-304-300	NEW-P	85-14-027	173-516-010	NEW-P	85-12-050
173-304-300	NEW	85-22-013	173-516-020	NEW-P	85-12-050
173-304-400	NEW-P	85-14-027	173-516-030	NEW-P	85-12-050
173-304-400	NEW	85-22-013	173-516-040	NEW-P	85-12-050
173-304-405	NEW-P	85-14-027	173-516-050	NEW-P	85-12-050
173-304-405	NEW	85-22-013	173-516-060	NEW-P	85-12-050
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173-304-420	NEW-P	85-14-027	173-516-090	NEW-P	85-12-050
173-304-420	NEW	85-22-013	173-516-100	NEW-P	85-12-050
173-304-430	NEW-P	85-14-027	174-104-010	AMD-P	85-06-074
173-304-430	NEW	85-22-013	174-104-010	AMD	85-10-049
173-304-440	NEW-P	85-14-027	174-107-230	REP-P	85-14-034
173-304-440	NEW	85-22-013	174-107-230	REP	85-21-051
173-304-450	NEW-P	85-14-027	174-107-240	REP-P	85-14-034
173-304-450	NEW	85-22-013	174-107-240	REP	85-21-051
173-304-460	NEW-P	85-14-027	174-107-250	REP-P	85-14-034
173-304-460	NEW	85-22-013	174-107-250	REP	85-21-051
173-304-461	NEW-P	85-14-027	174-107-260	REP-P	85-14-034
173-304-461	NEW	85-22-013	174-107-260	REP	85-21-051
173-304-462	NEW-P	85-14-027	174-107-270	REP-P	85-14-034
173-304-462	NEW	85-22-013	174-107-270	REP	85-21-051
173-304-463	NEW-P	85-14-027	174-107-280	REP-P	85-14-034
173-304-463	NEW	85-22-013	174-107-280	REP	85-21-051
173-304-470	NEW-P	85-14-027	174-107-290	REP-P	85-14-034
173-304-470	NEW	85-22-013	174-107-290	REP	85-21-051
173-304-490	NEW-P	85-14-027	174-107-300	REP-P	85-14-034
173-304-490	NEW	85-22-013	174-107-300	REP	85-21-051
173-304-600	NEW-P	85-14-027	174-107-310	REP-P	85-14-034
173-304-600	NEW	85-22-013	174-107-310	REP	85-21-051
173-304-700	NEW-P	85-14-027	174-107-320	REP-P	85-14-034
173-304-700	NEW	85-22-013	174-107-320	REP	85-21-051
173-304-9901	NEW-P	85-14-027	174-107-330	REP-P	85-14-034
173-304-9901	NEW	85-22-013	174-107-330	REP	85-21-051
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173-400-075	AMD	85-06-046	174-107-340	REP	85-21-051
173-400-100	AMD	85-06-046	174-107-350	REP-P	85-14-034
173-400-115	AMD	85-06-046	174-107-350	REP	85-21-051
173-403-030	AMD	85-06-047	174-116-040	AMD	85-03-048
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173-403-050	AMD-E	85-07-011	177-04-010	REP-P	85-11-042
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173-403-070	AMD-E	85-07-011	177-04-030	REP-P	85-11-042
173-403-080	AMD	85-06-047	177-04-030	REP	85-15-012
173-403-080	AMD-E	85-07-011	177-04-050	REP-P	85-11-042
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173-405-041	NEW	85-06-048	177-06-010	REP-P	85-11-042
173-410-021	AMD	85-06-048	177-06-010	REP	85-15-012
173-410-042	NEW	85-06-048	177-06-020	REP-P	85-11-042
173-415-020	AMD	85-06-048	177-06-020	REP	85-15-012
173-415-041	NEW	85-06-048	177-08-010	REP-P	85-11-042
173-501	NEW-C	85-22-042	177-08-010	REP	85-15-012
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173-501-010	NEW-P	85-16-112	180-25-010	AMD	85-24-047
173-501-010	NEW	85-24-073	180-25-025	AMD-P	85-20-113
173-501-020	NEW-P	85-16-112	180-25-025	AMD	85-24-047
173-501-020	NEW	85-24-073	180-25-030	AMD-P	85-20-113
173-501-030	NEW-P	85-16-112	180-25-030	AMD	85-24-047
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180-25-040	AMD-P	85-20-113	180-25-040	AMD	85-24-047
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180-25-045	AMD-E	85-09-063	180-25-050	AMD-P	85-20-113
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180-25-050	AMD-C	86-01-093	180-25-055	NEW-P	85-06-070
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180-25-055	NEW-E	85-09-063	180-25-055	NEW-E	85-09-063
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180-25-200	NEW-P	85-20-113	180-25-200	NEW	85-24-047
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180-25-991	NEW-E	85-20-025	180-26-040	AMD-P	85-20-113
180-26-040	AMD-P	85-20-113	180-26-040	AMD	85-24-047
180-26-040	AMD	85-24-047	180-26-050	NEW-P	85-20-113
180-26-050	NEW-P	85-20-113	180-26-050	NEW	85-24-047
180-26-050	NEW	85-24-047	180-26-055	NEW-P	85-20-113
180-26-055	NEW-P	85-20-113	180-26-055	NEW	85-24-047
180-26-055	NEW	85-24-047	180-26-057	NEW-P	86-01-094
180-26-057	NEW-P	86-01-094	180-26-060	NEW-P	85-20-113
180-26-060	NEW-P	85-20-113	180-26-060	NEW	85-24-047
180-26-060	NEW	85-24-047	180-26-200	NEW-P	85-20-113
180-26-200	NEW-P	85-20-113	180-26-200	NEW	85-24-047
180-26-200	NEW	85-24-047	180-27-053	NEW	85-04-008
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180-27-056	NEW	85-04-008	180-27-058	NEW	85-04-008
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180-27-058	AMD-P	85-20-114	180-27-058	AMD	85-24-048
180-27-058	AMD	85-24-048	180-27-059	NEW-P	85-20-114
180-27-059	NEW-P	85-20-114	180-27-059	NEW	85-24-048
180-27-059	NEW	85-24-048	180-27-060	AMD-P	85-20-114
180-27-060	AMD-P	85-20-114	180-27-060	AMD	85-24-048
180-27-060	AMD	85-24-048	180-27-063	NEW-P	85-20-114
180-27-063	NEW-P	85-20-114	180-27-063	NEW	85-24-048
180-27-063	NEW	85-24-048	180-27-085	AMD-P	85-20-114
180-27-085	AMD-P	85-20-114	180-27-085	AMD	85-24-048
180-27-085	AMD	85-24-048	180-27-105	AMD-P	85-20-114
180-27-105	AMD-P	85-20-114	180-27-105	AMD-C	86-01-093
180-27-105	AMD-C	86-01-093	180-27-115	AMD-P	85-20-114
180-27-115	AMD-P	85-20-114	180-27-115	AMD	85-24-048
180-27-115	AMD	85-24-048	180-27-990	NEW-P	85-09-062
180-27-990	NEW-P	85-09-062	180-27-990	NEW-E	85-09-065
180-27-990	NEW-E	85-09-065	180-27-990	NEW	85-12-040
180-29-021	NEW	85-12-040	180-29-021	NEW-P	85-20-115
180-29-021	NEW-P	85-20-115	180-29-021	NEW	85-24-050
180-29-021	NEW	85-24-050	180-29-107	AMD-P	85-20-113
180-29-107	AMD-P	85-20-113	180-29-107	AMD	85-24-047
180-29-107	AMD	85-24-047	180-29-1075	NEW-P	86-01-094
180-29-1075	NEW-P	86-01-094	180-29-108	NEW-P	85-20-113
180-29-108	NEW-P	85-20-113	180-29-108	NEW	85-24-047
180-29-108	NEW	85-24-047	180-29-200	NEW-P	85-20-113
180-29-200	NEW-P	85-20-113	180-29-200	NEW	85-24-047
180-29-200	NEW	85-24-047	180-33-015	AMD-P	85-06-069
180-33-015	AMD-P	85-06-069	180-33-015	AMD	85-09-060
180-33-015	AMD	85-09-060	180-33-015	AMD-E	85-09-064
180-33-015	AMD-E	85-09-064	180-33-015	AMD-P	85-20-116
180-33-015	AMD-P	85-20-116	180-33-015	AMD	85-24-049
180-33-015	AMD	85-24-049	180-33-025	AMD-P	85-20-116
180-33-025	AMD-P	85-20-116	180-33-025	AMD	85-24-049
180-33-025	AMD	85-24-049	180-33-030	AMD-P	85-20-116
180-33-030	AMD-P	85-20-116	180-33-030	AMD	85-24-049
180-33-030	AMD	85-24-049	180-33-035	AMD-P	85-20-116
180-33-035	AMD-P	85-20-116	180-33-035	AMD	85-24-049
180-33-035	AMD	85-24-049	180-33-042	NEW-P	85-06-069
180-33-042	NEW-P	85-06-069	180-33-042	NEW	85-09-060
180-33-042	NEW	85-09-060	180-33-042	NEW-E	85-09-064
180-33-042	NEW-E	85-09-064	180-33-043	NEW-P	85-06-069
180-33-043	NEW-P	85-06-069	180-33-043	NEW	85-09-060
180-33-043	NEW	85-09-060			

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
180-33-043	NEW-E 85-09-064	180-51-110	AMD-P 85-09-053	192-09-040	AMD 85-11-038
180-38-005	NEW-E 85-16-021	180-51-110	AMD 85-12-041	192-09-060	AMD-P 85-08-030
180-38-005	NEW-P 85-16-035	180-52-040	REP-P 85-16-037	192-09-060	AMD 85-11-038
180-38-005	NEW 85-20-040	180-52-040	REP 85-20-041	192-09-060	AMD-E 85-18-076
180-38-010	NEW-E 85-16-021	180-52-045	REP-P 85-16-037	192-09-060	AMD-P 85-18-077
180-38-010	NEW-P 85-16-035	180-52-045	REP 85-20-041	192-09-060	AMD 85-21-023
180-38-010	NEW 85-20-040	180-52-050	REP-P 85-16-037	192-09-063	AMD-P 85-08-030
180-38-020	NEW-E 85-16-021	180-52-050	REP 85-20-041	192-09-063	AMD 85-11-038
180-38-020	NEW-P 85-16-035	180-52-055	REP-P 85-16-037	192-12-018	NEW-E 85-18-076
180-38-020	NEW 85-20-040	180-52-055	REP 85-20-041	192-12-018	NEW-P 85-18-077
180-38-025	NEW-E 85-16-021	180-52-060	REP-P 85-16-037	192-12-018	NEW 85-22-045
180-38-025	NEW-P 85-16-035	180-52-060	REP 85-20-041	192-12-019	NEW-E 85-18-076
180-38-025	NEW 85-20-040	180-52-065	REP-P 85-16-037	192-12-019	NEW-P 85-18-077
180-38-030	NEW-E 85-16-021	180-52-065	REP 85-20-041	192-12-019	NEW 85-21-023
180-38-030	NEW-P 85-16-035	180-53-005	NEW-P 85-20-117	192-12-040	AMD-P 85-08-030
180-38-030	NEW 85-20-040	180-53-005	NEW 85-24-055	192-12-040	AMD 85-11-038
180-38-035	NEW-E 85-16-021	180-53-010	NEW-P 85-20-117	192-12-070	AMD-P 85-08-030
180-38-035	NEW-P 85-16-035	180-53-010	NEW 85-24-055	192-12-070	AMD 85-11-038
180-38-035	NEW 85-20-040	180-53-020	NEW-P 85-20-117	192-12-072	NEW-P 85-08-030
180-38-040	NEW-E 85-16-021	180-53-020	NEW 85-24-055	192-12-072	NEW 85-11-038
180-38-040	NEW-P 85-16-035	180-53-025	NEW-P 85-20-117	192-12-074	NEW-P 85-08-030
180-38-040	NEW 85-20-040	180-53-025	NEW 85-24-055	192-12-074	NEW 85-11-038
180-38-045	NEW-E 85-16-021	180-53-030	NEW-P 85-20-117	192-12-076	NEW-P 85-08-030
180-38-045	NEW-P 85-16-035	180-53-030	NEW 85-24-055	192-12-076	NEW 85-11-038
180-38-045	NEW 85-20-040	180-53-035	NEW-P 85-20-117	192-12-157	REP-P 85-18-078
180-38-050	NEW-E 85-16-021	180-53-035	NEW 85-24-055	192-12-157	REP 85-21-024
180-38-050	NEW-P 85-16-035	180-53-040	NEW-P 85-20-117	192-26-010	NEW-E 85-14-056
180-38-050	NEW 85-20-040	180-53-040	NEW 85-24-055	192-26-010	REP-E 85-19-065
180-38-055	NEW-E 85-16-021	180-53-045	NEW-P 85-20-117	192-26-030	NEW-E 85-14-056
180-38-055	NEW-P 85-16-035	180-53-045	NEW 85-24-055	192-26-030	REP-E 85-19-065
180-38-055	NEW 85-20-040	180-53-050	NEW-P 85-20-117	192-26-040	NEW-E 85-14-056
180-38-060	NEW-E 85-16-021	180-53-050	NEW 85-24-055	192-26-040	REP-E 85-19-065
180-38-060	NEW-P 85-16-035	180-53-055	NEW-P 85-20-117	192-26-050	NEW-E 85-14-056
180-38-060	NEW 85-20-040	180-53-055	NEW 85-24-055	192-26-050	REP-E 85-19-065
180-38-065	NEW-E 85-16-021	180-53-060	NEW-P 85-20-117	192-26-100	NEW-E 85-14-056
180-38-065	NEW-P 85-16-035	180-53-060	NEW 85-24-055	192-26-100	REP-E 85-19-065
180-38-065	NEW 85-20-040	180-53-065	NEW-P 85-20-117	192-28-100	NEW-P 85-18-078
180-38-070	NEW-E 85-16-021	180-53-065	NEW 85-24-055	192-28-100	NEW 85-21-024
180-38-070	NEW-P 85-16-035	180-53-065	AMD-E 85-12-036	192-28-105	NEW-P 85-18-078
180-38-070	NEW 85-20-040	180-53-065	AMD-P 85-12-044	192-28-105	NEW 85-21-024
180-40-215	AMD 85-04-009	180-75-065	AMD 85-16-020	192-28-110	NEW-P 85-18-078
180-40-227	NEW 85-04-009	180-78-050	AMD 85-04-010	192-28-110	NEW 85-21-024
180-40-227	AMD-E 85-06-035	180-90-105	NEW-P 85-20-118	192-28-115	NEW-P 85-18-078
180-40-227	AMD-P 85-06-071	180-90-105	NEW 85-24-056	192-28-115	NEW 85-21-024
180-40-227	AMD 85-09-049	180-90-110	AMD-P 85-20-118	192-28-120	NEW-P 85-18-078
180-40-245	AMD-P 85-09-058	180-90-110	AMD 85-24-056	192-28-120	NEW 85-21-024
180-40-245	AMD 85-12-042	180-90-112	NEW-P 85-20-118	192-28-125	NEW-P 85-18-078
180-40-260	AMD-P 85-09-058	180-90-112	NEW 85-24-056	192-28-125	NEW 85-21-024
180-40-260	AMD 85-12-042	180-90-115	NEW-P 85-20-118	192-30-010	NEW-E 85-19-065
180-40-275	AMD-P 85-09-058	180-90-115	NEW 85-24-056	192-30-010	NEW-P 85-19-066
180-50-120	AMD 85-04-007	180-90-119	NEW-P 85-20-118	192-30-010	NEW 85-22-071
180-50-120	AMD-P 85-09-052	180-90-119	NEW 85-24-056	192-30-020	NEW-E 85-19-065
180-50-120	AMD 85-12-037	180-90-120	AMD-P 85-20-118	192-30-020	NEW-P 85-19-066
180-50-135	AMD-P 85-16-036	180-90-120	AMD 85-24-056	192-30-020	NEW 85-22-071
180-50-135	AMD 85-20-026	180-90-123	NEW-P 85-20-118	192-30-030	NEW-E 85-19-065
180-50-315	AMD-P 85-09-052	180-90-123	NEW 85-24-056	192-30-030	NEW-P 85-19-066
180-50-315	AMD 85-12-037	180-90-130	AMD-P 85-20-118	192-30-030	NEW 85-22-071
180-51-050	AMD-P 85-09-053	180-90-130	AMD 85-24-056	192-30-040	NEW-E 85-19-065
180-51-050	AMD 85-12-041	180-90-133	NEW-P 85-20-118	192-30-040	NEW-P 85-19-066
180-51-055	AMD-P 85-09-053	180-90-133	NEW 85-24-056	192-30-040	NEW 85-22-071
180-51-055	AMD 85-12-041	180-90-135	NEW-P 85-20-118	192-30-050	NEW-E 85-19-065
180-51-060	AMD-P 85-09-053	180-90-135	NEW 85-24-056	192-30-050	NEW-P 85-19-066
180-51-060	AMD 85-12-041	180-90-137	NEW-P 85-20-118	192-30-050	NEW-E 85-19-065
180-51-062	NEW-P 85-09-053	180-90-137	NEW 85-24-056	192-30-060	NEW-E 85-19-065
180-51-062	NEW 85-12-041	180-90-139	NEW-P 85-20-118	192-30-060	NEW-P 85-19-066
180-51-065	AMD-P 85-09-053	180-90-139	NEW 85-24-056	192-30-100	NEW-E 85-19-065
180-51-065	AMD 85-12-041	180-90-140	REP-P 85-20-118	192-30-100	NEW 85-22-071
180-51-070	AMD-P 85-09-053	180-90-140	REP 85-24-056	192-30-200	NEW-E 85-19-065
180-51-070	AMD 85-12-041	180-90-145	AMD-P 85-20-118	192-30-200	NEW-P 85-19-066
180-51-075	AMD-P 85-09-053	180-90-145	AMD 85-24-056	192-30-200	NEW 85-22-071
180-51-075	AMD 85-12-041	180-90-150	AMD-P 85-20-118	192-30-210	NEW-P 85-19-066
180-51-080	AMD-P 85-09-053	180-90-150	AMD 85-24-056	192-30-210	NEW 85-22-071
180-51-080	AMD 85-12-041	180-90-160	AMD-P 85-20-118	192-30-220	NEW-P 85-19-066
180-51-085	AMD-P 85-09-053	180-90-160	AMD 85-24-056	192-30-220	NEW 85-22-071
180-51-085	AMD 85-12-041	182-12-160	AMD-P 86-01-072	192-30-230	NEW-P 85-19-066
180-51-100	AMD-P 85-09-053	182-12-160	AMD-E 86-01-073	192-30-230	NEW 85-22-071
180-51-100	AMD 85-12-041	192-09-040	AMD-P 85-08-030	196-04-030	NEW 85-04-030

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196-04-040	NEW	85-04-030	204-91-140	NEW-P	85-17-058	220-20-02100B	REP-E	85-09-036
204-66-010	REP-P	85-17-058	204-91-140	NEW	85-20-100	220-20-02100C	NEW-E	85-09-036
204-66-010	REP	85-20-100	204-91-150	NEW-P	85-17-058	220-20-030	REP-P	85-08-038
204-66-020	REP-P	85-17-058	204-91-150	NEW	85-20-100	220-20-030	REP-C	85-13-031
