

JULY 21, 1993

OLYMPIA, WASHINGTON

ISSUE 93-14



IN THIS ISSUE

Accountancy, Board of
Archives and Records Management,
Division of
Attorney General, Office of the
Building Code Council
Central Washington University
Chiropractic Examiners, Board of
Columbia River Gorge Commission
Community and Technical Colleges,
State Board for
County Road Administration Board
Eastern Washington University
Ecology, Department of
Fisheries, Department of
Forest Practices Board
Health Care Authority
Health, Department of
Higher Education Coordinating Board
Higher Education Personnel Board
Highline Community College
Horse Racing Commission
Insurance Commissioner, Office of
Licensing, Department of
Marine Safety, Office of
Maritime Commission

Massage, Board of
Natural Resources, Department of
Olympic College
Parks and Recreation Commission
Personnel Board
Personnel, Department of
Personnel Resources Board
Pharmacy, Board of
Puget Sound Air Pollution Control Agency
Revenue, Department of
Secretary of State
Social and Health Services, Department of
Spokane County Air Pollution Control
Authority
Tacoma Community College
Trade and Economic Development,
Department of
Transportation Commission
Transportation, Department of
Transportation Improvement Board
University of Washington
Utilities and Transportation Commission
Western Washington University
Whatcom Community College
Wildlife, Department of

(Subject/Agency Index at back of issue)
This issue contains documents officially
filed not later than July 7, 1993

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

REPUBLICATION OF OFFICIAL DOCUMENTS

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

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

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

The maximum allowable interest rate applicable for the month of July 1993 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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

WASHINGTON STATE REGISTER

(ISSN 0164-6389) is published twice each month by the Statute Law Committee, Office of the Code Reviser, Olympia, WA 98504, pursuant to RCW 34.08.020. Subscription rate is \$161.85 per year, sales tax included, post-paid to points in the United States. Second-class postage paid at Olympia, Washington.

POSTMASTER: SEND ADDRESS CHANGES TO:

WASHINGTON STATE REGISTER
Code Reviser's Office
Legislative Building
Olympia, WA 98504

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

Raymond W. Haman
Chairman, Statute Law Committee

Dennis W. Cooper
Code Reviser

Gary Reid
Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following six sections:

- (a) **PROPOSED**-includes the full text of preproposal comments, original proposals, continuances, supplemental notices, and withdrawals.
- (b) **PERMANENT**-includes the full text of permanently adopted rules.
- (c) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (d) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (e) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (f) **INDEX**-includes a combined subject matter and agency index.

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

2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

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

4. EFFECTIVE DATE IF RULES

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

5. EDITORIAL CORRECTIONS

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

1992 - 1993
DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² 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 on or after</i>
92-16	Jul 8	Jul 22	Aug 5	Aug 19	Sep 8
92-17	Jul 22	Aug 5	Aug 19	Sep 2	Sep 22
92-18	Aug 5	Aug 19	Sep 2	Sep 16	Oct 6
92-19	Aug 26	Sep 9	Sep 23	Oct 7	Oct 27
92-20	Sep 9	Sep 23	Oct 7	Oct 21	Nov 10
92-21	Sep 23	Oct 7	Oct 21	Nov 4	Nov 24
92-22	Oct 7	Oct 21	Nov 4	Nov 18	Dec 8
92-23	Oct 21	Nov 4	Nov 18	Dec 2	Dec 22
92-24	Nov 4	Nov 18	Dec 2	Dec 16	Jan 5, 1993
93-01	Nov 25	Dec 9	Dec 23, 1992	Jan 6, 1993	Jan 26
93-02	Dec 9	Dec 23, 1992	Jan 6, 1993	Jan 20	Feb 9
93-03	Dec 23, 1992	Jan 6, 1993	Jan 20	Feb 3	Feb 23
93-04	Jan 6	Jan 20	Feb 3	Feb 17	Mar 9
93-05	Jan 20	Feb 3	Feb 17	Mar 3	Mar 23
93-06	Feb 3	Feb 17	Mar 3	Mar 17	Apr 6
93-07	Feb 24	Mar 10	Mar 24	Apr 7	Apr 27
93-08	Mar 10	Mar 24	Apr 7	Apr 21	May 11
93-09	Mar 24	Apr 7	Apr 21	May 5	May 25
93-10	Apr 7	Apr 21	May 5	May 19	Jun 8
93-11	Apr 21	May 5	May 19	Jun 2	Jun 22
93-12	May 5	May 19	Jun 2	Jun 16	Jul 6
93-13	May 26	Jun 9	Jun 23	Jul 7	Jul 27
93-14	Jun 9	Jun 23	Jul 7	Jul 21	Aug 10
93-15	Jun 23	Jul 7	Jul 21	Aug 4	Aug 24
93-16	Jul 7	Jul 21	Aug 4	Aug 18	Sep 7
93-17	Jul 21	Aug 4	Aug 18	Sep 1	Sep 21
93-18	Aug 4	Aug 18	Sep 1	Sep 15	Oct 5
93-19	Aug 25	Sep 8	Sep 22	Oct 6	Oct 26
93-20	Sep 8	Sep 22	Oct 6	Oct 20	Nov 9
93-21	Sep 22	Oct 6	Oct 20	Nov 3	Nov 23
93-22	Oct 6	Oct 20	Nov 3	Nov 17	Dec 7
93-23	Oct 20	Nov 3	Nov 17	Dec 1	Dec 21
93-24	Nov 3	Nov 17	Dec 1	Dec 15	Jan 4, 1994

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

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

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

Regulatory Fairness Act

The Regulatory Fairness Act, chapter 19.85 RCW, was adopted in 1982 to minimize the impacts of state regulations on small business. RCW 43.31.025 defines small business as "any business entity (including a sole proprietorship, corporation, partnership, or other legal entity) which is owned and operated independently from all other businesses, which has the purpose of making a profit, and which has fifty or fewer employees." The act requires review and mitigation of proposed rules that have an economic impact on more than 20 percent of the businesses of all industries or more than 10 percent of the businesses in any one industry (as defined by any three-digit SIC code).

When the above criteria is met, agencies must prepare a small business economic impact statement (SBEIS) that identifies and analyzes compliance costs and determines whether proposed rules impact small businesses disproportionately when compared to large businesses. When a proportionately higher burden is imposed on small businesses, agencies must mitigate those impacts. All permanent rules adopted under the Administrative Procedure Act, chapter 34.05 RCW, are subject to review to determine if the requirements of the Regulatory Fairness Act apply. Impact statements are filed with the Office of the Code Reviser as part of the required notice of hearing.

AN SBEIS IS REQUIRED

When:

The proposed rule has any economic impact on more than 20 percent of all industries or more than 10 percent of any one industry; or

The proposed rule IMPOSES costs to business that are not minor and negligible.

AN SBEIS IS NOT REQUIRED

When:

The rule is proposed only to comply or conform with a Federal law or regulation;

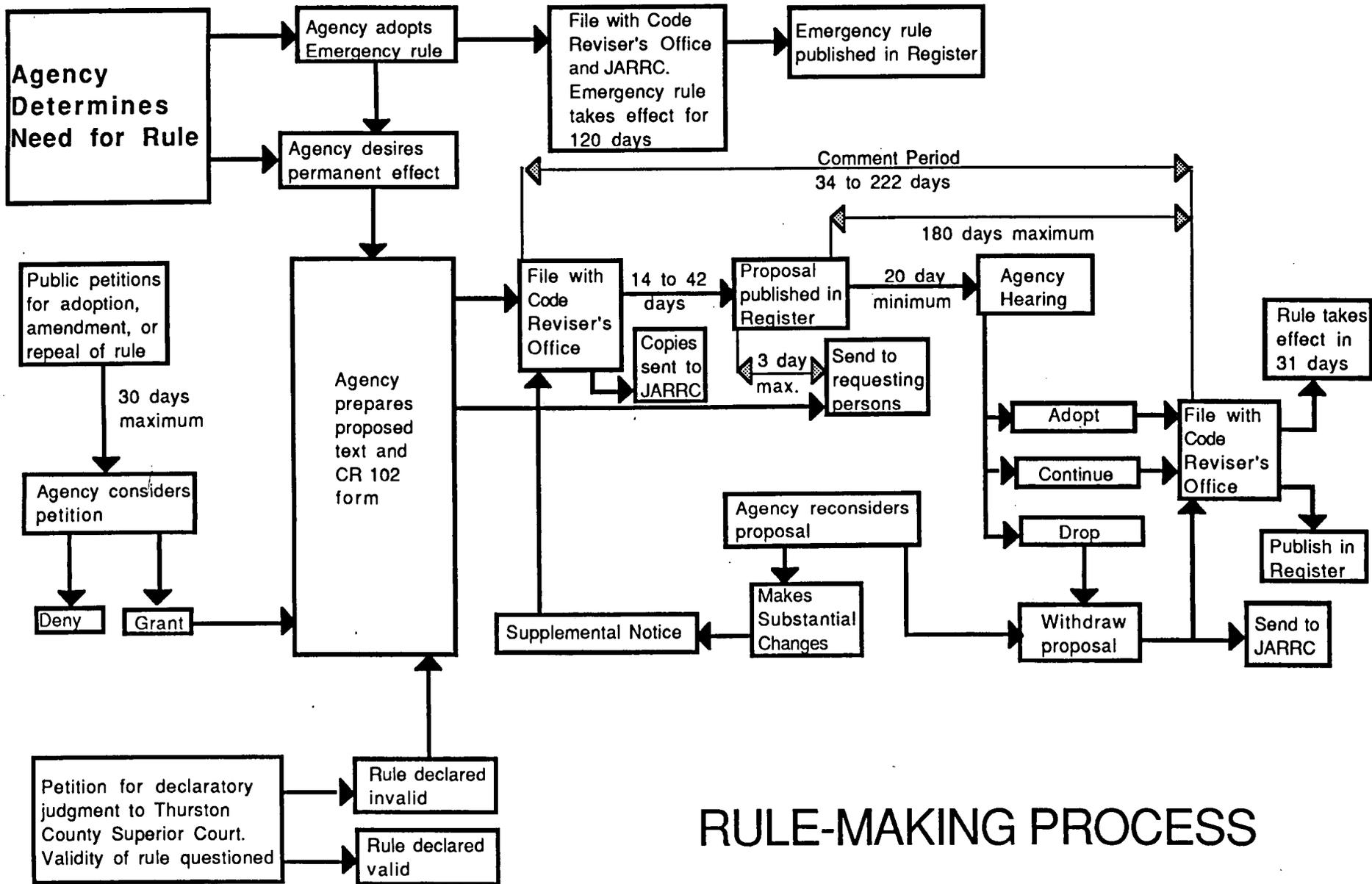
There is no economic impact on business;

The rule REDUCES costs to business;

There is only minor or negligible economic impact;

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

The rule is pure restatement of statute.



RULE-MAKING PROCESS

WSR 93-13-076
PROPOSED RULES
OLYMPIC AIR POLLUTION
CONTROL AUTHORITY

[Filed June 17, 1993, 2:57 p.m.]

Original Notice.

Title of Rule: Regulation 1, Article 5, Registration; and Regulation 1, Article 6, Operating Permits.

Purpose: Amending Article 5, requires air contaminant sources to register annually with OAPCA; and new section Article 6, requires all major sources to apply for and obtain a 5 year renewable operating permit.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Statute Being Implemented: Registration program, RCW 70.94.151; and Operating permit program, RCW 70.94.161.

Summary: Article 5, Section 5.04 was amended to incorporate an increase in annual registration fees and to achieve consistency with RCW 70.94.151. Article 6 establishes an operating permit program pursuant to RCW 70.94.161. Article 5 and 6 may be included in the Washington State implementation plan.

Reasons Supporting Proposal: RCW 70.94.151 requires that the registration program be self supporting through funding from annual fees. Renewable operating permits are required by law.

Name of Agency Personnel Responsible for Drafting: Mark Goodin, 909 Sleater Kinney, Lacey, 483-8768 ext. 108; Implementation: Jim Wilson, 909 Sleater Kinney, Lacey, 438-8768 ext. 101; and Enforcement: Jim Werner, 909 Sleater Kinney, Lacey, 438-8768 ext. 105.

Name of Proponent: Olympic Air Pollution Control Authority, governmental.

Rule is necessary because of federal law, Title V of the 1990 Clean Air Act.

Explanation of Rule, its Purpose, and Anticipated Effects: Article 5, currently in Regulation 1, Article 5 establishes OAPCA's registration program which is an ongoing program for maintaining a current and accurate record of all air contaminant sources and their status of compliance with applicable air quality regulations and standards. Article 5 requires sources to register annually with OAPCA and pay annual fees. Article 5 was amended to increase the annual fees charged to sources and to include an additional requirement that sources devise and implement an operation and maintenance plan for maintaining air pollution control devices and to minimize air contaminant emissions where feasible. Article 6, pursuant to RCW 70.94.161, Article 6 was added to Regulation 1 to establish an Operating Permit program. Article 6 requires that major sources of air contaminant emissions apply for and obtain a five year renewable operating permit.

Proposal Changes the Following Existing Rules: Amendments to Article 5 fee provisions result in increased fees for all sources requiring registration under Article 5.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Olympic Air Pollution Control Authority, 909 Sleater Kinney Road S.E. #1, Lacey, WA 98503, on August 11, 1993, at 10:15 a.m.

Submit Written Comments to: Olympic Air Pollution Control Authority, 909 Sleater Kinney Road S.E. #1, Lacey, WA 98503, by August 11, 1993.

Date of Intended Adoption: August 11, 1993.

June 14, 1993

Mark Goodin

Mechanical Engineer

ARTICLE 5 REGISTRATION

NEW SECTION

SECTION 5.00 DEFINITIONS

For purposes of Article 5, the following definitions apply.

ACTUAL EMISSIONS means the actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) and (b) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during a one-year period which precedes the particular date and which is representative of normal source operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) The Authority may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.

AIR CONTAMINANT means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof. "Air pollutant" means the same as "air contaminant."

AIR CONTAMINANT GENERATING EQUIPMENT means, for purposes of calculating Article 5 fees, any equipment or process capable of generating or emitting air contaminants except for the equipment and processes listed in (a) through (g) below:

(a) Gasoline or other fuel storage tanks located at dispensing facilities as defined in Article 15.

(b) Storage tanks and other equipment located at dry cleaning facilities.

(c) Combustion units with less than 10 million BTUs per hour heat input.

(d) Process equipment with less than 20,000 ACFM flowrate.

(e) Paint spray booths and related paint spraying equipment.

(f) Mobile sources.

(g) Any other equipment or process determined appropriate for this exemption by the Authority.

EMISSIONS means a release of air contaminants into the ambient air.

EMISSIONS UNIT means any part of a source which emits or would have the potential to emit any pollutant subject to regulation.

FACILITY means the same as "source".

POTENTIAL TO EMIT means the maximum capacity of a source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of

PROPOSED

operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is enforceable by the Authority.

SOURCE means all of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous properties, and are under the control of the same person or persons under common control, whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

STACK means, for purposes of calculating fees pursuant to Article 5, any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct, except for the following:

- (a) Emission points associated with gasoline or fuel dispensing stations.
- (b) Emission points associated with dry cleaning facilities.
- (c) Pipes or ducts equal to or less than twelve (12) inches in diameter.
- (d) Any other emission point determined appropriate for this exemption by the Authority.

TOXIC AIR POLLUTANT means any Class A or Class B toxic air pollutants listed in WAC 173-460-150 and 173-460-160. The term toxic air pollutant may include particulate matter and volatile organic compounds if an individual substance or group of substances within either of these classes is listed in WAC 173-460-150 and 173-460-160. The term toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of compounds.

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

AMENDATORY SECTION

SECTION 5.01 REGISTRATION REQUIRED

(a) All air contaminant sources within the jurisdiction of the Authority, except the sources listed in 5.01(b) below (~~in Exhibit A, which is attached hereto and made a part hereof~~), as now constituted or as hereafter amended, shall be registered with the Authority.

**~~(EXHIBIT A
EXCLUSIONS ADOPTED BY THE BOARD AND
ATTACHED AS ADDENDUM)~~**

(b) The following source and equipment types are exempt from Article 5, section 5.01:

- (1) Air conditioning or ventilating systems not designed to remove containment generated by or released from equipment.
- (2) Atmosphere generators used in connection with metal heat treating processes.
- (3) Blast cleaning equipment which use(~~s~~) a suspension of abrasive in liquid water.

- (4) Foundry sand mold forming equipment, unheated.
- (5) Fuel burning equipment which:
 - (i) is used solely for a private dwelling serving two families or less; or
 - (ii) has an energy input of less than 1 million Btu_(HHV) per hour ((a BTU input of not more than 400,000 BTU per hour)).
- (6) Fumigation vaults.
- (7) Insecticide spray equipment, non-commercial.
- (8) Internal combustion engines, including gas turbine and jet engines(-), except for the following sources:
 - (i) Stationary gas turbines engines and stationary internal combustion engines for which a United States Environmental Protection Agency (EPA) New Source Performance Standard has been adopted;
 - (ii) Stationary internal combustion engines rated at 1000 horse power_(mechanical) or more.
 - ~~((9) Laboratory equipment used exclusively for chemical or physical analysis.))~~
 - ~~((10)9) Laundry driers, extractors or tumblers used exclusively for the removal of water from fabric.~~
 - ~~((11)10) Routing, turning, carving, cutting and drilling equipment used for metal, wood, plastics, rubber, leather or ceramics.~~
 - ~~((12)11) Surface coating by use of aqueous solution or suspension.~~
 - ~~((13)12) Steam cleaning equipment used exclusively for that purpose.~~
 - ~~((14)13) Storage tanks, reservoirs or containers storing volatile organic compounds:~~
 - (i) of a capacity of 55 gallons or less; or ((used for organic solvents, diluents or thinners.))
 - (ii) of a capacity of 10,000 gallons or less used for storage of gasoline; or
 - (iii) Of a capacity of 2,000 gallons or less used for ((liquid fuels including lubricating oil, tallow, vegetable oil or wax emulsions)) storage of substances with a true vapor pressure less than 0.01 kPa (0.002 psia).
 - ~~((15)14) Vacuum cleaning systems used exclusively for office or residential housekeeping.~~
 - ~~((16)15) Vacuum producing devices used in laboratory operations and vacuum producing devices which do not remove or convey air contaminants from or to another source.~~
 - ~~((17)16) Vents used exclusively for:~~
 - (i) Sanitary or storm drainage systems; or
 - (ii) Safety valves; or
 - (iii) Storage tanks.
 - ~~((18)17) Washing or drying equipment used for products fabricated from metal or glass, if no volatile organic material is used in the process.~~
 - ~~((19)18) Water cooling towers and cooling ponds except for barometric condensers.~~
 - ~~((20)19) Welding, brazing or soldering equipment.~~
 - ~~((21)20) Asphalt laying equipment.~~
 - (21) Restaurants and other retail food preparing establishments.
 - (22) Spray painting or blasting equipment used at temporary locations to clean or paint bridges, water towers, buildings, or similar structures.
 - (23) Sources which, due to the amount and nature of air contaminants produced, and potential to contribute to air

pollution, are determined through review by the Control Officer not to warrant registration; provided that for new sources, such determination shall be based upon review of a Notice of Construction.

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

NEW SECTION

SECTION 5.02 REGISTRATION PROGRAM

(a) For purposes of this regulation, registration shall be defined as all direct activities associated with the Authority's continuing program for identifying, delineating, itemizing, verifying, and maintaining a current and accurate record of all air contaminant sources, their emissions, and their status of compliance with Regulation 1 within the jurisdiction of the Authority.

(b) The components of such registration program shall include:

(1) Initial registration and annual or other periodic reports from source owners providing the information described in sections 5.03, 5.05, and 5.06.

(2) On-site inspections necessary to verify compliance with Regulation 1 and/or to supplement information provided by sources pursuant to the requirements of sections 5.03, 5.05, and 5.06.

(3) Maintenance of computers and software used to compile and retrieve information provided by sources relating to air contaminant emissions.

(4) Emission inventory reports and emission reduction credits computed from information provided by sources pursuant to the requirements of section 5.03.

(5) Staff review, including engineering analysis for accuracy and currentness, of information provided by sources pursuant to the requirements of section 5.03

(6) Clerical and other office support provided by the Authority in direct support of the registration program.

(7) Administrative support provided in directly carrying out the registration program.

AMENDATORY SECTION

SECTION 5.03 GENERAL REQUIREMENTS FOR REGISTRATION

(a) Owners or operators of air contaminant sources subject to section 5.01 shall, upon request by the Authority, make annual and/or periodic reports to the Authority regarding emission sources, types and amounts of raw materials and fuels used, types, amounts and concentrations of air contaminants emitted, data on air contaminant generating equipment and control devices, data on emission points, and any other information directly related to the registration program as requested by the Authority.

~~(((a)) Registration of an installation shall be made by the owner or lessee of the source, or his agent, within thirty (30) days of receipt of forms provided by the Authority. The owner of the source shall be responsible for registration and the accuracy of the information submitted.))~~

(b) Annual registration and periodic reporting for a source as required by the Authority shall be made by the

owner or lessee of the source or his agent on forms provided by the Authority or in an Authority approved format. The owner of the source shall be responsible for completion and submittal of the annual registration forms and/or periodic reports within thirty (30) days of receipt of the forms provided by the Authority. The owner of the source shall be responsible for the completeness and correctness of the information submitted.

~~(((b)))~~ (c) A separate registration shall be required for each source of air contaminant: PROVIDED, that an owner has the option to register a process with a detailed inventory of contaminant sources and emissions related to said process: PROVIDED FURTHER, that an owner need not make a separate registration for identical units of equipment or control apparatus installed, altered or operated in an identical manner on the same premise.

~~(((e)))~~ (d) Each registration shall be signed by the owner or lessee or the agent for such owner or lessee.

(e) The confidentiality provisions of section 3.03 shall be applicable in administering the registration program.

(f) According to the schedule set forth in section 5.03 (f)(1) below, owners or operators of air contaminant sources subject to registration pursuant to section 5.01 above shall develop and implement an Operations and Maintenance plan to assure continuous compliance with Regulation 1. Operation and Maintenance plans shall include, but not be limited to, the measures listed in section 5.03 (f)(2). A copy of the Operation and Maintenance plan shall be retained at the source and shall be made available to all employees of the source and the Authority upon request.

(1) Operation and Maintenance plans required pursuant to section 5.03(f) shall be implemented by the due dates specified in i through iii below.

(i) By no later than July 1, 1994 for sources currently registered with the Authority.

(ii) No later than 120 days from initial registration with the Authority for existing sources not yet registered with the Authority.

(iii) 90 days from commencement of operation for newly constructed or established sources requiring registration.

(2) Operation and Maintenance plans required pursuant to section 5.03(f) shall include, but not be limited to, the following types of measures:

(i) Periodic inspection of air contaminant generating equipment and associated control devices to evaluate air contaminant control effectiveness and compliance with applicable emissions limits;

(ii) Measures for monitoring and recording of all air contaminant generating equipment and control device performance when required by regulation or an approval order;

(iii) Procedures for facilitating prompt repair of any defective equipment or control device associated with air contaminant emissions;

(iv) A system for logging all actions required by the plan;

(v) Standard procedures for responding to air quality related complaints received by the source;

(vi) General policy and measures for minimizing dust emissions and odors;

(g) Owners or operators of air contaminant sources subject to section 5.01 above shall be classified according to section 5.04 and shall pay annual registration fees pursuant to sections 5.05 and 5.06.

AMENDATORY SECTION

SECTION 5.04 CLASSES OF REGISTRATION

~~((For the purpose of classification, all))~~ All air contaminant sources ((registered by this Authority)) requiring registration pursuant to section 5.01 shall be classified in one of the ((following)) registration classes listed in TABLE 2. A source will be placed in the most ((stringent)) appropriate class as determined by the Authority. For ((the)) purposes of classification, the pollutants listed in TABLE 1 will be ((used)) considered.

TABLE 1: POLLUTANTS

Total Particulates (TSP)
Sulfur Oxides (SOx)
Nitrogen Oxides (NOx)
Volatile Organic Compounds (VOC)
Carbon Monoxide (CO)
Toxic Air Pollutants

TABLE 2: REGISTRATION CLASSES

(a) CLASS RC-1 - ((Any facility whose actual emission or potential controlled emissions while operating at design capacity, and 8,760 hours per year (or the maximum legal operating rate) are equal to or exceed 100 tons per year of any pollutant in TABLE 1.)) Any source with a potential to emit 100 tons per year or more of any pollutant listed in TABLE 1.

(b) CLASS RC-2 - ((Any facility whose potential uncontrolled emissions while operating at design capacity, and 8,760 hours per year (or the maximum legal operating rate) are equal to or exceed 100 tons per year for any pollutant in TABLE 1.)) Any source with a potential to emit 10 tons or more per year of any toxic air pollutants or 25 tons per year of any combination of toxic air pollutants.

(c) CLASS RC-3 - ((Any facility which has actual emissions of at least 30 tons per year of any pollutant in TABLE 1.)) Any source with a potential to emit 30 tons per year or more of any pollutant listed in Table 1.

(d) CLASS RC-4 - ((Any facility which has actual emissions of at least 10 tons per year of any pollutant in TABLE 1.)) Any source with a potential to emit 10 tons per year or more of any pollutant listed in Table 1.

(e) CLASS RC-5 - ((Any facility which has actual emissions less than 10 tons per year of any pollutant in TABLE 1 except for volatile organic compounds.)) Any source with a potential to emit of less than 10 tons per year of any pollutant listed in Table 1.

(f) CLASS RC-6 - ((Any facility which has actual emissions less than 10 tons of volatile organic compounds (VOC) per year and that usually uses more than 15 gallons per month of a volatile organic compound and/or usually has less than 1 ton per year actual emissions of the other pollutants in TABLE 1.)) Any source not classifiable as

RC1, RC2, RC3, RC7, RC8, RC10, RC11, RC12, or RC13, with a potential to emit toxic air contaminants.

(g) CLASS RC-7 - ((Any facility which usually uses less than 15 gallons of a volatile organic compound per month and/or usually has less than 1 ton per year potential emissions of the other pollutants in TABLE 1.)) Any source not classifiable as RC1, RC2, RC3, RC8, RC10, RC11, RC12, or RC13 that uses or projects to use an average of less than 100 gallons per month (annual average) of materials containing a volatile organic compounds.

(h) CLASS RC-8 - ((All incinerators not classified as RC-1, or RC-2.)) All incinerators not classified as RC-1, or RC-2.