204-66-020	REP	85-20-100	204-91-160	NEW-P	85-17-058	220-20-030	REP	85-13-032
204-66-030	REP-P	85-17-058	204-91-160	NEW	85-20-100	220-20-03800A	NEW-E	85-11-039
204-66-030	REP	85-20-100	204-91-170	NEW-P	85-17-058	220-20-03800A	REP-E	85-14-060
204-66-040	REP-P	85-17-058	204-91-170	NEW	85-20-100	220-22-01000A	NEW-E	85-19-018
204-66-040	REP	85-20-100	204-91-180	NEW-P	85-17-058	220-22-02000C	NEW-E	85-21-018
204-66-050	REP-P	85-17-058	204-91-180	NEW	85-20-100	220-22-030	AMD-P	85-08-038
204-66-050	REP	85-20-100	204-91-190	NEW-P	85-17-058	220-22-030	AMD-C	85-13-031
204-66-060	REP-P	85-17-058	204-91-190	NEW	85-20-100	220-22-030	AMD	85-13-032
204-66-060	REP	85-20-100	204-91-200	NEW-P	85-17-058	220-24-02000C	NEW-E	85-10-010
204-66-070	REP-P	85-17-058	204-91-200	NEW	85-20-100	220-24-02000C	REP-E	85-11-031
204-66-070	REP	85-20-100	204-93-010	NEW-P	85-17-060	220-24-02000D	NEW-E	85-11-031
204-66-080	REP-P	85-17-058	204-93-010	NEW	85-20-090	220-24-02000D	REP-E	85-11-057
204-66-080	REP	85-20-100	204-93-020	NEW-P	85-17-060	220-24-02000E	NEW-E	85-11-057
204-66-090	REP-P	85-17-058	204-93-020	NEW	85-20-090	220-24-02000E	REP-E	85-15-030
204-66-090	REP	85-20-100	204-93-030	NEW-P	85-17-060	220-24-02000F	NEW-E	85-15-030
204-66-100	REP-P	85-17-058	204-93-030	NEW	85-20-090	220-24-02000F	REP-E	85-15-065
204-66-100	REP	85-20-100	204-93-040	NEW-P	85-17-060	220-24-02000G	NEW-E	85-15-065
204-66-110	REP-P	85-17-058	204-93-040	NEW	85-20-090	220-24-02000G	REP-E	85-16-061
204-66-110	REP	85-20-100	204-93-050	NEW-P	85-17-060	220-24-02000H	NEW-E	85-16-061
204-66-120	REP-P	85-17-058	204-93-050	NEW	85-20-090	220-24-02000H	REP-E	85-17-067
204-66-120	REP	85-20-100	204-93-060	NEW-P	85-17-060	220-24-02000I	NEW-E	85-17-067
204-66-130	REP-P	85-17-058	204-93-060	NEW	85-20-090	220-28-440	REP-E	85-03-037
204-66-130	REP	85-20-100	204-93-070	NEW-P	85-17-060	220-28-501	NEW-E	85-10-011
204-66-140	REP-P	85-17-058	204-93-070	NEW	85-20-090	220-28-501	REP-E	85-12-013
204-66-140	REP	85-20-100	204-93-080	NEW-P	85-17-060	220-28-502	NEW-E	85-12-013
204-66-150	REP-P	85-17-058	204-93-080	NEW	85-20-090	220-28-502	REP-E	85-13-014
204-66-150	REP	85-20-100	204-93-090	NEW-P	85-17-060	220-28-503	NEW-E	85-13-014
204-66-160	REP-P	85-17-058	204-93-090	NEW	85-20-090	220-28-503	REP-E	85-14-082
204-66-160	REP	85-20-100	204-93-100	NEW-P	85-17-060	220-28-504	NEW-E	85-14-082
204-66-170	REP-P	85-17-058	204-93-100	NEW	85-20-090	220-28-504	REP-E	85-15-035
204-66-170	REP	85-20-100	204-93-110	NEW-P	85-17-060	220-28-505	NEW-E	85-15-035
204-66-180	REP-P	85-17-058	204-93-110	NEW	85-20-090	220-28-505	REP-E	85-15-071
204-66-180	REP	85-20-100	204-93-120	NEW-P	85-17-060	220-28-506	NEW-E	85-15-071
204-66-190	REP-P	85-17-058	204-93-120	NEW	85-20-090	220-28-506	REP-E	85-16-081
204-66-190	REP	85-20-100	204-93-130	NEW-P	85-17-060	220-28-507	NEW-E	85-16-081
204-66-200	REP-P	85-17-058	204-93-130	NEW	85-20-090	220-28-507	REP-E	85-16-083
204-66-200	REP	85-20-100	204-93-140	NEW-P	85-17-060	220-28-508	NEW-E	85-16-083
204-82-010	NEW-P	85-17-059	204-93-140	NEW	85-20-090	220-28-508	REP-E	85-17-010
204-82-010	NEW	85-20-089	204-93-150	NEW-P	85-17-060	220-28-509	NEW-E	85-17-010
204-82-020	NEW-P	85-17-059	204-93-150	NEW	85-20-090	220-28-509	REP-E	85-17-040
204-82-020	NEW	85-20-089	204-93-160	NEW-P	85-17-060	220-28-510	NEW-E	85-17-040
204-82-030	NEW-P	85-17-059	204-93-160	NEW	85-20-090	220-28-510	REP-E	85-17-050
204-82-030	NEW	85-20-089	204-94-010	NEW-P	85-17-061	220-28-511	NEW-E	85-17-050
204-82-040	NEW-P	85-17-059	204-94-010	NEW	85-20-091	220-28-511	REP-E	85-18-006
204-82-040	NEW	85-20-089	204-94-020	NEW-P	85-17-061	220-28-512	NEW-E	85-18-006
204-82-050	NEW-P	85-17-059	204-94-020	NEW	85-20-091	220-28-512	REP-E	85-18-052
204-82-050	NEW	85-20-089	204-94-030	NEW-P	85-17-061	220-28-513	NEW-E	85-18-052
204-82-060	NEW-P	85-17-059	204-94-030	NEW	85-20-091	220-28-513	REP-E	85-19-016
204-82-060	NEW	85-20-089	204-94-040	NEW-P	85-17-061	220-28-514	NEW-E	85-19-016
204-91-010	NEW-P	85-17-058	204-94-040	NEW	85-20-091	220-28-514	REP-E	85-19-050
204-91-010	NEW	85-20-100	204-94-050	NEW-P	85-17-061	220-28-515	NEW-E	85-19-050
204-91-020	NEW-P	85-17-058	204-94-050	NEW	85-20-091	220-28-515	REP-E	85-20-015
204-91-020	NEW	85-20-100	220-12-020	AMD-P	85-03-110	220-28-516	NEW-E	85-20-015
204-91-030	NEW-P	85-17-058	220-12-020	AMD-C	85-09-016	220-28-516	REP-E	85-20-068
204-91-030	NEW	85-20-100	220-12-020	AMD	85-09-017	220-28-517	NEW-E	85-20-068
204-91-040	NEW-P	85-17-058	220-12-02000A	NEW-E	85-08-005	220-28-517	REP-E	85-21-008
204-91-040	NEW	85-20-100	220-16-340	AMD-P	85-03-110	220-28-518	NEW-E	85-21-008
204-91-050	NEW-P	85-17-058	220-16-340	AMD-C	85-09-016	220-28-518	REP-E	85-21-040
204-91-050	NEW	85-20-100	220-16-340	AMD	85-09-017	220-28-519	NEW-E	85-21-040
204-91-060	NEW-P	85-17-058	220-16-34000A	NEW-E	85-08-005	220-28-519	REP-E	85-21-070
204-91-060	NEW	85-20-100	220-20-010	AMD-P	85-03-110	220-28-520	NEW-E	85-21-070
204-91-070	NEW-P	85-17-058	220-20-010	AMD-P	85-04-065	220-28-520	REP-E	85-22-048
204-91-070	NEW	85-20-100	220-20-010	AMD	85-08-023	220-28-521	NEW-E	85-22-048
204-91-080	NEW-P	85-17-058	220-20-010	AMD-C	85-09-016	220-28-521	REP-E	85-23-007
204-91-080	NEW	85-20-100	220-20-010	AMD	85-09-017	220-28-522	NEW-E	85-23-007
204-91-100	NEW-P	85-17-058	220-20-01000J	NEW-E	85-08-005	220-28-522	REP-E	85-24-009
204-91-100	NEW	85-20-100	220-20-01000K	NEW-E	85-09-011	220-28-523	NEW-E	85-24-009
204-91-110	NEW-P	85-17-058	220-20-016	AMD-P	85-07-065	220-28-523	REP-E	86-01-053
204-91-110	NEW	85-20-100	220-20-016	AMD-C	85-09-034	220-28-524	NEW-E	86-01-053
204-91-120	NEW-P	85-17-058	220-20-016	AMD	85-11-020	220-32-02100A	NEW-E	86-01-051
204-91-120	NEW	85-20-100	220-20-021	AMD-P	85-04-065	220-32-02200M	NEW-E	85-04-012
204-91-130	NEW-P	85-17-058	220-20-021	AMD	85-08-023	220-32-02200M	REP-E	85-04-049
204-91-130	NEW	85-20-100	220-20-02100B	NEW-E	85-09-011	220-32-02200N	NEW-E	85-04-049

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
220-32-03000P	NEW-E	85-05-035	220-36-02500Q	NEW-E	85-22-010
220-32-03000P	REP-E	85-07-002	220-36-02500Q	REP-E	85-22-065
220-32-03000Q	NEW-E	85-07-002	220-36-02500R	NEW-E	85-22-065
220-32-03000R	NEW-E	85-14-005	220-36-02500R	REP-E	86-01-017
220-32-03000R	REP-E	85-14-022	220-36-03001	AMD-C	85-04-005
220-32-03000S	NEW-E	85-14-022	220-36-03001	AMD-C	85-06-032
220-32-03000S	REP-E	85-19-058	220-36-03001	AMD	85-06-033
220-32-03000T	NEW-E	85-19-058	220-36-031	NEW-C	85-04-005
220-32-03000T	REP-E	85-20-014	220-36-031	NEW-C	85-06-032
220-32-03000U	NEW-E	85-20-014	220-36-031	NEW	85-06-033
220-32-03000U	REP-E	85-20-037	220-40-021	AMD-P	85-10-060
220-32-03000V	NEW-E	85-20-037	220-40-021	AMD	85-13-073
220-32-03000V	REP-E	85-21-049	220-40-02100A	NEW-E	85-19-064
220-32-03000W	NEW-E	85-21-049	220-40-02100A	REP-E	85-19-068
220-32-03000W	REP-E	85-22-052	220-40-02100B	NEW-E	85-19-068
220-32-03000X	NEW-E	85-22-052	220-40-02100B	REP-E	85-19-084
220-32-03600S	NEW-E	85-21-076	220-40-02100C	NEW-E	85-19-084
220-32-04000W	NEW-E	85-08-021	220-40-02100C	REP-E	85-20-051
220-32-04100H	NEW-E	85-12-028	220-40-02100D	NEW-E	85-20-051
220-32-04200F	NEW-E	85-03-044	220-40-02100D	REP-E	85-21-019
220-32-04200F	REP-E	85-06-014	220-40-02100E	NEW-E	85-21-019
220-32-04200G	NEW-E	85-06-014	220-40-02100E	REP-E	85-21-053
220-32-04200G	REP-E	85-06-034	220-40-02100F	NEW-E	85-21-053
220-32-04200H	NEW-E	85-06-034	220-40-02100F	REP-E	85-22-025
220-32-05100I	NEW-E	85-08-001	220-40-02100Y	NEW-E	85-14-081
220-32-05100J	NEW-E	85-14-005	220-40-02100Y	REP-E	85-19-049
220-32-05100J	REP-E	85-14-022	220-40-02100Z	NEW-E	85-19-049
220-32-05100K	NEW-E	85-14-022	220-40-02100Z	REP-E	85-19-064
220-32-05100K	REP-E	85-14-038	220-40-022	AMD-P	85-10-060
220-32-05100L	NEW-E	85-14-038	220-40-022	AMD	85-13-073
220-32-05100L	REP-E	85-15-005	220-40-024	AMD-P	85-10-060
220-32-05100M	NEW-E	85-15-005	220-40-024	AMD	85-13-073
220-32-05100M	REP-E	85-17-025	220-40-030	AMD-C	85-04-005
220-32-05100N	NEW-E	85-17-025	220-40-030	AMD-C	85-06-032
220-32-05100N	REP-E	85-18-029	220-40-030	AMD	85-06-033
220-32-05100P	NEW-E	85-18-029	220-40-031	NEW-C	85-04-005
220-32-05100P	REP-E	85-18-035	220-40-031	NEW-C	85-06-032
220-32-05100Q	NEW-E	85-18-035	220-40-031	NEW	85-06-033
220-32-05100Q	REP-E	85-19-018	220-44-020	AMD-P	85-04-065
220-32-05100R	NEW-E	85-19-018	220-44-050	AMD-P	85-04-035
220-32-05100R	REP-E	85-19-058	220-44-050	AMD	85-07-022
220-32-05100S	NEW-E	85-19-058	220-44-05000N	NEW-E	85-09-035
220-32-05100S	REP-E	85-20-014	220-44-05000N	REP-E	85-12-031
220-32-05100T	NEW-E	85-20-014	220-44-05000P	NEW-E	85-12-031
220-32-05100T	REP-E	85-20-037	220-44-05000Q	REP-E	85-15-045
220-32-05100U	NEW-E	85-20-037	220-44-05000Q	NEW-E	85-15-045
220-32-05100V	NEW-E	85-20-038	220-44-05000R	REP-E	85-20-023
220-32-055	AMD-P	85-15-053	220-44-05000R	NEW-E	85-20-023
220-32-055	AMD	85-18-027	220-44-05000S	REP-E	85-20-063
220-32-055000I	NEW-E	85-10-043	220-44-05000S	NEW-E	85-20-063
220-32-05500I	REP-E	85-13-013	220-44-05000T	REP-E	85-24-007
220-32-05500J	NEW-E	85-13-013	220-44-05000T	NEW-E	85-24-007
220-32-05500N	NEW-E	85-11-006	220-44-05000T	REP-E	85-24-053
220-32-05500N	REP-E	85-14-061	220-44-05000U	NEW-E	85-24-053
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220-32-05800A	NEW-E	85-19-018	220-44-080	NEW-P	85-04-065
220-32-05900H	NEW-E	85-10-034	220-44-080	NEW	85-08-023
220-36-021	AMD-P	85-10-060	220-44-08000A	NEW-E	85-09-011
220-36-021	AMD	85-13-073	220-47-307	AMD-P	85-08-038
220-36-02100T	NEW-E	85-14-081	220-47-307	AMD-C	85-13-031
220-36-02100T	REP-E	85-19-049	220-47-307	AMD	85-13-032
220-36-02100U	NEW-E	85-21-019	220-47-311	AMD-P	85-08-038
220-36-02100U	REP-E	85-22-010	220-47-311	AMD-C	85-13-031
220-36-02100V	NEW-E	85-22-010	220-47-311	AMD	85-13-032
220-36-02100V	REP-E	85-22-046	220-47-312	AMD-P	85-08-038
220-36-02100W	NEW-E	85-22-046	220-47-312	AMD-C	85-13-031
220-36-02100W	REP-E	85-22-054	220-47-312	AMD	85-13-032
220-36-02100X	NEW-E	85-22-054	220-47-313	AMD-P	85-08-038
220-36-022	AMD-P	85-10-060	220-47-313	AMD-C	85-13-031
220-36-022	AMD	85-13-073	220-47-313	AMD	85-13-032
220-36-024	AMD-P	85-10-060	220-47-319	AMD-P	85-08-038
220-36-024	AMD	85-13-073	220-47-319	AMD-C	85-13-031
220-36-02500N	NEW-E	85-17-054	220-47-319	AMD	85-13-032
220-36-02500N	REP-E	85-22-009	220-47-411	AMD-P	85-08-038
220-36-02500P	NEW-E	85-22-009	220-47-411	AMD-C	85-13-031
220-36-02500P	REP-E	85-22-010	220-47-411	AMD	85-13-032
220-47-412	AMD-P	85-08-038	220-47-412	AMD-C	85-13-031
220-47-412	AMD-C	85-13-031	220-47-412	AMD	85-13-032
220-47-412	AMD	85-13-032	220-47-413	AMD-P	85-08-038
220-47-413	AMD-P	85-08-038	220-47-413	AMD-C	85-13-031
220-47-413	AMD-C	85-13-031	220-47-413	AMD	85-13-032
220-47-414	AMD-P	85-08-038	220-47-414	AMD-P	85-08-038
220-47-414	AMD-C	85-13-031	220-47-414	AMD-C	85-13-031
220-47-414	AMD	85-13-032	220-47-414	AMD	85-13-032
220-47-601	NEW-E	85-16-012	220-47-601	NEW-E	85-16-012
220-47-601	REP-E	85-16-082	220-47-601	REP-E	85-16-082
220-47-602	NEW-E	85-16-082	220-47-602	NEW-E	85-16-082
220-47-602	REP-E	85-17-009	220-47-602	REP-E	85-17-009
220-47-603	NEW-E	85-17-009	220-47-603	NEW-E	85-17-009
220-47-603	REP-E	85-17-049	220-47-603	REP-E	85-17-049
220-47-604	NEW-E	85-17-049	220-47-604	NEW-E	85-17-049
220-47-604	REP-E	85-18-005	220-47-604	REP-E	85-18-005
220-47-605	NEW-E	85-18-005	220-47-605	NEW-E	85-18-005
220-47-605	REP-E	85-18-014	220-47-605	REP-E	85-18-014
220-47-606	NEW-E	85-18-014	220-47-606	NEW-E	85-18-014
220-47-606	REP-E	85-18-051	220-47-606	REP-E	85-18-051
220-47-607	NEW-E	85-18-051	220-47-607	NEW-E	85-18-051
220-47-607	REP-E	85-19-005	220-47-607	REP-E	85-19-005
220-47-608	NEW-E	85-19-005	220-47-608	NEW-E	85-19-005
220-47-608	REP-E	85-19-015	220-47-608	REP-E	85-19-015
220-47-609	NEW-E	85-19-015	220-47-609	NEW-E	85-19-015
220-47-609	REP-E	85-19-022	220-47-609	REP-E	85-19-022
220-47-610	NEW-E	85-19-022	220-47-610	NEW-E	85-19-022
220-47-610	REP-E	85-19-051	220-47-610	REP-E	85-19-051
220-47-611	NEW-E	85-19-051	220-47-611	NEW-E	85-19-051
220-47-611	REP-E	85-20-016	220-47-611	REP-E	85-20-016
220-47-612	NEW-E	85-20-016	220-47-612	NEW-E	85-20-016
220-47-612	REP-E	85-20-052	220-47-612	REP-E	85-20-052
220-47-613	NEW-E	85-20-052	220-47-613	NEW-E	85-20-052
220-47-613	REP-E	85-20-069	220-47-613	REP-E	85-20-069
220-47-614	NEW-E	85-20-069	220-47-614	NEW-E	85-20-069
220-47-614	REP-E	85-21-009	220-47-614	REP-E	85-21-009
220-47-615	NEW-E	85-21-009	220-47-615	NEW-E	85-21-009
220-47-615	REP-E	85-21-041	220-47-615	REP-E	85-21-041
220-47-616	NEW-E	85-21-041	220-47-616	NEW-E	85-21-041
220-47-616	REP-E	85-21-071	220-47-616	REP-E	85-21-071
220-47-617	NEW-E	85-21-071	220-47-617	NEW-E	85-21-071
220-47-617	REP-E	85-22-011	220-47-617	REP-E	85-22-011
220-47-618	NEW-E	85-22-011	220-47-618	NEW-E	85-22-011
220-47-618	REP-E	85-22-047	220-47-618	REP-E	85-22-047
220-47-619	NEW-E	85-22-047	220-47-619	NEW-E	85-22-047
220-47-619	REP-E	85-23-008	220-47-619	REP-E	85-23-008
220-47-620	NEW-E	85-23-008	220-47-620	NEW-E	85-23-008
220-47-620	REP-E	85-23-038	220-47-620	REP-E	85-23-038
220-47-621	NEW-E	85-23-038	220-47-621	NEW-E	85-23-038
220-47-621	REP-E	85-24-008	220-47-621	REP-E	85-24-008
220-47-622	NEW-E	85-24-008	220-47-622	NEW-E	85-24-008
220-47-622	REP-E	85-24-011	220-47-622	REP-E	85-24-011
220-47-623	NEW-E	85-24-011	220-47-623	NEW-E	85-24-011
220-47-623	REP-E	85-24-054	220-47-623	REP-E	85-24-054
220-47-624	NEW-E	85-24-054	220-47-624	NEW-E	85-24-054
220-47-624	REP-E	86-01-052	220-47-624	REP-E	86-01-052
220-47-625	NEW-E	86-01-052	220-47-625	NEW-E	86-01-052
220-47-930	REP-E	85-03-036	220-47-930	REP-E	85-03-036
220-47-931	NEW-E	85-03-036	220-47-931	NEW-E	85-03-036
220-48-005	AMD-P	85-04-065	220-48-005	AMD-P	85-04-065
220-48-005	AMD	85-08-023	220-48-005	AMD	85-08-023
220-48-00500B	NEW-E	85-09-011	220-48-00500B	NEW-E	85-09-011
220-48-011	AMD-P	85-04-065	220-48-011	AMD-P	85-04-065
220-48-011	AMD	85-08-023	220-48-011	AMD	85-08-023
220-48-01100A	NEW-E	85-09-011	220-48-01100A	NEW-E	85-09-011
220-48-013	NEW-P	85-04-065	220-48-013	NEW-P	85-04-065
220-48-013	NEW	85-08-023	220-48-013	NEW	85-08-023
220-48-015	AMD-P	85-04-065	220-48-015	AMD-P	85-04-065
220-48-015	AMD	85-08-023	220-48-015	AMD	85-08-023
220-48-01500M	NEW-E	85-04-044	220-48-01500M	NEW-E	85-04-044
220-48-01500M	NEW-E	85-06-013	220-48-01500M	NEW-E	85-06-013
220-48-01500P	NEW-E	85-09-011	220-48-01500P	NEW-E	85-09-011
220-48-01500Q	NEW-E	85-12-009	220-48-01500Q	NEW-E	85-12-009
220-48-01500Q	REP-E	85-13-034	220-48-01500Q	REP-E	85-13-034
220-48-01500R	NEW-E	85-13-034	220-48-01500R	NEW-E	85-13-034
220-48-01500R	REP-E	85-14-023	220-48-01500R	REP-E	85-14-023

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-48-01500S	NEW-E	85-14-023	220-56-19000X	NEW-E	85-19-019	220-56-40000A	NEW-E	85-08-005
220-48-01500S	REP-E	85-15-016	220-56-195	AMD-P	85-03-110	220-57-001	AMD-P	86-02-061
220-48-06200A	NEW-E	85-09-047	220-56-195	AMD-C	85-09-016	220-57-130	AMD-P	85-03-110
220-49-02000R	NEW-E	85-09-012	220-56-195	AMD	85-09-017	220-57-130	AMD-C	85-09-016
220-52-05300P	NEW-E	85-11-058	220-56-195	AMD-P	86-02-061	220-57-130	AMD	85-09-017
220-52-06600G	NEW-E	85-13-033	220-56-19500C	NEW-E	85-08-005	220-57-13000H	NEW-E	85-18-015
220-52-06600H	NEW-E	85-23-009	220-56-196	AMD-P	85-11-009	220-57-135	AMD-P	85-06-066
220-52-069	AMD-P	86-02-024	220-56-197	NEW-P	85-03-110	220-57-135	AMD	85-09-048
220-52-074	AMD-P	85-21-010	220-56-197	NEW-C	85-09-016	220-57-13500G	NEW-E	85-18-015
220-52-074	AMD	85-24-044	220-56-197	NEW	85-09-017	220-57-15500D	NEW-E	85-13-051
220-52-07400C	NEW-E	85-18-050	220-56-198	REP-P	85-03-110	220-57-15500E	NEW-E	85-18-015
220-52-07400D	NEW-E	86-01-015	220-56-198	REP-C	85-09-016	220-57-138	AMD-P	86-02-061
220-56-100	AMD-P	85-03-110	220-56-198	REP	85-09-017	220-57-140	AMD-P	86-02-061
220-56-100	AMD-C	85-09-016	220-56-199	NEW-P	85-03-110	220-57-160	AMD-P	85-03-110
220-56-100	AMD	85-09-017	220-56-199	NEW-C	85-09-016	220-57-160	AMD-C	85-09-016
220-56-100	AMD-P	86-02-061	220-56-199	NEW	85-09-017	220-57-160	AMD	85-09-017
220-56-10000A	NEW-E	85-08-005	220-56-201	REP-P	85-03-110	220-57-160	AMD-P	86-02-061
220-56-105	AMD-P	85-03-110	220-56-201	REP-E	85-08-005	220-57-16000P	NEW-E	85-14-031
220-56-105	AMD-C	85-09-016	220-56-201	REP-C	85-09-016	220-57-16000P	REP-E	85-15-031
220-56-105	AMD	85-09-017	220-56-201	REP	85-09-017	220-57-16000Q	NEW-E	85-15-031
220-56-10500B	NEW-E	85-08-005	220-56-20100A	NEW-E	85-14-021	220-57-16000Q	REP-E	85-17-026
220-56-110	AMD-P	85-07-065	220-56-205	AMD-P	86-02-061	220-57-16000R	NEW-E	85-17-026
220-56-110	AMD-C	85-09-034	220-56-235	AMD-P	85-03-110	220-57-16000R	REP-E	85-18-009
220-56-110	AMD	85-11-020	220-56-235	AMD-C	85-09-016	220-57-16000S	NEW-E	85-18-009
220-56-115	AMD-P	85-03-110	220-56-235	AMD	85-09-017	220-57-16000S	REP-E	85-18-028
220-56-115	AMD-C	85-09-016	220-56-23500C	NEW-E	85-08-005	220-57-16000T	NEW-E	85-18-028
220-56-115	AMD	85-09-017	220-56-240	AMD-P	85-03-110	220-57-16000T	REP-E	85-18-053
220-56-11500D	NEW-E	85-08-005	220-56-240	AMD-C	85-09-016	220-57-16000U	NEW-E	85-18-053
220-56-116	AMD-P	85-03-110	220-56-240	AMD	85-09-017	220-57-16000U	REP-E	85-19-004
220-56-116	AMD-C	85-09-016	220-56-240	AMD-P	86-02-061	220-57-16000V	NEW-E	85-19-004
220-56-116	AMD	85-09-017	220-56-24000B	NEW-E	85-08-005	220-57-16000V	REP-E	85-19-017
220-56-11600C	NEW-E	85-08-005	220-56-24000C	NEW-E	86-02-036	220-57-16000W	NEW-E	85-19-017
220-56-126	NEW-P	85-03-110	220-56-255	AMD-P	85-07-063	220-57-16000W	REP-E	85-20-039
220-56-126	NEW-C	85-09-016	220-56-255	AMD	85-10-062	220-57-16000X	NEW-E	85-20-039
220-56-126	NEW	85-09-017	220-56-295	AMD-P	86-02-061	220-57-16000X	REP-E	85-20-067
220-56-128	AMD-P	85-03-110	220-56-305	AMD-P	86-02-061	220-57-16000Y	NEW-E	85-20-067
220-56-128	AMD-C	85-09-016	220-56-30500A	NEW-E	85-11-010	220-57-175	AMD-P	85-03-110
220-56-128	AMD	85-09-017	220-56-310	AMD-P	85-10-061	220-57-175	AMD-C	85-09-016
220-56-12800C	NEW-E	85-10-012	220-56-310	AMD	85-12-046	220-57-175	AMD	85-09-017
220-56-150	AMD-P	86-02-061	220-56-310	AMD-P	85-15-099	220-57-175	AMD-P	86-02-061
220-56-156	NEW-P	85-03-110	220-56-310	AMD-P	86-02-061	220-57-17500N	NEW-E	85-08-005
220-56-156	NEW-C	85-09-016	220-56-31000F	NEW-E	85-09-038	220-57-200	AMD-P	86-02-061
220-56-156	NEW	85-09-017	220-56-312	NEW-P	86-02-061	220-57-20000B	NEW-E	85-18-015
220-56-15600D	NEW-E	85-08-005	220-56-320	AMD-P	85-03-110	220-57-215	AMD-P	85-03-110
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248-19-326	NEW-P	85-24-001	248-58-010	AMD-P	85-18-079	248-164-020	NEW-P	85-18-080
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263-12-050	AMD-P	85-23-036	263-12-050	AMD-P	85-23-036
263-12-056	AMD-P	85-23-036	263-12-056	AMD-P	85-23-036
263-12-060	AMD-P	85-23-036	263-12-060	AMD-P	85-23-036
263-12-098	NEW-P	85-23-036	263-12-098	NEW-P	85-23-036
263-12-125	AMD-P	85-23-036	263-12-125	AMD-P	85-23-036
263-12-145	AMD-E	85-16-015	263-12-145	AMD-E	85-16-015
263-12-145	AMD-E	85-21-081	263-12-145	AMD-E	85-21-081
263-12-150	AMD-E	85-21-081	263-12-150	AMD-E	85-21-081
263-12-150	AMD-P	85-23-070	263-12-150	AMD-P	85-23-070
263-12-170	AMD-P	85-23-036	263-12-170	AMD-P	85-23-036
263-12-180	AMD-P	85-23-036	263-12-180	AMD-P	85-23-036
263-12-190	AMD-P	85-23-036	263-12-190	AMD-P	85-23-036
263-16-005	REP-P	85-23-036	263-16-005	REP-P	85-23-036
263-16-010	REP-P	85-23-036	263-16-010	REP-P	85-23-036
263-16-020	REP-P	85-23-036	263-16-020	REP-P	85-23-036
263-16-030	REP-P	85-23-036	263-16-030	REP-P	85-23-036
263-16-040	REP-P	85-23-036	263-16-040	REP-P	85-23-036
263-16-050	REP-P	85-23-036	263-16-050	REP-P	85-23-036
263-16-060	REP-P	85-23-036	263-16-060	REP-P	85-23-036
263-16-070	REP-P	85-23-036	263-16-070	REP-P	85-23-036
263-16-080	REP-P	85-23-036	263-16-080	REP-P	85-23-036
263-16-090	REP-P	85-23-036	263-16-090	REP-P	85-23-036
275-16-030	AMD-P	85-14-011	275-16-030	AMD-P	85-14-011
275-16-030	AMD-E	85-14-067	275-16-030	AMD-E	85-14-067
275-16-030	AMD	85-17-038	275-16-030	AMD	85-17-038
275-32-005	REP-P	85-05-031	275-32-005	REP-P	85-05-031
275-32-005	REP	85-09-003	275-32-005	REP	85-09-003
275-32-010	REP-P	85-05-031	275-32-010	REP-P	85-05-031
275-32-010	REP	85-09-003	275-32-010	REP	85-09-003
275-32-015	REP-P	85-05-031	275-32-015	REP-P	85-05-031
275-32-015	REP	85-09-003	275-32-015	REP	85-09-003
275-32-025	REP-P	85-05-031	275-32-025	REP-P	85-05-031
275-32-025	REP	85-09-003	275-32-025	REP	85-09-003
275-32-035	REP-P	85-05-031	275-32-035	REP-P	85-05-031
275-32-035	REP	85-09-003	275-32-035	REP	85-09-003
275-32-045	REP-P	85-05-031	275-32-045	REP-P	85-05-031
275-32-045	REP	85-09-003	275-32-045	REP	85-09-003
275-32-060	REP-P	85-05-031	275-32-060	REP-P	85-05-031
275-32-060	REP	85-09-003	275-32-060	REP	85-09-003
275-32-065	REP-P	85-05-031	275-32-065	REP-P	85-05-031
275-32-065	REP	85-09-003	275-32-065	REP	85-09-003
275-32-075	REP-P	85-05-031	275-32-075	REP-P	85-05-031
275-32-075	REP	85-09-003	275-32-075	REP	85-09-003
275-32-080	REP-P	85-05-031	275-32-080	REP-P	85-05-031
275-32-080	REP	85-09-003	275-32-080	REP	85-09-003
275-32-085	REP-P	85-05-031	275-32-085	REP-P	85-05-031
275-32-085	REP	85-09-003	275-32-085	REP	85-09-003
275-32-095	REP-P	85-05-031	275-32-095	REP-P	85-05-031

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275-32-105	REP-P	85-05-031	275-38-795	AMD-E	85-21-033	275-54-110	NEW	86-02-019
275-32-105	REP	85-09-003	275-38-795	AMD	86-01-008	275-54-110	NEW-E	86-02-048
275-32-115	REP-P	85-05-031	275-38-813	NEW-P	85-21-032	275-54-120	NEW-P	85-22-017
275-32-115	REP	85-09-003	275-38-813	NEW-E	85-21-033	275-54-120	NEW	86-02-019
275-32-135	REP-P	85-05-031	275-38-813	NEW	86-01-008	275-54-120	NEW-E	86-02-048
275-32-135	REP	85-09-003	275-38-831	AMD-P	85-03-006	275-54-130	NEW-P	85-22-017
275-32-145	REP-P	85-05-031	275-38-831	AMD-E	85-03-007	275-54-130	NEW	86-02-019
275-32-145	REP	85-09-003	275-38-831	AMD	85-06-063	275-54-130	NEW-E	86-02-048
275-32-155	REP-P	85-05-031	275-38-850	AMD-P	85-03-006	275-54-140	NEW-P	85-22-017
275-32-155	REP	85-09-003	275-38-850	AMD-E	85-03-007	275-54-140	NEW	86-02-019
275-32-165	REP-P	85-05-031	275-38-850	AMD	85-06-063	275-54-140	NEW-E	86-02-048
275-32-165	REP	85-09-003	275-38-860	AMD-P	85-03-006	275-54-150	NEW-P	85-22-017
275-32-175	REP-P	85-05-031	275-38-860	AMD-E	85-03-007	275-54-150	NEW	86-02-019
275-32-175	REP	85-09-003	275-38-860	AMD	85-06-063	275-54-150	NEW-E	86-02-048
275-34-010	REP-P	85-05-031	275-38-860	AMD-P	85-21-032	275-54-160	NEW-P	85-22-017
275-34-010	REP	85-09-003	275-38-860	AMD-E	85-21-033	275-54-160	NEW	86-02-019
275-34-020	REP-P	85-05-031	275-38-860	AMD	86-01-008	275-54-160	NEW-E	86-02-048
275-34-020	REP	85-09-003	275-38-863	NEW-P	85-03-006	275-54-170	NEW-P	85-22-017
275-34-030	REP-P	85-05-031	275-38-863	NEW-E	85-03-007	275-54-170	NEW	86-02-019
275-34-030	REP	85-09-003	275-38-863	NEW	85-06-063	275-54-170	NEW-E	86-02-048
275-34-040	REP-P	85-05-031	275-38-863	AMD-P	85-21-032	275-54-180	NEW-P	85-22-017
275-34-040	REP	85-09-003	275-38-863	AMD-E	85-21-033	275-54-180	NEW	86-02-019
275-34-050	REP-P	85-05-031	275-38-863	AMD	86-01-008	275-54-180	NEW-E	86-02-048
275-34-050	REP	85-09-003	275-38-865	AMD-P	85-03-006	275-54-180	NEW-P	85-22-017
275-34-060	REP-P	85-05-031	275-38-865	AMD-E	85-03-007	275-54-190	NEW	86-02-019
275-34-060	REP	85-09-003	275-38-865	AMD	85-06-063	275-54-190	NEW-E	86-02-048
275-34-070	REP-P	85-05-031	275-38-870	AMD-P	85-03-006	275-54-200	NEW-P	85-22-017
275-34-070	REP	85-09-003	275-38-870	AMD-E	85-03-007	275-54-200	NEW	86-02-019
275-34-080	REP-P	85-05-031	275-38-870	AMD	85-06-063	275-54-200	NEW-E	86-02-048
275-34-080	REP	85-09-003	275-38-875	AMD-P	85-03-006	275-54-210	NEW-P	85-22-017
275-34-090	REP-P	85-05-031	275-38-875	AMD-E	85-03-007	275-54-210	NEW	86-02-019
275-34-090	REP	85-09-003	275-38-875	AMD	85-06-063	275-54-210	NEW-E	86-02-048
275-34-100	REP-P	85-05-031	275-38-875	AMD-P	85-21-032	275-54-220	NEW-P	85-22-017
275-34-100	REP	85-09-003	275-38-875	AMD-E	85-21-033	275-54-220	NEW	86-02-019
275-34-110	REP-P	85-05-031	275-38-875	AMD	86-01-008	275-54-220	NEW-E	86-02-048
275-34-110	REP	85-09-003	275-38-886	AMD-P	85-03-006	275-54-230	NEW-P	85-22-017
275-34-120	REP-P	85-05-031	275-38-886	AMD-E	85-03-007	275-54-230	NEW	86-02-019
275-34-120	REP	85-09-003	275-38-886	AMD	85-06-063	275-54-230	NEW-E	86-02-048
275-34-140	REP-P	85-05-031	275-53-050	REP-P	85-23-023	275-54-240	NEW-P	85-22-017
275-34-140	REP	85-09-003	275-53-050	REP	86-02-052	275-54-240	NEW	86-02-019
275-35-010	NEW-P	85-05-031	275-53-055	REP-P	85-23-023	275-54-240	NEW-E	86-02-048
275-35-010	NEW	85-09-003	275-53-055	REP	86-02-052	275-54-250	NEW-P	85-22-017
275-35-020	NEW-P	85-05-031	275-53-060	REP-P	85-23-023	275-54-250	NEW	86-02-019
275-35-020	NEW	85-09-003	275-53-060	REP	86-02-052	275-54-250	NEW-E	86-02-048
275-35-030	NEW-P	85-05-031	275-53-065	REP-P	85-23-023	275-54-260	NEW-P	85-22-017
275-35-030	NEW	85-09-003	275-53-065	REP	86-02-052	275-54-260	NEW	86-02-019
275-35-040	NEW-P	85-05-031	275-54-010	NEW-P	85-22-017	275-54-260	NEW-E	86-02-048
275-35-040	NEW	85-09-003	275-54-010	NEW	86-02-019	275-54-270	NEW-P	85-22-017
275-35-050	NEW-P	85-05-031	275-54-010	NEW-E	86-02-048	275-54-270	NEW	86-02-019
275-35-050	NEW	85-09-003	275-54-020	NEW-P	85-22-017	275-54-270	NEW-E	86-02-048
275-35-060	NEW-P	85-05-031	275-54-020	NEW	86-02-019	275-54-280	NEW-P	85-22-017
275-35-060	NEW	85-09-003	275-54-020	NEW-E	86-02-048	275-54-280	NEW	86-02-019
275-35-070	NEW-P	85-05-031	275-54-030	NEW-P	85-22-017	275-54-280	NEW-E	86-02-048
275-35-070	NEW	85-09-003	275-54-030	NEW	86-02-019	275-54-290	NEW-P	85-22-017
275-35-080	NEW-P	85-05-031	275-54-030	NEW-E	86-02-048	275-54-290	NEW	86-02-019
275-35-080	NEW	85-09-003	275-54-040	NEW-P	85-22-017	275-54-290	NEW-E	86-02-048
275-35-090	NEW-P	85-05-031	275-54-040	NEW	86-02-019	275-54-300	NEW-P	85-22-017
275-35-090	NEW	85-09-003	275-54-040	NEW-E	86-02-048	275-54-300	NEW	86-02-019
275-35-100	NEW-P	85-05-031	275-54-050	NEW-P	85-22-017	275-54-300	NEW-E	86-02-048
275-35-100	NEW	85-09-003	275-54-050	NEW	86-02-019	275-54-310	NEW-P	85-22-017
275-37-010	NEW-P	85-05-031	275-54-050	NEW-E	86-02-048	275-54-310	NEW	86-02-019
275-37-010	NEW	85-09-003	275-54-060	NEW-P	85-22-017	275-54-310	NEW-E	86-02-048
275-37-020	NEW-P	85-05-031	275-54-060	NEW	86-02-019	275-85-005	REP-P	85-03-104
275-37-020	NEW	85-09-003	275-54-060	NEW-E	86-02-048	275-85-005	REP	85-07-042
275-38-001	AMD-P	85-03-006	275-54-070	NEW-P	85-22-017	275-85-010	REP-P	85-03-104
275-38-001	AMD-E	85-03-007	275-54-070	NEW	86-02-019	275-85-010	REP	85-07-042
275-38-001	AMD	85-06-063	275-54-070	NEW-E	86-02-048	275-85-015	REP-P	85-03-104