(i) CLASS RC-9 - ((Any air contaminant sources whether or not they would be otherwise classified under this Regulation which have an actual or potential odor problem associated with their operation.)) Any air contaminant sources provided that they would be otherwise classified under this Regulation which have an actual or potential odor problem associated with their operation.

(j) CLASS RC-10 - ((Any air contaminant sources which are unique and because of special circumstances cannot be adequately classified elsewhere.)) Any gasoline terminal or bulk plant whose product throughput was greater than 7.2 million gallons for the previous calendar year.

(k) CLASS RC-11 (minor gasoline terminals and bulk plants) - Any gasoline terminal or bulk plant whose product throughput was equal to or less than 7.2 million gallons for the previous calendar year.

(l) CLASS RC-12 (gasoline stations, stage II) - Any gasoline stations requiring stage II vapor recovery.

(m) CLASS RC-13 (gasoline stations, general) - Any gasoline stations with total product throughput of greater than 100 thousand gallons during the previous calendar year.

(n) CLASS RC-14 - Any air contaminant source not classifiable as RC1 or RC2 requiring an Operating Permit pursuant to Article 6.

(o) CLASS RC-15 - Any air contaminant sources which are unique and because of special circumstances cannot be adequately classified elsewhere.

AMENDATORY SECTION

SECTION 5.05 ANNUAL REGISTRATION FEES

(a) The Authority shall charge an annual ((registration)) fees pursuant to RCW 70.94.151 and RCW 70.94.161 according to the registration fee schedules set forth in section 5.05(b) below. Annual fees collected by the Authority shall provide revenue to fund the Authority's Registration and Air Operating Permits Programs. ((The authority shall levy annual registration fees as set forth in TABLE 2 for services provided in administering the registration program. Fees received under the registration program shall not exceed the cost of administering the registration program. The Authority shall review the annual registration program on an annual basis.))

((b) Facilities in the following registration classes: RC-1, RC-2, RC-3, RC-4, RC-5, RC-6, RC-7, RC-8, RC-9, and RC-10 shall, upon notification by the Control Officer or his authorized agent, pay the Authority an annual registration fee on or before September 1 of each year in accordance with the following schedule except that any new source which has

paid a Notice of Construction filing fee and Plan Examination and Inspection fee shall not be required to pay an additional registration fee during that same billing period.)

((TABLE 2

(1) For all facilities, except class RC 6 and RC 7, a fee of \$102.60 per facility, \$42.75 for each item of air contaminant generating equipment, and \$25.65 for each stack or other emission point.

(2) In addition all facilities are subject to the following fees:

CLASS	FEE	POUNDS PER HOUR CAPACITY
RC 1	\$1539.00	
RC 2	\$ 684.00	
RC 3	\$ 427.50	
RC 4	\$ 171.00	
RC 5	\$ 0	
RC 6	\$ 85.50	
RC 7	\$ 0	
RC 8	\$ 8.55	Less than 50
	\$ 85.50	Less than 99
	\$ 256.50	100 to 499
	\$ 598.50	500 to 999
RC 9	\$ 256.50	
RC 10	\$ 85.50)	

(b) All sources requiring annual registration shall be assessed an annual registration fee consisting of the sum of a "facility fee", "generating equipment fee", "stack fee", "class fee", "emissions fee", "source specific monitoring fee" and "agency oversight fee" according to items (1) through (10) of this subsection and amounts as specified in Table 3. The fee amounts indicated in Schedule A of Table 3 shall apply to all sources requiring annual registration effective starting July 1, 1993. Effective starting July 1 1994, and provided that the Authority receives delegation to administer an air operating permits program pursuant to Title 5 of the federal Clean Air Act Amendments and RCW 70.94.161, the fee amounts specified in Schedule B of Table 3 shall supersede the fee amounts specified in Schedule A for those sources classified as RC1, RC2, or RC14 which require an operating permit pursuant to Regulation 1, Article 6.

(1) FACILITY FEE - All sources requiring registration shall pay an annual "facility fee" of an amount as indicated in Table 3; and

(2) A GENERATING EQUIPMENT FEE of an amount as indicated in Table 3 for each item of air contaminant generating equipment located at the source; and

(3) A STACK FEE of an amount as indicated in Table 3 for each stack located at the source; and

(4) An EMISSIONS FEE of an amount as indicated in Table 3 per ton of total annual emissions of TSP, SO2, NOx, CO, VOC, and toxic air contaminants of 10 tons or more recorded for the previous calendar year; and

(5) A CLASS FEE of an amount as specified in TABLE 3; and

(6) A SOURCE SPECIFIC MONITORING FEE of an amount as specified in Table 3 if ambient monitoring is a requirement for the source.

(7) An AGENCY OVERSIGHT FEE of an amount as determined by the Washington Department of Ecology

(DOE) to recover DOE's cost of development and oversight of the operating permit program.

(8) The authority shall assess the emissions fee based on actual emissions from the source for the last calendar year when available.

(9((d))) The annual registration fees required by this section shall be based ((on Authority files, for)) on process rates, equipment specifications, and emissions data from the previous calendar year on file with the Authority. For purposes of assessing annual registration fees, the Authority shall consider updates and revisions to any source's file, received prior to ((as of)) August 1 of the current year. If process rates, equipment specifications, and emissions data from the previous calendar year is not on file with the Authority, the Authority may base the annual registration fee on the enforceable emissions limitations for the source and maximum capacities and production rates.

(10) For purposes of assessing annual registration fees, definitions for air contaminant generating equipment and stack shall be consistent with the definitions in section 5.00, and air contaminant generating equipment and stacks which are identical in size, capacity, function, and emissions may be counted as one unit as approved by the Authority.

(c) The Authority shall assess annual registration fees after August 1 of each year based on the most recent information on file with the Authority including any updates to the source's file received prior to August 1 of that year.

(d((e))) Upon assessment by the Authority, annual registration fees are due and payable and shall be deemed delinquent if not fully paid within thirty (30) days. However, all sources subject to registration shall be given the option to pay their annual registration fees in quarterly installments. Sources may choose to pay their annual registration fees in quarterly installments by indicating so on the first invoice received and remitting payment of the first installment back to the Authority along with the duplicate copy of the invoice. Quarterly installments shall be equal to 25% of the total annual registration fee. Installments shall be due 30 days from assessment by the Authority.

(e((f))) Any source which does not pay their registration fee or annual registration fee installment within thirty (30) days of the due date, shall be assessed a late penalty in the amount of twenty-five percent of their registration fee. This late penalty shall be in addition to the registration fee.

(f) Annual registration fees may be appealed according to the procedure specified in section 3.17. The sole basis for such appeals shall be that the annual registration fee assessment contains an arithmetic or clerical error.

(g) All annual registration fee revenue collected from sources requiring an operating permit pursuant to Regulation 1, section 6, shall be deposited into the Authority's Air Operating Permit Program Account and shall be disbursed according to section 5.08.

(NEW TABLE)
TABLE 3: ANNUAL REGISTRATION FEES

REGISTRATION FEE COMPONENT	FEE COMPONENT DESCRIPTION	SCHEDULE A	SCHEDULE B operating permit sources
Facility Fee	Fee assessed to all sources requiring registration.	\$103.00	\$103.00
Generating Equip. Fee	Fee assessed per each item of air contaminant generating equipment located at the source.	\$43.00	\$342.00
Stack Fee	Fee assessed per each stack located at the source.	\$26.00	\$325.00
Emissions Fee	Fee assessed per ton of TSP, SO ₂ , NO _x , CO, VOC, and toxic air contaminants emissions which exceeded 10 tons per year for the previous calendar year based on actual emissions.	\$10.00	\$18.00
Class Fees:			
RC-1	Major sources (≥100 tpy)	\$1300	\$2,250
RC-2	Major toxic sources	\$1300	\$2,050
RC-3	Criteria pollutant ≥ 30 tpy	\$ 560	na
RC-4	Criteria pollutant ≥ 10 tpy	\$ 120	na
RC-5	Criteria pollutant < 10 tpy	\$ 30	na
RC-6	Toxic air contaminants < 10 tpy	\$ 120	na
RC-7	< 100 gal/mo VOC containing materials	\$ 60	na
RC-8	Incinerators < 30 tpy emissions	\$ 210	na
RC-9	Potential odor sources.	\$ 60	na
RC-10	Major gasoline terminal & bulk plants	\$ 150	na
RC-11	Min. gasoline terminal & bulk plants	\$ 100	na
RC-12	Gas stations requiring Stage II	\$ 10	na
RC-13	Gas stations ≥ 100 thousand gal/yr	\$ 0	na
RC-14	Non-maj requiring operating permit	na	\$1,150
RC-15	Other sources requiring registration	\$ 100	na
SOURCE SPECIFIC AMBIENT AIR MONITORING FEES	Fees charged a source for OAPCA to establish and operate a special purpose source specific monitoring station will be determined on a case by case basis when such monitoring is required.	variable	variable
AGENCY OVERSIGHT FEE	Fees charged a source to recover the Department of Ecology's cost of development and oversight of the Title V Operating Permit program.	na	variable

TABLE 3 NOTES: "na" means non-applicable.

(h) On an annual basis, starting with calendar year 1994, the Authority shall conduct a workload analysis to determine the adequacy and fairness of the annual registration fee schedule. The workload analysis shall be based on the Authority's historical record of time and resource expenditures associated with the registration and operating permits programs. The workload analysis shall be made available upon request to the Authority. Any proposed revisions to the annual registration fee schedule shall be presented to the Board for adoption after public noticing pursuant to Regulation 1 public noticing requirements and opportunity for a public hearing.

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

NEW SECTION

SECTION 5.06 SERVICE FEES FOR OPERATING PERMIT MODIFICATIONS AND APPEALS

(a) Effective starting July 1 1994 and provided that the Authority receives delegation to administer the air operating permits program pursuant to title V of the Federal Clean Air Act Amendments and RCW 70.94.161, the Authority shall charge fees, separate and additional to annual registration fees, to sources applying for modification, minor modification, or administrative modification of an operating permit, and for services associated with an appeal of a proposed or approved operating permit. For purposes of assessing fees under this section, the terms "modification", "minor modification", "administrative modification", and "permit appeal" shall be defined consistent with definitions in title V of the Federal Clean Air Act Amendments and RCW 70.94.161. Fees charged by the Authority under this section shall be assessed according to subsections (b) through (e) of this

section and shall cover the direct and indirect costs of providing these services pursuant to RCW 70.94.151 and RCW 70.94.161.

(b) **OPERATING PERMIT MODIFICATION FEES** - All sources applying for modification of an operating permit shall be assessed a fee consisting of the sum of a "application filing fee", "generating equipment fee", "stack fee", "emissions fee", and "class fee" according to (1) through (6) of this subsection and amounts as specified in Table 4. The fee for a modification application shall be assessed by the Authority after receipt of a complete application and shall be due and payable within 30 days. The Authority shall not commence processing an application for modification until, at a minimum, the APPLICATION FILING FEE portion of the total fee amount has been paid.

(1) All Sources applying for modification of an operating permit shall pay an APPLICATION FILING FEE of an amount as specified in Table 4; and

(2) A GENERATING EQUIPMENT FEE of an amount as specified in Table 4 for each item of air contaminant generating equipment located at the source which is directly or indirectly affected by the proposed operating permit modification; and

(3) A STACK FEE of an amount as indicated in Table 4 for each stack located at the source which is directly or indirectly affected by the proposed operating permit modification; and

(4) An EMISSIONS FEE as indicated in Table 4 per ton of total annual emissions of TSP, SO₂, NO_x, CO, VOC, and toxic air contaminants of 10 tons or more recorded for the previous calendar year; and

(5) A CLASS FEE of an amount as specified in TABLE 4.

(6) The authority shall assess the EMISSIONS FEE based on actual emissions from stacks and/or generating equipment directly or indirectly affected by the proposed operating permit modification for the last calendar year of operation. If actual emissions data for the last calendar year is not on record with the Authority, the Authority may base the EMISSIONS FEE on the enforceable emissions limitations which apply to the source and maximum capacities and production rates.

(c) **MINOR MODIFICATION FEES** - All sources applying for a minor modification of an operating permit shall pay a fee of an amount dependent on the registration classification (RC) of the source as indicated in Table 4. The fee for a minor modification application shall be assessed by the Authority after receipt of a complete application and shall be due and payable within 30 days.

(d) **ADMINISTRATIVE MODIFICATION FEE** - All sources applying for an administrative modification of an operating permit shall pay a fee of an amount dependent on the classification (RC) of the source as indicated in Table 4. The fee for an administrative modification application shall be assessed by the Authority after receipt of a complete application and shall be due and payable within 30 days.

(e) **PERMIT APPEAL FEE** - The cost of Authority services directly or indirectly attributable to an operating permit appeal case shall be charged directly to the associated source at the rates as specified in Table 4. On a monthly basis, the Authority shall determine the cost of services provided by the Authority which are attributable to the

PROPOSED

operating permit appeal case and bill the source accordingly. Included in the billing invoice, the Authority shall provide a record of the time the Authority attributed to the case. Payment of the appeal fee shall be due 30 days after the Authority assesses the fee.

(f) Upon assessment by the Authority, fees charged under section 5.06 are due and payable and shall be deemed delinquent if not fully paid within thirty (30) days.

(g) Any fee assessed under section 5.06 may be appealed according to the procedure specified in section 3.17. The sole basis for such appeals shall be that the fee assessment contains an arithmetic or clerical error.

(h) All fee revenue collected pursuant to section 5.06 shall be deposited into the Authority's **Air Operating Permit Program Account** and shall be disbursed according to section 5.08.

(i) On an annual basis, starting with calendar year 1994, the Authority shall conduct a workload analysis to determine the adequacy and fairness of the section 5.06(c) fee schedule. The workload analysis shall be based on the Authority's historical record of time and resource expenditures associated with the operating permits programs. The workload analysis shall be made available upon request to the Authority. Any proposed revisions to the section 5.06 fee schedule shall be presented to the Board for adoption after public noticing pursuant to Regulation 1 public noticing requirements and opportunity for a public hearing.

(NEW TABLE)

TABLE 4: OPERATING PERMIT SERVICE FEES

SERVICE ITEM	DESCRIPTION OF FEE COMPONENT	AMOUNT
PERMIT MODIFICATION	a. Facility Fee	\$ 101
	b. Generating Equipment Fee	\$ 196
	c. Stack Fee	\$ 196
	d. Emissions Fee	\$ 6
	e. CLASS Fee:	
	RC1 - Major sources (≥100 tpy)	\$1,674
	RC2 - Major toxic sources	\$1,474
	RC14 - Non-maj requiring operating permit	\$ 934
MINOR PERMIT MODIFICATION	a. CLASS Fee:	
	RC1 - Major sources (≥100 tpy)	\$1,058
	RC2 - Major toxic sources	\$ 652
	RC14 - Non-maj requiring operating permit	\$ 521
ADMINISTRATIVE PERMIT MOD.	a. CLASS Fee:	
	RC1 - Major sources (≥100 tpy)	\$ 212
	RC2 - Major toxic sources	\$ 170
	RC14 - Non-maj requiring operating permit	\$ 104
PERMIT APPEALS	OAPCA will log direct time hours spent on a permit appeal case and charge a fee based on the indicated hourly rate plus any incidental costs:	
	a. General Staff Cost	\$33/hr
	b. Engineer/Control Officer Cost	\$36/hr
	c. Attorney Cost	\$50/hr

AMENDATORY SECTION

SECTION 5.07 NOTICE OF INTENT TO OPERATE

(a) For portable air contaminant sources which locate temporarily at particular sites and move within the OAPCA region a Notice of Intent to Operate must be filed with the Authority pursuant to Article 7, section 7.01(a). The Authority shall not commence processing of a Notice of Intent to Operate until it has received fees as set shown in **TABLE 5 3**.

(b) For portable air contaminant sources which come from outside the OAPCA region a Notice of Construction and Application for Approval must be filed pursuant to Article 7, section 7.01.

TABLE 3
TABLE 5: PORTABLE AIR CONTAMINANT SOURCE FEES

PORTABLE AIR CONTAMINANT SOURCE	FEE AMOUNT
Asphalt Plant	\$375
Soil Remediation Plant	\$375
Rock Crusher	\$100
Chipper	\$100
Other	\$100

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

NEW SECTION

SECTION 5.08 AIR OPERATING PERMIT PROGRAM ACCOUNT

The Authority shall establish and maintain a dedicated account for the Air Operating Permits Program called the **Air Operating Permits Account**. The account shall be funded exclusively by fee revenue from sources requiring operating permits pursuant to Article 6 of Regulation 1, and all direct and indirect costs and expenditures attributable to the Air Operating Permit Program, pursuant to RCW 70.94.151 and RCW 70.94.161, shall be met exclusively from the account.

AMENDATORY SECTION

SECTION 5.09 WORK DONE WITHOUT AN APPROVAL

((~~at~~)) Where work for which a Notice of Intent to Operate is required is commenced prior to making application and receiving approval, the Control Officer or his authorized agent may conduct an investigation as part of the Notice of Intent review. In such a case, an investigation fee, in addition to fees of section 5.07(a), shall be **assessed** (~~addressed~~) in an amount equal to 3 times the Portable Air Contaminant Source fees of section 5.07(a). Payment of the fees does not relieve any person from the requirement to comply with the regulations nor from any penalties for failure to comply.

NEW ARTICLE

ARTICLE 6
OPERATING PERMITS

SECTION 6.01 OPERATING PERMIT PROGRAM.

(a) **COMMITMENT TO ADMINISTER THE PROGRAM.** Olympic Air Pollution Control Authority (Authority), upon full or partial delegation by the U.S. Environmental Protection Agency (EPA) and the Washington Department of Ecology (DOE), shall administer an air operating permit program for the Authority's jurisdiction in accordance with Article 6.

(b) **OPERATING PERMIT REGULATION.** The Authority's air operating permit program shall conform with the comprehensive Washington state air operating permit

program which is consistent with the requirements of title V of the Federal Clean Air Act (FCAA) and RCW 70.94.161.

SECTION 6.02 OPERATING PERMIT FEES

(a) **OPERATING PERMIT FEES.** Effective starting July 1 1994, and provided that the Authority receives delegation or partial delegation to administer the air operating permit program, the Authority shall assess the following operating permit fees to cover the direct and indirect cost of implementing the program:

(1) **ANNUAL FEES** - Annual fees shall be assessed to those sources requiring an operating permit according to the annual registration fee schedule set forth in Article 5, section 5.05.

(2) **SERVICE FEES** - Service fees, additional to annual registration fees, shall be assessed to those sources applying for modification, minor modification, or administrative modification of an operating permit and for services associated with an appeal of a proposed or approved operating permit according to the service fee schedule set forth in Article 5, section 5.06.

(3) **SYNTHETIC MINOR APPROVAL FEES** - Fees, additional to annual registration fees, shall be assessed to those sources applying to the Authority for approval of enforceable conditions that make the source a minor source and not subject to an operating permit. Synthetic minor approval fees shall be assessed to a source upon application and according to the Article 7, section 7.13, Plan Examination and Inspection fee schedule. The Authority shall assess the synthetic minor approval fee based on only those emissions units affected by the enforceable condition as proposed by the applicant.

(b) **APPEAL OF FEES.** Any fee assessed under this Article may be appealed according to the procedure specified in section 3.17. The sole basis for such appeals shall be that the annual registration fee assessment contains an arithmetic or clerical error.

(c) **AIR OPERATING PERMIT ACCOUNT.** In accordance with Article 5, section 5.08, the Authority shall establish and maintain a dedicated account for the air operating permit program called the **Air Operating Permit Account**. The account shall be funded exclusively by fee revenue from sources requiring an operating permit and all direct and indirect costs and expenditures attributable to the air operating permit program shall be met exclusively by revenue from the account.

(d) **OPERATING PERMIT FEE REVENUE.** All revenue from fees collected under this section shall be deposited into the Authority's **Air Operating Permit Program Account**.

(e) **ANNUAL WORKLOAD ANALYSIS.** On a annual basis, starting with calendar year 1994, the Authority shall conduct a workload analysis to determine the adequacy and fairness of the fees assessed under this section. The workload analysis shall be based on the Authority's historical record of time and resource expenditures associated with the registration and operating permit programs. The workload analysis shall be made available upon request to the Authority. Any proposed revisions to the annual registration fee schedule shall be presented to the Board for adoption after public noticing pursuant to Regulation 1 public noticing requirements and opportunity for a public hearing.

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

**WSR 93-14-001
PROPOSED RULES
SECRETARY OF STATE**

(Division of Archives and Records Management)
[Filed June 23, 1993, 1:38 p.m.]

Original Notice.

Title of Rule: Chapter 434-663 WAC, Imaging systems, standards for accuracy and durability.

Purpose: Prescribes standards for the creation, maintenance, accuracy, durability, and permanence of electronic imaging systems used for public records by state and local government.

Statutory Authority for Adoption: Chapter 40.14 RCW.
Statute Being Implemented: RCW 40.14.020.

Summary: Establishes standards for the use of imaging systems for public records maintained by state and local government agencies.

Reasons Supporting Proposal: Informs state and local government agencies of accuracy, durability and quality control standards for imaging systems.

Name of Agency Personnel Responsible for Drafting: Michael Betz, 1120 Washington Street S.E., Olympia, WA 98504, 753-1801; Implementation and Enforcement: Sidney McAlpin, 1120 Washington Street S.E., Olympia, WA 98504, 753-5485.

Name of Proponent: Secretary of State, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Prescribes standards for the use of imaging systems for public records maintained by state and local government agencies. Informs state and local government agencies of these standards. Will help insure the quality of imaging systems products including accuracy, durability and permanence of the imaged record.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: State Archives Building, 1120 Washington Street S.E., Olympia, WA 98504, on August 12, 1993, at 9:00 a.m.

Submit Written Comments to: Michael Betz, Division of Archives, 1120 Washington Street S.E., Olympia, WA 98504-0238, by August 1, 1993.

Date of Intended Adoption: August 24, 1993.

June 23, 1993

Michael Betz

State Senior Archivist/Conservator

**Chapter 434-663 WAC
IMAGING SYSTEMS, STANDARDS FOR
ACCURACY AND DURABILITY**

NEW SECTION

WAC 434-663-001 Legality of electronic imaging systems used for managing and storing public records. Legality. Electronic imaging systems may be legally used for recording, producing, reproducing, maintaining, and storing public records provided that they meet the standards set forth in this chapter; and the retention and disposition of the original and copies are scheduled in accordance with chapter 40.14 RCW.

NEW SECTION

WAC 434-663-005 Definitions. (1) Electronic document imaging system. An electronic document imaging system is a computer-based configuration of equipment and software that stores machine-readable document images and their associated character-coded index data for on-demand retrieval. Electronic images can be computer generated, or created through document scanning.

(2) Digital. The representation of information as discrete pulses that correspond to the binary digits (bits) 0 and 1. The process of digitization converts human-readable information into a form that machines can process.

(3) PIXEL. PIX(picture)EL(ement) is the smallest display element on a video screen or the smallest element in a grid that is placed over a page of text or graphics, also known as PEL (Picture ELement).

(4) Resolution. The number of picture elements (pixels) that resides horizontally and vertically in one square inch of the document page image. Resolution can be expressed in dpi (dots per inch), ppi (pixels per inch), or bpi (bits per inch). For example, two hundred dpi means two hundred dots by two hundred dots, or forty thousand dots per square inch. The higher the resolution value, the clearer and more detailed the image is.

(5) Contrast. Contrast is the difference in reflected light between the light and dark areas of the document. The parts of the document that reflects light in excess of some specified amount are considered white and are encoded as a one or a zero bit. Where the amount of reflected light is lower than the predetermined threshold amount, those parts are considered black and are represented by the opposite bit value.

(6) Compression. The process used to reduce the space required for the storage or transfer of an image. There are various techniques including CCITT Group 3 and 4, JPEG, MPEG, and fractals.

(7) Document scanning. A specially designed input workstation is required to convert documents or images to machine-readable form for computer processing and storage. At a minimum, the input workstation includes a document scanner, an image processor unit, a video display unit with keyboard, and access to storage. Using a solid-state array or other photo sensitive components, the document scanner measures the amount of light associated with successively encountered PELs and transmits a corresponding electrical signal that is converted to computer compatible digital codes.

(8) Image. An image can be a document, picture, or graphic. An image can be produced either by scanning paper or film documents, producing images through a computer program, or receiving an image by means of a fax.

(9) Enhancement. Any method including adjusting brightness and contrast, or algorithm employed with the objective of producing an accurate and legible copy.

(10) Archival records. Archival records are records that have permanent and/or historical value. Long term records are records having value for a period in excess of ten years.

(11) Open system. Open system is defined to be a system that implements sufficient public specifications for interfaces, services and supporting formats to enable applications software to be ported across a wide range of systems, to interoperate with other applications on local and remote systems, and to interact with users in a style that facilitates user portability. Public specifications are maintained by open, public consensus process to accommodate new technology over time, and which is consistent with international standards.

(12) De facto standard. A de facto standard is a widely accepted industry standard without official recognition by a standards group.

NEW SECTION

WAC 434-663-020 Quality of digital images. (1) Quality of digital images. Ensuring the quality of digital images requires exercising control over six processes: Conversion of the original image to digital data, enhancement of the digital image if necessary, compression of the digital data for storage, decompression of digital data for retrieval, displaying the image, and printing.

(2) Conversion of documents to digital data. A minimum scanning density of two hundred dpi is required for office documents, maps, graphics, and images. Employ a scanning density of three hundred dpi or greater for documents having very detailed information such as engineering drawings, and detailed maps. Before commencing a document conversion project, conduct tests using samples of actual documents to be converted to digital data and resolution targets. The purpose of the test is to verify the color spectrum capability of the scanner and the scanning density required. Except in unusual circumstances, restrict use of gray scale to continuous tone photographs.

(3) Enhancement of original image. Enhancement should be used only to ensure readability of the documents and to improve the accuracy of the copy. Select samples of original documents to be scanned based upon levels of legibility (poor to excellent), scan these documents using varying enhancement algorithm settings. Compare original documents with test images. Use the best scanned images as the operational criteria for acceptable image quality.

(4) Compressing image data for storage. Imaging systems must use a compression technique that meets either a published or de facto standard such as CCITT Group 3 or Group 4, JPEG, or MPEG. If such a technique cannot be used, the software vendor must provide a bridge to the prevailing CCITT standard.

NEW SECTION

WAC 434-663-030 Usability of image and index data over time. (1) Usability of image and index data over time. Maintaining access to and usability of electronic records requires ensuring continuous readability and intelligibility. Readability means the ability to process images both on the

computer system on which they were created and on different computer systems without appreciable errors. Intelligibility means that humans can comprehend the information the computer reads. Ensuring readability and intelligibility of electronic records over time entails maintenance of environmental conditions, periodic recopying, and strategies to preserve data by migration from one generation of technology to another through a commitment to open architecture. Fax transmissions can be used as a gateway.

(2) Defining indexing requirements. The selection of indexing parameters is based on an analysis of retrieval requirements associated with a particular application, and must insure rapid and accurate retrieval of information. For systems containing records with archival or long term value, index design should take into account the retrieval requirements of both current and future users of the records, including government agency personnel as well as researchers and the general public.

(3) Index search specifications. For new systems containing records with archival or long term value, index design should include the following functions. For numeric fields, the retrieval software should permit index searches based on ranges of field values specified by the following relational expressions: Greater than, less than, greater than or equal to, and less than or equal to. For textual fields, the retrieval software should permit index searches based on root word matches (term truncation). The retrieval software should permit the logical coordination of search specifications based on Boolean operations. At a minimum, the system should support the Boolean and operator. The retrieval software's initial response to an index search command should be an indication of the number of data base records that satisfy the search specifications. The user can then decide whether to view the indicated data base records or modify the search specification to retrieve more or fewer items.

(4) Preservation strategy. A preservation strategy must be developed and implemented for each image system containing long term or archival information. Four preservation strategy options are acceptable.

- (a) Retain the original paper documents; or
- (b) Microfilm the original documents; or
- (c) Recopy optical and magnetic media every ten years;

or

- (d) Print images on microfilm.

(5) Header files. A nonproprietary header label on files or a gateway to a nonproprietary header label is required for imaging systems that contain long term or archival information.

(6) Backup for recovery. In order to facilitate a recovery of lost information and the restoration of system operations in the event of a malfunction or other disaster, properly implemented backup procedures must be in place. Produce security copies of document images and indexes through either simultaneous recording, or periodic batch mode backed up.

(7) Ensuring usability. At a minimum, the system must include an electronic error checking utility that will check for bad sectors in order to insure the integrity of the data over time.

(8) Stability of media. Records and their indexes having a permanent or archival retention or a retention of over ten

years require long-term stability of the media used. Three inter-related issues impact long-term stability:

(a) Media selection, including storage and recording technology;

(b) Quality of data stored;

(c) Media protection.

(9) Storage media. Write once read many (WORM) media should be used for records having a permanent or archival retention or a retention of over ten years. If WORM technology is not practical for an application, and rewritable media is used, ensure that read/write privileges are carefully controlled and that an audit trail of rewrites is maintained.

(10) Optical platters. Bi-metallic recording technology is required for records of long term or archival value using optical media.

(11) Optical media durability. Durability for optical media is defined as shelf life before writing and post-writing life. For records having a permanent or archival retention or a retention of over ten years, use media with a pre-write shelf life of five years. Use media with a minimum twenty-year post-write life, guaranteed by the vendor based on accelerated aging tests linked to specific locations on the surface of the media. Vendors must document that aging tests have been conducted by an independent testing laboratory.

(12) Long-term off line storage environment. Store media in a dust free area with a stable temperature between sixty-five and seventy-five degrees Fahrenheit (plus or minus two degrees) and relative humidity between forty and forty-five percent. Optical disks and magnetic tapes should be stored vertically. Optical disks should be cleaned at least every six months to remove particulate and fingerprints. Blank magnetic tape should be tested prior to being used for the storage of information. Magnetic tape should be stored in a suitable container. Magnetic tape should be precision rewound every five years and before each use. Every ten years, the reliability of the data should be tested, with the information being transferred to pretested fresh stock.

NEW SECTION

WAC 434-663-050 Functionality of system components. (1) Open systems architecture. Ensuring the usability of digital images to serve the functions for which they were designed involves long-term commitment to an open systems architecture and an approach to component upgrading, data transfer, and migration path that guarantees the portability of current data to be used with future technologies. Open systems architecture is required for records having long term or archival value.

(2) Backward compatibility. System upgrades or new systems acquired after the effective date of this chapter must provide backward compatibility to any existing systems containing the same records series.

(3) Location of index data base on off line media. The index data pertaining to the contents of each disk or tape shall be written to that disk or tape in addition to a peripheral device of the operating computer whenever possible. This assures that the index data will be secure for as long as the media is readable and there is a software available to interpret what is read. If this is not possible, then the index

must be preserved either through being written to off line storage and linked through labeling to the file it relates to, or if the index is on-line the location of the index is well documented on the label of the container of the file, so that in either case the index can be used to access the images.

(4) Technical documentation. Technical documentation on system components, application software and operating systems is essential to facilitate long-term access to records stored on optical media. The system's hardware and software characteristics must be fully documented, indicating the types, brand names, and model numbers of all hardware components including recording media with the dates that specific pieces of equipment were put into and taken out of service. Documentation must also include all system software including version numbers and implementation dates of all upgrade. Vendors are required to place a complete set of documentation with the agency responsible for operating the optical media system. Documentation includes a hardware system administrator's manual detailing configuration, software applications documentation, and application specific operational procedures. If customized application software was developed, flow charts, source code, and other developmental documentation must be included.

NEW SECTION

WAC 434-663-060 Retention and disposition of records. (1) Retention and disposition of public records. Conversion to an imaging system does not automatically authorize the destruction of the original records. Destruction of, or changes to the retention of any public records due to conversion to or the use of a new media requires legal approval of the state or local records committee of the state of Washington through the retention and disposition scheduling process in accordance with chapter 40.14 RCW, and chapters 434-628 and 434-635 WAC.

(2) Records retention scheduling—Records on imaging system. The retention scheduling of information to be placed on an imaging system must be done prior to the creation or copying of the records, and may require a cost benefit analysis. Decisions about the retention value of information stored on an imaging system are related to the value of the original information included in the system.

(3) Security copies. Records with enduring or permanent legal value, such as land records and deeds, stored on electronic media should have a security backup copy on another type of media. If this is impractical, the user must obtain permission to retain electronic copies as the sole media from the state records committee or the local records committee on a case-by-case basis as part of the records scheduling process. Such permission will be granted only if there are strong back up systems in place, and systems and procedures in place for periodic copying.

(4) Agency automation plans—Disapproval. State agencies intending to utilize an imaging system for the storage or conversion of public records must include such plans in their annual automation plan submitted to the department of information services and comply with other requirements of DIS as may apply.

NEW SECTION

WAC 434-663-070 System operation. (1) System administrator. Each imaging system shall have a system administrator who will be responsible for the operation of the system, and will be able to provide legal verification of the authenticity of copies. Other legal duties of the administrator are control of release and expungement of document images, and periodic system performance audits.

(2) Written policy statement. A written policy statement, approved by the appropriate officials, must formalize the use of imaging as part of a government agency's regular business practices. The statement must enumerate the specific record series to be imaged, whether the backfile will be converted, and final disposition of the originals. Possible destruction of the original must be indicated in the retention schedule for the specific record series. The retention schedules must be approved by the agency records manager, and the state or local records committee in accordance with chapter 40.14 RCW, and chapters 434-628 and 434-635 WAC. Original documents must be retained in accordance with approved records retention schedules and until the quality assurance check has been completed.

(3) Operating procedures. Document scanning, data entry, and quality control procedures shall be fully documented for each imaging application. There must be scheduled periodic formal documented training for all workers. Written instructions must be prepared for operators of all equipment used in document scanning, index data entry, and image inspection. The instructions shall indicate the scanning resolution, and image compression algorithm to be used in a given application. A log must be kept which indicates the names of the people operating the equipment on specific dates. Quality control procedures must be specified in writing, and a record must be kept of inspections, scanner tests, and other quality control procedures performed on specific dates. Identification certificates should be included with documents imaged, indicating the documents recorded on specific dates, the identity of the persons performing the scanning, indexing, and quality control procedures. Periodic performance audits must be conducted on the functioning of the system.

(4) Quality assurance. At a minimum, such procedures involve the visual inspection of digitized document images, scanner testing, and verification of index data. Image inspection involves confirmation of proper scanning. The operator must determine that no parts of the digitized image were obscured, that the displayed image is legible, and that all information (small fonts, pencil marks, etc.) is adequately reproduced. To be considered a true copy, a digitized image must contain all significant details from the original document and must be an adequate substitute for the original document for all purposes for which the document was created or maintained. If the image does not satisfy quality requirements, the document can be rescanned and enhanced for readability, or if that proves fruitless the document can be declared unscannable.

(5) Scanner testing and adjustment. Scanner testing and adjustment are an important facet of quality control. ANSI/AIIM MS 44-1988 outlines procedures and describes specially designed targets to facilitate such testing and adjustments. These procedures are adopted in this section by

reference. The quality control procedures involve scanning a test target, examining its displayed image for legibility, printing the image and examining the hard copy. These procedures are repeated, as necessary to establish reference images and hard copies for quality control purposes. Like microfilm step tests, these procedures must be performed to establish quality references and appropriate scanner settings for documents with various characteristics. Frequent, periodic testing is recommended to insure image quality. At a minimum, test targets shall be scanned to determine the correctness of the scanner settings at the start of each shift, and whenever the scanner is repaired or adjusted.

(6) Verification of image recording. In order to confirm that system components are recording information properly, a sample of recorded images shall be retrieved and displayed and printed for operator inspection and comparison with the source documents from which the images were produced.

(7) Container labeling. Media storage containers must be clearly labeled with enough information to uniquely identify the contents. At the minimum the labels shall include:

- (a) The name of the agency, office, or other organizational unit that created the disk or tape;
- (b) Name of the system on which media is used, including version number of software used when the disk or tape was created;
- (c) Physical characteristics of the media, including size, storage capacity, number of recording surfaces;
- (d) A brief description of the data set(s) and/or application(s) to which the contents of the disk or tape pertains;
- (e) Unique identification to distinguish the disk or tape from others used with the same application;
- (f) Date of manufacture of the disk or tape;
- (g) Span of dates during which the media was used for image or other information recording;
- (h) Special security requirements or restrictions on access if any; and
- (i) An indication of whether the media is a working copy or a storage copy.

(8) Expungement. Records may be subject to court ordered expungement. Expungement orders may require the deletion, obliteration, correction, or amendment of records. Expungement of document images or information recorded on optical disks or magnetic tape may involve deletion of index records and deletion of the document image from both working and security copies. Deletion of index records, known as virtual purging, alone may not be acceptable for court ordered expungements. WORM optical disks can be expunged by the process of transferring document images to a new disk, omitting the document images to be expunged. The old disk is then destroyed. This can be an expensive process. Rewritable optical disks and magnetic media permit erasure of or writing over document images. Court ordered expungement requirements should be determined as part of the system design especially for those types of records containing personally identifying information that is most likely subject to expungement orders. Expungements must be performed according to well-defined and fully documented procedures that include certifying the copying process and thoroughly testing the new copy disk so that nothing other than records ordered expunged are deleted.

(9) Security provisions. Access control procedures, such as password protection and privilege controls, must be fully documented. A list of all users and their access privileges, ability to add images, or edit index, shall be maintained and audited regularly.

(10) Controlling access. Access to public records that contain private personal information or classified information shall be restricted to authorized persons. In such cases, an electronic document imaging system must include software controls that prevent the unauthorized access to index information or document images. Access can be controlled through the use of passwords and by restricting the types of operations allowed to groups and users.

**WSR 93-14-002
PROPOSED RULES
SECRETARY OF STATE**

(Division of Archives and Records Management)
[Filed June 23, 1993, 1:40 p.m.]

Original Notice.

Title of Rule: Chapter 434-660 WAC, Standards for the accuracy, durability, and permanence of public records.

Purpose: Requires the state archivist to adopt standards by rule for the durability and permanence of public records.

Statutory Authority for Adoption: Chapter 40.14 RCW.
Statute Being Implemented: RCW 40.14.020.

Summary: Prescribes duties and responsibilities of the state archivist to set standards by rule under chapter 34.05 RCW for the permanence and durability of public records.

Reasons Supporting Proposal: Informs state and local government agencies of state archives rule-making authority.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sidney McAlpin, 1120 Washington Street S.E., Olympia, WA 98504, 753-5485.

Name of Proponent: Secretary of State, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Prescribes duties and responsibilities of the state archivist to set standards by rule under chapter 34.05 RCW for the permanence and durability of public records.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: State Archives Building, 1120 Washington Street S.E., Olympia, WA 98504, on August 12, 1993, at 8:30 a.m.

Submit Written Comments to: Sid McAlpin, Division of Archives, P.O. Box 40238, Olympia, WA 98504-0238, by August 1, 1993.

Date of Intended Adoption: August 24, 1993.

June 23, 1993
Sidney McAlpin
State Archivist

**Chapter 434-660 WAC
STANDARDS FOR THE ACCURACY, DURABILITY
AND PERMANENCE OF PUBLIC RECORDS**

NEW SECTION

WAC 434-660-010 Statutory authority. The state archivist shall adopt rules under chapter 34.05 RCW setting standards for the durability and permanence of public records maintained by state and local agencies:

(1) Governing procedures for the creation, maintenance, transmission, or reproduction of photographic, optical, electronic, or other images of public documents or records in a manner consistent with current standards, policies, and procedures of the department of information services for the acquisition of technology;

(2) Governing the accuracy and durability of photographic, optical, electronic or other images used as public records. Reference RCW 40.14.020.

WSR 93-14-004

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 91-54—Filed June 23, 1993, 4:37 p.m.]

Continuance of WSR 93-08-085.

Title of Rule: Chapter 173-205 WAC, Whole effluent toxicity testing and limits.

Purpose: To continue adoption date from August 3, 1993, to September 1, 1993.

Date of Intended Adoption: September 1, 1993.

June 23, 1993

Mary Riveland

Director

WSR 93-14-005

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 93-20—Filed June 23, 1993, 4:40 p.m.]

Continuance of WSR 93-12-109.

Title of Rule: Chapter 173-303 WAC, Dangerous waste regulations.

Purpose: To change the hearing location on July 27, 1993, from PUD auditorium to Pasco City library, 1320 West Hopkins, Pasco, WA.

June 23, 1993

Mary Riveland

Director

WSR 93-14-006

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed June 23, 1993, 4:53 p.m.]

Original Notice.

Title of Rule: Chapter 388-233 WAC, General assistance for children.

Purpose: Establishes a new program of general assistance for children who live with court-appointed legal guardians who are not relatives of a specified degree, as defined for AFDC. These children are not eligible for AFDC. A March 1991 court decision found that Washington laws required DSHS to provide financial and medical assistance to these children, regardless of the AFDC regulations. March 1993, that decision was upheld in the court of appeals.

Statutory Authority for Adoption: RCW 74.08.090 and 74.12.330.

Statute Being Implemented: RCW 74.08.090 and 74.12.330.

Summary: Establishes a new program of general assistance for certain children not eligible for AFDC because they do not live with a relative of a specified degree.

Reasons Supporting Proposal: Implements a new general assistance program for children living with court-appointed legal guardians who are not relatives of a specified degree. The new program is required due to a recent court decision described under RCW 74.12.330.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rose Mary Micheli, Division of Income Assistance, 438-8318.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of state court decision, RCW 74.12.330.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0118 or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 23, 1993

Rosemary Carr

Acting Director

Administrative Services

**Chapter 388-233 WAC
GENERAL ASSISTANCE FOR CHILDREN**

NEW SECTION

WAC 388-233-0010 Purpose of program. General assistance for children is a state-funded program providing for the needs of dependent children, residing with court-appointed legal guardians, who are not eligible for the aid to families with dependent children program.

NEW SECTION

WAC 388-233-0020 Summary of eligibility conditions. Effective March 11, 1993, the department shall grant general assistance for children to a child who meets the eligibility conditions stated in this chapter and:

- (1) Who resides with and is in the home of a court-appointed legal guardian; and
- (2) Who is not eligible for or not receiving aid to families with dependent children or SSI; and
- (3) Who is not under sanction for failure to comply with aid to families with dependent children or SSI requirements; and
- (4) Whose court-appointed legal guardian is not a relative of a specified degree as defined under the aid to families with dependent children program; and
- (5) Who is not living with a relative of a specified degree, as defined under the aid to families with dependent children program, who is:
 - (a) A parent; or
 - (b) Exercising parental control over the child.

NEW SECTION

WAC 388-233-0030 Assistance units. The general assistance for children program assistance unit shall include only the eligible child.

NEW SECTION

WAC 388-233-0040 Eligibility conditions—Program criteria. The department shall base a child's eligibility on the current requirements of the aid to families with dependent children program except for the following requirements:

- (1) The requirement to live with a relative of a specified degree; and
- (2) The requirement of participation in the JOBS program if the child is not in school.

NEW SECTION

WAC 388-233-0050 Eligibility conditions—Assignment of rights to support. (1) The court-appointed legal guardian shall assign to the office of support enforcement any rights to support in behalf of the eligible child as required under chapters 388-13 and 388-14 WAC.

(2) The department shall require the court-appointed legal guardian to promptly remit to the office of support enforcement any support received directly after assignment is made, as required under chapters 388-13 and 388-14 WAC.

NEW SECTION

WAC 388-233-0060 Eligibility conditions—Support enforcement cooperation. (1) The department shall require the court-appointed legal guardian to cooperate with the office of support enforcement in the collection of child support.

(2) The department shall waive the requirement for cooperation if the guardian claims and the department establishes good cause as specified under WAC 388-24-111.

NEW SECTION

WAC 388-233-0070 Eligibility conditions—Financial criteria. In determining financial eligibility, the department shall follow aid to families with dependent children income and resource rules. The department shall consider only the income and resources of the eligible child.

NEW SECTION

WAC 388-233-0080 Need and payment standards. The department shall use the aid to families with dependent children program need and payment rules and standards in determining eligibility and amount of grant payment.

NEW SECTION

WAC 388-233-0090 Grant payee. The department shall establish the court-appointed legal guardian as the payee for the eligible child.

NEW SECTION

WAC 388-233-0100 Redetermination of eligibility. The department shall redetermine eligibility for the child every six months of continuous receipt of assistance.

**WSR 93-14-013
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 25, 1993, 11:45 a.m.]**

Original Notice.

Title of Rule: WAC 388-28-575 Disregard of income and resources.

Purpose: Implements the higher education amendments of 1992 requirements which exempt all Title IV educational assistance benefits from consideration as income and resources for the AFDC program, effective July 1, 1993.

Statutory Authority for Adoption: RCW 74.04.050.

Statute Being Implemented: RCW 74.04.050.

Summary: Inform field staff to disregard educational assistance issued to a student from Title IV of the higher education amendments. This disregard is effective July 1, 1993.

Reasons Supporting Proposal: Issue field instructions to implement the requirements of the higher education amendments of 1992 which are effective July 1, 1993.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Steve Ebben, Division of Income Assistance, 438-8311.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, P.L. 102-325 section 479B.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 25, 1993
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3525, filed 3/10/93, effective 4/10/93)

WAC 388-28-575 Disregard of income and resources. ~~((1) For aid to families with dependent children (AFDC))~~ Unless otherwise stated, the department shall disregard as income and as a resource the following payments for aid to families with dependent children (AFDC) and general assistance (GA):

~~((a))~~ (1) For AFDC only, the income of a Supplemental Security Income (SSI) recipient;

~~((b))~~ (2) For AFDC only, the monthly child support incentive payment from the office of support enforcement (OSE);

~~((c))~~ (3) AFDC benefits resulting from a court order modifying a department policy;

~~((d))~~ (4) Title IV-E, state and/or local foster care maintenance payments; ~~and~~

~~((e))~~ (5) Adoption support payments if the adopted child is excluded from the assistance unit(~~-~~

~~(2) For AFDC and general assistance unemployable (GA-U), the department shall disregard as income and as a resource: (a));~~

(6) Bona fide loans as specified under WAC 388-28-480(4). The department shall consider loans bona fide when the loan is a debt the borrower has an obligation to repay;

~~((b))~~ (7) Educational assistance, in the form of grants, loans, or work study, issued to a student ((under)) from the following sources:

(a) Title IV(~~-A~~) of the Higher Education Amendments; or

(b) Bureau of Indian Affairs ~~((Public Law (P.L.) 99-498 amended by P.L. 100-50), or the Carl D. Perkins Vocational and Applied Technology Education Act (P.L. 101-391), for attendance costs as identified by the institution. For a student attending school:~~

(i) At least half-time, attendance costs include tuition, fees, books, supplies, transportation, and miscellaneous personal expenses); or

(ii) Less than half-time, attendance costs include tuition and fees student assistance programs.

~~((e))~~ (8) Grants or loans made or insured under any programs administered by the department of education to an undergraduate student ((insured by the commissioner of education)) for educational purposes;

(9) Educational assistance in the form of grants, loans, or work study, issued under the Carl D. Perkins Vocational and Applied Technology Education Act (P.L. 101-391), for

attendance costs as identified by the institution. For a student attending school:

(a) At least half-time, attendance costs include tuition, fees, costs for purchase or rental of equipment, materials, or supplies required of all students in the same course of study, books, supplies, transportation, dependent care, and miscellaneous personal expenses; or

(b) Less than half-time, attendance costs include tuition, fees, and costs for purchase or rental of equipment, materials, or supplies required of all students in the same course of study.

(10) Educational assistance in the form of grants, work study, scholarships, or fellowships, from sources other than those identified in subsections (7), (8), and (9) of this section for attendance costs as identified by the institution. Attendance costs include tuition, fees, costs for purchase or rental of equipment, materials, or supplies required of all students in the same course of study, books, supplies, transportation, dependent care, and miscellaneous personal expenses;

~~((d))~~ (11) Any remaining ~~((grants, work study, scholarships, or fellowships))~~ educational assistance, in the form of grants, work study, scholarships, or fellowships, not disregarded in subsections (7), (8), (9) or (10) of this section, as allowed under WAC 388-28-578;

~~((e))~~ (12) The earned income disregards in WAC 388-28-570(6) for AFDC and WAC 388-37-025 for GA-U to any work study earnings received and not ~~((excluded))~~ disregarded in ((subsection (2)(b), (e), and (d))) subsections (7), (8), (9), (10), and (11) of this section;

~~((f))~~ (13) Payment under Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646, section 216);

~~((g))~~ (14) The food coupon allotment under Food Stamp Act of 1977;

~~((h))~~ (15) Compensation to volunteers under the Domestic Volunteer Act of 1973 (P.L. 93-113, Titles I, II, and III);

~~((i))~~ (16) Benefits under women, infants, and children program (WIC);

~~((j))~~ (17) Food service program for children under the National School Lunch Act of 1966 (P.L. 92-433 and 93-150);

~~((k))~~ (18) Energy assistance payments;

~~((l))~~ (19) Indian trust funds or lands held in trust (including interest and investment income accrued while such funds are held in trust) by the Secretary of the Interior for an Indian Tribe, including but not limited to funds issued ~~((pursuant to))~~ under the Maine Indian Claims Settlement Act of 1980 (P.L. 96-420);

~~((m))~~ (20) Per capita judgment funds under P.L. 97-408 to members of the:

~~((n))~~ (a) Blackfeet Tribe of the Blackfeet Indian Community, Montana;

~~((o))~~ (b) Gros Ventre Tribe of the Fort Belknap Reservation, Montana; and

~~((p))~~ (c) Assiniboine Tribe of the Fort Belknap Indian Community.

~~((q))~~ (21) Indian judgment funds or funds held in trust by the Secretary of the Interior distributed per capita under P.L. 93-134, 94-114, 97-458, or 98-64. In addition:

~~((r))~~ (a) "Initial investments" means real or personal property purchased directly with funds from the per capita

payment up to the amount of the funds from the per capita payment~~((+))~~;

~~((+))~~ (b) Income derived either from the per capita payment or the initial investments shall be treated as newly acquired income per WAC 388-28-482 and 388-28-484;

~~((+))~~ (c) When the initial investments are nonexempt resources, appreciation in value shall be applied to the resource ceiling valued as specified under WAC 388-28-435(1). When appreciation is in excess of the applicable ceiling value, the department shall apply WAC 388-28-438(2). The department shall determine appreciation in value at the time of eligibility review; and

~~((+))~~ (d) The disregard does not apply to per capita payments or initial investments from per capita payments which are transferred or inherited.

~~((+))~~ (22) Two thousand dollars per person per calendar year received under the Alaska Native Claims Settlement Act (P.L. 92-203 and 100-241)~~((+))~~;

~~((+))~~ (23) Veterans' Administration educational assistance for the student's educational expenses and child care necessary for school attendance;

~~((+))~~ (24) Housing and Urban Development (HUD) community development block grant funds that preclude use for current living costs;

~~((+))~~ (25) Restitution payments made under the Wartime Relocation of Civilians Act, P.L. 100-383. The department shall disregard income and resources derived from restitution payments;

~~((+))~~ (26) A previous underpayment of assistance under WAC 388-33-195;

~~((+))~~ (27) Payment from the annuity fund established by the Puyallup Tribe of Indians Settlement Act of 1989 (P.L. 101-41), made to a Puyallup Tribe member upon reaching twenty-one years of age.

~~((+))~~ (a) "Initial investments" means real or personal property purchased directly with funds from the annuity fund payment up to the amount of the funds from the annuity fund payment.

~~((+))~~ (b) The department shall treat income derived either from the annuity fund payment or the initial investments as newly acquired income per WAC 388-28-482 and 388-28-484.

~~((+))~~ (c) When the initial investments are nonexempt resources, the department shall apply appreciation in value to the resource ceiling value as specified under WAC 388-28-435(1). When appreciation is in excess of the applicable ceiling value, the department shall apply WAC 388-28-438(2). The department shall determine appreciation in value at the time of eligibility review.

~~((+))~~ (d) The department shall treat proceeds from the transfer of the initial investments according to WAC 388-28-471. After sixty days, if funds are in excess of the applicable ceiling value, the department shall apply WAC 388-28-438(2) for AFDC and WAC 388-28-440 (3) and (4) for GA-U.

~~((+))~~ (28) Payments from the trust fund established by the P.L. 101-41 made to a Puyallup Tribe member;

~~((+))~~ (29) Payments made from the Agent Orange Settlement Fund or any other funds established to settle Agent Orange liability claims (P.L. 101-201). The effective date of the disregard is retroactive to January 1, 1989;

~~((+))~~ (30) Payments made under the Disaster Relief Act of 1974 (P.L. 93-288) as amended by Disaster Relief and Emergency Assistance amendments of 1988 (P.L. 100-707). This applies to assistance issued by federal, state, or local governments or by a disaster assistance organization;

~~((+))~~ (31) Payments from the Radiation Exposure Compensation Act (P.L. 101-426) made to an injured person, surviving spouse, children, grandchildren, or grandparents; and

~~((+))~~ (32) Income specifically excluded by any other federal statute from consideration as income or resource.