275-38-745	AMD-P	85-03-006	275-54-080	NEW-P	85-22-017	275-85-015	REP	85-07-042
275-38-745	AMD-E	85-03-007	275-54-080	NEW	86-02-019	275-85-020	REP-P	85-03-104
275-38-745	AMD	85-06-063	275-54-080	NEW-E	86-02-048	275-85-020	REP	85-07-042
275-38-785	AMD-P	85-03-006	275-54-090	NEW-P	85-22-017	275-85-025	REP-P	85-03-104
275-38-785	AMD-E	85-03-007	275-54-090	NEW	86-02-019	275-85-025	REP	85-07-042
275-38-785	AMD	85-06-063	275-54-090	NEW-E	86-02-048	275-85-030	REP-P	85-03-104
275-38-785	AMD-P	85-21-032	275-54-100	NEW-P	85-22-017	275-85-030	REP	85-07-042
275-38-785	AMD-E	85-21-033	275-54-100	NEW	86-02-019	275-85-035	REP-P	85-03-104
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275-85-045	REP-P	85-03-104	296-15-030	AMD-C	85-04-059	296-17-450	AMD-P	85-02-052
275-85-045	REP	85-07-042	296-15-030	AMD	85-06-031	296-17-450	AMD	85-06-026
275-85-050	REP-P	85-03-104	296-15-050	AMD-C	85-04-059	296-17-450	AMD-P	85-20-121
275-85-050	REP	85-07-042	296-15-050	AMD	85-06-031	296-17-450	AMD	85-24-032
275-92-407	REP-P	85-05-018	296-15-215	AMD-C	85-04-059	296-17-455	NEW-P	85-02-052
275-92-407	REP	85-08-022	296-15-215	AMD	85-06-031	296-17-455	NEW	85-06-026
275-110-040	AMD-P	85-05-031	296-15-230	AMD-C	85-04-059	296-17-455	AMD-P	85-20-121
275-110-040	AMD	85-09-003	296-15-230	AMD	85-06-031	296-17-455	AMD	85-24-032
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284-24-100	NEW	85-23-031	296-15A-010	NEW-P	85-21-104	296-17-501	AMD	85-06-026
284-30-700	NEW-E	85-13-056	296-15A-010	REP-E	85-21-105	296-17-501	AMD-P	85-20-121
284-30-700	NEW-P	85-14-087	296-15A-010	NEW-E	85-21-105	296-17-501	AMD	85-24-032
284-30-700	NEW	85-17-018	296-15A-010	NEW	86-01-016	296-17-502	AMD-P	85-02-052
284-52-050	AMD	85-03-035	296-15A-010	NEW-E	85-16-024	296-17-502	AMD	85-06-026
284-52-060	AMD	85-03-035	296-15A-020	NEW-P	85-21-104	296-17-502	AMD-P	85-20-121
284-84-010	NEW-P	85-18-020	296-15A-020	REP-E	85-21-105	296-17-502	AMD	85-24-032
284-84-010	NEW-C	85-22-072	296-15A-020	NEW-E	85-21-105	296-17-503	AMD-P	85-02-052
284-84-010	NEW	86-02-011	296-15A-020	NEW	86-01-016	296-17-503	AMD	85-06-026
284-84-020	NEW-P	85-18-020	296-15A-030	NEW-E	85-16-024	296-17-503	AMD-P	85-20-121
284-84-020	NEW-C	85-22-072	296-15A-030	REP-E	85-21-105	296-17-503	AMD	85-24-032
284-84-020	NEW	86-02-011	296-15A-040	NEW-E	85-16-024	296-17-504	AMD-P	85-20-121
284-84-030	NEW-P	85-18-020	296-15A-040	REP-E	85-21-105	296-17-504	AMD	85-24-032
284-84-030	NEW-C	85-22-072	296-15A-050	NEW-E	85-16-024	296-17-505	AMD-P	85-20-121
284-84-030	NEW	86-02-011	296-15A-050	REP-E	85-21-105	296-17-505	AMD	85-24-032
284-84-040	NEW-P	85-18-020	296-15A-060	NEW-E	85-16-024	296-17-506	AMD-P	85-20-121
284-84-040	NEW-C	85-22-072	296-15A-060	REP-E	85-21-105	296-17-506	AMD	85-24-032
284-84-040	NEW	86-02-011	296-15A-070	NEW-E	85-16-024	296-17-50601	AMD-P	85-20-121
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284-84-050	NEW-C	85-22-072	296-15A-080	NEW-E	85-16-024	296-17-50602	AMD-P	85-20-121
284-84-050	NEW	86-02-011	296-15A-080	REP-E	85-21-105	296-17-50602	AMD	85-24-032
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284-84-060	NEW	86-02-011	296-15A-100	NEW-E	85-16-024	296-17-508	AMD-P	85-20-121
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284-84-070	NEW	86-02-011	296-16-010	AMD-C	85-13-026	296-17-509	AMD	85-06-026
284-84-080	NEW-P	85-18-020	296-16-010	AMD	85-13-027	296-17-509	AMD-P	85-20-121
284-84-080	NEW-C	85-22-072	296-17-310	AMD-P	85-02-052	296-17-509	AMD	85-24-032
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284-84-090	NEW-P	85-18-020	296-17-310	AMD-P	85-20-121	296-17-50904	AMD	85-06-026
284-84-090	NEW-C	85-22-072	296-17-310	AMD	85-24-032	296-17-50904	AMD-P	85-20-121
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284-84-110	NEW-C	85-22-072	296-17-350	AMD	85-06-026	296-17-511	AMD-P	85-02-052
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289-15-225	AMD-P	85-06-001	296-17-370	AMD	85-06-026	296-17-512	AMD-P	85-20-121
289-15-225	AMD-P	85-10-050	296-17-370	AMD-P	85-20-121	296-17-512	AMD	85-24-032
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296-17-755	AMD	85-24-032	296-17-914	AMD	85-06-025	296-18-130	REP-E	85-18-007
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296-18-340	REP-P	85-13-082	296-18-490	NEW-P	85-13-082	296-22-031	AMD-P	85-22-081
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296-18-340	REP	85-17-022	296-18-490	NEW	85-17-022	296-22-037	AMD-P	85-22-081
296-18-340	REP-E	85-18-007	296-18-490	NEW-E	85-18-007	296-22-039	AMD-P	85-22-081
296-18-345	NEW-P	85-03-019	296-18-500	NEW-E	85-11-050	296-22-040	AMD-P	85-22-081
296-18-345	NEW-E	85-04-038	296-18-500	NEW-P	85-13-082	296-22-042	AMD-P	85-22-081
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296-18-350	AMD-E	85-04-038	296-18-500	NEW	85-17-022	296-22-053	AMD-P	85-22-081
296-18-350	REP-E	85-11-050	296-18-500	NEW-E	85-18-007	296-22-061	AMD-P	85-22-081
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296-18-350	REP	85-17-022	296-18-510	NEW-C	85-16-074	296-22-071	AMD-P	85-22-081
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296-18-450	NEW-E	85-18-007	296-21-085	AMD-P	85-22-081	296-22-330	AMD-P	85-22-081
296-18-460	NEW-E	85-11-050	296-21-086	AMD-P	85-22-081	296-22-333	AMD-P	85-22-081
296-18-460	NEW-P	85-13-082	296-21-090	AMD-P	85-22-081	296-22-337	AMD-P	85-22-081
296-18-460	NEW-C	85-16-074	296-21-095	AMD-P	85-22-081	296-22-340	AMD-P	85-22-081
296-18-460	NEW	85-17-022	296-21-125	AMD-P	85-22-081	296-22-350	AMD-P	85-22-081
296-18-460	NEW-E	85-18-007	296-21-128	AMD-P	85-22-081	296-22-355	AMD-P	85-22-081
296-18-470	NEW-E	85-11-050	296-22	AMD-C	86-01-054	296-22-365	AMD-P	85-22-081
296-18-470	NEW-P	85-13-082	296-22-010	AMD-P	85-22-081	296-22-370	AMD-P	85-22-081

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296-22-405	AMD-P	85-22-081	296-23-9401	REP-P	85-13-082	296-30-080	AMD	86-01-028
296-22-410	AMD-P	85-22-081	296-23-9401	REP-C	85-16-074	296-30-081	NEW-P	85-21-085
296-22-413	AMD-P	85-22-081	296-23-9401	REP-P	85-22-081	296-30-081	NEW	86-01-028
296-22-415	AMD-P	85-22-081	296-23-9402	REP-P	85-22-081	296-30-120	NEW-P	85-21-085
296-22-425	AMD-P	85-22-081	296-23-9403	REP-E	85-11-064	296-30-120	NEW	86-01-028
296-22-427	AMD-P	85-22-081	296-23-9403	REP-P	85-13-082	296-30-130	NEW	85-03-060
296-22-430	AMD-P	85-22-081	296-23-9403	REP-C	85-16-074	296-30-130	AMD-P	85-21-085
296-22-435	AMD-P	85-22-081	296-23-9403	REP-P	85-22-081	296-30-130	AMD	86-01-028
296-22-440	AMD-P	85-22-081	296-23-9409	REP-E	85-11-064	296-30-170	NEW	85-03-060
296-22-445	AMD-P	85-22-081	296-23-9409	REP-P	85-13-082	296-30-170	AMD-P	85-21-085
296-22-450	AMD-P	85-22-081	296-23-9409	REP-C	85-16-074	296-30-170	AMD	86-01-028
296-22-455	AMD-P	85-22-081	296-23-9409	REP-P	85-22-081	296-30-180	NEW-P	85-21-085
296-22-465	AMD-P	85-22-081	296-23-9410	REP-E	85-11-064	296-30-180	NEW	86-01-028
296-22-470	AMD-P	85-22-081	296-23-9410	REP-P	85-13-082	296-30-900	NEW	85-03-060
296-22-475	AMD-P	85-22-081	296-23-9410	REP-C	85-16-074	296-40-940	REP-E	85-11-064
296-23	AMD-C	86-01-054	296-23-9410	REP-P	85-22-081	296-46-495	AMD-E	85-14-090
296-23-01006	AMD-P	85-22-081	296-23-950	NEW-E	85-14-089	296-46-495	AMD-P	85-14-091
296-23-015	AMD-P	85-22-081	296-23-950	NEW-E	85-20-120	296-46-495	AMD	85-20-065
296-23-020	AMD-P	85-22-081	296-23-950	NEW-P	85-22-081	296-46-495	AMD-E	85-20-066
296-23-025	AMD-P	85-22-081	296-23-960	NEW-E	85-14-089	296-46-910	AMD-E	85-14-090
296-23-030	AMD-P	85-22-081	296-23-960	NEW-E	85-20-120	296-46-910	AMD-P	85-14-091
296-23-035	AMD-P	85-22-081	296-23-960	NEW-P	85-22-081	296-46-910	AMD	85-20-065
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296-23-045	AMD-P	85-22-081	296-23-980	NEW-P	85-22-081	296-56-60001	AMD-P	85-05-043
296-23-050	AMD-P	85-22-081	296-24-19003	AMD-P	85-05-043	296-56-60001	AMD	85-10-004
296-23-055	AMD-P	85-22-081	296-24-19003	AMD	85-10-004	296-56-60001	AMD-P	85-21-100
296-23-065	AMD-P	85-22-081	296-24-21705	AMD-P	85-21-100	296-56-60003	AMD-P	85-21-100
296-23-079	AMD-P	85-22-079	296-24-21707	AMD-P	85-21-100	296-56-60005	AMD-P	85-21-100
296-23-07902	AMD-P	85-22-081	296-24-21711	AMD-P	85-21-100	296-56-60007	AMD-P	85-21-100
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296-23-07904	AMD-P	85-22-081	296-24-31503	AMD	85-10-004	296-56-60011	AMD-P	85-21-100
296-23-07905	AMD-P	85-22-081	296-24-31505	AMD-P	85-05-043	296-56-60017	AMD-P	85-21-100
296-23-07906	AMD-P	85-22-081	296-24-31505	AMD	85-10-004	296-56-60019	AMD-P	85-05-043
296-23-07907	AMD-P	85-22-081	296-24-32003	AMD-P	85-05-043	296-56-60019	AMD	85-10-004
296-23-125	AMD-P	85-22-081	296-24-32003	AMD	85-10-004	296-56-60019	AMD-P	85-21-100
296-23-201	AMD-P	85-22-081	296-24-33009	AMD-P	85-05-043	296-56-60023	AMD-P	85-21-100
296-23-204	AMD-P	85-22-081	296-24-33009	AMD	85-10-004	296-56-60025	AMD-P	85-21-100
296-23-208	AMD-P	85-22-081	296-24-33011	AMD-P	85-05-043	296-56-60027	AMD-P	85-21-100
296-23-212	AMD-P	85-22-081	296-24-33011	AMD	85-10-004	296-56-60029	AMD-P	85-21-100
296-23-216	AMD-P	85-22-081	296-24-33013	AMD-P	85-05-043	296-56-60031	AMD-P	85-21-100
296-23-221	AMD-P	85-22-081	296-24-33013	AMD	85-10-004	296-56-60037	AMD-P	85-21-100
296-23-224	AMD-P	85-22-081	296-24-33015	AMD-P	85-05-043	296-56-60039	AMD-P	85-21-100
296-23-228	AMD-P	85-22-081	296-24-33015	AMD	85-10-004	296-56-60041	AMD-P	85-21-100
296-23-232	AMD-P	85-22-081	296-24-33017	AMD-P	85-05-043	296-56-60043	AMD-P	85-21-100
296-23-301	AMD-P	85-22-081	296-24-33017	AMD	85-10-004	296-56-60045	AMD-P	85-05-043
296-23-301	AMD-E	86-02-060	296-24-37005	AMD-P	85-05-043	296-56-60045	AMD	85-10-004
296-23-421	AMD-P	85-22-081	296-24-37005	AMD	85-10-004	296-56-60049	AMD-P	85-21-100
296-23-430	AMD-P	85-22-081	296-24-37019	AMD-P	85-05-043	296-56-60051	AMD-P	85-21-100
296-23-440	AMD-P	85-22-081	296-24-37019	AMD	85-10-004	296-56-60053	AMD-P	85-21-100
296-23-450	AMD-P	85-22-081	296-24-37023	AMD-P	85-05-043	296-56-60055	AMD-P	85-21-100
296-23-460	AMD-P	85-22-081	296-24-37023	AMD	85-10-004	296-56-60057	AMD-P	85-21-100
296-23-470	AMD-P	85-22-081	296-24-40509	AMD-P	85-05-043	296-56-60059	AMD-P	85-21-100
296-23-480	AMD-P	85-22-081	296-24-40509	AMD	85-10-004	296-56-60060	AMD-P	85-21-100
296-23-485	NEW-P	85-22-081	296-24-47505	AMD-P	85-05-043	296-56-60062	AMD-P	85-21-100
296-23-490	AMD-P	85-22-081	296-24-47505	AMD	85-10-004	296-56-60065	AMD-P	85-21-100
296-23-495	AMD-P	85-22-081	296-27-090	AMD-P	85-21-100	296-56-60067	AMD-P	85-21-100
296-23-50001	AMD-P	85-22-081	296-27-15501	NEW-P	85-21-100	296-56-60069	AMD-P	85-05-043
296-23-50002	AMD-P	85-22-081	296-27-15503	NEW-P	85-21-100	296-56-60069	AMD	85-10-004
296-23-50003	AMD-P	85-22-081	296-27-15505	NEW-P	85-21-100	296-56-60069	AMD-P	85-21-100
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296-23-50005	AMD-P	85-22-081	296-30	AMD-P	85-21-085	296-56-60073	AMD	85-10-004
296-23-50006	AMD-P	85-22-081	296-30	AMD-C	86-01-003	296-56-60073	AMD-P	85-21-100
296-23-50008	AMD-P	85-22-081	296-30	AMD	86-01-028	296-56-60075	AMD-P	85-21-100
296-23-50009	AMD-P	85-22-081	296-30-010	NEW	85-03-060	296-56-60077	AMD-P	85-05-043
296-23-50012	AMD-P	85-22-081	296-30-010	AMD-P	85-21-085	296-56-60077	AMD	85-10-004
296-23-50013	AMD-P	85-22-081	296-30-010	AMD	86-01-028	296-56-60077	AMD-P	85-21-100
296-23-50014	AMD-P	85-22-081	296-30-020	NEW	85-03-060	296-56-60079	AMD-P	85-21-100
296-23-50016	NEW-P	85-22-081	296-30-020	AMD-P	85-21-085	296-56-60081	AMD-P	85-05-043
296-23-710	AMD-P	85-22-081	296-30-020	AMD	86-01-028	296-56-60081	AMD	85-10-004
296-23-720	AMD-P	85-22-081	296-30-050	NEW	85-03-060	296-56-60081	AMD-P	85-21-100
296-23-725	AMD-P	85-22-081	296-30-050	AMD-P	85-21-085	296-56-60083	AMD-P	85-05-043
296-23-910	AMD-P	85-22-081	296-30-050	AMD	86-01-028	296-56-60083	AMD	85-10-004
296-23-940	REP-E	85-11-070	296-30-060	NEW	85-03-060	296-56-60083	AMD-P	85-21-100
296-23-940	REP-P	85-13-082	296-30-060	AMD-P	85-21-085	296-56-60085	AMD-P	85-05-043
296-23-940	REP-C	85-16-074	296-30-060	AMD	86-01-028	296-56-60085	AMD	85-10-004
296-23-940	REP-P	85-22-081	296-30-080	NEW	85-03-060	296-56-60085	AMD-P	85-21-100

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296-56-60089	AMD	85-10-004	296-56-60219	AMD	85-10-004	296-65-025	NEW-P	85-18-045
296-56-60089	AMD-P	85-21-100	296-56-60219	AMD-P	85-21-100	296-65-025	NEW	85-21-080
296-56-60091	AMD-P	85-21-100	296-56-60221	AMD-P	85-21-100	296-65-030	NEW-E	85-16-019
296-56-60093	AMD-P	85-05-043	296-56-60223	AMD-P	85-21-100	296-65-030	NEW-E	85-18-021
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296-56-60098	AMD-P	85-21-100	296-56-60233	AMD-P	85-21-100	296-65-045	NEW-E	85-16-019
296-56-60099	AMD-P	85-05-043	296-56-60235	AMD-P	85-05-043	296-65-045	NEW-E	85-18-021
296-56-60099	AMD	85-10-004	296-56-60235	AMD	85-10-004	296-65-045	NEW-P	85-18-045
296-56-60101	AMD-P	85-21-100	296-56-60235	AMD-P	85-21-100	296-65-045	NEW	85-21-080
296-56-60103	AMD-P	85-21-100	296-56-60237	AMD-P	85-05-043	296-81-007	AMD-P	85-23-050
296-56-60107	AMD-P	85-21-100	296-56-60237	AMD	85-10-004	296-81-010	AMD-P	85-23-050
296-56-60109	AMD-P	85-21-100	296-56-60237	AMD-P	85-21-100	296-81-260	AMD-P	85-23-050
296-56-60110	AMD-P	85-21-100	296-56-60239	AMD-P	85-21-100	296-83-010	REP-P	85-23-055