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

WSR 93-14-017

**WITHDRAWAL OF PROPOSED RULES
BUILDING CODE COUNCIL**

[Filed June 25, 1993, 2:00 p.m.]

The State Building Code Council respectfully withdraws the proposed rulemaking regarding chapter 51-04 WAC, as filed under WSR 93-01-161.

William E. O'Neil, Jr.
Rules Coordinator

WSR 93-14-021

**PROPOSED RULES
TACOMA COMMUNITY COLLEGE**

[Filed June 28, 1993, 2:47 p.m.]

Original Notice.

Title of Rule: Grievance procedure—Sexual harassment, sex discrimination, and disability discrimination.

Purpose: To establish rules governing the filing of grievances based on sex discrimination, sexual harassment, or disability discrimination.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Statute Being Implemented: 20 U.S.C. Section 1681(a); 29 U.S.C. Section 794; and chapter 49.60 RCW.

Summary: Identifies the grievance procedure for employees, applicants for employment, enrolled students, and applicants for admission to file a formal complaint based on sex discrimination, sexual harassment, or disability discrimination.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dr. Priscilla Bell, 5900 South 12th Street, Tacoma, (206) 566-5115.

Name of Proponent: Tacoma Community College, Dr. Ray Needham and Dr. Priscilla Bell, public.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: No anticipated fiscal impact on the college. Implementation and enforcement will be with the Title IX Officer, 504 Officer, and Affirmative Action Officer.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Establishes grievance procedure and intrainstitutional appeal process for resolution of formal complaints of sex discrimination, sexual harassment, and handicapped discrimination.

Proposal Changes the Following Existing Rules: Changes all occurrences of the word "handicapped" to "disability."

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Cascade Conference Center, Building 7, Tacoma Community College, 5900 South 12th Street, Tacoma, WA 98465, on September 9, 1993, at 4:00 p.m.

Submit Written Comments to: Dr. Priscilla Bell, Tacoma Community College, by September 8, 1993.

Date of Intended Adoption: September 9, 1993.

June 23, 1993

Raymond J. Needham
President

TACOMA COMMUNITY COLLEGE
Chapter 132V-300 WAC
GRIEVANCE PROCEDURE—SEXUAL
HARASSMENT, SEX DISCRIMINATION, AND
~~HANDICAPPED~~ DISABILITY DISCRIMINATION

AMENDATORY SECTION [(Amending WSR 93-03-078, filed 1/19/93)]

WAC 132V-300-010 Statement of policy. Tacoma Community College is covered by Title IX of the Education Amendments of 1972 prohibiting sex discrimination in education and Section 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of ~~handicap~~ disability. The college is committed to protecting the rights and dignity of each individual in the campus community and so will not tolerate discrimination of any kind, at any level.

Further, it is the policy of Tacoma Community College to provide an environment in which employees can work free from sexual harassment or sexual intimidation. Sexual harassment is a form of sex discrimination. As such it is a violation of Title VII of the 1964 Civil Rights Act and Title IX of the 1972 Education Amendments.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing; or

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decision affecting such individual; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or educational environment.

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

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

AMENDATORY SECTION (Amending WSR 93-03-078, filed 1/19/93)]

WAC 132V-300-020 Jurisdiction. This chapter shall serve as a Title IX/Section 504 grievance for all employees of Tacoma Community College including classified staff, faculty, and administrators, applicants for employment, and enrolled students and applicants for admission.

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

Reviser's note: The above section was filed as an amendatory section; however, there were no amendments made. Pursuant to the requirements of RCW 34.08.040 it is published in the same form as filed by the agency.

AMENDATORY SECTION [(Amending WSR 93-03-078, filed 1/19/93)]

WAC 132V-300-030 Grievance procedure. Internal review and consultative processes have proven to be a desirable means of resolving problems. Any employee, applicant for employment, enrolled student, or applicant for admission to Tacoma Community College who believes he/she has been discriminated against on the basis of sex or on the basis of a ~~handicap~~ disability is encouraged to resolve the complaint with the individual believed to have committed the discriminatory act. If the complaint is not resolved, the individual may lodge a formal institutional grievance according to the following procedures:

(a) Step 1: Official hearing.

(i) Sexual discrimination/harassment complaints shall be lodged with the Title IX Officer or the Affirmative Action Officer. ~~Handicapped~~ Disability discrimination complaints shall be lodged with the 504 Officer or the Affirmative Action Officer. The complainant shall request a meeting with the designated college officer as the first step in the grievance process.

(ii) To request an official hearing, the complainant shall file a written complaint with the designated college officer describing the specific grievance(s), including dates, times, places, circumstances, and any witnesses. A copy of the written complaint will be provided to the person to whom the grievance is directed.

(iii) Within ten (10) instructional days of receiving the written request, the designated college officer shall arrange a meeting to hear the complaint. It shall be at the discretion of the complainant to determine whether the officer will meet with the complainant and the person to whom the complaint has been directed separately or in a single meeting. If the complainant requests a single meeting, unless otherwise mutually agreed by the parties, attendance shall be limited to the complainant, the person to whom the complaint is directed, and the college officer, who shall chair the meeting. Either the complainant or the person to whom the complaint is directed may call witnesses at the discretion of the person presiding.

At this step and all subsequent steps in the grievance procedure, the complainant may elect to be represented by an attorney in preparing and presenting the grievance. The complainant shall notify the appropriate college officer at least five (5) instructional days in advance of such action.

In such cases, the college may choose to be assisted by an assistant attorney general.

(iv) Following the hearing and within thirty (30) calendar days of receiving the written request, the college officer will report his/her findings in writing to both the complainant and the person to whom the complaint has been directed. This decision is final absent appeal to the college president.

(v) The Affirmative Action Officer and Title IX Officer are to be informed of any sex discrimination/harassment complaint or 504 complaint lodged, as well as the resolutions of such complaints.

(b) Step 2: Presidential appeal.

(i) Either the complainant or the person to whom the complaint is directed has a right to present a statement to the college president appealing the findings of the designated college officer.

(ii) The request must be made in writing within ten (10) days of written notification of the results of the official hearing.

(iii) Within ten (10) instructional days of receiving the appeal request, the college president or the president's designee will review the record of the hearing and the appeal and report the findings in writing to both the complainant and the person to whom the complaint is directed.

(iv) The written findings of the presidential appeal will be considered final. No further intra-institutional appeal exists.

(v) If the findings indicate that the person against whom the complaint is lodged engaged in sexual harassment or other discriminatory acts, disciplinary proceedings may be commenced against the person pursuant to appropriate procedures, depending on whether the person is a student, a member of classified staff, administrative exempt, or faculty.

If desired, inquiries or appeals beyond the institutional level may be directed to:

(a) United States Department of Education, Office of Civil Rights, 1915 2nd Avenue, Room 3310, Seattle, Washington 98174-1099.

(b) United States Equal Opportunity Commission, 2815 2nd Avenue, Suite 500, Seattle, Washington 98121.

(c) The Washington State Human Rights Commission, 711 South Capitol Way, Suite 402, PO Box 42490, FJ-41, Olympia, Washington 98504-2490.

(d) City of Tacoma, Human Rights Department, 747 Market Street, Room 808, Tacoma, Washington 98402.

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

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

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

WSR 93-14-023
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 28, 1993, 4:49 p.m.]

Original Notice.

Title of Rule: WAC 388-83-031 Continuation of eligibility for pregnant women and 388-99-011 Continuation of eligibility for pregnant women.

Purpose: Use of consistent language. Clarify technical language.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Ensure that medical coverage for a pregnant women is extended through the end of the month in which the sixtieth day from the end of the pregnancy occurs.

Reasons Supporting Proposal: Use of consistent language and clarification of technical language.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Scotson, Medical Assistance Administration, 753-7462.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 28, 1993
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 2430, filed 10/2/86)

WAC 388-83-031 Continuation of eligibility for pregnant women. The department shall continue Medicaid eligibility for a woman who was eligible for and received Medicaid on the last day of pregnancy ((shall continue to be eligible for Medicaid covered postpartum and pregnancy-related services for sixty days following that date)) through the end of the month in which the sixtieth day from the end of pregnancy occurs.

AMENDATORY SECTION (Amending Order 2722, filed 11/7/88)

WAC 388-99-011 Continuation of eligibility for pregnant women. The department shall continue Medicaid eligibility for a pregnant woman (~~((through the end of the month in which the sixty-day period (beginning on the last day of pregnancy) ends))~~) as described under WAC 388-83-031.

WSR 93-14-024
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 28, 1993, 4:51 p.m.]

Original Notice.

Title of Rule: WAC 388-539-001 Purpose, 388-539-050 Definitions, 388-539-100 Eligibility, and 388-539-150 Premium payment.

Purpose: HB 2130 moves the administrative responsibility of the AIDS insurance program from Department of Health to the medical assistance administration within the Department of Social and Health Services.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Provides for the Department of Social and Health Services to pay health insurance coverage with funds appropriated on behalf of persons with AIDS.

Reasons Supporting Proposal: HB 2130 moves the administrative responsibility of the AIDS insurance program from Department of Health to the medical assistance administration within the Department of Social and Health Services.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance Administration, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 28, 1993
Rosemary Carr
Acting Director
Administrative Services

Chapter 388-539 WAC
ACQUIRED HUMAN IMMUNODEFICIENCY SYNDROME INSURANCE PROGRAM

NEW SECTION

WAC 388-539-001 Purpose. The department shall administer state funds appropriated to ensure health insurance coverage for a person:

(1) Incapacitated by acquired human immunodeficiency syndrome (AIDS), as defined under WAC 388-539-050; and

(2) Who meets the department's eligibility requirements described under WAC 388-539-100.

NEW SECTION

WAC 388-539-050 Definitions. For the purpose of this chapter, "acquired human immunodeficiency syndrome" means the illness characterized by the diseases and conditions defined and described by the state board of health under WAC 246-100-011(1).

NEW SECTION

WAC 388-539-100 Eligibility. (1) The department shall pay health insurance premiums for a client with AIDS and who is liable for the health insurance premium, when the client meets the following conditions:

(a) Is ineligible for Medicaid or state-funded medical programs operated by the department;

(b) Is eligible for continuation coverage insurance benefits as provided for by the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, group health insurance, or individual health insurance coverage if cost effective; and

(c) Has personal assets equal to or less than fifteen thousand dollars, excluding a home used as a primary residence, and a car.

(2) A client's eligibility under the program shall cease when the person:

(a) Dies;

(b) Is no longer eligible for insurance under subsection (1) of this section; or

(c) Moves out of state.

NEW SECTION

WAC 388-539-150 Premium payment. The department shall pay a maximum premium payment not to exceed fifty percent of the estimated average monthly expenditure for covered services for a comparable Medicaid client during the same fiscal year.

WSR 93-14-025
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 28, 1993, 4:51 p.m.]

Original Notice.

Title of Rule: WAC 388-49-520 Prospective income budgeting and 388-49-535 Special circumstances.

Purpose: In WAC 388-49-520, this amendment removes that portion of subsection (3)(a) having to do with budgeting student financial aid prospectively, and brings WAC 388-49-520 into conformance with 7 CFR 273.21 (f)(2)(iii) which requires student financial aid be budgeted retrospectively over the period intended.

Statutory Authority for Adoption: RCW 74.04.510 and 74.04.570.

Statute Being Implemented: RCW 74.04.510 and 74.04.570.

Summary: These amendments delete WAC 388-49-520 (3)(a) thereby removing student financial aid as a category of income to be budgeted prospectively. Also, adds WAC 388-49-535(2) specifying that student financial aid is budgeted retrospectively.

Reasons Supporting Proposal: Amendments conform WAC 388-49-520 and 388-49-535 to 7 CFR 273.21 (f)(2)(iii) which requires that student financial aid be prorated and budgeted retrospectively over the period intended to cover.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Charles Henderson, Division of Income Assistance, 438-8325.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, 7 CFR 273.21 (f)(2)(iii).

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 28, 1993
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3425, filed 7/23/92, effective 9/1/92)

WAC 388-49-520 Prospective income budgeting. (1) The department shall budget income, income deductions, and income exclusions prospectively for the first two beginning months, except for student financial aid.

(2) The department shall budget income, income deductions, and income exclusions prospectively for the entire certification period for:

- (a) Households in which all adult members are elderly or disabled and do not have earned income;
- (b) Migrant households;
- (c) Seasonal farmworker households; and

(d) Households in which all members are homeless individuals.

(3) The department shall budget the following income, income deductions, and income exclusions prospectively, except as provided under WAC 388-49-535(6):

(a) ~~((Monthly student financial aid, except for work study;~~

~~(b)))~~ Public assistance as defined under WAC 388-22-030 except for Supplemental Security Income (SSI); and ~~((e))~~ (b) Income from a new household member for the first two months of participation when the:

- (i) Household timely reports the new member; and
- (ii) New member has not received benefits within the last calendar month.

AMENDATORY SECTION (Amending Order 3184, filed 5/31/91, effective 7/1/91)

WAC 388-49-535 Special circumstances—Income budgeting. The department shall:

(1) Budget additional public assistance payments either prospectively or retrospectively, using only the amount authorized for the month the income is received.

(2) Budget countable student financial aid retrospectively.

(3) Annualize and then prorate the following income to determine eligibility and benefit levels in the beginning months if:

- (a) Self-employment income is received other than monthly; or
- (b) Contract income is received in less than one year.
- (c) After the first beginning months, the department shall use actual income received in the corresponding budget month.

~~((3))~~ (4) When a participating household member establishes a new household:

- (a) Remove that member from the prior household; and
- (b) Use the method of income budgeting that was in effect in the prior household.

~~((4))~~ (5) Consider either prospectively or retrospectively over the period the expense is intended to cover, expenses that have been averaged if the household:

- (a) Has expenses that fluctuate or are billed less often than monthly; and
- (b) Chooses to have the expenses averaged.

~~((5))~~ (6) When adding or deleting a household member, add or delete that person's income, following change of circumstance rules in WAC 388-49-610.

~~((6))~~ (7) Consider income exclusions and deductions retrospectively in households having income budgeted both prospectively and retrospectively.

WSR 93-14-026
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 28, 1993, 4:52 p.m.]

Original Notice.
Title of Rule: WAC 388-87-200 Jail inmates.

Purpose: SHB 1469 establishes for the medical care and payment for care for jail inmates. The law specifies who pays for jail inmate medical care and states that all jail inmates receive appropriate and cost-effective emergency and necessary medical care.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Law specifies who pays for jail inmates' medical care and states that all jail inmates receive appropriate and cost-effective emergency and necessary medical care.

Reasons Supporting Proposal: SHB 1469 establishes for the medical care and payment for care for jail inmates.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance Administration, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0118 or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 28, 1993

Rosemary Carr

Acting Director

Administrative Services

NEW SECTION

WAC 388-87-200 Payment for jail inmates medical care. (1) The department shall directly reimburse the medical care provider in accordance with the rates and benefits set by the department, when a county or city jail inmate receives emergency or necessary medical care and meets the eligibility requirements for medical care programs authorized under Chapter 74.09 RCW.

(2) The medical care provider and the governing unit as described under RCW 70.48.130, shall be responsible for payment for any remaining balance, including unpaid client liabilities that are a condition of eligibility.

(3) Total payment from all sources to the medical care provider for covered medical services provided to jail inmates eligible for coverage under Chapter 74.09 RCW shall not exceed the amount the department pays for such services under the Medicaid program.

(4) The governing unit shall provide the department and medical care provider with information concerning the jail inmate's ability to pay for medical care.

(5) The governing unit or medical care provider may obtain reimbursement from the inmate for the cost of

services not covered by the department, either directly or seek civil or criminal remedies. As part of a judgment and sentence, the courts may order a defendant to repay the medical costs incurred by the governing unit or medical care providers during confinement.

WSR 93-14-027

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed June 28, 1993, 4:53 p.m.]

Original Notice.

Title of Rule: WAC 388-83-006 Medical care services, 388-87-005 Payment—Eligible providers defined, 388-86-024 Enhanced benefits for pregnant women, 388-86-300 Chemical dependency outpatient services, and 388-86-005 Services available to recipients of categorical needy medical assistance.

Purpose: Division of Alcohol and Substance Abuse changed outpatient chemical treatment policies. The changes impacting medical assistance administration's medical programs are reflected in these rules and provide references to the DASA's rules. Adds new rule on chemical dependency outpatient services.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Updates obsolete language and updates terminology. Deletes the 200-hour treatment time period for pregnant women. Adds references to the DASA rules. Adds how a provider becomes a qualified or certified provider.

Reasons Supporting Proposal: Changes in the Division of Alcohol and Substance Abuse (DASA) program requires changes in the MAA's medical programs.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance Administration, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 28, 1993

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2539, filed 9/17/87)

WAC 388-83-006 Medical care services. (1) The department shall provide state-funded medical care services within the limitations set forth under these rules and regulations to any ~~((individual who has been))~~ client certified as eligible to receive:

- (a) Continuing general assistance~~((;))~~; or
- (b) Alcohol and drug addiction services provided under ~~((sections 1 through 8 of))~~ the Alcoholism and Drug Addiction Treatment and Support Act ~~((of 1987 (chapter 406, Laws of 1987)))~~ chapter 74.50 RCW.

(2) The ~~((recipient))~~ client shall ~~((be responsible for furnishing))~~ furnish the medical care provider ~~((of medical services))~~ with a medical identification ~~((coupon))~~ card or other adequate verification of eligibility ~~((provided by))~~ from the department.

AMENDATORY SECTION (Amending Order 3309, filed 1/15/92, effective 2/15/92)

WAC 388-86-005 Services available to recipients of categorical needy medical assistance. (1) The department shall provide the following Title XIX mandatory services:

- (a) Early and periodic screening diagnosis and treatment services to an eligible person twenty years of age or under;
- (b) Family planning services;
- (c) Federally qualified health center services;
- (d) Home health agency services;
- (e) Inpatient and outpatient hospital care;
- (f) Medicare certified rural health clinic services;
- (g) Other laboratory and x-ray services;
- (h) Skilled nursing home care;
- (i) Certified registered nurse practitioner services; and
- (j) Physicians' services in the office or away from the office as needed for necessary and essential medical care.

(2) The department shall provide the following Title XIX optional services:

- (a) Anesthesia services;
- (b) Blood;
- (c) Chiropractic services;
- (d) Drugs and pharmaceutical supplies;
- (e) Eyeglasses and examination;
- (f) Hearing aids and examinations;
- (g) Hospice services;
- (h) Licensed midwife services;
- (i) Maternity support services;
- (j) Oxygen;
- (k) Personal care services;
- (l) Physical therapy services;
- (m) Private duty nursing services;
- (n) Surgical appliances;
- (o) Prosthetic devices and certain other aids to mobility;

and

- (p) Dental services.

(3) The department shall limit organ transplants to the cornea, heart, heart-lung, kidney, kidney-pancreas, liver, pancreas, single lung, and bone marrow.

(4) The department shall provide treatment, dialysis, equipment, and supplies for acute and chronic nonfunctioning kidneys when the ~~((recipient))~~ client is in the home,

hospital, or kidney center as described under WAC 388-86-050~~((5))~~(12).

(5) The department shall provide detoxification and medical stabilization to chemically using pregnant women in a hospital.

(6) The department shall provide detoxification of acute alcohol or other drug intoxication only in a certified detoxification center or in a general hospital having a detoxification provider agreement with the department.

(7) The department shall provide outpatient chemical dependency treatment in programs qualified under chapter 275-25 WAC and certified under chapter 275-19 WAC or its successor.

(8) For services available under the:

(a) Limited casualty program-medically needy, see chapter 388-99 WAC; and

(b) Limited casualty program-medically indigent, see chapter 388-100 WAC.

(9) The department may require a second opinion and/or consultation before the approval of any elective surgical procedure.

(10) The department shall designate diagnoses that may require surgical intervention:

(a) Performed in other than a hospital in-patient setting; and

(b) Requiring prior approval by the department for a hospital admission.

(11) The department shall assure the availability of necessary transportation to and from medical services covered under a ~~((recipient's))~~ client's medical program.

AMENDATORY SECTION (Amending Order 3094, filed 11/20/90, effective 12/21/90)

WAC 388-86-024 Enhanced benefits for pregnant women. (1) The department shall provide enhanced benefits to a Medicaid ~~((recipient))~~ client during each pregnancy and through the end of the month containing the sixtieth day after the pregnancy ends.

(2) The enhanced benefits include:

(a) Maternity support services, by a provider approved by the division of parent-child health services, consisting of:

- (i) Nursing assessment and/or counseling visit;
- (ii) Psychosocial assessment and/or counseling visit;
- (iii) Nutrition assessment and/or counseling visit;
- (iv) Community health worker visit; and
- (v) Child birth/parenting education.

(b) Outpatient alcohol and drug treatment consisting of:

- (i) A chemical dependency assessment by an Alcohol and Drug Abuse Treatment and Service Act assessment center or the outpatient treatment provider as defined under chapter 275-19 WAC or its successor; and

- (ii) Chemical dependency treatment.

(c) Vitamins and nonprescription drugs as listed in the department's formulary; and

- (d) Transportation as provided under WAC 388-86-085.

(3) The ~~((recipient))~~ client ~~((has))~~ shall have the freedom of choice:

- (a) To receive maternity support services;

- (b) Of qualified maternity support services providers; and

(c) To be referred for outpatient alcohol and drug treatment, unless ordered by the court.

(4) The department shall pay per ~~((recipient))~~ client a maximum of:

(a) Ten contacts for assessment/counseling and community health worker visits under subsection (2)(a) of this section. The department shall pay for additional contacts when the maternity support services provider documents the need for additional contacts;

(b) One contact for child birth/parenting education; and

(c) One contact for an alcohol and drug treatment assessment under subsection (2)(b) of this section~~((; and~~

~~((d) Two hundred hours of outpatient chemical dependency treatment)).~~

NEW SECTION

WAC 388-86-300 Chemical dependency outpatient services. (1) The department shall provide chemical dependency outpatient treatment services to a Medicaid client.

(2) The department shall provide a maximum of one hundred and fifteen hours of outpatient chemical dependency services per client in a twenty-four-month period. The department shall exclude from this limitation a client who is:

(a) Participating in a youth chemical dependency treatment program;

(b) Participating in a methadone chemical dependency treatment program; or

(c) Pregnant or up to twelve months post pregnancy.

(3) The department shall provide exceptions to the service limitations under subsection (2) of this section for chemical dependency outpatient treatment services to a Medicaid client based on medical and clinical necessity.

AMENDATORY SECTION (Amending Order 3545, filed 5/12/93, effective 6/12/93).

WAC 388-87-005 Payment—Eligible providers defined. (1) The following providers shall be eligible for enrollment to provide medical care to eligible clients:

(a) Persons currently licensed by the state of Washington to practice medicine, osteopathy, dentistry, optometry, podiatry, midwifery, nursing, dental hygiene, chiropractic, or physical, occupational, speech, or respiratory therapy;

(b) A hospital currently licensed by the department of health;

(c) A facility currently licensed and classified by the department as a nursing facility or an intermediate care facility for the mentally retarded (ICF-MR);

(d) A licensed pharmacy;

(e) A home health services agency licensed under chapter 70.127 RCW;

(f) A hospice care agency licensed under chapter 70.127 RCW;

(g) An independent (outside) laboratory certified to participate under Title XVIII or determined currently to meet the Medicare requirements for such participation;

(h) A company or person, not excluded in subsection (3) of this section, supplying items vital to the provision of medical services such as ambulance service, oxygen, eyeglasses, other appliances, or approved services~~((;))~~ not otherwise covered under this section;

(i) A provider of screening services having a signed agreement with the department to provide such services to eligible persons in the early and periodic screening and diagnosis and treatment (EPSDT) program;

(j) A qualified and approved center for the detoxification of acute alcohol or other drug intoxication conditions;

(k) A qualified and approved outpatient clinical community mental health center, an approved inpatient psychiatric facility, ~~((a qualified and approved chemical dependency treatment facility;))~~ or Indian health service clinic;

(l) A chemical dependency facility:

(i) Certified by the division of alcohol and substance abuse under chapter 275-19 WAC, or its successor; and

(ii) Included in a coordinated continuum of chemical dependency services per a county plan under Chapter 275-25 WAC or its successor.

(m) A Medicare-certified rural health clinic;

~~((m))~~ (n) A federally qualified health care center;

~~((n))~~ (o) Licensed or certified agencies or persons having a signed agreement with the department to provide coordinated community AIDS service alternatives program services:

(i) Home care agency personal care providers or self-employed independent contractors providing hourly attendant or respite care;

(ii) Facilities or agencies providing therapeutic-home-delivered meals;

(iii) Dietitians or nutritionists; and

(iv) Social workers, mental health counselors, or psychologists who are self-employed independent contractors or employed by various licensed or certified agencies.

~~((o))~~ (p) Approved prepaid health maintenance, prepaid health plans, or health insuring organizations;

~~((p))~~ (q) An out-of-state provider of services listed under subsection (1)(a) through ~~((m))~~ (l) of this section subject to conditions specified under WAC 388-87-105;

~~((q))~~ (r) A Washington state school district or educational service district;

~~((r))~~ (s) A licensed birthing center; and

~~((s))~~ (t) A Medicare-certified ambulatory surgical center.

(2) The department shall not pay for services performed by the following practitioners:

(a) Acupuncturists;

(b) Sanipractors;

(c) Naturopaths;

(d) Homeopathists;

(e) Herbalists;

(f) Masseurs or manipulators;

(g) Christian Science practitioners or theological healers; and

(h) Any other licensed or unlicensed practitioners not otherwise specifically provided for under the rules of this chapter.

(3) Conditions of provider enrollment.

(a) Nothing in this section shall bind the department to enroll all eligible providers capable of delivering covered services. The department shall demonstrate the department's plan for service delivery creates adequate access to covered services.

(b) When a provider has a restricted professional license or has been terminated, excluded, or suspended from the

Medicare/Medicaid programs, the department shall not enroll the provider unless the department determines the violations leading to the sanction or license restriction are not likely to be repeated. In the department's determination, the department shall consider whether the provider has been convicted of offenses related to the delivery of professional or other medical services not considered during the development of the previous sanction.

(c) The department shall not reinstate in the medical assistance program, a provider suspended from Medicare or suspended by the United States Department of Health and Human Services (DHHS) until DHHS notifies the department that the provider may be reinstated.

(d) Nothing in this subsection shall preclude the department from denying provider enrollment if, in the opinion of the medical director, medical assistance administration, the provider constitutes a danger to the health and safety of clients.

**WSR 93-14-032
PROPOSED RULES
SPOKANE COUNTY AIR
POLLUTION CONTROL AUTHORITY**
[Filed June 29, 1993, 10:24 a.m.]

Original Notice.

Title of Rule: Spokane County Air Pollution Control Authority Regulation I, Article X, Section 10.12, Oxygenated Gasoline.

Purpose: Establish fees for blenders of oxygenated gasoline for sale in the Spokane control area.

Statutory Authority for Adoption: RCW 70.94.151.

Statute Being Implemented: Chapter 70.94 RCW.

Summary: Establish fees for blenders of oxygenated gasoline for sale in the Spokane control area.

Reasons Supporting Proposal: WAC 173-492-050 established fees only for the 1992-1993 control period and requires that for the 1993-1994 control period and beyond the fee be set by ecology or the authority. This proposal sets that fee.

Name of Agency Personnel Responsible for Drafting and Implementation: Ronald J. Edgar, 1101 West College, Suite 403, Spokane, WA, (509) 456-4727 x 111; Enforcement: Mabel Caine, 1101 West College, Suite 403, Spokane, WA, (509) 456-4727 x 120.

Name of Proponent: Spokane County Air Pollution Control Authority, West 1101 College Avenue, Suite 403, Spokane, WA 99201, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule sets the registration fees of blenders of oxygenated gasoline for sale in the Spokane control area as required by WAC 173-192-050. Fee will be lower for some blenders depending upon their size. The change reflects the actual cost of the operation of the oxygenated fuels program in Spokane County.

Proposal Changes the Following Existing Rules: WAC 173-492-050 fee table was only in effect for the 1992-1993 control period. This rule will replace it.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

This rule is proposed to conform to chapter 173-492 WAC and is in compliance with WAC 173-492-050.

Hearing Location: Spokane County Public Works Building, West 1026 Broadway, Hearing Room, Lower Level, Spokane, WA, on August 5, 1993, at 8:30 a.m.

Submit Written Comments to: Ronald J. Edgar, Spokane County Air Pollution Control Authority, West 1101 College Avenue, Suite 403, Spokane, WA 99201.

Date of Intended Adoption: August 5, 1993.

June 22, 1993

Ronald J. Edgar

Chief of Technical Services

NEW SECTION

Regulation I Section 10.12 Oxygenated Gasoline

As required by WAC 173-492-050 the Authority has set the following fees to be paid by blenders of oxygenated gasoline for sale in the Spokane Control Area. All definitions in this section are from Chapter 173-492 WAC.

Small Volume Blender	(<100,000 gallons/month)	\$500
Medium Volume Blender	(100,000 to <1,000,000 gallons/month)	\$1,000
Large Volume Blender	(1,000,000 to <15,000,000 gallons/month)	\$6,200
Very Large Volume Blender	(≥15,000,000 gallons/month)	\$15,500

WSR 93-14-035

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed June 29, 1993, 4:00 p.m.]

Original Notice.

Title of Rule: Chapter 246-340 WAC, Second trimester abortion facilities.

Purpose: To repeal regulations.

Statutory Authority for Adoption: RCW 43.70.040.

Statute Being Implemented: Chapter 9.02 RCW.

Reasons Supporting Proposal: Voter Initiative 120 passed, thus eliminating the department's statutory authority to regulate abortion facilities.

Name of Agency Personnel Responsible for Drafting: Leslie Baldwin P.O. Box 47852, Olympia, (206) 705-6788; Implementation and Enforcement: Bliss Moore, P.O. Box 47852, Olympia, (206) 705-6660.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This will repeal Department of Health rules for second trimester abortion facilities.

Proposal Changes the Following Existing Rules: Repeals.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

No adverse economic impact to small business.

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington 98504, on August 11, 1993, at 2:00 p.m.

Submit Written Comments to: Ann Foster, Rules Coordinator, 1300 S.E. Quince Street, P.O. Box 47902, Olympia, WA 98504-7902, by August 10, 1993.

Date of Intended Adoption: August 18, 1993.

June 28, 1993
Bruce Miyahara
Secretary

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 246-340-001 Purpose.
- WAC 246-340-010 Definitions.
- WAC 246-340-020 Facilities approved for termination of pregnancy.
- WAC 246-340-030 Certificate of approval required.
- WAC 246-340-040 Application for certificate of approval.
- WAC 246-340-050 Issuance, duration, and assignment of certificate of approval.
- WAC 246-340-060 Form of application for certificate of approval and inspection.
- WAC 246-340-070 Notice of decision—Adjudicative proceeding.
- WAC 246-340-080 Nonhospital facilities approved for termination of pregnancy during the second trimester.
- WAC 246-340-090 HIV/AIDS education and training.
- WAC 246-340-100 Reporting of pregnancy terminations.
- WAC 246-340-110 Disclosure of information.
- WAC 246-340-990 Fees.

**WSR 93-14-036
PROPOSED RULES
DEPARTMENT OF HEALTH**

[Filed June 29, 1993, 4:02 p.m.]

Original Notice.

Title of Rule: Chapter 246-338 WAC, Medical test site rules.

Purpose: To establish in WAC the rules for licensure of medical test sites for implementation of chapter 70.42 RCW.

Statutory Authority for Adoption: Chapter 70.42 RCW. Statute Being Implemented: Chapter 70.42 RCW.

Summary: Chapter 246-338 WAC, Medical test site rules, is amended. Amendments include revisions of definitions, licensure requirements, waived test list, approved accreditation bodies, proficiency testing, personnel, recordkeeping, quality assurance, quality control, categories and fees. The amendments bring the medical test site rules into compliance with federal regulations, (CLIA).

Reasons Supporting Proposal: The state has applied to the federal government for exemption from CLIA. To qualify for this exemption, a state must have regulations that are equal to or more stringent than the CLIA regulations.

The amendments are necessary to bring the rules into compliance with federal regulations (CLIA).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Martha G. Simon, Department of Health, 361-2806.

Name of Proponent: Department of Health, governmental.

Rule is necessary because of federal law, Public Law 100-578 Section 353 of Public Health Service Act.

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed changes will bring the medical test site rules into compliance with federal regulations (CLIA).

Proposal Changes the Following Existing Rules: Changes in: Definitions; licensure requirements; waived test list; approved accreditation bodies; proficiency testing; personnel; recordkeeping; quality assurance; quality control; categories and fees.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Federal government did a regulatory impact analysis published with final CLIA regulations in the February 28, 1992, Federal Register.

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington 98504, on August 11, 1993, at 1:00 p.m.

Submit Written Comments to: Ann Foster, Rules Coordinator, 1300 S.E. Quince, P.O. Box 47902, Olympia, WA 98504-7902, by August 9, 1993.

Date of Intended Adoption: August 17, 1993.

June 21, 1993
Bruce Miyahara
Secretary

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-010 Definitions. For the purpose of chapter 70.42 RCW and this chapter, the following words and phrases have these meanings unless the context clearly indicates otherwise.

(1) "Accreditation body" means a public or private organization or agency which accredits, certifies, or licenses medical test sites, by establishing and monitoring standards judged by the department to be consistent with federal law and regulation, and this chapter.

(2) "Authorized person" means any individual allowed by Washington state law or rule to order tests or receive test results.

(3) "Case" means any slide or group of slides, from one patient specimen source, submitted to a medical test site, at one time, for the purpose of cytological or histological examination.

(4) "Certificate of waiver" means a medical test site performing one or more of the tests listed under WAC 246-338-030(10), and no other tests.

(5) "Days" means calendar days.

(6) "Department" means the department of health.

(7) ("Designated specialty test site supervisor" means an available individual, designated in writing by the owner of the medical test site, meeting the qualifications and performing the duties of a designated test site supervisor, as

described in this chapter for an assigned specialty or subspecialty.

~~((8))~~ ((8)) "Designated test site supervisor" means the available individual responsible for the technical functions of the medical test site and meeting the ~~((department))~~ qualifications ~~((under this chapter))~~ for Laboratory Director, listed in 42 CFR Part 493 Subpart M - Personnel for Moderate and High Complexity Testing.

~~((9))~~ ((8)) "Disciplinary action" means license or certificate of waiver denial, suspension, condition, revocation, civil fine, or any combination of the preceding actions, taken by the department against a medical test site.

~~((10))~~ ((9)) "Facility" means one or more locations where tests are performed, within one campus or complex, under one owner.

~~((11))~~ ((10)) "Federal law and regulation" means ~~((Public Law 100-578))~~ Section 353 of the Public Health Service Act, Clinical Laboratory Improvement Amendments of 1988, ((Public Health Service Act,)) and regulations implementing the federal amendments, 42 CFR Part 493 - Laboratory Requirements.

~~((12))~~ ((11)) "Forensic" means investigative testing in which the results are never used for health care or treatment, or referral to health care or treatment, of the individual.

~~((13))~~ ((12)) "Licensed test" means all tests categorized as physician-performed microscopic procedures or moderate or high complexity tests consistent with federal law and regulation and not specifically listed as waived under WAC 246-338-030(10), or defined as forensic under subsection (11) of this section.

((13)) "Limited public health testing" means a combination of fifteen or less waived tests, as listed under WAC 246-338-030(10), or tests of moderate complexity, as defined under subsection (12) of this section;

((14)) "May" means permissive or discretionary on the part of the department.

~~((14))~~ ((15)) "Medical test site" or "test site" means any facility or site, public or private, which analyzes materials derived from the human body for the purposes of health care, treatment, or screening. A medical test site does not mean:

(a) A facility or site, including a residence, where a test approved for home use by the Federal Food and Drug Administration is used by an individual to test himself or herself without direct supervision or guidance by another and where this test is not part of a commercial transaction; or

(b) A facility or site performing tests solely for forensic purposes.

~~((15))~~ ((16)) "Owner" means the person, corporation, or entity legally responsible for the business requiring licensure or a certificate of waiver as a medical test site under chapter 70.42 RCW.

~~((16))~~ ((17)) "Performance specification" means a value or range of values for a test that describe its accuracy, precision, analytical sensitivity, analytical specificity, reportable range and reference range.

((18)) "Person" means any individual, public organization, private organization, agent, agency, corporation, firm, association, partnership, or business.

~~((17))~~ ((17)) "Principle health care provider" means the attending physician or other health care provider recognized as primarily responsible for diagnosis and treatment of a

patient or, in the absence of such, the health care provider initiating diagnosis, testing or therapy for a patient.

~~((18))~~ ((19)) "Physician" means an individual with a doctor of medicine, doctor of osteopathy, doctor of podiatric medicine, or equivalent degree who is a licensed professional under chapter 18.71 RCW Physicians; chapter 18.57 RCW Osteopathy—Osteopathic medicine and surgery; or chapter 18.22 RCW Podiatric medicine and surgery.

((20)) "Physician-performed microscopic procedures" means only those tests listed under WAC 246-338-020 (2)(b)(i) through (vii), when the tests are performed by a physician in conjunction with a patient's visit.

~~((21))~~ ((21)) "Provisional license" ~~((or "provisional certificate of waiver"))~~ means an interim approval issued by the department to the owner of a medical test site.

~~((19))~~ ((22)) "Recordkeeping" means books, files, or records necessary to show compliance with the quality control and quality assurance requirements under this chapter.

~~((20))~~ ((23)) "Shall" means compliance is mandatory.

~~((21))~~ ((21)) "Site" or "mobile site" means one or more locations where tests are performed, under one owner, changing or extending location to perform tests on a regular or intermittent basis.

~~((22))~~ ((24)) "Specialty" means a group of similar subspecialties or tests. The specialties for a medical test site are as follows:

- (a) Chemistry;
- (b) Cytogenetics;
- (c) Diagnostic immunology;
- (d) Immunohematology;
- (e) Hematology;
- (f) Histocompatibility;
- (g) Microbiology;
- (h) Pathology; and
- (i) Radiobiology.

~~((23))~~ ((25)) "Subspecialty" means a group of similar tests. The subspecialties of a specialty for a medical test site are as follows, for:

(a) Chemistry, the subspecialties are routine chemistry, urinalysis, endocrinology, toxicology, and other chemistry;

(b) Diagnostic immunology, the subspecialties are syphilis serology ~~((and))~~ and general immunology ~~((and HIV, and alpha-feto protein));~~

(c) Immunohematology, the subspecialties are blood group and Rh typing, antibody detection, antibody identification, crossmatching, ~~((transfusion services and blood banking));~~ and other immunohematology;

(d) Hematology, the subspecialties are routine hematology, coagulation, and other hematology;

(e) Microbiology, the subspecialties are bacteriology, mycology, parasitology, virology, and mycobacteriology; and

(f) Pathology, the subspecialties are histopathology, diagnostic cytology, and oral pathology.

~~((24))~~ ((26)) "Supervision" means authoritative procedural guidance by a qualified individual, assuming the responsibility for the accomplishment of a function or activity by technical personnel.

~~((25))~~ ((27)) "Technical personnel" means individuals employed to perform any test or part of a test.

~~((26))~~ (28) "Test" means any examination or procedure conducted on a sample taken from the human body, including screening.

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-020 Licensure of the medical test sites. (1) After July 1, 1990, no person shall advertise, operate, manage, own, conduct, open, or maintain a medical test site without first obtaining from the department, a license or a certificate of waiver as described under chapter 70.42 RCW and this chapter.

(2) Applicants requesting a medical test site license or renewal shall:

(a) Submit a completed application and fee for the appropriate category of license to the department on forms furnished by the department, including signature of the owner; ~~(and)~~

(b) Submit a completed application and fee for physician-performed microscopic procedures if the medical test site restricts its testing performance to waived tests as listed under WAC 247-338-030(10) and one or more of the tests listed in this section:

(i) Wet mounts, including preparations of vaginal, cervical or skin specimens;

(ii) Potassium hydroxide (KOH) preparations;

(iii) Pinworm examinations;

(iv) Fern tests;

(v) Post-coital direct, qualitative examinations of vaginal or cervical mucous;

(vi) Urine sediment examinations; and

(vii) Any other tests specifically categorized under federal law and regulation as physician-performed microscopic procedures;

(c) File a separate application for each facility except under the following conditions:

(i) If the medical test site is not at a fixed location and moves from testing site to testing site, or uses a temporary testing location such as a health fair, the medical test site may apply for a single license for the home base location;

(ii) If the medical test site is a not-for-profit or state or local government laboratory that engages in limited public health testing at different locations, the owner may file an application for a single license;

(d) Furnish full and complete information to the department in writing, as required for proper administration of rules implementing chapter 70.42 RCW including:

(i) Name, address, and phone number of the medical test site;

(ii) Name, address, and phone number of the owner of the medical test site;

(iii) Number and types of tests performed, planned, or projected;

(iv) Names and qualifications including educational background, training, and experience of the designated test site supervisor ~~(, and any designated specialty test site supervisor)~~);

(v) Names and qualifications including educational background, training, and experience of technical personnel, if requested by the department, in order to determine consistency with federal law and regulation;

(vi) Name ~~(and type)~~ of proficiency testing program or programs used by the medical test site and a copy of the enrollment form for initial application;

(vii) Other information as required to implement chapter 70.42 RCW; and

(viii) Methodologies for tests performed, when the department determines the information is necessary, consistent with federal law and regulation.

(e) Submit to inspections by the Health Care Financing Administration (HCFA) or HCFA agents as a condition of licensure or approval, for the purpose of validation or in response to a complaint against the medical test site; and

(f) Authorize the department to release to HCFA or HCFA agents all records and information requested by HCFA;

~~(3) ((The department shall also issue a license for a medical test site if the medical test site:~~

~~(a) Is accredited, certified, or licensed by an accreditation body under WAC 246-338-040; and~~

~~(b) Submits the following to the department for department approval:~~

~~(i) Information defined under subsection (2)(a) and (b) of this section; and~~

~~(ii) Proof of accreditation, certification, or licensure by an accreditation body including a copy of the most recent:~~

~~(A) On-site inspection results;~~

~~(B) Statement of deficiencies;~~

~~(C) Plan of correction for the deficiencies cited; and~~

~~(D) Any disciplinary action and results of any disciplinary action taken by the accreditation body against the medical test site; or~~

~~(iii) Authorization for an accreditation body to submit to the department such records or other information about the medical test site required for the department to determine whether or not standards are consistent with chapter 70.42 RCW and this chapter.~~

(4)) The owner or applicant shall submit an application and fee to the department thirty days prior to the expiration date of the current license.

~~((5))~~ (4) The department shall:

(a) Issue or renew a license for the medical test site, valid for two years, when the applicant or owner meets the requirements of chapter 70.42 RCW and this chapter, subject to subsection ~~((6))~~ (7) of this section;

(b) Terminate a provisional license, at the time a two-year license for the medical test site is issued;

(c) Establish fees to be paid under WAC 246-338-990;

(d) Prohibit transfer or reassignment of a license without thirty days prior written notice to the department and the department's approval;

(e) Examine records of the medical test site, if the department believes a person is conducting tests without an appropriate license;

(f) Give written notice of any violations to the medical test site, including a statement of deficiencies observed and requirements to:

(i) Present a written plan of correction to the department within fourteen days following the date of postmark; and

(ii) Comply within a specified time, not to exceed sixty days, after department approval of a written plan of correction;

(g) Allow the owner a reasonable period of time, not to exceed sixty days, to correct a deficiency unless the deficiency is an immediate threat to life, health, or safety.

~~((6))~~ (5) The department shall also issue a license for a medical test site if the medical test site:

(a) Is accredited, certified, or licensed by an accreditation body under WAC 246-338-040; and

(b) Submits to the department:

(i) Information defined under subsection (2)(a) and (d) of this section;

(ii) Proof of accreditation, certification or licensure by an accreditation body within eleven months of issuance of the medical test site license; and

(c) Authorizes the accrediting body to submit, upon request from the department:

(i) On-site inspection results;

(ii) Statement of deficiencies;

(iii) Plan of correction for the deficiencies cited;

(iv) Any disciplinary action and results of any disciplinary action taken by the accreditation body against the medical test site; and

(v) Any records or other information about the medical test site required for the department to determine whether or not standards are consistent with chapter 70.42 RCW and this chapter.

(6) The department shall require the owner of a medical test site to reapply for a medical test site license if:

(a) Proof of accreditation is not supplied to the department within eleven months of issuance of the medical test site license; or

(b) The medical test site has its accreditation denied or terminated by the accreditation body.

(7) The department may:

(a) Issue, to a medical test site applying for licensure for the first time a provisional license valid for a period of time not to exceed two years from date of issue;

(b) Conduct on-site review of a medical test site at any time to determine compliance with chapter 70.42 RCW and this chapter; and

(c) Initiate disciplinary action, as described under chapter 70.42 RCW and this chapter, if the owner or applicant fails to comply with chapter 70.42 RCW and this chapter, consistent with chapter 34.05 RCW, Administrative Procedure Act.

~~((7))~~ (8) The owner shall notify the department, in writing, at least thirty days prior to the date of a proposed change of ownership and provide the following information:

(a) Full name, address, and location of the current owner and prospective new owner, if known;

(b) Name and address of the medical test site and the new name of the medical test site, if known;

(c) Changes in technical personnel and supervisors, if known; and

(d) The date of the proposed change of ownership.

~~((8))~~ (9) The prospective new owner shall submit the information required under subsection (2)(a) and ~~((b))~~ (d) of this section, at least thirty days prior to the change of ownership.

~~((9))~~ (10) The owner shall inform the department within thirty days, in writing, of:

(a) The date of opening or closing the medical test site; and

~~(b) Any changes in ~~(the information related to license application, excluding tests which would not affect category change, within thirty days after the change, unless specifically stated otherwise under chapter 70.42 RCW or this chapter))~~;~~

(i) Name;

(ii) Location; or

(iii) Designated test site supervisor.

(11) The owner shall inform the department within six months, in writing, of any changes in:

(a) Tests, specialties and subspecialties; and

(b) Test methodology.

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-030 Waiver from licensure of medical test sites. (1) The department shall grant a certificate of waiver to a medical test site performing only the tests listed under this section.

(2) Applicants requesting a certificate of waiver or renewal shall:

(a) Submit a completed application and fee for initial certificate of waiver or renewal to the department on forms furnished by the department, including signature of the owner; and

(b) File a separate application for each facility except under the following conditions:

(i) If the medical test site is not at a fixed location and moves from testing site to testing site, or uses a temporary testing location such as a health fair, the medical test site may apply for a single certificate of waiver for the home base location;

(ii) If the medical test site is a not-for-profit or state or local government laboratory that performs, at different locations, only those tests listed in subsection (10) of this section, the owner may file an application for a single certificate of waiver;

(c) Furnish full and complete information to the department in writing, as required for proper administration of rules to implement chapter 70.42 RCW including:

(i) Name, address, and phone number of the medical test site;

(ii) Name, address, and phone number of the owner of the medical test site;

(iii) Number and types of tests performed, planned or projected;

(iv) Names and qualifications including educational background, training and experience of the ~~((designated test site supervisor))~~ personnel directing and supervising the medical test site;

(v) Names and qualifications including educational background, training, and experience of ~~((technical))~~ personnel performing the test procedures, if requested by the department, in order to determine consistency with federal law and regulation;

(vi) Other information as required to implement chapter 70.42 RCW; and

(vii) Methodologies for tests performed, when the department determines the information is necessary consistent with federal law and regulation.

(3) The owner or applicant shall submit an application and fee to the department thirty days prior to the expiration date of the current certificate of waiver.

(4) The department shall:

(a) Grant a certificate of waiver or renewal of a certificate of waiver for the medical test site valid for two years when the applicant or owner meets the requirements of chapter 70.42 RCW and this chapter, subject to subsection (5) of this section;

~~(b) ((Terminate a provisional certificate of waiver at the time a two-year certificate of waiver for the medical test site is issued;~~

~~(e))~~ Establish fees to be paid under WAC 246-338-990; and

~~((d))~~ (c) Prohibit transfer or reassignment of a certificate of waiver without thirty days prior written notice to the department and the department's approval.

(5) If the department has reason to believe a ~~(waivered)~~ waived site is conducting tests requiring a license, the department shall:

(a) Conduct on-site reviews of the medical test site;

(b) Examine records of the medical test site;

(c) Give written notice of any violations to the medical test site, including a statement of deficiencies observed and requirements to:

(i) Present a written plan of correction to the department within fourteen days following the date of postmark; and

(ii) Comply within a specified time not to exceed sixty days after department approval of a written plan of correction;

(d) Allow the owner a reasonable period of time, not to exceed sixty days, to correct a deficiency unless the deficiency is an immediate threat to life, health, or safety.

(6) The department may:

~~(a) ((Grant a provisional certificate of waiver to a medical test site, applying for a certificate of waiver for the first time, valid for a period of time not to exceed two years from date of issue;~~

~~(b))~~ Conduct on-site review of a medical test site at any time to determine compliance with chapter 70.42 RCW and this chapter; and

~~((e))~~ (b) Initiate disciplinary action, as described under chapter 70.42 RCW and this chapter, if the owner or applicant fails to comply with chapter 70.42 RCW and this chapter, consistent with chapter 34.05 RCW, Administrative Procedure Act.

(7) The owner shall notify the department, in writing, at least thirty days prior to the date of a proposed change of ownership and provide the following information:

(a) Full name, address, and location of the current owner and prospective new owner, if known;

(b) Name and address of the medical test site and the new name of the medical test site, if known;

(c) Changes in ~~((technical personnel and supervisors))~~ personnel directing the medical test site, if known; and

(d) The date of the proposed change of ownership.

(8) The prospective new owner shall submit the information required under subsection (2)(a) and ~~((b))~~ (c) of this section, at least thirty days prior to the change of ownership.

(9) The owner shall inform the department within thirty days, in writing, of:

(a) The date of opening or closing the medical test site; and

~~(b) Any ((change in the information related to certificate of waiver application, excluding tests which would not effect category change or licensure, within thirty days after the change, unless specifically stated otherwise under chapter 70.42 RCW and this chapter))~~ changes in:

(i) Name;

(ii) Location; or

(iii) Personnel directing the medical test site.

(10) The department shall grant a certificate of waiver if the medical test site performs only the tests listed in this section and no other tests unless specifically disallowed or allowed under federal law and regulation:

~~((a) Microscopic examination:~~

~~(i) For pinworms by adhesive method;~~

~~(ii) Of urine sediment;~~

~~(iii) Of wet mounts;~~

~~(iv) Of potassium hydroxide (KOH) preparations;~~

~~(v) For fern tests;~~

~~(vi) Of gram stains, limited to discharges and exudates;~~

~~(vii) Of nasal smears by Hansel or Wright-Giemsa stain;~~

~~(b) Any microscopic examination by an individual meeting the qualifications of a designated test site supervisor, only when the same individual diagnoses and treats his or her own patients;~~

~~(c) Examination of urine by reagent strip or tablet methods;~~

~~(d) Urine specific gravity;~~

~~(e) Examination of whole blood, limited to whole blood glucose, by visual reading of reagent strip, tablet method or using instrumentation approved for home use by the Federal Food and Drug Administration;~~

~~(f) Group A strep screen by direct antigen test;~~

~~(g) Qualitative serum and urine pregnancy test kits, excluding instrumentation methods;~~

~~(h) Micro-hematocrit, spun hematocrit;~~

~~(i) Erythrocyte sedimentation rate;~~

~~(j) Qualitative examination of stool specimens for occult blood;~~

~~(k) Primary inoculation of bacteriological or mycological media for visual reading of a color reaction only for presence or absence of growth, not including identification and susceptibility testing;~~

~~(l) Semen analysis;~~

~~(m) Screening tests for Sickle cell, other than electrophoresis methods;~~

~~(n) Ovulation test using visual color test for human luteinizing hormone;~~

~~(o) Whole blood clotting time;~~

~~(p) Antistreptolysin O (ASO) screen by slide agglutination test or equivalent;~~

~~(q) C reactive protein (CRP) screen by slide agglutination test or equivalent;~~

~~(r) Rheumatoid factor screen by slide agglutination test or equivalent;~~

~~(s) Infectious mononucleosis screen by slide agglutination test or equivalent; and~~

~~(t) Culture for colony counts for urinary tract infections, not including identification and susceptibility testing.)~~ (a)

Dipstick or tablet reagent urinalysis;

(b) Fecal occult blood;

- (c) Ovulation tests-visual color comparison tests for human luteinizing hormone;
- (d) Urine pregnancy tests-visual color comparison tests;
- (e) Erythrocyte sedimentation rate-nonautomated;
- (f) Hemoglobin-copper sulfate-nonautomated;
- (g) Blood glucose by glucose monitoring devices cleared by the FDA specifically for home use;
- (h) Spun microhematocrit; and
- (i) Hemoglobin by single analyte instruments with self-contained or component features to perform specimen/reagent interaction, providing direct measurement and readout.