296-56-60111	AMD-P	85-21-100	296-56-60241	AMD-P	85-21-100	296-83-015	REP-P	85-23-055
296-56-60113	AMD-P	85-21-100	296-56-60243	AMD-P	85-21-100	296-83-020	REP-P	85-23-055
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296-56-60115	AMD-P	85-21-100	296-56-60251	AMD-P	85-21-100	296-83-035	REP-P	85-23-055
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296-56-60135	AMD	85-10-004	296-62-05411	AMD	85-10-004	296-86-070	AMD-P	85-23-058
296-56-60135	AMD-P	85-21-100	296-62-05413	AMD-P	85-05-043	296-86-075	AMD-P	85-23-058
296-56-60137	REP-P	85-05-043	296-62-05413	AMD	85-10-004	296-87-001	NEW-P	85-23-053
296-56-60137	REP	85-10-004	296-62-05421	AMD-P	85-05-043	296-87-020	AMD-P	85-23-053
296-56-60139	AMD-P	85-21-100	296-62-05421	AMD	85-10-004	296-87-040	AMD-P	85-23-053
296-56-60141	AMD-P	85-21-100	296-62-05425	AMD-P	85-05-043	296-87-060	AMD-P	85-23-053
296-56-60143	AMD-P	85-21-100	296-62-05425	AMD	85-10-004	296-87-080	AMD-P	85-23-053
296-56-60145	AMD-P	85-21-100	296-62-07302	AMD-P	85-05-043	296-87-120	AMD-P	85-23-053
296-56-60147	AMD-P	85-21-100	296-62-07302	AMD	85-10-004	296-88-001	REP-P	85-23-051
296-56-60151	AMD-P	85-21-100	296-62-07306	AMD-P	85-05-043	296-88-010	REP-P	85-23-051
296-56-60153	AMD-P	85-21-100	296-62-07306	AMD	85-10-004	296-88-020	REP-P	85-23-051
296-56-60155	AMD-P	85-21-100	296-62-07353	AMD-P	85-05-043	296-88-030	REP-P	85-23-051
296-56-60157	AMD-P	85-21-100	296-62-07353	AMD	85-10-004	296-88-040	REP-P	85-23-051
296-56-60159	AMD-P	85-21-100	296-62-130	AMD-P	85-05-043	296-88-050	REP-P	85-23-051
296-56-60161	AMD-P	85-21-100	296-62-130	AMD	85-10-004	296-88-060	REP-P	85-23-051
296-56-60167	AMD-P	85-21-100	296-65-001	NEW-E	85-16-019	296-88-070	REP-P	85-23-051
296-56-60169	AMD-P	85-21-100	296-65-001	NEW-E	85-18-021	296-88-080	REP-P	85-23-051
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296-56-60180	AMD-P	85-21-100	296-65-001	NEW	85-21-080	296-88-100	REP-P	85-23-051
296-56-60182	REP-P	85-05-043	296-65-003	NEW-E	85-16-019	296-88-110	REP-P	85-23-051
296-56-60182	REP	85-10-004	296-65-003	NEW-E	85-18-021	296-88-120	REP-P	85-23-051
296-56-60183	AMD-P	85-21-100	296-65-003	NEW-P	85-18-045	296-88-130	REP-P	85-23-051
296-56-60189	AMD-P	85-21-100	296-65-003	NEW	85-21-080	296-90-010	REP-P	85-23-054
296-56-60191	AMD-P	85-21-100	296-65-005	NEW-E	85-16-019	296-90-020	REP-P	85-23-054
296-56-60193	AMD-P	85-21-100	296-65-005	NEW-E	85-18-021	296-90-030	REP-P	85-23-054
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296-56-60199	AMD-P	85-21-100	296-65-005	NEW	85-21-080	296-90-050	REP-P	85-23-054
296-56-60201	AMD-P	85-21-100	296-65-010	NEW-E	85-16-019	296-90-060	REP-P	85-23-054
296-56-60205	AMD-P	85-21-100	296-65-010	NEW-E	85-18-021	296-90-070	REP-P	85-23-054
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296-56-60209	AMD-P	85-05-043	296-65-010	NEW	85-21-080	296-90-090	REP-P	85-23-054
296-56-60209	AMD	85-10-004	296-65-015	NEW-E	85-16-019	296-92-010	REP-P	85-23-056
296-56-60209	AMD-P	85-21-100	296-65-015	NEW-E	85-18-021	296-92-020	REP-P	85-23-056
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296-56-60211	AMD	85-10-004	296-65-015	NEW	85-21-080	296-92-040	REP-P	85-23-056
296-56-60211	AMD-P	85-21-100	296-65-020	NEW-E	85-16-019	296-92-050	REP-P	85-23-056
296-56-60215	AMD-P	85-21-100	296-65-020	NEW-E	85-18-021	296-92-060	REP-P	85-23-056
296-56-60217	AMD-P	85-05-043	296-65-020	NEW-P	85-18-045	296-92-070	REP-P	85-23-056
296-56-60217	AMD	85-10-004	296-65-020	NEW	85-21-080	296-92-080	REP-P	85-23-056

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296-92-090	REP-P	85-23-056	296-127	AMD-C	85-23-013	296-155-200	AMD-P	85-21-099
296-92-100	REP-P	85-23-056	296-127	AMD-C	85-24-023	296-155-200	AMD-C	86-01-069
296-92-110	REP-P	85-23-056	296-127	AMD-C	86-02-012	296-155-201	AMD-P	85-21-099
296-93-010	AMD-P	85-23-052	296-127-010	AMD-P	85-20-129	296-155-201	AMD-C	86-01-069
296-93-050	AMD-P	85-23-052	296-127-010	AMD-E	85-21-011	296-155-203	NEW-P	85-21-099
296-93-060	REP-P	85-23-052	296-127-020	AMD-P	85-20-129	296-155-203	NEW-C	86-01-069
296-93-070	AMD-P	85-23-052	296-127-020	AMD-E	85-21-011	296-155-20301	NEW-P	85-21-099
296-93-110	REP-P	85-23-052	296-127-130	NEW-P	85-20-129	296-155-20301	NEW-C	86-01-069
296-93-120	AMD-P	85-23-052	296-127-130	NEW-E	85-21-011	296-155-20303	NEW-P	85-21-099
296-93-130	REP-P	85-23-052	296-127-140	NEW-P	85-20-129	296-155-20303	NEW-C	86-01-069
296-93-170	AMD-P	85-23-052	296-127-140	NEW-E	85-21-011	296-155-20305	NEW-P	85-21-099
296-93-180	REP-P	85-23-052	296-127-150	NEW-P	85-20-129	296-155-20305	NEW-C	86-01-069
296-93-200	AMD-P	85-23-052	296-127-150	NEW-E	85-21-011	296-155-20307	NEW-P	85-21-099
296-93-210	AMD-P	85-23-052	296-127-160	NEW-P	85-20-129	296-155-20307	NEW-C	86-01-069
296-93-220	AMD-P	85-23-052	296-127-160	NEW-E	85-21-011	296-155-205	AMD-P	85-21-099
296-93-230	AMD-P	85-23-052	296-127-170	NEW-P	85-20-129	296-155-205	AMD-C	86-01-069
296-94-010	NEW-P	85-23-059	296-127-170	NEW-E	85-21-011	296-155-211	NEW-P	85-21-099
296-94-020	NEW-P	85-23-059	296-127-180	NEW-P	85-20-129	296-155-211	NEW-C	86-01-069
296-94-030	NEW-P	85-23-059	296-127-180	NEW-E	85-21-011	296-155-212	AMD-P	85-21-099
296-94-040	NEW-P	85-23-059	296-127-190	NEW-P	85-20-129	296-155-212	AMD-C	86-01-069
296-94-050	NEW-P	85-23-059	296-127-190	NEW-E	85-21-011	296-155-225	AMD-P	85-21-099
296-94-060	NEW-P	85-23-059	296-127-200	NEW-P	85-20-129	296-155-225	AMD-C	86-01-069
296-94-070	NEW-P	85-23-059	296-127-200	NEW-E	85-21-011	296-155-230	AMD-P	85-21-099
296-94-080	NEW-P	85-23-059	296-127-210	NEW-P	85-20-129	296-155-230	AMD-C	86-01-069
296-94-090	NEW-P	85-23-059	296-127-210	NEW-E	85-21-011	296-155-250	AMD-P	85-21-099
296-94-100	NEW-P	85-23-059	296-127-220	NEW-P	85-20-129	296-155-250	AMD-C	86-01-069
296-94-110	NEW-P	85-23-059	296-127-220	NEW-E	85-21-011	296-155-260	AMD-P	85-21-099
296-94-120	NEW-P	85-23-059	296-127-300	NEW-P	85-20-129	296-155-260	AMD-C	86-01-069
296-94-130	NEW-P	85-23-059	296-127-300	NEW-E	85-21-011	296-155-270	AMD-P	85-21-099
296-94-140	NEW-P	85-23-059	296-127-310	NEW-P	85-20-129	296-155-270	AMD-C	86-01-069
296-94-150	NEW-P	85-23-059	296-127-310	NEW-E	85-21-011	296-155-275	AMD-P	85-21-099
296-94-160	NEW-P	85-23-059	296-127-320	NEW-P	85-20-129	296-155-275	AMD-C	86-01-069
296-94-170	NEW-P	85-23-059	296-127-320	NEW-E	85-21-011	296-155-280	AMD-P	85-21-099
296-94-180	NEW-P	85-23-059	296-150A-005	AMD	85-05-026	296-155-280	AMD-C	86-01-069
296-94-190	NEW-P	85-23-059	296-150A-016	AMD	85-05-026	296-155-300	AMD-P	85-21-099
296-94-200	NEW-P	85-23-059	296-150A-040	AMD	85-05-026	296-155-300	AMD-C	86-01-069
296-94-210	NEW-P	85-23-059	296-150A-100	AMD	85-05-026	296-155-305	AMD-P	85-21-099
296-94-220	NEW-P	85-23-059	296-150A-105	AMD	85-05-026	296-155-305	AMD-C	86-01-069
296-94-230	NEW-P	85-23-059	296-150A-125	AMD	85-05-026	296-155-325	AMD-P	85-21-099
296-94-240	NEW-P	85-23-059	296-150A-300	AMD	85-05-026	296-155-325	AMD-C	86-01-069
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296-100-050	NEW-P	85-23-057	296-150B-310	AMD	85-05-028	296-155-335	AMD-P	85-21-099
296-100-060	NEW-P	85-23-057	296-150B-990	AMD	85-05-027	296-155-335	AMD-C	86-01-069
296-104-010	AMD-E	85-20-004	296-155-003	AMD-P	85-21-099	296-155-34911	AMD-P	85-21-099
296-104-010	AMD-P	85-20-018	296-155-003	AMD-C	86-01-069	296-155-34911	AMD-C	86-01-069
296-104-010	AMD	86-01-088	296-155-005	AMD-P	85-21-099	296-155-34912	AMD-P	85-21-099
296-104-015	AMD-E	85-20-004	296-155-005	AMD-C	86-01-069	296-155-34912	AMD-C	86-01-069
296-104-015	AMD-P	85-20-018	296-155-009	NEW-P	85-21-099	296-155-34913	AMD-P	85-21-099
296-104-015	AMD	86-01-088	296-155-009	NEW-C	86-01-069	296-155-34913	AMD-C	86-01-069
296-104-200	AMD-E	85-20-004	296-155-010	AMD-P	85-21-099	296-155-34914	AMD-P	85-21-099
296-104-200	AMD-P	85-20-018	296-155-010	AMD-C	86-01-069	296-155-34914	AMD-C	86-01-069
296-104-200	AMD	86-01-088	296-155-012	AMD-P	85-21-099	296-155-34920	AMD-P	85-21-099
296-104-201	REP-E	85-20-004	296-155-012	AMD-C	86-01-069	296-155-34920	AMD-C	86-01-069
296-104-201	REP-P	85-20-018	296-155-020	AMD-P	85-21-099	296-155-355	AMD-P	85-21-099
296-104-201	REP	86-01-088	296-155-020	AMD-C	86-01-069	296-155-355	AMD-C	86-01-069
296-104-500	AMD-P	85-24-005	296-155-035	AMD-P	85-21-099	296-155-360	AMD-P	85-21-099
296-104-500	AMD-E	85-24-006	296-155-035	AMD-C	86-01-069	296-155-360	AMD-C	86-01-069
296-104-501	NEW-P	85-24-005	296-155-100	AMD-P	85-21-099	296-155-363	NEW-P	85-21-099
296-104-515	AMD-P	85-24-005	296-155-100	AMD-C	86-01-069	296-155-36301	NEW-P	85-21-099
296-104-515	AMD-E	85-24-006	296-155-110	AMD-P	85-21-099	296-155-36301	NEW-C	86-01-069
296-116-070	AMD-P	85-12-039	296-155-110	AMD-C	86-01-069	296-155-36303	NEW-P	85-21-099
296-116-070	AMD	85-15-032	296-155-120	AMD-P	85-21-099	296-155-36303	NEW-C	86-01-069
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296-116-120	AMD	85-15-033	296-155-130	AMD-P	85-21-099	296-155-36307	NEW-C	86-01-069
296-116-185	AMD-P	85-22-063	296-155-130	AMD-C	86-01-069	296-155-36309	NEW-P	85-21-099
296-116-300	AMD-P	85-22-064	296-155-140	AMD-P	85-21-099	296-155-36309	NEW-C	86-01-069
296-116-300	AMD	86-02-035	296-155-140	AMD-C	86-01-069	296-155-36311	NEW-P	85-21-099
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296-124-040	NEW	85-03-065	296-155-165	AMD-P	85-21-099	296-155-36315	NEW-C	86-01-069
296-124-050	NEW	85-03-065	296-155-165	AMD-C	86-01-069	296-155-36317	NEW-P	85-21-099

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296-155-36319	NEW-P	85-21-099	296-155-605	AMD-C	86-01-069	296-155-875	REP-P	85-21-099
296-155-36319	NEW-C	86-01-069	296-155-610	AMD-P	85-21-099	296-155-875	REP-C	86-01-069
296-155-36321	NEW-P	85-21-099	296-155-610	AMD-C	86-01-069	296-155-880	REP-P	85-21-099
296-155-36321	NEW-C	86-01-069	296-155-615	AMD-P	85-21-099	296-155-880	REP-C	86-01-069
296-155-365	AMD-P	85-21-099	296-155-615	AMD-C	86-01-069	296-155-885	REP-P	85-21-099
296-155-365	AMD-C	86-01-069	296-155-617	NEW-P	85-21-099	296-155-885	REP-C	86-01-069
296-155-367	NEW-P	85-21-099	296-155-617	NEW-C	86-01-069	296-155-890	REP-P	85-21-099
296-155-367	NEW-C	86-01-069	296-155-61701	NEW-P	85-21-099	296-155-890	REP-C	86-01-069
296-155-370	AMD-P	85-21-099	296-155-61701	NEW-C	86-01-069	296-155-895	REP-P	85-21-099
296-155-370	AMD-C	86-01-069	296-155-61703	NEW-P	85-21-099	296-155-895	REP-C	86-01-069
296-155-400	AMD-P	85-21-099	296-155-61703	NEW-C	86-01-069	296-155-900	REP-P	85-21-099
296-155-400	AMD-C	86-01-069	296-155-61705	NEW-P	85-21-099	296-155-900	REP-C	86-01-069
296-155-405	AMD-P	85-21-099	296-155-61705	NEW-C	86-01-069	296-155-905	REP-P	85-21-099
296-155-405	AMD-C	86-01-069	296-155-61707	NEW-P	85-21-099	296-155-905	REP-C	86-01-069
296-155-407	NEW-P	85-21-099	296-155-61707	NEW-C	86-01-069	296-155-910	REP-P	85-21-099
296-155-407	NEW-C	86-01-069	296-155-61709	NEW-P	85-21-099	296-155-910	REP-C	86-01-069
296-155-425	AMD-P	85-21-099	296-155-61709	NEW-C	86-01-069	296-155-915	REP-P	85-21-099
296-155-425	AMD-C	86-01-069	296-155-61711	NEW-P	85-21-099	296-155-915	REP-C	86-01-069
296-155-430	AMD-P	85-21-099	296-155-61711	NEW-C	86-01-069	296-155-920	REP-P	85-21-099
296-155-430	AMD-C	86-01-069	296-155-61713	NEW-P	85-21-099	296-155-920	REP-C	86-01-069
296-155-435	AMD-P	85-21-099	296-155-61713	NEW-C	86-01-069	296-155-950	AMD-P	85-21-099
296-155-435	AMD-C	86-01-069	296-155-625	AMD-P	85-21-099	296-155-950	AMD-C	86-01-069
296-155-440	AMD-P	85-21-099	296-155-625	AMD-C	86-01-069	296-310	NEW-C	86-01-004
296-155-440	AMD-C	86-01-069	296-155-650	AMD-P	85-21-099	296-310-010	NEW-P	85-21-086
296-155-475	AMD-P	85-21-099	296-155-650	AMD-C	86-01-069	296-310-010	NEW	86-01-027
296-155-475	AMD-C	86-01-069	296-155-655	AMD-P	85-21-099	296-310-020	NEW-P	85-21-086
296-155-480	AMD-P	85-21-099	296-155-655	AMD-C	86-01-069	296-310-020	NEW	86-01-027
296-155-480	AMD-C	86-01-069	296-155-65505	NEW-P	85-21-099	296-310-030	NEW-P	85-21-086
296-155-485	AMD-P	85-21-099	296-155-65505	NEW-C	86-01-069	296-310-030	NEW	86-01-027
296-155-485	AMD-C	86-01-069	296-155-660	AMD-P	85-21-099	296-310-040	NEW-P	85-21-086
296-155-48523	NEW-P	85-21-099	296-155-660	AMD-C	86-01-069	296-310-040	NEW	86-01-027
296-155-48523	NEW-C	86-01-069	296-155-66005	NEW-P	85-21-099	296-310-050	NEW-P	85-21-086
296-155-48525	NEW-P	85-21-099	296-155-66005	NEW-C	86-01-069	296-310-050	NEW	86-01-027
296-155-48525	NEW-C	86-01-069	296-155-665	AMD-P	85-05-043	296-310-060	NEW-P	85-21-086
296-155-48527	NEW-P	85-21-099	296-155-665	AMD	85-10-004	296-310-060	NEW	86-01-027
296-155-48527	NEW-C	86-01-069	296-155-665	AMD-P	85-21-099	296-310-070	NEW-P	85-21-086
296-155-48529	NEW-P	85-21-099	296-155-665	AMD-C	86-01-069	296-310-070	NEW	86-01-027
296-155-48529	NEW-C	86-01-069	296-155-66501	AMD-P	85-21-099	296-310-080	NEW-P	85-21-086
296-155-48531	NEW-P	85-21-099	296-155-66501	AMD-C	86-01-069	296-310-080	NEW	86-01-027
296-155-48531	NEW-C	86-01-069	296-155-66502	AMD-P	85-21-099	296-310-090	NEW-P	85-21-086
296-155-48533	NEW-P	85-21-099	296-155-66502	AMD-C	86-01-069	296-310-090	NEW	86-01-027
296-155-48533	NEW-C	86-01-069	296-155-680	AMD-P	85-21-099	296-310-100	NEW-P	85-21-086
296-155-500	AMD-P	85-21-099	296-155-680	AMD-C	86-01-069	296-310-100	NEW	86-01-027
296-155-500	AMD-C	86-01-069	296-155-690	AMD-P	85-21-099	296-310-110	NEW-P	85-21-086