(11) The department ~~((may))~~ will make additions or deletions to the list of ~~((waivered))~~ waived tests under subsection (10) of this section, by rule, ~~((when requests are received:~~

- ~~(a) In compliance with the department's established protocol, available upon request from the department; and~~
- ~~(b) On or before each May 31.~~

(12) Requests for additions or deletions to the list of waivered tests shall include:

- ~~(a) Evidence that the test meets the criteria in subsection (13) (a), (b), or (c) of this section; and~~
- ~~(b) A written agreement to pay the department a fee based on the cost of direct staff time, as defined in WAC 246-338-990 (1)(h)(iii).~~

~~(13) The department shall use the following criteria when determining additional waived tests not listed under subsection (10) of this section, which are determined to have insignificant risk of an erroneous result, including those which:~~

- ~~(a) Pose no reasonable risk of harm to the patient if performed incorrectly;~~
- ~~(b) Are approved by the Federal Food and Drug Administration for home use; or~~
- ~~(c) Are so simple and accurate as to render the likelihood of erroneous result negligible, and judged by the department to require three or less of the following functions:~~

- ~~(i) Calculation;~~
- ~~(ii) Specimen or reagent preparation;~~
- ~~(iii) Six or more steps in the test procedure;~~
- ~~(iv) Calibrated or volumetric measurement;~~
- ~~(v) Independent judgment other than a single observation and recording of results;~~
- ~~(vi) External calibration;~~
- ~~(vii) External quality control; and~~
- ~~(viii) Equipment maintenance))~~ consistent with federal law and regulation.

~~((14))~~ (12) If the medical test site ~~((performs))~~ adds tests not included under subsection (10) of this section, the owner shall apply for licensure as defined under chapter 70.42 RCW and ~~((this chapter))~~ WAC 246-338-020.

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-040 Approval of accreditation bodies.
 (1) The department shall, under RCW 70.42.040, recognize~~((s))~~ the ~~((following))~~ accreditation bodies ~~((under RCW 70.42.040:~~

- ~~(a) United States Department of Health and Human Services, Health Care Financing Administration (HCFA);~~
- ~~(b) National Institute on Drug Abuse (NIDA);~~
- ~~(c) United States Food and Drug Administration (FDA), limited to the manufacture of blood and blood products;~~
- ~~(d) College of American Pathologists (CAP);~~
- ~~(e) Joint Commission on Accreditation of Healthcare Organizations (JCAHO); and~~
- ~~(f) Commission on Office Laboratory Accreditation (COLA))~~ granted deemed status by HCFA.

(2) ~~((If the owner or applicant of a medical test site requests the department to consider accreditation bodies not currently approved by the department under this section, the owner or applicant shall:~~

- ~~(a) Apply for acceptance of a specified accreditation body for a medical test site with the department;~~
- ~~(b) Require the accreditation body to submit to the department a copy of the rules, regulations, and standards used by the accreditation body;~~
- ~~(c) Agree to and request on-site inspections of the medical test site by the accrediting body, at a frequency similar to department inspections of medical test sites; and~~
- ~~(d) Agree to submit to the department within thirty days of application for licensure or renewal of licensure, information required under WAC 246-338-020 (3)(b)(i) through (iii).)~~ The department, upon request, shall furnish a list of the deemed accreditation bodies.

- (3) The department shall:
- (a) ~~((Require the accreditation body to demonstrate to the department the use of accreditation, certification, or licensure standards consistent with federal law and regulations, and this chapter;~~
- ~~(b) Require department approved accreditation bodies to submit changes in standards to the department at least thirty days before changes are effective;~~
- ~~(c) Review accreditation standards of bodies approved under subsection (1) of this section when changes are made in standards;~~

- ~~(d) Require the accreditation body to demonstrate to the department the use of on-site inspectors with qualifications meeting or exceeding the requirements as follows:~~
- ~~(i) Qualifies as a designated test site supervisor or specialty test site supervisor as defined under chapter 70.42 RCW and this chapter; or~~
- ~~(ii) Qualifies with any of the requirements in 42 CFR 493.1427;~~

~~(e))~~ Revoke deemed status from any organization which has deeming authority removed by HCFA;

- (b) Require the accreditation bodies to agree in writing to:
- (i) Allow the department to have jurisdiction to investigate complaints, do random on-site inspections and take disciplinary action against a medical test site if indicated; and
- (ii) Notify the department within thirty days of any medical test that has had its accreditation withdrawn, revoked or limited.

(4) The department may deny or terminate the license for a medical test site, if the owner or applicant fails to authorize the accreditation body to notify the department of the test site's compliance with the standards of the accreditation body.

(5) The department shall notify the medical test site if an accreditation body loses department acceptance of approval as an accreditation body for the medical test site.

(6) The owner or applicant of a medical test site shall reapply for licensure within thirty days, if the acceptance of approval of the accreditation body for the medical test site is denied or terminated.

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-050 Proficiency testing. (1) Effective January 1, 1994:

(a) All licensed medical test sites shall comply with federal proficiency testing requirements listed in 42 CFR Part 493-Laboratory Requirements, Subpart H-Participation in Proficiency Testing for Laboratories Performing Tests of Moderate or High Complexity;

(b) By December 31 of each year, each medical test site, excluding those granted a certificate of waiver, shall submit to the department a copy of proficiency testing enrollment form(s) for the tests the medical test site will perform during the following calendar year;

(c) The department will recognize only those programs approved by the HCFA;

(d) The department shall evaluate proficiency testing results according to the grading criteria listed in 42 CFR Part 493 Subparts H and I; and

(e) The department, upon request, shall furnish:

(i) 42 CFR Part 493 Subparts H and I; and

(ii) A list of the programs approved by HCFA.

(2) Until December 31, 1993, each medical test site shall comply with proficiency testing requirements as described in this section.

(3) Except where there is no available proficiency test, each licensed medical test site shall demonstrate satisfactory participation in a department-approved proficiency testing program appropriate for the test or tests performed on-site, excluding (~~waived~~) waived tests as listed under WAC 246-338-030(10).

(~~(2)~~) (4) The department, upon request, shall furnish a list of the approved proficiency testing programs under RCW 70.42.050.

(~~(3)~~) (5) The department may approve the owner or applicant's use of a specific proficiency testing program when the program:

(a) Assures the quality of test samples;

(b) Appropriately evaluates the testing results;

(c) Identifies performance problems in a timely manner;

(d) Has the technical ability required to prepare and distribute samples;

(e) Uses methods assuring samples mimic actual patient specimens when possible and where applicable;

(f) Uses homogenous samples if applicable;

(g) Maintains stability of samples within the time frame specified in written instructions for analysis by proficiency testing participants;

(h) Provides necessary documentation to establish requirements under this section;

(i) Uses an appropriate process for determining the correct answer for each sample; and

(j) Uses at least two samples per test each (~~quarter~~) testing event if applicable.

(~~(4)~~) (6) The medical test site shall:

(a) Assure testing of proficiency testing samples in a similar manner as patient specimens are tested, unless otherwise specifically requested by the proficiency testing program;

(b) Assure testing of proficiency testing samples on-site by the technical personnel performing examinations on patient specimens;

(c) Maintain reports of graded results received from the proficiency testing program and documentation of the:

(i) Test methodology;

(ii) Identification of technical personnel performing the tests; and

(iii) Reporting of results of the proficiency testing samples; and

(d) Request that the proficiency testing program provide a copy of the graded proficiency testing results to the department.

(~~(5)~~) (7) The department shall evaluate proficiency testing results by using the following grading criteria:

(a) An evaluation of scores for the last four shipments of proficiency testing samples including:

(i) Tests;

(ii) Subspecialties; and

(iii) Specialties;

(b) Maintenance of a minimum acceptable score for satisfactory participation as follows:

(i) Seventy-five percent for all tests, subspecialties, and specialties except for human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and immunohematology; and

(ii) One hundred percent for all tests, subspecialties, and specialties for HIV/AIDS and immunohematology;

(c) A grade of marginal performance occurs when:

(i) An unsatisfactory score is obtained on any single test in a shipment for immunohematology or HIV/AIDS; or

(ii) For all other tests, subspecialties, or specialties if:

(A) Unsatisfactory scores are obtained in any specialty or subspecialty on two of any three successive shipments; or

(B) An unsatisfactory score is obtained on a single test on two of any three successive shipments;

(d) A grade of unsatisfactory performance occurs when unsatisfactory shipment scores are obtained on a single test or in a specialty or subspecialty on three of any four successive shipments.

(~~(6)~~) (8) For marginal performance on proficiency testing samples the following department and medical test site actions shall occur:

(a) The department shall mail a cautionary letter to the designated test site supervisor; and

(b) The medical test site shall:

(i) Determine the cause of the marginal proficiency testing performance; and

(ii) Keep records at the medical test site showing what action was taken to correct the problem.

(~~(7)~~) (9) In addition the department may require the owner of the medical test site demonstrating marginal performance in any identified test, subspecialty or specialty, to:

- (a) Submit a plan of correction to the department within fifteen days from receipt of notice; and
- (b) Provide or ensure:
 - (i) Additional training of personnel;
 - (ii) Necessary technical assistance to meet the requirements of the proficiency testing program and the department;
 - (iii) Participation in a program of additional proficiency testing, if available; or
 - (iv) Any combination of training, technical assistance, or testing described under (b)(i), (ii), and (iii) of this subsection.

~~((8))~~ (10) For unsatisfactory performance on proficiency testing samples the department shall send to the owner and designated test site supervisor by certified mail:

- (a) A letter identifying the particular problem;
- (b) Acknowledgement of previous contacts; and
- (c) A notice to the medical test site to cease performing the identified test, subspecialty, or specialty.

~~((9))~~ (11) The owner shall notify the department within fifteen days of the receipt of the notice of the decision to voluntarily stop performing tests on patient specimens for the identified test, subspecialty, or specialty.

~~((10))~~ (12) The owner may petition the department for reinstatement of approval to perform tests on patient specimens after demonstrating satisfactory performance on two successive shipments of proficiency testing samples for the identified test, subspecialty, or specialty.

~~((11))~~ (13) The department shall notify the owner in writing, within fifteen days of receipt of petition, of the decision related to the request for reinstatement.

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-060 Personnel. (1) Owners shall ensure medical test sites ~~((have))~~:

(a) Have a designated test site supervisor responsible for:

- (i) The overall technical supervision and management of the test site personnel; and
- (ii) Performing and reporting of testing procedures;
- (b) Have technical personnel, competent to perform tests and report test results; and

(c) Meet the standards for personnel qualifications and responsibilities in compliance with federal regulation, as listed in 42 CFR Part 493 Subpart M-Personnel for Moderate and High Complexity Testing, with the following exceptions:

(i) A person that achieved a satisfactory grade through an examination conducted by or under the sponsorship of the United States Public Health Service for director, on or before July 1, 1970, would qualify as a director, technical supervisor, technical consultant, general supervisor and testing personnel for the specialties in which a satisfactory grade was achieved for moderate and high complexity testing; and

(ii) A person that has completed 60 semester hours of academic credit including chemistry and biology as well as a structured curriculum in medical laboratory techniques at an accredited institution would qualify as testing personnel for high complexity testing.

(2) The department, upon request, shall furnish 42 CFR Part 493 Subpart M.

(3) Owners of medical test sites shall~~((~~

~~(a) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and~~

~~(b) Use infection control standards and educational material consistent with the approved curriculum manual "Know HIV/AIDS prevention education for health care facility employees," January 1991, published by the department office on HIV/AIDS)) establish, post and observe safety precautions to ensure protection from physical, chemical, biochemical and electrical hazards and biohazardous materials.~~

~~((3))~~ (4) Designated test site supervisors shall:

- (a) Establish and approve policies for:
 - (i) Performing, recording, and reporting of tests;
 - (ii) Maintaining an ongoing quality assurance program;
 - (iii) Supervision of testing; and
 - (iv) Compliance with chapter 70.42 RCW and this chapter;

(b) Evaluate, verify, and document the following related to technical personnel:

- (i) Education, experience, and training in test performance and reporting tests results;
- (ii) Sufficient numbers to cover the scope and complexity of the services provided;
- (iii) Access to training appropriate for the type and complexity of the test site services offered; and
- (iv) Maintenance of competency to perform test procedures and report test results;

(c) Be present, on call, or delegate the duties of the designated test site supervisor to ~~((a designated specialty test site supervisor or))~~ an on-site technical person during testing.

~~((4))~~ The designated test site supervisor shall meet one or more of the following qualifications:

~~(a) A licensed professional under chapter 18.71 RCW Physicians; chapter 18.57 RCW, Osteopathy—Osteopathic medicine and surgery;~~

~~(b) A licensed professional under chapter 18.32 RCW, Dentistry; chapter 18.22 RCW, Podiatry; chapter 18.36A RCW, Naturopathy; chapter 18.50 RCW, Midwifery; and advanced registered nurse practitioner, recognized under chapter 18.88 RCW, Registered Nurses, when they are functioning as the principle health care provider, limited to the tests performed on patients within the legal scope of their practice; or~~

~~(c) Individuals meeting the requirements consistent with 42 CFR 493.1415 (b)(1-5).~~

(5) The designated test site supervisor or designated specialty test site supervisor shall meet the appropriate requirements under 42 CFR 493.1421 if the medical test site performs tests in any of the following specialties or subspecialties:

- (a) Cytology;
- (b) Histopathology, excluding dermatopathology;
- (c) Oral pathology;
- (d) Histocompatibility;
- (e) Cytogenetics; or
- (f) Transfusion services and blood banking;))

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-070 Recordkeeping. The medical test site shall:

(1) Unless specified otherwise in subsection (2)(a), (b), and (c) of this section, maintain ~~((documentation))~~ for two years ~~((of))~~:

- (a) Test requisitions or equivalent;
- (b) Test reports;
- (c) Quality control records; ~~((and))~~
- (d) Quality assurance records; and
- (e) Discontinued procedures.

(2) Maintain ~~((documentation of))~~:

(a) The items listed in subsection (1)(a), (b), (c), ~~((and))~~ (d), and (e) of this section for transfusion services ~~((and blood banking))~~ for five years;

(b) Abnormal cytology and all histology reports for ten years; and

(c) Normal cytology reports for ~~((three))~~ five years.

(3) Request the following written information to accompany a test requisition:

(a) Patient's name or other method of specimen identification;

(b) Name or other suitable identifier of the authorized person ordering the test;

(c) Date of specimen collection, and time if appropriate;

(d) Source of specimen, if appropriate;

(e) Type of test ordered;

(f) Sex and age of the patient, if appropriate; and

(g) For cytology and histology specimens:

(i) Pertinent clinical information; and

(ii) For pap smears:

(A) The last menstrual period; and

(B) Indication whether the patient has history of cervical cancer or its precursors.

(4) Assure specimen records include:

(a) A medical test site identification;

(b) The patient's name or other method of specimen identification;

(c) The date the specimen was received at the medical test site, and time if appropriate; ~~((and))~~

(d) The reason for specimen rejection or limitation;

(e) The date of specimen testing; and

(f) The identification of the personnel who performed the test.

(5) Assure that test reports:

(a) Are maintained in a manner permitting identification and reasonable accessibility;

(b) Are released only to authorized persons or designees;

(c) Include the name of the medical test site, or where applicable, the name and address of each medical test site performing each test;

(d) Include the date reported; ~~((and))~~

(e) Include the time reported, if appropriate;

(f) Include any information regarding specimen rejection or limitation; and

(g) Include the exact language of the report from the testing facility, if the specimen was referred to another medical test site for testing.

(6) Assure cytology reports:

(a) Distinguish between unsatisfactory specimen and negative results; and

(b) Contain narrative descriptions for any abnormal results, such as the Bethesda system of terminology as published in the Journal of the American Medical Association, 1989, Volume 262, pages 931-934, for any abnormal results.

(7) Establish and make available ~~((reference ranges))~~ for use by authorized persons ordering or utilizing the test results:

(a) Reference ranges; and

(b) A list of test methods, including performance specifications.

(8) Issue corrected reports when indicated.

(9) Establish criteria for and maintain appropriate documentation of:

(a) Temperature-controlled spaces and equipment;

(b) Preventive maintenance activities;

(c) Equipment function checks;

(d) Procedure calibrations;

(e) Validation, precision, and accuracy checks;

(f) Expiration date, lot numbers, and other pertinent information for:

(i) Reagents;

(ii) Solutions;

(iii) Culture media;

(iv) Controls, as defined in WAC 246-338-090;

(v) Calibrators, as defined in WAC 246-338-090;

(vi) Standards, as defined in WAC 246-338-090;

(vii) Reference materials, as defined in WAC 246-338-090; and

(viii) Other testing materials;

(g) Testing of quality control samples; and

(h) Any remedial action taken in response to quality control, quality assurance, personnel, and proficiency testing.

(10) Refer specimens for testing only to a medical test site with a valid license, or to an interstate laboratory with a valid CLIA certificate.

(11) Maintain, or be able to reproduce, a copy of the report for all specimens that are referred for testing.

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-080 Quality assurance. (1) The medical test site shall establish and implement a written quality assurance plan, including policies and procedures, designed to:

(a) Monitor, evaluate, and review quality control, proficiency testing data, and test results, including biannual evaluation of:

(i) Accuracy of test results for tests that are not covered by proficiency testing; and

(ii) Relationship between test results when the medical test site performs the same test on different instruments or at different locations within the medical test site;

(b) Identify and correct problems;

(c) Establish and maintain accurate, reliable, and prompt reporting of test results;

(d) Verify all tests performed and reported by the medical test site conform to specified performance criteria in quality control under WAC 246-338-090; and

(e) Establish and maintain the adequacy and competency of the technical personnel.

(2) The quality assurance plan shall include mechanisms or systems to:

(a) Establish and apply criteria for specimen acceptance and rejection;

(b) Notify the appropriate individuals as soon as possible when test results indicate potential life-threatening conditions;

(c) Assess problems identified during quality assurance reviews and discuss them with the appropriate staff;

(d) Evaluate all test reporting systems to verify accurate and reliable reporting, transmittal, storage, and retrieval of data;

(e) Document all ~~((corrective))~~ action~~((s))~~ taken to~~((t))~~ identify and correct problems or potential problems; ~~((and~~

~~((ii) Implement corrective actions; and))~~

(f) Make available appropriate instructions for specimen collection, handling, preservation, and transportation; and

(g) Make available to clients updates of testing changes that would affect test results or the interpretation of test results.

(3) The owner shall maintain adequate space, facilities, and essential utilities for the performance and reporting of tests.

(4) The medical test site shall establish and implement policies and procedures for infectious and hazardous medical wastes consistent with local, state, and federal authorities.

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-090 Quality control. (1) For the purpose of this section, the following words and phrases have the following meanings, unless the context clearly indicates another meaning:

(a) "ABO, A, A₁, B, O, anti-A, anti-B, anti-D, anti Rh₀, Rh₀ (D), HLA, HLA-A, B, and DR" means taxonomy classifications for blood groups, types, cells, sera, or antisera;

(b) "Calibrator" means a material, solution, or lyophilized preparation designed to be used in calibration. The values or concentrations of the analytes of interest in the calibration material are known within limits ascertained during its preparation or before use;

(c) "Control" means a material, solution, lyophilized preparation, or pool of collected serum designed to be used in the process of quality control. The concentrations of the analytes of interest in the control material are known within limits ascertained during its preparation or before routine use;

(d) "Control slide" means a preparation fixed on a glass slide used in the process of quality control;

(e) "Reference material" means a material or substance, calibrator, control or standard where one or more properties are sufficiently well established for use in calibrating a process or for use in quality control;

(f) "Standard" means a reference material of fixed and known chemical composition capable of being prepared in essentially pure form, or any certified reference material generally accepted or officially recognized as the unique

standard for the assay regardless of level or purity of the analyte content.

(2) The medical test site shall use quality control procedures providing and assuring accurate and reliable test results and reports, meeting the requirements of this chapter.

(3) The medical test site shall have written procedures and policies available in the work area including:

(a) Analytical methods used by the technical personnel;

(b) Specimen collection and processing procedures;

(c) Preparation of solutions, reagents, and stains;

(d) Calibration procedures;

(e) Proper maintenance of equipment;

(f) Quality assurance policies;

(g) Quality control procedures;

(h) Corrective actions when quality control results deviate from expected values or patterns;

(i) Procedures for reporting test results;

(j) Limitations of methodologies; and

(k) Alternative or backup methods for performing tests including the use of a reference facility if applicable.

(4) The medical test site shall perform quality control complying with the requirements of this section for each specialty and subspecialty as follows:

(a) At least as frequently as specified in this section;

(b) More frequently if recommended by the manufacturer of the instrument or test procedure; or

(c) More frequently if specified by the medical test site~~((t))~~ ~~or~~

~~((d) Less frequently only when the medical test site documents satisfactory performance and receives prior approval from the department.))~~

(5) The medical test site shall:

(a) Perform procedural calibration or recalibration, ~~((if applicable, to instrument or method used))~~ in accordance with manufacturer's instructions, when:

(i) ~~((A new lot number of reagents for a procedure is introduced;~~

~~((ii) There is major preventive maintenance or replacement of critical parts of equipment or instrumentation;~~

~~((iii) Controls begin to reflect an unusual trend or are outside acceptable range limits;~~

~~((iv)) Recommended by the manufacturer; or~~

~~((v))~~ (ii) Specified by the medical test site's established schedule, with at least the frequency recommended by the manufacturer;

(b) Perform calibration verification using materials appropriate for verifying the minimal, mid-point and maximum points of the reportable range, unless the medical test site can demonstrate an alternative method of assuring the accuracy of the procedure throughout the reportable range for patient test results:

(i) When a complete change of reagents for a procedure is introduced;

(ii) When there is major preventive maintenance or replacement of critical parts of equipment or instrumentation;

(iii) When controls begin to reflect an unusual trend or are outside acceptable range limits; or

(iv) At least every six months;

~~((b))~~ (c) If patient values are above the maximum or below the minimum calibration point or the linear range:

(i) Report the patient results as greater than the upper limit or less than the lower limit or an equivalent designation; or

(ii) Use an appropriate procedure to rerun the sample allowing results to fall within the established linear range;

~~((e))~~ (d) For quantitative tests:

(i) Include two reference materials of different concentrations each day of testing unknown samples, if these reference materials are available; or

(ii) Have an equivalent mechanism to assure the quality, accuracy, and precision of the test, if reference materials are not available;

~~((d))~~ (e) For qualitative tests, include positive and negative reference material each day of testing unknown samples;

~~((e))~~ (f) Determine the statistical limits for each lot number of unassayed reference materials through repeated testing;

~~((f))~~ (g) Use the manufacturer's reference material limits for assayed material, provided they are:

(i) Verified by the medical test site; and

(ii) Appropriate for the methods and instrument used by the medical test site;

~~((g))~~ (h) Make reference material limits readily available;

(i) Report patient results only when reference materials are within acceptable limits;

~~((h) Establish and make readily available reference material limits;~~

~~((i))~~ (j) Use materials within their documented expiration date (~~unless the test site provides evidence the materials are stable and reliable beyond the expiration date~~);

~~((j))~~ (k) For microbiology:

(i) Check each batch or shipment of reagents, discs, stains, antisera, and identification system for reactivity with positive and negative reference organisms including:

(A) Each time of use for fluorescent stains (~~and Deoxyribonucleic Acid (DNA) probes based on radioisotope methods~~);

(B) ~~(Each week of use for reagents and stains;~~) Each day of use for:

(I) Stains, unless specifically stated otherwise in this section; DNA probes; reagents used in mycobacteriology; catalase, coagulase, beta-lactamase, and oxidase reagents; and

(II) Direct antigen detection systems, using positive and negative controls that evaluate both the extraction and reaction phase;

(C) Each week of use for Gram and acid-fast stains, bacitracin, optochin, ONPG, X, and V discs or strips; and

~~((C))~~ (D) Each month of use for antisera; (~~and~~ ~~(D) Each week of use for direct antigen detection systems, using positive and negative controls that evaluate both the extraction and reaction phase;~~

~~((i)) Check each new batch of media and each new lot of antimicrobial discs or other testing systems, before initial use and each week of testing using approved reference organisms, when testing antimicrobial susceptibility;~~

(ii) When testing antimicrobial susceptibility, check each new batch of media and each new lot of antimicrobial discs or other testing systems using approved reference organisms:

(A) Before initial use; and

(B) Each day of testing, or weekly, if the medical test site can meet the quality control requirements for antimicrobial disc susceptibility testing as outlined by the National Committee for Clinical Laboratory Standards (NCCLS), available upon request from the department;

(iii) Document zone sizes or minimum inhibitory concentration for reference organisms are within established limits;

(iv) Have available and use appropriate stock organisms for quality control purposes;

(v) Have available a collection of slides, photographs, gross specimens, or text books for reference sources to aid in identification of microorganisms;

(vi) Document appropriate steps in the identification of microorganisms on patient specimens;

(vii) Check each batch or shipment of noncommercial media for sterility, ability to support growth, and if appropriate, selectivity, inhibition, or biochemical response;

(viii) If commercially manufactured media quality control results are used:

(A) Verify that the product insert specifies that the quality control checks meet the requirements, as outlined by NCCLS, for media quality control;

(B) Keep records of the manufacturer's quality control results;

~~((B))~~ (C) Document visual inspection of the media before use; and

~~((C))~~ (D) Follow the manufacturer's specifications for using the media;

(ix) When performing susceptibility testing for mycology:

(A) Test each drug each day of use with at least one control strain that is susceptible to the drug; and

(B) Document that controls are within established limits before reporting patient results;

(x) When performing parasitology:

(A) Use a calibrated ocular micrometer for determining the size of ova and parasites, if size is a critical parameter; and

(B) Check permanent stains using reference materials, each month of use;

~~((e))~~ (l) For syphilis serology:

(i) Use equipment, glassware, reagents, reference materials, and techniques conforming to manufacturers' specifications;

(ii) Perform serologic tests on unknown specimens concurrently with a positive serum reference material with known titer or graded reactivity and a negative reference material; and

(iii) Employ reference materials for all test components to ensure reactivity;

~~((f))~~ (m) For general immunology:

(i) Perform serologic tests on unknown specimens with a positive and a negative reference material;

(ii) Employ reference materials for all test components to ensure reactivity; and

(iii) Report test results only when the predetermined reactivity pattern of the reference material is observed;

~~((m))~~ (n) For chemistry, when performing blood gas analysis, include:

(i) A two-point calibration and a reference material each eight hours of testing; and

(ii) A one-point calibration or reference material each time patient samples are tested, unless automated instrumentation internally verifies calibration at least every thirty minutes; or

(iii) Another calibration and reference material schedule, approved by the department as equivalent to this subsection;

~~((n))~~ (o) For hematology and coagulation:

(i) Use one level of reference material each ~~((day))~~ eight hours of testing patient samples for manual blood counts; ~~((and))~~

(ii) Use two levels of reference materials each ~~((day))~~ eight hours of testing for:

(A) Instrumentation methods; and

(B) Manual tilt tube method for coagulation~~((-))~~; and

(iii) Run manual coagulation tests and cell counts in duplicate;

~~((o))~~ (p) For immunohematology, for the services offered:

(i) Perform ABO grouping by testing unknown red cells with Federal Food and Drug Administration approved anti-A and anti-B grouping sera;

(ii) Confirm ABO grouping of unknown serum with known A₁ and B red cells;

(iii) Determine the Rh₀(D) group by testing unknown red cells with anti-D (anti Rh₀) blood grouping serum;

(iv) Employ a control system capable of detecting false positive Rh test results, when required by the manufacturer; and

(v) Perform quality control checks of cells and antisera each day of use;

~~((p))~~ (q) For transfusion services:

(i) Perform ABO grouping, Rh₀ (D) typing, antibody detection, and identification and compatibility testing as described by the Food and Drug Administration under 21 CFR Part 606, with the exception of 21 CFR Part 606.20a, Personnel, and 21 CFR Part 640; ~~((and))~~

(ii) Collect, store, process, distribute and date blood and blood products as described by the Food and Drug Administration under 21 CFR Parts 606, 610.53 and 640;

~~((q))~~ (iii) When provided by an outside entity, have an agreement approved by the director for procurement, transfer and availability of blood and blood products; and

(iv) Promptly investigate all transfusion reactions according to the medical test site's procedures;

(r) For histopathology:

(i) Use positive control slides for each special stain to check for intended level of reactivity;

(ii) Retain stained slides at least ten years and specimen blocks at least two years from the date of examination; ~~((and))~~

(iii) Retain remnants of tissue specimens in an appropriate preserved state until the portions submitted for microscopic examination have been examined and diagnosed; and

(iv) Include on all reports the signature or initials of the technical supervisor, as defined under 42 CFR Part 493 Subpart M;

~~((r))~~ (s) For cytology:

(i) Develop criteria for submission of material and the assessment of the adequacy of the sample submitted, including notifying the physician;

(ii) Retain all negative slides for ~~((three))~~ five years from the date of examination of the slide;

(iii) Retain all abnormal slides for ten years from the date of examination;

(iv) Include in quality control the rescreening and documentation of benign gynecological slides as follows:

(A) One hundred percent of slides from patient with a known history of cervical cancer or its precursors;

(B) Selection of benign slides for a total rescreening of a minimum of ten percent of all benign slides including patients identified in ~~((+))~~ (s)(iv)(A) of this subsection; or

(C) Another method demonstrating equivalent effectiveness in discovering errors;

(v) Assure that quality control is performed by a person meeting the personnel requirements for technical supervisor or general supervisor in cytology, as defined under 42 CFR Part 493 Subpart M;

(vi) Evaluate the results of the quality control rescreen prior to reporting results for the cases selected;

(vii) Review ~~((prior))~~ cytologic specimens or records of previous reviews, for the prior five years, if available, for each abnormal cytology result;

~~((+))~~ (viii) Correlate abnormal cytology reports with prior cytology reports and with histopathology reports, if available, and determine the cause of any discrepancies;

~~((+))~~ (ix) Document reviews of negative slides from cases known to have a history of abnormal slides;

~~((+))~~ (x) Evaluate and document technical personnel slide examination performance, comparing against the medical test site's overall statistics; ~~((and~~

~~((+))~~ (xi) Evaluate and document significant discrepancies in examination of cytology slides;

~~((+))~~ (xii) Establish an annual statistical evaluation of the number of cytology cases examined, number of specimens processed by specimen type, volume of patient cases reported by diagnosis, number of cases where cytology and histology are discrepant, number of cases where histology results were unavailable for comparison and number of cases where rescreen of negative slides resulted in reclassification as abnormal;

(xiii) Take effective measures when staining to prevent cross-contamination between gynecologic and nongynecologic specimens;

(xiv) The technical supervisor shall:

(A) Confirm all gynecological smears interpreted to be outside normal limits;

(B) Review all nongynecological cytological preparations;

(C) Sign or initial all reports from (s)(xiv)(A) or (B) of this subsection; and

(D) Establish, document and reassess, at least every six months, the workload limits for each cytotechnologist;

(xv) Technical personnel shall examine, unless federal law and regulation specify otherwise, no more than one hundred cytological slides in a twenty-four hour period and in no less than a eight-hour period; and

(xvi) All slide preparations must be evaluated on the premises;

(t) For histocompatibility:

(i) Use applicable quality control standards for immunohematology, transfusion services, and diagnostic immunology as described in this chapter;

(ii) For renal allotransplantation:

(A) Have available and follow criteria for:

- (I) Selecting appropriate patient serum samples for crossmatching;
- (II) The technique used in crossmatching;
- (III) Preparation of donor lymphocytes for crossmatching;
- (IV) Reporting crossmatch results;
- (V) The preparation of lymphocytes for Human Leukocyte Antigen HLA-A, B and DR typing;
- (VI) Selecting typing reagents; and
- (VII) The assignment of HLA antigens;
- (B) Have available:
 - (I) Serum specimens for all potential transplant recipients at initial typing, for periodic screening, for pretransplantation crossmatch, and following sensitizing events;
 - (II) Results of final crossmatches before an organ or tissue is transplanted; and
 - (III) A list of individuals for fresh panel bleeding if frozen panels are not used;
 - (C) Have appropriate storage and maintenance of both recipient sera and reagents;
 - (D) Indicate, when applicable:
 - (I) Source;
 - (II) Bleeding date;
 - (III) Identification number; and
 - (IV) Volume remaining for reagent typing sera inventory;
 - (E) Properly label and store:
 - (I) Cells;
 - (II) Complement;
 - (III) Buffers;
 - (IV) Dyes; and
 - (V) Reagents;
 - (F) Type all potential transplant recipient cells and cells from organ donors referred to the medical test site;
 - (G) Have adequate reagent trays for typing recipient and donor cells to define all HLA-A, B, and DR specificities as required to determine splits and cross-reactivity;
 - (H) Have a written policy establishing when antigen redefinition and retyping are required;
 - (I) Screen recipient sera for preformed antibodies with a suitable lymphocyte panel;
 - (J) Use a suitable cell panel for screening patient sera containing all the major HLA specificities and common splits;
 - (K) Use the mixed lymphocyte culture, or equivalent, to determine cellularly defined antigens;
 - (L) ~~((Include positive and negative reference materials on each tray; and~~
 - ~~((M))~~ On each tray:
 - (I) Include positive and negative reference materials; and
 - (II) Use positive controls for specific cell types when applicable;
 - (M) Use controls to monitor the test components and each phase of the test system for:
 - (I) Each compatibility test; and
 - (II) Typing for disease associated antigens;
 - (N) Use quality control procedures to monitor the efficacy of the method if immunologic reagents are used to remove contaminating cells during the isolation of lymphocytes or lymphocyte subsets;

(O) Have each individual performing tests evaluate a previously tested specimen as an unknown on a monthly basis; and

(P) Participate in at least one national or regional cell exchange program, if available, or develop an exchange system with another medical test site;

(iii) When performing only transfusions, ~~((other))~~ and nonrenal transplantation, excluding bone marrow and living transplants, ~~((or disease associated studies;))~~ meet all the requirements specified in this section except for the requirements for the performance of mixed lymphocyte cultures; ~~((and))~~

(iv) When performing bone marrow transplantation, meet all the requirements specified in this section including the performance of mixed lymphocyte cultures, or equivalent, to evaluate class II compatibility;

(v) When performing disease-associated studies, meet all the requirements specified in this section except for the performance of mixed lymphocyte cultures, antibody screening and crossmatching; and

(vi) Test donor for HIV reactivity;

~~((+))~~ (u) For cytogenetics:

(i) Document the ~~((number of))~~:

(A) Number of metaphase chromosome spreads and cells counted and karyotyped; ~~((and))~~

(B) Number of chromosomes counted for each metaphase spread;

(C) Media used;

(D) Quality of banding; and

(E) Sufficient resolution to support the reported results;

(ii) Assure an adequate number of karyotypes are prepared for each patient, according to the indication given for performing cytogenetics study;

(iii) Use an adequate patient identification system for:

(A) Patient specimens;

(B) Photographs, photographic negatives, or computer stored images of metaphase spreads and karyotypes;

(C) Slides; and

(D) Records;

(iv) Include in the final report:

(A) The number of cells counted and karyotyped; and

(B) An interpretation of the karyotypes findings;

(v) Use appropriate nomenclature on final reports; and

(vi) When performing determination of sex by X and Y chromatin counts, perform confirmatory testing on all atypical results;

~~((+))~~ (v) For radiobioassay and radioimmunoassay:

(i) Check the counting equipment for stability each day of use with radioactive standards or reference sources; and

(ii) Meet Washington state radiation standards described under chapter 70.98 RCW, and chapter 402-10 through 402-24, 402-32 through 402-34, 402-62, and 402-70 WAC.

~~((6))~~ If a medical test site performs cytology examinations, the designated test site supervisor or designated specialty test site supervisor shall:

(a) Confirm all gynecological smears interpreted to be outside normal limits;

(b) Review all nongynecological cytological preparations; and

(c) Sign or initial all reports from (a) or (b) of this subsection.

~~(7) Technical personnel shall examine, unless federal law and regulation specify otherwise, no more than one hundred and twenty cytological slides in a twenty-four hour period and in no less than a six-hour period, consisting of:~~

~~(a) No more than eighty unevaluated cytological slides per day; and~~

~~(b) No more than forty slides for quality control purposes.~~)

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-338-100 Disciplinary action. (1) The department may take disciplinary action against the license of a medical test site ~~((if the medical test site fails to meet the requirements of chapter 70.42 RCW or this chapter; or if an applicant, owner, designated test site supervisor, designated specialty test site supervisor, or any technical personnel of the medical test site violates any provision of chapter 70.42 RCW or this chapter.~~

(2) The department may take the following disciplinary actions individually or in any combination:

(a) ~~Denial of a license to a medical test site applicant when the applicant:~~

~~(i) Refused))~~ or an application for a license as a medical test site upon a determination that the licensee or applicant has engaged in or committed any of the following:

(a) Failure or refusal to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;

~~((iii) Had a license revoked for cause and never reissued under chapter 70.42 RCW;~~

~~((iii))~~ (b) Knowingly, or with reason to know, made a false statement of a material fact in the application for a license or in any data attached thereto or in any record required by the department;

~~((iv))~~ (c) Refused to allow representatives of the department to examine any book, record, or file required under this chapter;

~~((v))~~ (d) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department; or

~~((vi))~~ (e) Misrepresented or was fraudulent in any aspect of the owner's or applicant's business(;

~~(b) Place conditions on a license limiting or cancelling a test site's authority to conduct any test or group of tests when the owner or applicant:~~

~~(i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;~~

~~(ii) Knowingly or with reason to know made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;~~

~~(iii) Refused to allow representatives of the department to examine any book, record, or file required under this chapter;~~

~~(iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department;~~

~~(v) Willfully prevented or interfered with preservation of evidence of a known violation of this chapter or the rules adopted under chapter 70.42 RCW; or~~

~~(vi) Misrepresented or was fraudulent in any aspect of the owner's or applicant's business;~~

~~(e) Suspend a medical test site license when the owner or applicant:~~

~~(i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;~~

~~(ii) Knowingly, or with reason to know, made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;~~

~~(iii) Refused to allow representatives of the department to examine any book, record, or file required by this chapter;~~

~~(iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department;~~

~~(v) Willfully prevented or interfered with preservation of evidence of a known violation of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;~~

~~(vi) Misrepresented or was fraudulent in any aspect of the owner or applicant's business;~~

~~(vii) Used false or fraudulent advertising; or~~

~~(viii) Failed to pay any civil monetary penalty assessed by the department under chapter 70.42 RCW within twenty-eight days after the assessment becomes final;~~

~~(d) Revoke a medical test site license when the owner or applicant:~~

~~(i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;~~

~~(ii) Knowingly, or with reason to know, made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;~~

~~(iii) Refused to allow representatives of the department to examine any book, record, or file required by this chapter;~~

~~(iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department;~~

~~(v) Willfully prevented or interfered with preservation of evidence of a known violation of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;~~

~~(vi) Misrepresented or was fraudulent in any aspect of the owner's or applicant's business;~~

~~(vii) Used false or fraudulent advertising; or~~

~~(viii) Failed to pay any civil monetary penalty assessed by the department under chapter 70.42 RCW within twenty-eight days after the assessment becomes final;~~

~~(e) Impose monetary penalties of up to ten thousand dollars per day that a owner or applicant:~~

~~(i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;~~

~~(ii) Knowingly, or with reason to know, made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;~~

~~(iii) Refused to allow representatives of the department to examine any book, record, or file required under this chapter;~~

~~(iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of any representative of the department;~~

~~(v) Willfully prevented, or interfered with, preservation of evidence of any known violation of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;~~

~~(vi) Misrepresented or was fraudulent in any aspect of the owner's or applicant's business; or~~

~~(vii) Used false or fraudulent advertising).~~

((3)) (2) Except as provided in subsection (3) of this section, the following actions may be taken against the applicant or licensee, individually or in any combination, as a disciplinary action:

(a) Denial of the license or renewal thereof;

(b) Conditions on the license which limit or cancel the test site's authority to conduct any tests or group of tests;

(c) Suspension of the license;

(d) Revocation of the license;

(e) Monetary penalties, not exceeding ten thousand dollars per violation.

(3) Upon a determination that the licensee or applicant has engaged in or committed any of the following described conduct, the sanction shall be as specified for that conduct. If more than one sanction is listed, the sanction may be ordered individually or in any combination:

(a) If the applicant was the holder of a license under chapter 70.42 RCW which was revoked for cause and never reissued by the department, then the license application may be denied;

(b) If the licensee willfully prevents or interferes with preservation of evidence of a known violation of chapter 70.42 RCW or the rules adopted under this chapter, a monetary penalty not exceeding ten thousand dollars per violation may be assessed or the license may be:

(i) Conditioned in a manner limiting or canceling the authority to conduct tests or groups of tests;

(ii) Suspended;

(iii) Revoked;

(c) If the licensee used false or fraudulent advertising, a monetary penalty not exceeding ten thousand dollars per violation may be assessed or the license may be suspended or revoked;

(d) If the licensee failed to pay any civil monetary penalty assessed by the department under chapter 70.42 RCW within twenty-eight days after the assessment becomes final, the license may be suspended or revoked;

(e) If the licensee intentionally referred its proficiency testing samples to another medical test site or laboratory for analysis, a monetary penalty not exceeding ten thousand dollars per violation may be assessed or the license may be:

(i) Conditioned in a manner limiting or canceling the authority to conduct tests or groups of tests;

(ii) Suspended;

(iii) Revoked.

(4) The department may summarily suspend or revoke a license when ~~(#)~~ the department finds continued licensure of a test site immediately jeopardizes the public health, safety, or welfare.

~~((4))~~ (5) The department shall give written notice of any disciplinary action taken by the department to the owner or applicant for licensure, including notice of the opportunity for a hearing.

(6) A medical test site, convicted of fraud and abuse, false billing or kickbacks under state law must report this information to the department within thirty days.

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-110 Adjudicative proceedings. (1) A ~~((license owner))~~ licensee or applicant contesting a disciplinary action shall, within twenty-eight days of ~~((receipt))~~ service of the ~~((department's decision))~~ notice of disciplinary action, file ~~((a written))~~ an application ~~((for an))~~ of adjudicative proceeding with the ~~((Legal Support Section))~~ Department of Health, Office of Professional Standards, 2413 Pacific Avenue, P.O. Box ~~((2245))~~ 47872, Olympia, WA ~~((98507-2245))~~ 98504-7872. ~~((The application shall include or have attached:~~

~~((a) A specific statement of the issue or issues and law involved;~~

~~((b) The grounds for contesting the department decision; and~~

~~((c) A copy of the contested department decision.))~~

(2) The adjudicative proceeding is governed by chapter 34.05 RCW, the Administrative Procedure Act, this chapter, and chapter ~~((246-08))~~ 246-10 WAC.

~~((If a provision of this chapter conflicts with chapter 246-08 WAC, the provision in this chapter governs.))~~

(3) Any ~~((test site in receipt of a denial, condition, suspension, or revocation of its license, or a civil monetary penalty upheld after administrative review))~~ licensee or applicant aggrieved upon issuance of the decision after the conduct of an adjudicative proceeding may, within sixty days of service of the ~~((administrative determination))~~ adjudicative proceeding decision, petition the superior court for review of the decision under chapter 34.05 RCW.

AMENDATORY SECTION (Amending Order 205, filed 10/16/91, effective 10/16/91)

WAC 246-338-990 Fees. (1) For the purpose of this section, the following words and phrases have the following meanings:

(a) "Accredited by organization" means a testing site is accredited, certified, or licensed by an organization meeting the requirements of WAC 246-338-040, Approval of accreditation bodies;

(b) "Low volume" means a medical test site performing not more than two thousand licensed tests per year;

(c) "Category A" means a medical test site performing ~~((less))~~ greater than two thousand licensed tests per year, not more than ten thousand licensed tests per year and ~~((two))~~ three or less specialties;

~~((#))~~ (d) "Category B" means a medical test site performing ~~((less))~~ greater than two thousand licensed tests per year, not more than ten thousand licensed tests per year and ~~((three))~~ at least four specialties;

~~((#))~~ (e) "Category C" means a medical test site performing greater than ten thousand ~~((#))~~ licensed tests per

year, not more than twenty-five thousand licensed tests per year and three or less specialties;

((f)) (f) "Category D" means a medical test site performing ~~(less)~~ greater than ten thousand licensed tests per year, not more than twenty-five thousand licensed tests per year and four or more specialties;

((g)) (g) "Category E" means a medical test site performing greater than twenty-five thousand, but not more than fifty thousand licensed tests per year ~~(and three or less specialties)~~;

((h)) (h) "Category F" means a medical test site performing greater than ~~(twenty-five)~~ fifty thousand, but not more than seventy-five thousand licensed tests per year ~~(and four or more specialties)~~;

((i)) (i) "Category G" means a medical test site performing greater than seventy-five thousand, but not more than one hundred thousand licensed tests per year;

(j) "Category H" means a medical test site performing greater than one hundred thousand, but not more than five hundred thousand licensed tests per year;

(k) "Category I" means a medical test site performing greater than five hundred thousand, but not more than one million licensed tests per year;

(l) "Category J" means a medical test site performing more than one million licensed tests per year;

(m) "Direct staff time" means all state employees' work time, including travel time and expenses involved in ~~(f))~~ functions associated with medical test site licensure or complaint investigation including:

((A)) (i) On-site follow up visit; and

((B)) (ii) Telephone contacts and staff or management conferences in response to a deficiency statement or complaint ~~(f))~~

~~(ii) Preparation and participation in a continuing education or training event for a medical test site; and~~

~~(iii) Evaluation of evidence submitted under WAC 246-338-030(12), with a request for addition or deletion to the tests listed under WAC 246-338-030(10), including actual costs for supplies, printings and mailings;~~

~~(i) "Licensed test" means all tests not specifically listed as waived under WAC 246-338-030(10), or defined as forensic under WAC 246-338-010(12);~~

~~(j) "Temporary" means a medical test site performing licensed tests at locations separate from the medical test site's permanent location with a frequency of five times a year or less).~~

(2) The department shall assess and collect biennial fees for medical test sites as follows:

(a) Charge fees, based on the requirements authorized under RCW 70.42.090 and this section;

~~(b) ((Prorate fees for the remainder of the biennial period, when the owner or applicant applies for a license or certificate of waiver during a biennium;~~

~~(e) Adjust)) Assess additional fees when a medical test site ((increases or decreases the complexity or volume of testing;)) adds licensed tests that result in a change of category; and~~

((d)) (c) Determine fees according to criteria below:

- (i) Certificate of waiver ~~(((\$50 per year or))~~ \$100 per biennium;
- (ii) Physician-performed microscopic procedures 150 per biennium;
- (iii) Low volume 1000 per biennium;
- (iv) Category A ~~((400 per year or 800))~~ 1500 per biennium;

((iii)) (v) Category B ((450 per year or 900)) 1800 per biennium;
((iv)) (vi) Category C ((500 per year or 1000)) 2100 per biennium;
((v)) (vii) Category D ((600 per year or 1200)) 2500 per biennium;
((vi)) (viii) Category E ((700 per year or 1400)) 3000 per biennium;
((vii)) (ix) Category F ((850 per year or 1700)) 3500 per biennium;
((viii)) Mobile site 200 per year or 400 per biennium;
(ix) Temporary 50 per year or 100 per biennium;
(x) Category G 4100 per biennium;
(xi) Category H 4700 per biennium;
(xii) Category I 5000 per biennium;
(xiii) Category J 5500 per biennium;
(xiv) Accredited by ((f))
((A)) organization ((other than HCFA -125 per year or 250 per biennium;
((B)) HCFA) ((50 per year or 100)) 300 per biennium;
((x)) (xv) Follow up survey for deficiencies direct staff time;
((xi)) (xvi) Complaint investigation direct staff time ((f))
((xii)) Continuing education direct staff time;
((xiii)) Evaluation of requests for additions or deletions to the list of waived tests direct staff time)).

(3) The department shall exclude from fee charges the women, infant, and children (WIC) programs performing hematocrit testing only for food distribution purposes and the Washington state migrant council performing hematocrit testing only for nutritional evaluation.

WSR 93-14-044
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 29, 1993, 4:28 p.m.]

Original Notice.

Title of Rule: WAC 388-49-450 Income—Earned and 388-49-470 Income—Exclusions.

Purpose: Implements the higher education amendments of 1992 which exclude Title IV educational assistance as income when determining food stamp benefits.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: WAC 388-49-450 rescinds college and state work study earnings as countable earned income; and WAC 388-49-470 excludes Title IV funded income.

Reasons Supporting Proposal: Higher education amendments of 1992 exclude all Title IV funded student educational assistance, including work study.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dan Ohlson, Division of Income Assistance, 438-8326.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Section 479B of 1992 higher education amendments.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 29, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 29, 1993

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2800, filed 5/24/89)

WAC 388-49-450 Income—Earned. (1) The department shall consider the following as earned income:

- (a) Wages and salaries;
 - (b) Gross income from self-employment, including total gain from the sale of any capital goods or equipment related to the business, and excluding the cost of doing business. Self-employment income includes:
 - (i) Income from rental property if a household member is managing the property an average of twenty hours or more a week; and
 - (ii) Payments from a roomer; and
 - (iii) Payments from a boarder except for child foster care payments.
 - (c) Training allowances from vocational and rehabilitative programs:
 - (i) Recognized by federal, state, or local governments; and
 - (ii) Are not a reimbursement.
 - (d) Payments under Title I of the Domestic Volunteer Service Act;
 - (e) Advance on wages;
 - (f) Earnings by persons nineteen years of age and older from on-the-job training programs under JTPA;
 - (g) ~~((State and federal work study funds;~~
 - ~~((h)))~~ Money from the sale of blood or blood plasma; and
 - ~~((h)))~~ (h) Military basic allowance for quarters and basic allowance for subsistence in lieu of provided housing and/or food.
- (2) The department shall verify gross nonexempt earned income except for expedited service households:
- (a) Prior to initial certification;
 - (b) At reapplication if amount has changed more than twenty-five dollars; and
 - (c) On a monthly basis for households subject to monthly reporting.

AMENDATORY SECTION (Amending Order 3475, filed 10/28/92, effective 12/1/92)

WAC 388-49-470 Income—Exclusions. (1) The department shall exclude the following income:

- (a) Money withheld from an income source to repay a prior overpayment from that same income source except for money withheld to recoup an intentional public assistance program overpayment;
- (b) Income specifically excluded by any federal statute from consideration as income in the food stamp program;
- (c) The earned income of household members who are:
 - (i) Seventeen years of age or under; and

- (ii) Attending school at least half time.
- (d) Infrequent or irregular income, received during a three-month period by a prospectively budgeted household, that:
 - (i) Cannot be reasonably anticipated as available; and
 - (ii) Shall not exceed thirty dollars for all household members.
- (e) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred;
- (f) Nonrecurring lump sum payments;
- (g) The cost of producing self-employment income;
- (h) ~~((The portion of))~~ Educational assistance financed in whole or in part with Title IV funds;
 - (i) Educational ((assistance)) expenses earmarked by the school or actually ~~((used))~~ paid by the student for:
 - (i) Tuition;
 - (ii) Mandatory fees, including rental or purchase of equipment, materials, and supplies related to pursuing the course of study;
 - (iii) Books;
 - (iv) Supplies;
 - (v) Transportation; and
 - (vi) Miscellaneous personal expenses.
 - ~~((h)))~~ (j) Reimbursements for past or future expenses to the extent the reimbursements do not:
 - (i) Exceed the actual expense; and
 - (ii) Represent a gain or benefit to the household.
 - ~~((h)))~~ (k) Any gain or benefit not in money;
 - ~~((h)))~~ (l) Vendor payments as defined in WAC 388-49-020;
 - ~~((h)))~~ (m) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member;
 - ~~((h)))~~ (n) Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs;
 - ~~((h)))~~ (o) Energy allowances included in AFDC, continuing general assistance, and refugee assistance grants.