296-155-505	AMD-P	85-21-099	296-155-690	AMD-C	86-01-069	296-310-110	NEW	86-01-027
296-155-505	AMD-C	86-01-069	296-155-695	AMD-P	85-21-099	296-310-120	NEW-P	85-21-086
296-155-50503	NEW-P	85-21-099	296-155-695	AMD-C	86-01-069	296-310-120	NEW	86-01-027
296-155-50503	NEW-C	86-01-069	296-155-700	AMD-P	85-21-099	296-310-130	NEW-P	85-21-086
296-155-50505	NEW-P	85-21-099	296-155-700	AMD-C	86-01-069	296-310-130	NEW	86-01-027
296-155-50505	NEW-C	86-01-069	296-155-705	AMD-P	85-21-099	296-310-140	NEW-P	85-21-086
296-155-510	AMD-P	85-21-099	296-155-705	AMD-C	86-01-069	296-310-140	NEW	86-01-027
296-155-510	AMD-C	86-01-069	296-155-720	AMD-P	85-21-099	296-310-150	NEW-P	85-21-086
296-155-515	NEW-P	85-21-099	296-155-720	AMD-C	86-01-069	296-310-150	NEW	86-01-027
296-155-515	NEW-C	86-01-069	296-155-725	AMD-P	85-21-099	296-310-160	NEW-P	85-21-086
296-155-525	AMD-P	85-21-099	296-155-725	AMD-C	86-01-069	296-310-160	NEW	86-01-027
296-155-525	AMD-C	86-01-069	296-155-730	AMD-P	85-21-099	296-310-170	NEW-P	85-21-086
296-155-52505	NEW-P	85-21-099	296-155-730	AMD-C	86-01-069	296-310-170	NEW	86-01-027
296-155-52505	NEW-C	86-01-069	296-155-750	AMD-P	85-21-099	296-310-180	NEW-P	85-21-086
296-155-52506	NEW-P	85-21-099	296-155-750	AMD-C	86-01-069	296-310-180	NEW	86-01-027
296-155-52506	NEW-C	86-01-069	296-155-760	REP-P	85-21-099	296-310-190	NEW-P	85-21-086
296-155-52507	NEW-P	85-21-099	296-155-760	REP-C	86-01-069	296-310-190	NEW	86-01-027
296-155-52507	NEW-C	86-01-069	296-155-765	AMD-P	85-21-099	296-310-200	NEW-P	85-21-086
296-155-52508	NEW-P	85-21-099	296-155-765	AMD-C	86-01-069	296-310-200	NEW	86-01-027
296-155-52508	NEW-C	86-01-069	296-155-775	AMD-P	85-21-099	296-310-210	NEW-P	85-21-086
296-155-530	AMD-P	85-21-099	296-155-775	AMD-C	86-01-069	296-310-210	NEW	86-01-027
296-155-530	AMD-C	86-01-069	296-155-830	AMD-P	85-21-099	296-310-220	NEW-P	85-21-086
296-155-545	AMD-P	85-21-099	296-155-830	AMD-C	86-01-069	296-310-220	NEW	86-01-027
296-155-545	AMD-C	86-01-069	296-155-850	REP-P	85-21-099	296-310-230	NEW-P	85-21-086
296-155-570	AMD-P	85-21-099	296-155-850	REP-C	86-01-069	296-310-230	NEW	86-01-027
296-155-570	AMD-C	86-01-069	296-155-855	REP-P	85-21-099	296-310-240	NEW-P	85-21-086
296-155-575	AMD-P	85-21-099	296-155-855	REP-C	86-01-069	296-310-240	NEW	86-01-027
296-155-575	AMD-C	86-01-069	296-155-860	REP-P	85-21-099	296-310-250	NEW-P	85-21-086
296-155-576	AMD-P	85-21-099	296-155-860	REP-C	86-01-069	296-310-250	NEW	86-01-027
296-155-576	AMD-C	86-01-069	296-155-865	REP-P	85-21-099	296-310-260	NEW-P	85-21-086
296-155-580	AMD-P	85-21-099	296-155-865	REP-C	86-01-069	296-310-260	NEW	86-01-027
296-155-580	AMD-C	86-01-069	296-155-870	REP-P	85-21-099	296-310-270	NEW-P	85-21-086

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296-350-400	AMD-P	85-21-100	304-25-560	AMD-P	85-16-066	308-25-030	AMD-P	85-06-053
296-360-040	AMD-P	85-05-043	304-25-560	AMD	85-20-033	308-25-030	AMD	85-10-026
296-360-040	AMD	85-10-004	304-25-570	AMD-P	85-16-066	308-25-200	REP-E	85-15-103
296-401-175	AMD-E	85-14-090	304-25-570	AMD	85-20-033	308-25-200	REP-P	85-16-090
296-401-175	AMD-P	85-14-091	308-04-001	AMD-E	85-03-082	308-25-200	REP	85-19-039
296-401-175	AMD	85-20-065	308-04-001	AMD-P	85-13-078	308-26-030	REP-E	85-15-106
296-401-175	AMD-E	85-20-066	308-04-001	AMD-P	85-19-035	308-26-030	REP-P	85-16-091
296-402-010	NEW-P	85-14-033	308-04-001	AMD	85-22-080	308-26-030	REP	85-19-040
296-402-010	NEW	85-20-130	308-11-010	AMD	85-03-045	308-30-010	NEW-P	85-21-101
296-402-020	NEW-P	85-14-033	308-11-050	AMD	85-03-045	308-30-010	NEW	85-24-025
296-402-020	NEW	85-20-130	308-11-100	AMD	85-03-045	308-30-020	NEW-P	85-21-101
296-402-030	NEW-P	85-14-033	308-11-120	AMD	85-03-045	308-30-020	NEW	85-24-025
296-402-030	NEW	85-20-130	308-12-010	AMD-P	85-17-077	308-30-030	NEW-P	85-21-101
296-402-040	NEW-P	85-14-033	308-12-010	AMD	85-21-065	308-30-030	NEW	85-24-025
296-402-040	NEW	85-20-130	308-12-025	NEW-P	85-17-077	308-30-040	NEW-P	85-21-101
296-402-050	NEW-P	85-14-033	308-12-025	NEW	85-21-065	308-30-040	NEW	85-24-025
296-402-050	NEW	85-20-130	308-12-031	AMD	85-05-010	308-30-050	NEW-P	85-21-101
296-402-060	NEW-P	85-14-033	308-12-031	AMD-P	85-17-077	308-30-050	NEW	85-24-025
296-402-060	NEW	85-20-130	308-12-031	AMD	85-21-065	308-30-060	NEW-P	85-21-101
296-402-070	NEW-P	85-14-033	308-12-040	AMD	85-05-010	308-30-060	NEW	85-24-025
296-402-070	NEW	85-20-130	308-12-050	AMD	85-05-010	308-30-070	NEW-P	85-21-101
296-402-080	NEW-P	85-14-033	308-12-050	AMD-P	85-17-077	308-30-070	NEW	85-24-025
296-402-080	NEW	85-20-130	308-12-050	AMD	85-21-065	308-30-080	NEW-P	85-21-101
296-402-090	NEW-P	85-14-033	308-12-050	AMD-P	86-01-090	308-30-080	NEW	85-24-025
296-402-090	NEW	85-20-130	308-12-080	AMD-P	85-17-077	308-30-090	NEW-P	85-21-101
296-402-100	NEW-P	85-14-033	308-12-080	AMD	85-21-065	308-30-090	NEW	85-24-025
296-402-100	NEW	85-20-130	308-12-081	AMD-P	85-17-077	308-30-100	NEW-P	85-21-101
296-402-110	NEW-P	85-14-033	308-12-081	AMD	85-21-065	308-30-100	NEW	85-24-025
296-402-110	NEW	85-20-130	308-12-081	AMD-P	86-01-090	308-31-001	NEW-P	85-20-123
296-402-120	NEW-P	85-14-033	308-12-082	REP-P	85-17-077	308-31-001	NEW	86-01-041
296-402-120	NEW	85-20-130	308-12-082	REP	85-21-065	308-31-200	NEW	85-04-028
296-402-130	NEW-P	85-14-033	308-12-085	NEW-P	85-17-077	308-31-200	REP-P	85-12-059
296-402-130	NEW	85-20-130	308-12-085	NEW	85-21-065	308-31-200	REP	85-15-058
296-402-140	NEW-P	85-14-033	308-12-110	AMD	85-05-010	308-31-200	REP-E	85-16-052
296-402-140	NEW	85-20-130	308-12-110	REP-P	85-17-077	308-34-100	REP-E	85-15-104
296-402-150	NEW-P	85-14-033	308-12-110	REP	85-21-065	308-34-100	REP-P	85-16-092
296-402-150	NEW	85-20-130	308-12-115	NEW-P	85-17-077	308-34-100	REP	85-19-036
296-402-160	NEW-P	85-14-033	308-12-115	NEW	85-21-065	308-37-160	NEW-P	85-02-062
296-402-160	NEW	85-20-130	308-12-116	NEW-P	85-17-077	308-37-160	NEW	85-05-040
296-402-170	NEW-P	85-14-033	308-12-120	REP-P	85-17-077	308-37-170	NEW-P	85-02-062
296-402-170	NEW	85-20-130	308-12-120	REP	85-21-065	308-37-170	NEW	85-05-040
296-402-180	NEW-P	85-14-033	308-12-130	REP-P	85-17-077	308-37-180	NEW-P	85-02-062
296-402-180	NEW	85-20-130	308-12-130	REP	85-21-065	308-37-180	NEW	85-05-040
296-402-190	NEW-P	85-14-033	308-12-135	NEW-P	86-01-090	308-37-190	NEW-P	85-02-062
296-402-190	NEW	85-20-130	308-12-140	NEW-P	86-01-090	308-37-190	NEW	85-05-040
304-12-140	AMD-P	85-16-065	308-12-145	NEW-P	86-01-090	308-37-190	AMD-P	85-22-007
304-12-140	AMD	85-20-032	308-12-150	NEW-P	86-01-090	308-40-104	AMD-P	85-11-065
304-12-155	REP-P	85-16-065	308-12-320	AMD	85-05-010	308-40-104	AMD-C	85-14-032
304-12-155	REP	85-20-032	308-12-321	NEW-P	85-17-077	308-40-104	AMD	85-16-113
304-12-170	REP-P	85-16-065	308-12-321	NEW	85-21-065	308-40-111	REP-C	85-06-007
304-12-170	REP	85-20-032	308-12-322	NEW-P	85-17-077	308-40-111	REP	85-07-046
304-12-180	REP-P	85-16-065	308-12-322	NEW	85-21-065	308-42-122	NEW-P	85-03-107
304-12-180	REP	85-20-032	308-12-323	NEW-P	85-17-077	308-42-122	NEW	85-10-002
304-12-190	REP-P	85-16-065	308-12-323	NEW	85-21-065	308-42-136	NEW-P	85-03-107
304-12-190	REP	85-20-032	308-12-324	NEW-P	85-17-077	308-42-136	NEW-P	85-08-042
304-12-191	REP-P	85-16-065	308-12-324	NEW	85-21-065	308-42-136	NEW	85-11-049
304-12-191	REP	85-20-032	308-12-325	NEW-P	85-17-077	308-42-165	NEW-P	85-18-086
304-12-192	REP-P	85-16-065	308-12-325	NEW	85-21-065	308-42-200	REP-P	85-14-109
304-12-192	REP	85-20-032	308-13-005	NEW	85-04-029	308-42-200	REP-E	85-14-110
304-12-220	REP-P	85-16-065	308-13-010	AMD	85-04-029	308-42-200	REP	85-18-087
304-12-220	REP	85-20-032	308-13-015	AMD	85-04-029	308-48-100	AMD-P	85-14-025
304-12-225	REP-P	85-16-065	308-13-020	AMD	85-04-029	308-48-100	AMD	85-19-014
304-12-225	REP	85-20-032	308-13-022	NEW	85-04-029	308-48-320	REP-P	85-15-101
304-12-300	REP-P	85-16-065	308-13-025	NEW	85-04-029	308-48-320	REP-E	85-15-109
304-12-300	REP	85-20-032	308-13-030	REP	85-04-029	308-48-320	REP	85-19-013
304-12-305	REP-P	85-16-065	308-13-032	NEW	85-04-029	308-48-590	AMD-P	85-15-101
304-12-305	REP	85-20-032	308-13-032	AMD-P	85-20-122	308-48-590	AMD	85-19-013
304-12-310	REP-P	85-16-065	308-13-032	AMD	85-23-045	308-48-700	NEW-P	85-18-085
304-12-310	REP	85-20-032	308-13-035	REP-P	85-20-122	308-48-700	NEW	85-21-066
304-12-350	AMD-P	85-16-065	308-13-035	REP	85-23-045	308-48-710	NEW-P	85-18-085
304-12-350	AMD	85-20-032	308-13-040	AMD	85-04-029	308-48-710	NEW	85-21-066
304-25	AMD-P	85-16-066	308-13-050	AMD	85-04-029	308-48-720	NEW-P	85-18-085
304-25	AMD	85-20-033	308-13-070	REP	85-04-029	308-48-720	NEW	85-21-066
304-25-010	AMD-P	85-16-066	308-13-080	REP	85-04-029	308-48-730	NEW-P	85-18-085
304-25-010	AMD	85-20-033	308-13-090	REP	85-04-029	308-48-730	NEW	85-21-066

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-48-740	NEW-P	85-18-085	308-61-027	REP-P	85-20-119
308-48-740	NEW	85-21-066	308-61-030	AMD-P	85-20-119
308-48-750	NEW-P	85-18-085	308-61-040	AMD-P	85-20-119
308-48-750	NEW	85-21-066	308-61-050	AMD-P	85-20-119
308-48-760	NEW-P	85-18-085	308-61-100	REP-P	85-20-119
308-48-760	NEW	85-21-066	308-61-105	NEW-P	85-20-119
308-48-770	NEW-P	85-18-085	308-61-108	NEW-P	85-20-119
308-48-770	NEW	85-21-066	308-61-110	REP-P	85-20-119
308-48-780	NEW-P	85-18-085	308-61-115	NEW-P	85-20-119
308-48-780	NEW	85-21-066	308-61-120	REP-P	85-20-119
308-48-790	NEW-E	85-23-046	308-61-125	NEW-P	85-20-119
308-48-790	NEW-P	86-01-083	308-61-130	REP-P	85-20-119
308-50-060	REP-P	85-06-055	308-61-135	NEW-P	85-20-119
308-50-060	REP	85-10-024	308-61-140	REP-P	85-20-119
308-50-070	REP-P	85-06-055	308-61-145	NEW-P	85-20-119
308-50-070	REP	85-10-024	308-61-150	REP-P	85-20-119
308-50-080	REP-P	85-06-055	308-61-155	REP-P	85-20-119
308-50-080	REP	85-10-024	308-61-158	NEW-P	85-20-119
308-50-270	AMD	85-05-020	308-61-160	REP-P	85-20-119
308-50-300	REP-P	85-06-055	308-61-165	REP-P	85-20-119
308-50-300	REP	85-10-024	308-61-168	NEW-P	85-20-119
308-50-310	AMD-P	85-19-034	308-61-170	REP-P	85-20-119
308-50-310	AMD	85-23-065	308-61-175	NEW-P	85-20-119
308-50-320	AMD-P	85-06-055	308-61-180	REP-P	85-20-119
308-50-320	AMD	85-10-024	308-61-185	NEW-P	85-20-119
308-50-330	AMD-P	85-19-034	308-61-190	NEW-P	85-20-119
308-50-380	NEW	85-05-020	308-61-205	NEW-P	86-01-039
308-50-390	NEW-P	85-06-055	308-61-305	NEW-P	86-01-039
308-50-390	NEW	85-10-024	308-61-400	AMD-P	86-01-039
308-50-400	NEW-P	85-06-055	308-61-405	NEW-P	86-01-039
308-50-400	NEW	85-10-024	308-66-135	NEW-P	86-01-039
308-50-410	NEW-P	85-06-055	308-77-040	AMD-P	85-23-082
308-50-410	NEW	85-10-024	308-77-040	AMD	86-02-058
308-50-420	NEW-P	85-19-034	308-77-045	AMD-P	85-23-082
308-51-190	REP-E	85-15-105	308-77-045	AMD	86-02-058
308-51-190	REP-P	85-16-093	308-77-065	REP-P	85-23-082
308-51-190	REP	85-19-037	308-77-065	REP	86-02-058
308-52-138	AMD	85-03-083	308-78-010	AMD	85-04-027
308-52-255	AMD-P	85-07-066	308-78-010	AMD-P	85-23-082
308-52-255	AMD	85-11-048	308-78-010	AMD	86-02-057
308-52-260	AMD	85-03-084	308-78-040	AMD	85-04-027
308-52-270	AMD	85-03-084	308-78-045	AMD	85-04-027
308-52-270	AMD-P	85-23-081	308-78-050	AMD	85-04-027
308-52-270	AMD-P	85-24-076	308-78-070	AMD	85-04-027
308-52-405	AMD-P	85-19-089	308-78-080	AMD	85-04-027
308-52-405	AMD	85-23-043	308-80-015	NEW-P	86-01-039
308-52-406	AMD-P	85-19-089	308-89-010	NEW-P	85-10-070
308-52-406	AMD	85-23-043	308-89-010	NEW-P	85-17-071
308-52-410	AMD-P	85-19-089	308-89-010	NEW	85-21-034
308-52-410	AMD	85-23-043	308-89-020	NEW-P	85-10-070
308-52-415	AMD-P	85-19-089	308-89-020	NEW-P	85-17-071
308-52-415	AMD	85-23-043	308-89-020	NEW	85-21-034
308-52-500	AMD-P	85-19-089	308-89-030	NEW-P	85-10-070
308-52-500	AMD	85-23-043	308-89-030	NEW	85-16-088
308-52-510	AMD-P	85-19-089	308-89-040	NEW-P	85-10-070
308-52-510	AMD	85-23-043	308-89-040	NEW	85-16-088
308-53-160	REP-P	85-13-079	308-89-050	NEW-P	85-10-070
308-53-160	REP	85-16-054	308-89-050	NEW	85-16-088
308-53-165	AMD-P	85-13-079	308-93-010	AMD-E	85-14-079
308-53-165	AMD	85-16-054	308-93-010	AMD-P	85-16-095
308-53-211	REP	85-04-055	308-93-010	AMD-E	85-19-092
308-53-270	AMD-P	85-13-079	308-93-050	AMD-E	85-14-079
308-53-270	AMD	85-16-054	308-93-050	AMD-P	85-16-095
308-53-290	NEW	85-05-009	308-93-050	AMD-E	85-19-092
308-53-290	REP-P	85-13-079	308-93-050	AMD	85-23-066
308-53-290	REP-E	85-16-053	308-93-060	AMD-E	85-14-079
308-53-290	REP	85-16-054	308-93-060	AMD-P	85-16-095
308-54-180	AMD-P	85-22-078	308-93-060	AMD-E	85-19-092
308-54-180	AMD	86-01-086	308-93-060	AMD	85-23-066
308-55-005	REP-E	85-15-107	308-93-070	AMD-E	85-14-079
308-55-005	REP-P	85-16-094	308-93-070	AMD-P	85-16-095
308-55-005	REP	85-19-041	308-93-070	AMD-E	85-19-092
308-56A-150	AMD-P	85-02-064	308-93-070	AMD	85-23-066
308-56A-150	AMD	85-06-011	308-93-071	NEW-E	85-14-079
308-61-010	AMD-P	85-20-119	308-93-071	NEW-P	85-16-095
308-61-025	AMD-P	85-20-119	308-93-071	NEW-E	85-19-092
308-61-026	NEW-P	85-20-119	308-93-071	NEW	85-23-066
308-93-072	NEW-E	85-14-079	308-93-072	NEW-E	85-14-079
308-93-072	NEW-P	85-16-095	308-93-072	NEW-P	85-16-095
308-93-072	NEW-E	85-19-092	308-93-072	NEW-E	85-19-092
308-93-073	NEW-E	85-14-079	308-93-073	NEW-E	85-14-079
308-93-073	NEW-P	85-16-095	308-93-073	NEW-P	85-16-095
308-93-073	NEW-E	85-19-092	308-93-073	NEW-E	85-19-092
308-93-074	NEW-E	85-14-079	308-93-074	NEW-E	85-14-079
308-93-074	NEW-P	85-16-095	308-93-074	NEW-P	85-16-095
308-93-074	NEW-E	85-19-092	308-93-074	NEW-E	85-19-092
308-93-075	AMD-E	85-14-079	308-93-075	AMD-E	85-14-079
308-93-075	AMD-P	85-16-095	308-93-075	AMD-P	85-16-095
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308-93-076	NEW-E	85-14-079	308-93-076	NEW-E	85-14-079
308-93-076	NEW-P	85-16-095	308-93-076	NEW-P	85-16-095
308-93-076	NEW-E	85-19-092	308-93-076	NEW-E	85-19-092
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308-93-077	NEW-P	85-16-095	308-93-077	NEW-P	85-16-095
308-93-077	NEW	85-23-066	308-93-077	NEW	85-23-066
308-93-135	AMD-E	85-14-079	308-93-135	AMD-E	85-14-079
308-93-135	AMD-P	85-16-095	308-93-135	AMD-P	85-16-095
308-93-135	AMD-E	85-19-092	308-93-135	AMD-E	85-19-092
308-93-190	AMD	85-23-066	308-93-190	AMD	85-23-066
308-93-190	AMD-P	85-14-079	308-93-190	AMD-P	85-14-079
308-93-190	AMD-E	85-19-092	308-93-190	AMD-E	85-19-092
308-93-190	AMD	85-23-066	308-93-210	AMD	85-23-066
308-93-210	AMD-E	85-14-079	308-93-210	AMD-E	85-14-079
308-93-210	AMD-P	85-16-095	308-93-210	AMD-P	85-16-095
308-93-210	AMD-E	85-19-092	308-93-210	AMD-E	85-19-092
308-93-260	REP-E	85-14-079	308-93-260	REP-E	85-14-079
308-93-260	REP-P	85-16-095	308-93-260	REP-P	85-16-095
308-93-260	REP-E	85-19-092	308-93-260	REP-E	85-19-092
308-93-260	REP	85-23-066	308-93-260	REP	85-23-066
308-93-360	AMD-E	85-14-079	308-93-360	AMD-E	85-14-079
308-93-360	AMD-P	85-16-095	308-93-360	AMD-P	85-16-095
308-93-360	AMD-E	85-19-092	308-93-360	AMD-E	85-19-092
308-93-360	AMD	85-23-066	308-93-450	AMD	85-23-066
308-93-450	AMD-E	85-14-079	308-93-450	AMD-E	85-14-079
308-93-450	AMD-P	85-16-095	308-93-450	AMD-P	85-16-095
308-93-450	AMD-E	85-19-092	308-93-450	AMD-E	85-19-092
308-93-450	AMD	85-23-066	308-93-450	AMD	85-23-066
308-93-620	AMD-E	85-14-079	308-93-620	AMD-E	85-14-079
308-93-620	AMD-P	85-16-095	308-93-620	AMD-P	85-16-095
308-93-620	AMD-E	85-19-092	308-93-620	AMD-E	85-19-092
308-93-620	AMD	85-23-066	308-93-620	AMD	85-23-066
308-93-650	AMD-E	85-14-079	308-93-650	AMD-E	85-14-079
308-93-650	AMD-P	85-16-095	308-93-650	AMD-P	85-16-095
308-93-650	AMD-E	85-19-092	308-93-650	AMD-E	85-19-092
308-93-650	AMD	85-23-066	308-93-650	AMD	85-23-066
308-96A-046	AMD-P	85-10-069	308-96A-046	AMD-P	85-10-069
308-96A-046	AMD	85-15-059	308-96A-046	AMD	85-15-059
308-96A-080	NEW-P	85-07-045	308-96A-080	NEW-P	85-07-045
308-96A-080	NEW	85-11-014	308-96A-080	NEW	85-11-014
308-96A-085	NEW-P	85-07-045	308-96A-085	NEW-P	85-07-045
308-96A-085	NEW	85-11-014	308-96A-085	NEW	85-11-014
308-96A-090	NEW-P	85-07-045	308-96A-090	NEW-P	85-07-045
308-96A-090	NEW	85-11-014	308-96A-090	NEW	85-11-014
308-96A-095	NEW-P	85-07-045	308-96A-095	NEW-P	85-07-045
308-96A-095	NEW	85-11-014	308-96A-095	NEW	85-11-014
308-96A-097	NEW-P	85-07-045	308-96A-097	NEW-P	85-07-045
308-96A-097	NEW	85-11-014	308-96A-097	NEW	85-11-014
308-96A-260	AMD-P	86-01-039	308-96A-260	AMD-P	86-01-039
308-99-010	AMD-P	85-13-080	308-99-010	AMD-P	85-13-080
308-99-010	AMD	85-20-080	308-99-010	AMD	85-20-080
308-99-020	AMD-P	85-13-080	308-99-020	AMD-P	85-13-080
308-99-020	AMD	85-20-080	308-99-020	AMD	85-20-080
308-99-025	NEW-P	85-13-080	308-99-025	NEW-P	85-13-080
308-99-025	NEW	85-20-080	308-99-025	NEW	85-20-080
308-99-040	AMD-P	85-13-080	308-99-040	AMD-P	85-13-080
308-99-040	AMD	85-20-080	308-99-040	AMD	85-20-080
308-99-040	AMD-E	85-22-034	308-99-040	AMD-E	85-22-034
308-99-040	AMD-P	85-23-064	308-99-040	AMD-P	85-23-064
308-99-040	AMD	86-02-056	308-99-040	AMD	86-02-056
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308-115-140	AMD	85-23-044	308-120-601	REP-P	85-20-076	308-124H-065	NEW	85-21-035
308-115-150	AMD-P	85-20-124	308-120-601	REP	85-24-024	308-124H-080	NEW-P	85-16-051
308-115-150	AMD	85-23-044	308-120-602	REP-P	85-20-076	308-124H-080	NEW	85-21-035
308-115-190	AMD-P	85-20-124	308-120-602	REP	85-24-024	308-138-055	AMD-P	85-06-009
308-115-190	AMD	85-23-044	308-120-603	REP-P	85-20-076	308-138-055	AMD	85-10-025
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308-115-300	REP-P	85-16-096	308-120-604	REP-P	85-20-076	308-138-300	AMD	85-22-016
308-115-300	REP	85-19-038	308-120-604	REP	85-24-024	308-150	AMD-P	85-22-079
308-117-025	NEW-P	85-18-033	308-120-605	REP-P	85-20-076	308-150	AMD	86-01-085
308-117-025	NEW-P	85-21-103	308-120-605	REP	85-24-024	308-150-009	AMD-P	85-22-079
308-117-025	NEW	86-01-084	308-120-606	REP-P	85-20-076	308-150-009	AMD	86-01-085
308-120-170	AMD-P	85-07-067	308-120-606	REP	85-24-024	308-150-012	REP-P	85-22-079
308-120-170	AMD-C	85-16-050	308-120-607	REP-P	85-20-076	308-150-012	REP	86-01-085
308-120-170	AMD-P	85-20-077	308-120-607	REP	85-24-024	308-150-013	NEW-P	85-22-079
308-120-170	AMD	85-24-027	308-120-608	REP-P	85-20-076	308-150-013	NEW	86-01-085
308-120-300	AMD-P	85-07-067	308-120-608	REP	85-24-024	308-150-014	NEW-P	85-22-079
308-120-300	AMD-C	85-16-050	308-120-700	NEW-P	85-07-068	308-150-014	NEW	86-01-085
308-120-300	AMD-P	85-20-077	308-120-710	NEW-P	85-07-068	308-151-080	AMD	85-03-085
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308-120-305	AMD-C	85-16-050	308-120-800	NEW	85-17-031	308-151-100	AMD	85-07-021
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308-120-315	AMD-P	85-07-067	308-122-030	REMOV		308-153-030	AMD-P	85-14-080
308-120-315	AMD-C	85-16-050	308-122-060	NEW-P	85-24-074	308-153-040	REP-P	85-14-080
308-120-315	AMD-P	85-20-077	308-122-210	REP	85-06-043	308-153-045	NEW-P	85-14-080
308-120-315	AMD	85-24-027	308-122-215	NEW	85-06-043	308-156-070	AMD	85-03-085
308-120-325	AMD-P	85-07-067	308-122-215	AMD-P	85-24-074	308-171-001	NEW-W	85-02-053
308-120-325	AMD-C	85-16-050	308-122-500	AMD-P	85-24-074	308-171-001	NEW-P	85-02-065
308-120-325	AMD-P	85-20-077	308-122-505	AMD-P	85-24-074	308-171-001	NEW	85-05-008
308-120-325	AMD	85-24-027	308-122-525	AMD-P	85-24-074	308-171-001	AMD-P	85-07-070
308-120-335	AMD-P	85-07-067	308-122-600	NEW	85-06-044	308-171-001	AMD	85-12-010
308-120-335	AMD-C	85-16-050	308-122-610	NEW	85-06-044	308-171-010	NEW-W	85-02-053
308-120-335	AMD-P	85-20-077	308-122-620	NEW	85-06-044	308-171-010	NEW-P	85-02-065
308-120-335	AMD	85-24-027	308-122-630	NEW-P	85-16-114	308-171-010	NEW	85-05-008
308-120-345	AMD-P	85-07-067	308-122-630	NEW-P	85-24-074	308-171-020	NEW-W	85-02-053
308-120-345	AMD-C	85-16-050	308-122-640	NEW	85-06-044	308-171-020	NEW-P	85-02-065
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308-120-345	AMD	85-24-027	308-122-640	AMD-P	85-24-074	308-171-030	NEW-P	85-02-063
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308-120-355	REP-C	85-16-050	308-122-660	NEW	85-06-044	308-171-040	NEW-P	85-02-063
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308-120-355	REP	85-24-027	308-122-670	NEW-P	85-24-074	308-171-100	NEW-W	85-02-053
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308-120-360	AMD-C	85-16-050	308-122-690	NEW	85-06-044	308-171-100	NEW	85-05-008
308-120-360	AMD-P	85-20-077	308-122-695	NEW	85-06-044	308-171-101	NEW-W	85-02-053
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308-120-365	AMD-C	85-16-050	308-124C-020	AMD-P	85-16-051	308-171-102	NEW-W	85-02-053
308-120-365	AMD-P	85-20-077	308-124C-020	AMD	85-21-035	308-171-102	NEW-P	85-02-065
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308-120-400	AMD-P	85-20-077	308-124D-100	REP	85-21-036	308-171-200	NEW-W	85-02-053
308-120-400	AMD	85-24-027	308-124E-011	AMD-P	85-16-051	308-171-200	NEW-P	85-02-065
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308-120-410	AMD-P	85-20-077	308-124F-040	NEW	85-21-035	308-171-201	NEW-P	85-02-065
308-120-410	AMD	85-24-027	308-124H-010	AMD-P	85-16-051	308-171-201	NEW	85-05-008
308-120-420	AMD-P	85-07-067	308-124H-010	AMD	85-21-035	308-171-202	NEW-W	85-02-053
308-120-420	AMD-C	85-16-050	308-124H-020	AMD-P	85-16-051	308-171-202	NEW-P	85-02-065
308-120-420	AMD-P	85-20-077	308-124H-020	AMD	85-21-035	308-171-202	NEW	85-05-008
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315-06-090	AMD-P	85-21-107	315-11-082	REP	86-01-061	315-11-161	NEW-P	85-10-075
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315-06-110	AMD-P	85-21-107	315-11-091	REP	86-01-061	315-11-162	NEW	85-13-015
315-06-110	AMD	86-01-060	315-11-092	REP-P	85-21-108	315-11-170	NEW-P	85-10-075
315-06-120	AMD-E	85-13-016	315-11-092	REP	86-01-061	315-11-170	NEW-E	85-11-028
315-06-120	AMD-P	85-13-077	315-11-100	REP-P	85-21-108	315-11-170	NEW	85-13-015
315-06-120	AMD	85-16-031	315-11-100	REP	86-01-061	315-11-171	NEW-P	85-10-075
315-06-120	AMD-P	85-21-107	315-11-101	REP-P	85-21-108	315-11-171	NEW-E	85-11-028
315-06-120	AMD	86-01-060	315-11-101	REP	86-01-061	315-11-171	NEW	85-13-015
315-06-150	AMD-P	85-21-107	315-11-102	REP-P	85-21-108	315-11-172	NEW-P	85-10-075
315-06-150	AMD	86-01-060	315-11-102	REP	86-01-061	315-11-172	NEW-E	85-11-028
315-06-160	AMD-P	85-21-107	315-11-110	REP-P	85-21-108	315-11-172	NEW	85-13-015
315-06-160	AMD	86-01-060	315-11-110	REP	86-01-061	315-11-180	NEW-E	85-19-024
315-06-170	AMD-P	85-21-107	315-11-111	REP-P	85-21-108	315-11-180	NEW-P	85-19-085
315-06-170	AMD	86-01-060	315-11-111	REP	86-01-061	315-11-180	NEW	85-22-057
315-06-180	AMD-P	85-21-107	315-11-112	REP-P	85-21-108	315-11-181	NEW-E	85-19-024
315-06-180	AMD	86-01-060	315-11-112	REP	86-01-061	315-11-181	NEW-P	85-19-085
315-06-190	AMD-P	85-21-107	315-11-120	REP-P	85-21-108	315-11-181	NEW	85-22-057
315-06-190	AMD	86-01-060	315-11-120	REP	86-01-061	315-11-182	NEW-E	85-19-024
315-06-200	AMD-P	85-21-107	315-11-121	REP-P	85-21-108	315-11-182	NEW-P	85-19-085
315-06-200	AMD	86-01-060	315-11-121	REP	86-01-061	315-11-182	NEW	85-22-057
315-10-020	AMD-P	85-21-107	315-11-122	REP-P	85-21-108	315-20-010	AMD-P	85-21-107
315-10-020	AMD	86-01-060	315-11-122	REP	86-01-061	315-20-010	AMD	86-01-060
315-10-030	AMD-P	85-05-058	315-11-130	REP-P	85-21-108	315-20-060	AMD-P	85-21-107
315-10-030	AMD	85-09-004	315-11-130	REP	86-01-061	315-20-060	AMD	86-01-060
315-10-030	AMD-E	85-13-016	315-11-131	REP-P	85-21-108	315-30-020	AMD-P	85-05-058
315-10-030	AMD-P	85-13-077	315-11-131	REP	86-01-061	315-30-020	AMD	85-09-004
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315-10-030	AMD-E	85-19-024	315-11-132	REP	86-01-061	315-30-020	AMD	86-01-060
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315-10-060	AMD-P	85-21-107	315-11-137	REP-P	85-21-108	315-30-050	AMD-E	85-16-032
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315-10-070	AMD-E	85-13-016	315-11-138	REP-P	85-21-108	315-30-050	AMD	85-22-057
315-10-070	AMD-P	85-13-077	315-11-138	REP	86-01-061	315-30-060	AMD-P	85-05-058
315-10-070	AMD	85-16-031	315-11-139	REP-P	85-21-108	315-30-060	AMD	85-09-004
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315-11-020	REP	86-01-061	315-11-140	NEW	85-07-005	315-30-070	AMD-P	85-21-107
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315-11-051	REP	86-01-061	315-11-142	REP-P	85-21-108	315-31-050	AMD-P	85-21-107
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315-11-061	REP	86-01-061	315-11-150	REP	86-01-061	315-32-010	AMD-E	85-21-072
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388-18-050	NEW	85-03-069	388-18-050	NEW	85-03-069
388-18-060	NEW	85-03-069	388-18-060	NEW	85-03-069
388-18-070	NEW	85-03-069	388-18-070	NEW	85-03-069
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388-24-051	NEW-P	85-13-049	388-24-051	NEW-P	85-13-049
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388-24-254	NEW-E	85-16-044	388-24-254	NEW-E	85-16-044
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388-54-605	AMD	85-11-033	388-70-047	REP	85-13-062
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392-123-054	AMD 85-15-110	392-127-395	AMD 85-19-006	392-171-358	AMD-P 85-23-080
392-123-072	AMD-P 85-13-072	392-127-550	AMD-P 85-15-092	392-171-366	AMD-P 85-23-080
392-123-072	AMD 85-15-110	392-127-550	AMD 85-19-006	392-171-371	AMD-P 85-23-080
392-123-076	AMD-P 85-13-072	392-127-565	AMD-P 85-15-092	392-171-512	NEW-P 85-23-080
392-123-076	AMD 85-15-110	392-127-565	AMD 85-19-006	392-171-513	NEW-P 85-23-080
392-123-078	AMD-P 85-13-072	392-127-650	AMD-P 85-15-092	392-171-514	NEW-P 85-23-080
392-123-078	AMD 85-15-110	392-127-650	AMD 85-19-006	392-171-516	AMD-P 85-23-080
392-123-079	AMD-P 85-13-072	392-127-665	AMD-P 85-15-092	392-171-517	NEW-P 85-23-080
392-123-079	AMD 85-15-110	392-127-665	AMD 85-19-006	392-171-518	NEW-P 85-23-080
392-123-115	AMD-P 85-13-072	392-129	AMD-C 85-05-012	392-171-519	NEW-P 85-23-080
392-123-115	AMD 85-15-110	392-129-030	NEW-E 85-04-046	392-171-531	AMD-P 85-23-080
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392-123-125	AMD 85-15-110	392-129-030	NEW 85-09-019	392-182-005	NEW 85-21-077
392-125-012	AMD-P 85-13-071	392-129-030	REP-P 85-21-096	392-182-010	NEW 85-21-077
392-125-012	AMD 85-15-111	392-134-001	REP 86-01-020	392-182-015	NEW 85-21-077
392-125-015	AMD-P 85-13-071	392-134-002	NEW-P 85-21-096	392-182-020	NEW 85-21-077
392-125-015	AMD 85-15-111	392-134-002	NEW 86-01-020	392-183-005	NEW-P 85-17-006
392-125-020	AMD-P 85-13-071	392-134-003	NEW-P 85-21-096	392-183-005	NEW-E 85-17-008
392-125-020	AMD 85-15-111	392-134-003	NEW 86-01-020	392-183-010	NEW-P 85-17-006
392-125-030	AMD-P 85-13-071	392-134-005	AMD-P 85-21-096	392-183-010	NEW-E 85-17-008
392-125-030	AMD 85-15-111	392-134-005	AMD 86-01-020	392-183-015	NEW-P 85-17-006
392-125-035	AMD-P 85-13-071	392-134-015	AMD-P 85-21-096	392-183-015	NEW-E 85-17-008
392-125-035	AMD 85-15-111	392-134-015	AMD 86-01-020	392-183-020	NEW-P 85-17-006
392-125-036	AMD-P 85-13-071	392-134-020	AMD-P 85-21-096	392-183-020	NEW-E 85-17-008
392-125-036	AMD 85-15-111	392-134-020	AMD 86-01-020	392-193-005	NEW-P 85-17-005
392-125-045	AMD-P 85-13-071	392-140-042	NEW-P 85-21-097	392-193-005	NEW-E 85-17-007
392-125-045	AMD 85-15-111	392-140-042	NEW 86-01-019	392-193-005	NEW 85-21-043
392-125-065	AMD-P 85-13-071	392-140-043	NEW-P 85-21-097	392-193-010	NEW-P 85-17-005
392-125-065	AMD 85-15-111	392-140-043	NEW 86-01-019	392-193-010	NEW-E 85-17-007
392-125-075	REP-P 85-13-071	392-140-044	NEW-P 85-21-097	392-193-010	NEW 85-21-043
392-126-120	AMD-P 85-21-082	392-140-044	NEW 86-01-019	392-193-020	NEW-P 85-17-005
392-126-120	AMD 86-01-023	392-140-045	REP-P 85-21-097	392-193-020	NEW-E 85-17-007
392-126-245	AMD-P 85-21-082	392-140-045	REP 86-01-019	392-193-020	NEW 85-21-043
392-126-245	AMD 86-01-023	392-140-046	AMD-P 85-21-097	392-193-025	NEW-P 85-17-005
392-126-250	AMD-P 85-21-082	392-140-046	AMD 86-01-019	392-193-025	NEW-E 85-17-007
392-126-250	AMD 86-01-023	392-140-047	AMD-P 85-21-097	392-193-025	NEW 85-21-043
392-126-255	AMD-P 85-21-082	392-140-047	AMD 86-01-019	392-193-030	NEW-P 85-17-005
392-126-255	AMD 86-01-023	392-140-048	AMD-P 85-21-097	392-193-030	NEW-E 85-17-007
392-126-260	AMD-P 85-21-082	392-140-048	AMD 86-01-019	392-193-030	NEW 85-21-043
392-126-260	AMD 86-01-023	392-140-049	AMD-P 85-21-097	392-193-035	NEW-P 85-17-005
392-126-265	AMD-P 85-21-082	392-140-049	AMD 86-01-019	392-193-035	NEW-E 85-17-007
392-126-265	AMD 86-01-023	392-140-050	AMD-P 85-21-097	392-193-035	NEW 85-21-043
392-126-285	AMD-P 85-21-082	392-140-050	AMD 86-01-019	392-193-045	NEW-P 85-17-005
392-126-285	AMD 86-01-023	392-140-051	AMD-P 85-21-097	392-193-045	NEW-E 85-17-007
392-126-336	NEW-P 85-21-082	392-140-051	AMD 86-01-019	392-193-045	NEW 85-21-043
392-126-336	NEW 86-01-023	392-140-052	AMD-P 85-21-097	392-193-050	NEW-P 85-17-005
392-126-350	REP-P 85-21-082	392-140-052	AMD 86-01-019	392-193-050	NEW-E 85-17-007
392-126-350	REP 86-01-023	392-140-053	AMD-P 85-21-097	392-193-050	NEW 85-21-043
392-126-355	AMD-P 85-21-082	392-140-053	AMD 86-01-019	392-193-055	NEW-P 85-17-005
392-126-355	AMD 86-01-023	392-140-054	AMD-P 85-21-097	392-193-055	NEW-E 85-17-007
392-126-360	AMD-P 85-21-082	392-140-054	AMD 86-01-019	392-193-055	NEW 85-21-043
392-126-360	AMD 86-01-023	392-140-055	AMD-P 85-21-097	392-193-060	NEW-P 85-17-005
392-126-365	AMD-P 85-21-082	392-140-055	AMD 86-01-019	392-193-060	NEW-E 85-17-007
392-126-365	AMD 86-01-023	392-140-056	AMD-P 85-21-097	392-193-060	NEW 85-21-043
392-126-385	AMD-P 85-21-082	392-140-056	AMD 86-01-019	392-196-005	NEW-P 85-17-023
392-126-385	AMD 86-01-023	392-140-057	AMD-P 85-21-097	392-196-005	NEW-E 85-17-024
392-126-505	AMD-P 85-21-082	392-140-057	AMD 86-01-019	392-196-010	NEW 85-21-052
392-126-505	AMD 86-01-023	392-140-058	AMD-P 85-21-097	392-196-010	NEW-E 85-17-024
392-126-620	AMD-P 85-21-082	392-140-058	AMD 86-01-019	392-196-010	NEW 85-21-052
392-126-620	AMD 86-01-023	392-140-059	AMD-P 85-21-097	392-196-015	NEW-P 85-17-023
392-126-700	AMD-P 85-21-082	392-140-059	AMD 86-01-019	392-196-015	NEW-E 85-17-024
392-126-700	AMD 86-01-023	392-140-060	REP-P 85-21-097	392-196-015	NEW 85-21-052
392-126-705	AMD-P 85-21-082	392-140-060	REP 86-01-019	392-196-015	NEW 85-21-052
392-126-705	AMD 86-01-023	392-140-061	AMD-P 85-21-097	392-196-020	NEW-P 85-17-023
392-126-710	AMD-P 85-21-082	392-140-061	AMD 86-01-019	392-196-020	NEW-E 85-17-024
392-126-710	AMD 86-01-023	392-140-062	AMD-P 85-21-097	392-196-020	NEW 85-21-052
392-126-820	AMD-P 85-21-082	392-140-062	AMD 86-01-019	392-196-025	NEW-P 85-17-023
392-126-820	AMD 86-01-023	392-140-063	AMD-P 85-21-097	392-196-025	NEW-E 85-17-024
392-127-010	AMD-P 85-15-092	392-140-063	AMD 86-01-019	392-196-025	NEW 85-21-052
392-127-010	AMD 85-19-006	392-140-064	AMD-P 85-21-097	392-196-030	NEW-P 85-17-023
392-127-260	AMD-P 85-15-092	392-140-064	AMD 86-01-019	392-196-030	NEW-E 85-17-024
392-127-260	AMD 85-19-006	392-140-065	NEW-P 85-21-097	392-196-030	NEW 85-21-052
392-127-295	AMD-P 85-15-092	392-140-065	NEW 86-01-019	392-196-035	NEW-P 85-17-023
392-127-295	AMD 85-19-006	392-140-066	NEW-P 85-21-097	392-196-035	NEW-E 85-17-024
392-127-360	AMD-P 85-15-092	392-140-066	NEW 86-01-019	392-196-035	NEW 85-21-052
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392-196-040	NEW	85-21-052	399-20-060	NEW-P	85-21-083	400-06-090	NEW-E	86-01-012
392-196-045	NEW-P	85-17-023	399-20-060	NEW-E	85-21-084	400-06-100	NEW-P	85-22-076
392-196-045	NEW-E	85-17-024	399-20-060	NEW	85-24-072	400-06-100	NEW-E	86-01-012
392-196-045	NEW	85-21-052	399-20-070	NEW-P	85-21-083	400-06-110	NEW-P	85-22-076
392-196-050	NEW-P	85-17-023	399-20-070	NEW-E	85-21-084	400-06-110	NEW-E	86-01-012
392-196-050	NEW-E	85-17-024	399-20-070	NEW	85-24-072	400-06-120	NEW-P	85-22-076
392-196-050	NEW	85-21-052	399-20-080	NEW-P	85-21-083	400-06-120	NEW-E	86-01-012
392-196-055	NEW-P	85-17-023	399-20-080	NEW-E	85-21-084	400-06-130	NEW-P	85-22-076
392-196-055	NEW-E	85-17-024	399-20-080	NEW	85-24-072	400-06-130	NEW-E	86-01-012
392-196-055	NEW	85-21-052	399-20-090	NEW-P	85-21-083	400-06-140	NEW-P	85-22-076
392-196-060	NEW-P	85-17-023	399-20-090	NEW-E	85-21-084	400-06-140	NEW-E	86-01-012
392-196-060	NEW-E	85-17-024	399-20-090	NEW	85-24-072	400-06-150	NEW-P	85-22-076
392-196-060	NEW	85-21-052	399-20-100	NEW-P	85-21-083	400-06-150	NEW-E	86-01-012
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392-196-065	NEW-E	85-17-024	399-20-100	NEW	85-24-072	400-06-160	NEW-E	86-01-012
392-196-065	NEW	85-21-052	399-20-110	NEW-P	85-21-083	400-06-170	NEW-P	85-22-076
392-196-070	NEW-P	85-17-023	399-20-110	NEW-E	85-21-084	400-06-170	NEW-E	86-01-012
392-196-070	NEW-E	85-17-024	399-20-110	NEW	85-24-072	400-06-180	NEW-P	85-22-076
392-196-070	NEW	85-21-052	399-20-120	NEW-P	85-21-083	400-06-180	NEW-E	86-01-012
392-196-075	NEW-P	85-17-023	399-20-120	NEW-E	85-21-084	419-14-030	AMD-P	85-03-050
392-196-075	NEW-E	85-17-024	399-20-120	NEW	85-24-072	419-14-030	AMD	85-07-009
392-196-075	NEW	85-21-052	399-30-010	NEW-P	85-21-083	419-14-040	AMD-P	85-03-050
392-196-080	NEW-P	85-17-023	399-30-010	NEW-E	85-21-084	419-14-040	AMD	85-07-009
392-196-080	NEW-E	85-17-024	399-30-010	NEW	85-24-072	419-14-075	AMD-E	85-03-023
392-196-080	NEW	85-21-052	399-30-020	NEW-P	85-21-083	419-14-075	AMD-P	85-03-049
392-196-085	NEW-P	85-17-023	399-30-020	NEW-E	85-21-084	419-14-075	AMD	85-07-010
392-196-085	NEW-E	85-17-024	399-30-020	NEW	85-24-072	419-14-100	AMD-P	85-03-050
392-196-085	NEW	85-21-052	399-30-030	NEW-P	85-21-083	419-14-100	AMD	85-07-009
392-196-090	NEW-P	85-17-023	399-30-030	NEW-E	85-21-084	419-14-110	AMD-P	85-03-050
392-196-090	NEW-E	85-17-024	399-30-030	NEW	85-24-072	419-14-110	AMD	85-07-009
392-196-090	NEW	85-21-052	399-30-040	NEW-P	85-21-083	419-18-030	AMD-P	85-03-051
392-210-005	NEW-P	85-21-098	399-30-040	NEW-E	85-21-084	419-18-030	AMD	85-07-008
392-210-005	NEW	86-01-018	399-30-040	AMD-E	85-24-035	419-18-040	AMD-P	85-03-051
392-210-010	NEW-P	85-21-098	399-30-040	NEW-P	85-24-071	419-18-040	AMD	85-07-008
392-210-010	NEW	86-01-018	399-30-050	NEW-P	85-21-083	419-18-060	AMD-P	85-03-051
392-210-015	NEW-P	85-21-098	399-30-050	NEW-E	85-21-084	419-18-060	AMD	85-07-008
392-210-015	NEW	86-01-018	399-30-050	NEW	85-24-072	419-18-070	AMD-P	85-03-051
392-210-020	NEW-P	85-21-098	399-30-060	NEW-P	85-21-083	419-18-070	AMD	85-07-008
392-210-020	NEW	86-01-018	399-30-060	NEW-E	85-21-084	419-36-090	NEW-E	85-19-011
392-210-025	NEW-P	85-21-098	399-30-060	NEW	85-24-072	419-36-090	NEW-P	85-19-028
392-210-025	NEW	86-01-018	399-40-010	NEW-P	85-21-083	419-36-090	NEW-P	85-24-021
392-210-030	NEW-P	85-21-098	399-40-010	NEW-E	85-21-084	419-36-090	NEW-E	85-24-022
392-210-030	NEW	86-01-018	399-40-010	NEW	85-24-072	434-15-010	NEW-P	85-10-063
392-210-035	NEW-P	85-21-098	399-40-020	NEW-P	85-21-083	434-15-010	NEW	85-13-017
392-210-035	NEW	86-01-018	399-40-020	NEW-E	85-21-084	434-15-020	NEW-P	85-10-063
392-210-040	NEW-P	85-21-098	399-40-020	NEW	85-24-072	434-15-020	NEW	85-13-017
392-210-040	NEW	86-01-018	400-04-010	NEW-P	85-22-075	434-15-030	NEW-P	85-10-063
392-210-045	NEW-P	85-21-098	400-04-010	NEW-E	86-01-013	434-15-030	NEW	85-13-017
392-210-045	NEW	86-01-018	400-04-020	NEW-P	85-22-075	434-15-040	NEW-P	85-10-063
392-210-050	NEW-P	85-21-098	400-04-020	NEW-E	86-01-013	434-15-040	NEW	85-13-017
392-210-050	NEW	86-01-018	400-04-040	NEW-P	85-22-075	434-15-050	NEW-P	85-10-063
392-210-055	NEW-P	85-21-098	400-04-040	NEW-E	86-01-013	434-15-050	NEW	85-13-017
392-210-055	NEW	86-01-018	400-04-504	NEW-P	85-22-075	434-15-060	NEW-P	85-10-063
399-10-010	NEW-P	85-21-083	400-04-504	NEW-E	86-01-013	434-15-060	NEW	85-13-017
399-10-010	NEW-E	85-21-084	400-04-510	NEW-P	85-22-075	434-15-070	NEW-P	85-10-063
399-10-010	NEW	85-24-072	400-04-510	NEW-E	86-01-013	434-15-070	NEW	85-13-017
399-10-020	NEW-P	85-21-083	400-04-680	NEW-P	85-22-075	434-15-080	NEW-P	85-10-063
399-10-020	NEW-E	85-21-084	400-04-680	NEW-E	86-01-013	434-15-080	NEW	85-13-017
399-10-020	NEW	85-24-072	400-04-902	NEW-P	85-22-075	434-15-090	NEW-P	85-10-063
399-10-030	NEW-P	85-21-083	400-04-902	NEW-E	86-01-013	434-15-090	NEW	85-13-017
399-10-030	NEW-E	85-21-084	400-04-910	NEW-P	85-22-075	434-15-100	NEW-P	85-10-063
399-10-030	NEW	85-24-072	400-04-910	NEW-E	86-01-013	434-15-100	NEW	85-13-017
399-20-010	NEW-P	85-21-083	400-04-995	NEW-P	85-22-075	434-15-110	NEW-P	85-10-063
399-20-010	NEW-E	85-21-084	400-04-995	NEW-E	86-01-013	434-15-110	NEW	85-13-017
399-20-010	NEW	85-24-072	400-06-010	NEW-P	85-22-076	434-15-120	NEW-P	85-10-063
399-20-020	NEW-P	85-21-083	400-06-010	NEW-E	86-01-012	434-15-120	NEW	85-13-017
399-20-020	NEW-E	85-21-084	400-06-020	NEW-P	85-22-076	434-15-130	NEW-P	85-10-063
399-20-020	NEW	85-24-072	400-06-020	NEW-E	86-01-012	434-15-130	NEW	85-13-017
399-20-030	NEW-P	85-21-083	400-06-030	NEW-P	85-22-076	434-15-140	NEW-P	85-10-063
399-20-030	NEW-E	85-21-084	400-06-030	NEW-E	86-01-012	434-15-140	NEW	85-13-017
399-20-030	NEW	85-24-072	400-06-050	NEW-P	85-22-076	434-15-150	NEW-P	85-10-063
399-20-040	NEW-P	85-21-083	400-06-050	NEW-E	86-01-012	434-15-150	NEW	85-13-017
399-20-040	NEW-E	85-21-084	400-06-060	NEW-P	85-22-076	434-15-990	NEW-P	85-10-063
399-20-040	NEW	85-24-072	400-06-060	NEW-E	86-01-012	434-15-990	NEW	85-13-017
399-20-050	NEW-P	85-21-083	400-06-070	NEW-P	85-22-076	434-15-99001	NEW-P	85-10-063
399-20-050	NEW-E	85-21-084	400-06-070	NEW-E	86-01-012	434-15-99001	NEW	85-13-017

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434-57-030	NEW-P	85-14-115	448-12-310	REP-P	86-01-067	458-08-130	NEW-C	85-22-005
434-57-030	NEW	85-18-003	448-12-310	REP-E	86-01-068	458-08-130	NEW	85-23-049
440-44	AMD-C	85-13-002	448-12-320	NEW-P	85-05-041	458-08-140	NEW-P	85-16-100
440-44-035	AMD-P	85-09-054	448-12-320	NEW	85-08-012	458-08-140	NEW-E	85-16-101
440-44-035	AMD	85-12-029	448-12-320	AMD-P	86-01-067	458-08-140	NEW-C	85-19-069
440-44-040	AMD-P	85-09-054	448-12-320	AMD-E	86-01-068	458-08-140	NEW-C	85-22-005
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440-44-050	AMD-P	85-09-054	448-12-330	NEW	85-08-012	458-08-150	NEW-P	85-16-100
440-44-050	AMD	85-13-007	448-12-330	AMD-P	86-01-067	458-08-150	NEW-E	85-16-101
440-44-050	AMD-P	85-15-022	448-12-330	AMD-E	86-01-068	458-08-150	NEW-C	85-19-069
440-44-050	AMD-E	85-16-064	448-12-340	NEW-P	85-05-041	458-08-150	NEW-C	85-22-005
440-44-050	AMD	85-20-021	448-12-340	NEW	85-08-012	458-08-150	NEW	85-23-049
440-44-057	AMD-P	85-02-058	448-12-340	AMD-P	86-01-067	458-08-160	NEW-P	85-16-100
440-44-057	AMD-E	85-02-059	448-12-340	AMD-E	86-01-068	458-08-160	NEW-E	85-16-101
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440-44-057	AMD	85-13-007	458-08-010	NEW-C	85-19-069	458-08-160	NEW	85-23-049
440-44-058	NEW-P	85-09-054	458-08-010	NEW-C	85-22-005	458-08-170	NEW-P	85-16-100
440-44-058	NEW	85-13-007	458-08-010	NEW	85-23-049	458-08-170	NEW-E	85-16-101
440-44-060	AMD-P	85-15-022	458-08-020	NEW-P	85-16-100	458-08-170	NEW-C	85-19-069
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440-44-060	AMD	85-20-021	458-08-020	NEW-C	85-19-069	458-08-170	NEW	85-23-049
440-44-061	NEW-P	85-15-022	458-08-020	NEW-C	85-22-005	458-08-180	NEW-P	85-16-100
440-44-061	NEW-E	85-16-064	458-08-020	NEW	85-23-049	458-08-180	NEW-E	85-16-101
440-44-061	NEW	85-20-021	458-08-030	NEW-P	85-16-100	458-08-180	NEW-C	85-19-069
440-44-065	AMD-P	85-09-054	458-08-030	NEW-E	85-16-101	458-08-180	NEW-C	85-22-005
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446-50-080	AMD-P	85-16-003	458-08-050	NEW-C	85-22-005	458-08-210	NEW-P	85-16-100
446-50-080	AMD	85-20-070	458-08-050	NEW	85-23-049	458-08-210	NEW-E	85-16-101
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448-12-210	NEW	85-08-012	458-08-060	NEW-E	85-16-101	458-08-210	NEW-C	85-22-005
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448-12-230	AMD-E	86-01-068	458-08-080	NEW-E	85-16-101	458-08-230	NEW-C	85-22-005
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