Number in Grant Assistance Unit	Energy Exclusion
1	\$ 55
2	71
3	86
4	102
5	117
6	133
7	154
8 or more	170

~~((h)))~~ (p) Support payments owed to a household member, but specified by the support court order or other legally binding written support or alimony agreement to go directly to a third-party beneficiary rather than to the household;

~~((h)))~~ (q) Support payments on behalf of a household member, not required by the support court order or other legally binding written support or alimony agreement and paid directly to a third party rather than to the household;

~~((h)))~~ (r) Payments from the individual and family grant program;

- ~~((#))~~ (s) Public assistance payments:
 - (i) Over and above the regular warrant amount;
 - (ii) Not normally a part of the regular warrant; and
 - (iii) Paid directly to a third party on behalf of the household.
- ~~((s))~~ (t) From Jobs Training Partnership Act programs:
 - (i) Allowances; and
 - (ii) Earnings from on-the-job training by household members under parental control and eighteen years of age and younger.
- ~~((#))~~ (u) Cash donations based on need:
 - (i) Received directly by the household;
 - (ii) From one or more private, nonprofit, charitable organizations; and
 - (iii) Not exceeding three hundred dollars in any federal fiscal year quarter.
- ~~((#))~~ (v) Earned income credit.
 - (2) When earnings or amount of work performed by a household member described in subsection (1)(c) of this section, cannot be differentiated from the earnings or work performed by other household members, the department shall:
 - (a) Prorate the earnings equally among the working members; and
 - (b) Exclude the household member's pro rata share.
 - (3) When the intended beneficiaries of a single payment for care and maintenance of a third-party beneficiary include both household members and persons not in the household, the department shall exclude:
 - (a) Any identifiable portion intended and used for the care and maintenance of the person out of the household; or
 - (b) The lessor of:
 - (i) The actual amount used from a single payment for the care of a person outside the household; or
 - (ii) A prorata share of the single payment when the single payment does not identify the portion intended for the care of the person outside the household.

WSR 93-14-045
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)
 [Filed June 29, 1993, 4:28 p.m.]

Original Notice.

Title of Rule: WAC 388-86-071 Private duty nursing services.

Purpose: Management of the private duty nursing program for the exceptional care program is shifted to the aging and adult services administration within the Department of Social and Health Services. Management of the private duty nursing program for the medically intensive home care program for children is shifted to the division of developmental disabilities within the Department of Social and Health Services. Amended rules to reflect those changes effective July 1, 1993. Text clarifies program requirements.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Clarifies the requirements for the various programs.

Reasons Supporting Proposal: Program management moved to a different administration within the Department of Social and Health Services.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance Administration, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 29, 1993

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3281, filed 11/19/91, effective 12/20/91)

WAC 388-86-071 Private duty nursing services. (1) The department shall ~~((approve))~~ provide private duty nursing services when:

- (a) The ~~((recipient))~~ client would otherwise be institutionalized;
- (b) The care is provided in a noninstitutional setting;
- (c) The services are medically necessary;
- (d) ~~((The cost of the services will not exceed the cost of:~~

~~(i) Available skilled nursing facility care as determined by the exceptional rate review; or~~

~~(ii) Hospital care if skilled nursing facility care is not available;~~

~~(e))~~ The ~~((recipient))~~ client requires more nursing care than is available through ~~((intermittent))~~ home health nursing services;

~~((#))~~ (e) A registered or licensed practical nurse provides the care under the direction of a physician; and

~~((g) The medical assistance administration gives prior approval to the overall plan of care;))~~

(f) The client meets the requirement of the:

(i) Medically intensive home care program;

(ii) Exceptional care program; or

(iii) End-stage HIV/AIDS program.

(2) For the purpose of this section:

(a) "Medically eligible" means a client having a complex medical need that requires continuous skilled nursing care which can be provided safely outside an institution; and

(b) "Private duty nursing" means four hours or more of continuous skilled nursing services in the home to eligible clients with complex medical needs which cannot be managed within the scope of intermittent home health services.

(3) The division of development disabilities' medically intensive home care program (MIHCP) shall provide private duty nursing services to medically eligible children seventeen years of age and under when:

(a) Services meet the criteria for private duty nursing in subsection (1) of this section;

(b) The cost of private duty nursing does not exceed the cost of institutional care;

(c) Division of development disabilities gives prior approval to the overall plan of care; and

(d) Division of development disabilities may require a family member or other caregiver, who is trained, available, and reliable to participate in the nursing care for at least eight or more hours to supplement the overall plan of care.

(4) Aging and adult services administration may authorize up to sixteen hours per day of private duty nursing services under the exceptional care program (ECP) to a client eighteen years of age and over when:

(a) The services meet the criteria for private duty nursing in subsection (1) of this section;

(b) The cost of care does not exceed the cost of nursing facility care as determined by the exceptional rate review;

(c) Aging and adult administration requires a family member or other caregiver, who is trained, available, and reliable to participate in the nursing care for at least eight or more hours to supplement the overall plan of care; and

(d) Aging and adult services administration gives prior approval to the overall plan of care.

(5) The department may authorize private duty nursing services to medically eligible end-stage HIV/AIDS clients when:

(a) The private duty nursing services meet the criteria under subsection (1) of this section;

(b) The cost of private duty nursing does not exceed the cost of institutional care;

(c) Infusion therapy lasting for a continuous four hours requires continuous monitoring by a licensed nurse and the:

(i) Caregiver is unable to assume the care of the client or the client is unable to do self care; and

(ii) Client is homebound.

(d) Medical assistance administration gives prior approval to the overall plan of care.

(e) There is coordination with other agencies providing care to end-stage HIV/AIDS clients. The clients requiring over four hours of private duty nursing shall be referred to the appropriate agency.

(6) The ((recipient)) client and/or family may pay for supplemental services, not covered in the approved plan of care, as provided in WAC 388-83-010(3). A division or administration shall not authorize supplemental funding of other division or administration program.

~~((3))~~ (7) The department shall contract only with Washington state licensed home health agencies as providers for ((special)) private duty nursing services.

~~((a) Current providers, as of October 1, 1991, shall be Washington state licensed as home health agencies by April 1, 1992.~~

~~(b) New providers shall be Washington state licensed before the department will contract with them as providers for special duty nursing services.))~~

WSR 93-14-046
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Filed June 29, 1993, 4:29 p.m.]

Original Notice.

Title of Rule: WAC 388-86-00902 Mandatory prepaid health care plans and chapter 388-538 WAC, Managed care.

Purpose: Expands managed care mandatory enrollment and allows for a new health delivery model called primary care case management to provide coordinated care to clients. Establishes a new chapter of managed care for contracts with the department effective July 1, 1993.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Adds PCCMs as a model for providing coordinated care to clients. Add definitions of coordinated care and enrolled client, PCCMs and health care plan.

Reasons Supporting Proposal: Expands managed care mandatory enrollment. Allows for a new health delivery model called primary care case management. Establishes a new chapter of managed care for contracts effective after July 1, 1993.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance Administration, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993:

Date of Intended Adoption: August 11, 1993.

June 29, 1993

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3401, filed 6/9/92, effective 7/10/92)

WAC 388-86-00902 Mandatory prepaid health care plans. (1) The department shall enroll designated program category clients residing in the service area of a mandatory enrollment prepaid health care plan, except as provided in subsections (5) and (6) of this section.

(2) For the purposes of this section, "mandatory prepaid health care plan" shall be referred to as "a plan." A plan means the department shall:

(a) Require a client in a specified service area who is eligible for a designated program category to join a health care plan; and

(b) Pay a premium to a health care plan for contracted health care provided to the client.

(3) The department may offer optional enrollment to additional program category eligible groups with the agreement of a plan.

(4) Timely provision of services means a client shall have the right to receive medically necessary health care without unreasonable delay.

(5) Before enrolling in a plan, a client may request an exemption from enrolling. The department may exempt the client, for whom medically necessary care is required, and a contracted plan is unable to provide the medically necessary care. In making the exemption determination, the department's consideration shall include, but not be limited to whether:

(a) Distance makes it unreasonably difficult for the client to obtain medical care; or

(b) The absence of services accessible to disabled persons makes it unreasonably difficult for the client to obtain medical care.

(6) Tribal Indians eligible under subsection (1) of this section may choose to enroll in a plan. Once enrolled in a plan, the Tribal Indian can only be disenrolled according to subsection (12) of this section.

(7) Emergencies and emergency transportation services are exempt from a plan's routine medical care authorization procedures. Emergency service means a situation in which a person requires immediate medical services to avoid placing a person's health in serious jeopardy or alleviate a condition manifesting itself by acute symptoms, including severe pain, discomfort, or emergency active labor and delivery.

(a) The client shall not be responsible for determining, or for the cost of determining, if an emergency exists.

(b) If an emergency exists, the client shall not be financially responsible for any services rendered.

(c) If an emergency does not exist, and a plan will not authorize further services, the client shall be financially responsible for further services received only if the client is informed and agrees, in writing, to the responsibility before receiving the services as described under WAC 388-87-010(7).

(8) A client aggrieved by a decision of a plan or the department has the right to a fair hearing as required under chapter 388-08 WAC:

(a) Except as provided in subdivision (b) and (c) of this subsection, a client shall exhaust a plan's grievance procedure before requesting a fair hearing. A plan's grievance

procedure shall result in a written decision stating the basis for the decision. The client has the right to request a fair hearing if the decision is adverse or the written decision is not received within thirty days from the date a plan received the grievance. A plan may be a party to the fair hearing.

(b) In any case where a plan denies a client urgently needed medical care, a client need only provide a written grievance to a plan before or when requesting a fair hearing.

(c) A client requesting exemption from enrolling in a plan shall file a written request with the department. If not satisfied with the department's decision, the client may request a fair hearing. A plan may be a party to the fair hearing.

(9) Each client enrolled in a plan shall have a primary care provider (PCP):

(a) Clients shall have an opportunity to choose a PCP from current plan providers;

(b) A plan shall assign a client not choosing a participating provider to a PCP;

(c) Clients shall have the right to change their PCP:

(i) One time during a twelve-month period for any reason; and

(ii) For subsequent changes during the twelve-month period the client shall first show good cause.

(d) When requesting a change of PCP the client shall notify a plan of the:

(i) Desired change including the name of the new PCP; and

(ii) Reason for the desired change.

(10) The client shall have the right to a second opinion by another participating physician or specialist of a plan:

(a) When the client needs more information as to the medical necessity of medical treatment recommended by the PCP; or

(b) If the client believes the PCP is not authorizing medically necessary care.

(11) When medically necessary, the PCP shall make a prompt referral to another participating physician or specialist of a plan.

(12) The department may terminate enrollment of a client in a plan when a:

(a) Client loses eligibility for a plan; or

(b) Client requests disenrollment under the same considerations as subsection (5) of this section; or

(c) Plan requests disenrollment of the client, in writing, and a:

(i) Plan establishes the client's behavior is:

(A) Inconsistent with a plan's rules and regulations, such as intentional misconduct; or

(B) Such that it becomes medically nonfeasible to safely or prudently provide medical care; and

(ii) Plan's requested disenrollment is approved by the medical assistance administration. The medical assistance administration shall:

(A) Make a decision on the requested disenrollment within fifteen days of the receipt of the request; and

(B) Notify the client ten days in advance of the effective date of disenrollment for any approved disenrollment.

(13) A plan shall not request disenrollment of a client solely due to an adverse change in the client's health.

(14) The department shall require a plan to appoint a medical director or designee who:

- (a) Shall be responsible for the plan's quality assurance program and shall review all plan grievances; and
- (b) Furnishes the medical assistance administration with a copy of all written grievances and a plan's response to such grievances.

(15) On at least an annual basis, the department shall arrange for and a plan shall permit an independent, external review of the quality of client services provided or arranged by a plan.

(16) This section shall apply to contracts in effect before July 1, 1993. See chapter 388-538 WAC for contracts effective July 1, 1993.

Chapter 388-538 WAC MANAGED CARE

NEW SECTION

WAC 388-538-001 Purpose. For contracts effective on or after July 1, 1993, the department may contract with health care plans or primary care case managers to provide medical services directly to a client or arrange for a client to receive medical care according to the contract between the department and a plan or primary care case managers.

NEW SECTION

WAC 388-538-050 Definitions. For the purpose of this chapter:

(1) "Coordinated care" means a comprehensive system of medical and health care delivery including preventative, primary, specialty, and ancillary services. Coordinated care involves having clients enrolled with or assigned to a primary care provider, in a plan or with an independent provider, responsible for arranging or delivering all contracted medical care.

(2) "Enrolled client" means a client eligible for Medicaid and receiving services from a health care plan or primary care case management provider who has a contract with the department.

(3) "Emergency services" shall mean medical or other health services which are rendered for a medical condition (including emergency labor and delivery) manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:

- (a) Placing the patient's health in serious jeopardy;
- (b) Serious impairment to bodily functions; or
- (c) Serious dysfunction of any bodily organ or part.

(4) "Health care plan" means an organization contracting with the department, offering a health care plan that provides and/or pays for medical services provided to an eligible enrolled client in exchange for a department prepaid monthly set rate. A health care plan shall be referred to in this chapter as "a plan."

(5) "Persons with special health care needs" means persons having ongoing health conditions that:

- (a) Have a biologic, psychologic, or cognitive basis;
- (b) Have lasted or are virtually certain to last for at least one year; and
- (c) Produce one or more of the following sequelae:
 - (i) Significant limitation in areas of physical, cognitive, or emotional function;

(ii) Dependency on medical or assistive devices to minimize limitation of function or activities;

(iii) In addition for children:

(A) Significant limitation in social growth or developmental function;

(B) Need for psychologic, educational, medical or related services over and above the usual for the child's age; or

(C) Special ongoing treatments such as medications, special diets, interventions or accommodations at home or at school.

(6) "Primary care provider" means a provider who has responsibility for supervising, coordinating, and providing initial and primary care to clients, initiating referrals for specialist care, and maintaining the continuity of patient care. A primary care provider shall be either:

(a) A physician, who meets the criteria under WAC 388-87-007;

(b) Advanced registered nurse practitioner, who meets the criteria under WAC 388-87-007; or

(c) Licensed physician assistants.

(7) "Primary care case management" means a model of health care where a physician, ARNP, physician assistant, community/migrant health center, health department, or clinic agrees to provide primary health care services and coordinate other preventative, specialty, and ancillary health care in exchange for a monthly case management fee for each client managed. Primary care case management shall be referred to in this section as "PCCM."

(8) "Timely provision of services" means a client has the right to receive medically necessary health care without unreasonable delay.

NEW SECTION

WAC 388-538-060 Eligible client. (1) The department shall require a client, eligible for certain designated medical program categories, to enroll in a plan or under PCCM when the client resides in the contracted service area of a plan or PCCM, except as provided in WAC 388-538-080.

(2) The department shall assign a client to a plan or a PCCM provider when the client does not choose a plan or PCCM.

NEW SECTION

WAC 388-538-070 Managed care payment. The department shall pay a:

(1) Set rate to a plan for contracted health care provided to the client; and

(2) Monthly management fee under PCCM in addition to a fee for covered services provided to the client.

NEW SECTION

WAC 388-538-080 Managed care exemptions. (1) The department shall not require a client to enroll or to continue enrollment in a contracted plan or PCCM when medically necessary care is not reasonably available and accessible to the client under any of the plans offered.

(2) In making the exemption determination, the department shall consider medically necessary services not reasonably available and accessible when:

(a) The limited English-speaking or hearing-impaired client can communicate in the client's primary language with a health provider not participating in a plan or under PCCM;

(b) The nature of the client's health care needs is specialized and/or complex, such that available plans or PCCM are unable to adequately meet those needs, including but not limited to persons with special health care needs as defined in WAC 388-358-020;

(c) The distance is over twenty-five miles, travel time greater than forty-five minutes, or other transportation difficulties make it unreasonably difficult for a client to obtain medical care from a plan or under PCCM;

(d) The client is homeless or is expected to reside in temporary housing or a shelter for less than sixty days from date the client requests the exemption;

(e) The client's treating provider is not a member of a plan, or a PCCM provider and the treating provider has determined that the established treatment plan or plan of care is essential to the client's physical or mental health; or

(f) Before enrollment, a pregnant woman has started prenatal care with an obstetrical provider who is not a member of a plan or under PCCM.

(3) A client requesting an exemption from enrolling in a plan or under PCCM shall file a request with the department. The department shall timely notify the client of the exemption decision. The client may file a fair hearing when the client is not satisfied with the department's decision as described under WAC 388-81-040.

NEW SECTION

WAC 388-538-090 Client's choice of primary care provider. (1) Each client enrolled in managed care shall have a primary care provider (PCP).

(2) A client shall have an opportunity to choose a PCP from available providers.

(3) A plan shall assign a client to a PCP when the client enrolls in a plan and does not choose PCP in the plan.

(4) A client in a plan shall have the right to change a PCP:

(a) One time during a twelve-month period for any reason; and

(b) For subsequent changes during the twelve-month period, only for documented good cause. The client shall notify a plan of the:

(i) Desired change including the name of the new PCP; and

(ii) Reason for the desired change.

(5) A client enrolled with a PCCM shall have the right to change PCCM for any reason.

NEW SECTION

WAC 388-538-095 Medical services The department shall pay separately, on a fee-for-service basis, only for medical services covered under the department's medical care programs that a managed care contract does not cover. Such services include transportation as described under WAC 388-86-085.

NEW SECTION

WAC 388-538-100 Managed care emergency services

(1) Emergencies and emergency transportation services shall be exempted from routine medical care authorization procedures of a plan or under PCCM.

(2) A client shall not be responsible for determining if an emergency exists or for the cost of such determination.

(3) In a medical emergency, the client shall not be financially responsible for covered managed care services provided.

(4) When an emergency does not exist, and the client's plan PCP does not authorize services, the client shall be financially responsible for further services received only when the client is informed and agrees, in writing, to the responsibility before receiving the services as described under WAC 388-87-010.

NEW SECTION

WAC 388-538-110 Client grievances (1) A client aggrieved by a decision of a plan, PCCM, or the department shall have the right to a fair hearing as required under WAC 388-81-040.

(2) A client enrolled in a plan:

(a) Shall exhaust a plan's grievance procedure before requesting a fair hearing, except in subsection (2)(c)(iii) of this section;

(b) Shall receive a written decision stating the basis for the grievance decision;

(c) May request a fair hearing when a:

(i) Grievance decision is adverse;

(ii) Plan does not respond in writing within thirty days from the date the client requests the grievance; or

(iii) Plan denies a client urgently needed medical care and the client requests a grievance in writing.

NEW SECTION

WAC 388-538-120 Client request for a second medical opinion (1) The client enrolled in a plan shall have the right to a second opinion by another physician or specialist participating in the client's assigned plan:

(a) When the client needs more information as to the medical necessity of medical treatment recommended by the PCP; or

(b) If the client believes the PCP is not authorizing medically necessary care.

(2) The client enrolled with a PCCM shall have the right to a second opinion by another provider or specialist the same as in (1)(a) or (b) of this section.

(3) When medically necessary, the client shall be promptly referred to:

(a) Another participating physician or specialist of a plan, when enrolled in a plan; or

(b) Another provider or specialist when enrolled under PCCM.

NEW SECTION

WAC 388-538-130 Enrollment termination. The department may terminate enrollment of a client when a:

(1) Client loses eligibility for a medical eligibility category which requires enrollment;

(2) Client requests and medical assistance administration (MAA) approves disenrollment under the same considerations as under WAC 388-538-080; or

(3) Plan or PCCM requests in writing to MAA disenrollment of the client and:

(a) A plan or PCCM establishes that the client's behavior is:

(i) Inconsistent with a plan's or PCCM's rules and regulations, such as intentional misconduct; or

(ii) Such that it become medically infeasible to safely or prudently provide medical care; and

(b) MAA approves a plan's or PCCM's request:

(i) Within fifteen days from the day of receipt of the request; and

(ii) Notifies the client ten days in advance of the effective date of disenrollment.

NEW SECTION

WAC 388-538-140 Quality of care. The department shall require:

(1) A plan to appoint a medical director or designee who:

(a) Shall be responsible for the plan's quality assurance program and shall review all plan grievances; and

(b) Furnishes MAA with a copy of all written grievances and a plan's response to such grievances.

(2) A PCCM to provide adequate documentation for quality assurance review.

NEW SECTION

WAC 388-538-150 Managed care medical audit (1) At least once a year, the department shall conduct a medical audit of a plan or PCCM to ensure the quality and accessibility of health care services provided or arranged by a plan or PCCM for enrolled clients.

(2) A plan or PCCM shall permit such medical audit.

(3) The department may conduct or contract independently for such medical audit.

project even start program administration transferred to the State Board for Community and Technical Colleges.

Reasons Supporting Proposal: Permanent rule adoption in September allows for the formal transfer of the program.

Name of Agency Personnel Responsible for Drafting and Implementation: Janet Anderson, State Board for Community and Technical Colleges, 319 7th Avenue, Olympia, WA, 664-9403; and Enforcement: Janet Anderson and Rich Montecucco, State Board for Community and Technical Colleges, 319 7th Avenue, Olympia, WA, 664-9403.

Name of Proponent: State Board for Community and Technical Colleges, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of the rule adoption is to formally transfer administration of the project even start program from the Superintendent of Public Instruction's Office to the State Board for Community and Technical Colleges (SBCTC). The transfer is necessary due to the merger of the five vocational technical institutes in the state with the community college system in 1991, which was mandated by state law. The project even start program is primarily designated to provide illiterate or semi-literate parents with basic skills instruction and which may include instruction in child development knowledge and other eligible program components as provided in WAC 392-315-030.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Peninsula College, Board Room, 1502 East Lauridsen Boulevard, Port Angeles, WA, on Thursday, September 9, 1993, at 10:00 a.m.

Submit Written Comments to: Claire Krueger, State Board for Community and Technical Colleges, 319 7th Avenue, Olympia, WA 98504, by August 6, 1993.

Date of Intended Adoption: September 9, 1993.

June 30, 1993

Claire C. Krueger

Executive Assistant

Agency Rules Coordinator

**WSR 93-14-052
PROPOSED RULES
STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

[Filed June 30, 1993, 10:01 a.m.]

Original Notice.

Title of Rule: Chapter 131-47 WAC, Project even start.

Purpose: To adopt permanent rules for the administration of project even start (formerly administered by the Superintendent of Public Instruction's Office).

Other Identifying Information: Project even start is defined in chapter 131-47 WAC as a program designed to provide illiterate or semiliterate parents with basic skills instruction and which may include instruction in child development knowledge and other eligible programs.

Statutory Authority for Adoption: Chapters 28A.610 and 28B.50 RCW.

Statute Being Implemented: RCW 28B.50.915.

Summary: The state's five vocational technical institutes merged with our system in 1991. At the same time,

**Chapter 131-47 WAC
PROJECT EVEN START**

NEW SECTION

WAC 131-47-010 Authority. The authority for this chapter is chapter 28A.610 RCW which authorizes the state board for community and technical colleges to promulgate rules for the establishment and administration of project even start.

NEW SECTION

WAC 131-47-015 Purpose. The purpose of this chapter is to set forth policies and procedures for the administration of project even start, including the establishment of eligibility criteria for the award of grants to eligible grantees.

NEW SECTION

WAC 131-47-020 Public policy goals of project even start. The public policy goals of project even start are to:

(1) Recognize that parents can be the most effective teachers for their children.

(2) Provide illiterate or semiliterate parents with opportunities to acquire basic skills and child development knowledge that will enhance their ability to assist and support their children in the learning process.

(3) Enhance children's learning experiences in the formal education environment by providing children with the motivation and positive home environment which contributes to enhanced academic performance.

NEW SECTION

WAC 131-47-025 Project even start—Definition. As used in this chapter, the term "project even start" means a program primarily designed to provide illiterate or semiliterate parents with basic skills instruction and which may include instruction in child development knowledge and other eligible program components as provided in WAC 392-315-030.

NEW SECTION

WAC 131-47-030 Child development knowledge—Definition. As used in this chapter, the term "child development knowledge" means information about characteristics of child growth, including differences in development, and the role of child-parent interaction in supporting the developmental process.

NEW SECTION

WAC 131-47-035 Other eligible program components—Definition. As used in this chapter, the term "other eligible program components" means one or more of the following:

(1) Transportation.

(2) Child care.

(3) Other activities and/or resources determined by the state board for community and technical colleges to be directly necessary activities to accomplish the purpose of project even start.

NEW SECTION

WAC 131-47-040 Eligible grantee—Definition. As used in this chapter, the term "eligible grantee" means any public agency or private nonsectarian program or organization.

NEW SECTION

WAC 131-47-045 Eligible parents—Definition. As used in this chapter, the term "eligible parents" means one or more parents, which may be a biological or foster parent, a guardian, or a person with whom a child resides, and who meets the following two part test:

(1) Is illiterate or semiliterate, i.e., has less than an eighth grade ability in one or more basic skill areas: Provided, That in the case of parents whose primary lan-

guage is other than English, eighth grade ability shall be determined on the basis of performing basic skill activities in their native language.

(2) Has a child enrolled in one of the following programs:

(a) State early childhood education and assistance program.

(b) Federal head start program.

(c) State or federally funded elementary school—i.e., grades K-8—basic skills program serving students who have scored below the national average of the basic skill areas of reading, language arts, or mathematics.

(d) A cooperative nursery—e.g., preschool or day care—at a community or technical college.

(e) A bilingual education/ESL program which includes children who are eligible for programs listed in (a) through (d) of this subsection.

(f) A program that serves children with special needs who are eligible for programs listed in (a) through (d) of this subsection.

NEW SECTION

WAC 131-47-050 Basic skills—Definition. As used in this chapter, the term "basic skills" means reading, language arts, and mathematics, including the readiness skills associated with such skills.

NEW SECTION

WAC 131-47-055 Standardized test—Definition. As used in this chapter, the term "standardized test" means any recognized test of adult basic skills and/or ESL that has received the prior approval of the state board for community and technical colleges.

NEW SECTION

WAC 131-47-060 Transportation—Definition. As used in this chapter, the term "transportation" means transport of the eligible parents or children thereof provided directly by the eligible grantee or reimbursed by such eligible grantee pursuant to the allowances provided in WAC 392-141-190(2).

NEW SECTION

WAC 131-47-065 Child care—Definition. As used in this chapter, the term "child care" means adult supervision of children of eligible parents provided directly by the eligible grantee or reimbursed by such eligible grantee pursuant to a written contract either with the provider of the day care or with the eligible parent.

NEW SECTION

WAC 131-47-070 Directly necessary activities—Definition. As used in this chapter, the term "directly necessary activities" means reasonable services and activities that are needed to remove barriers that inhibit participation of eligible parents in the even start project.

NEW SECTION**WAC 131-47-075 Indirect expenditures—Definition.**

As used in this chapter, "indirect expenditures" means those expenditures for administration of the organization as well as support service, fiscal support, and maintenance of facilities.

NEW SECTION**WAC 131-47-080 Assurance of nonsupplanting—**

Program standard. No application for an even start project grant shall be approved by the state board for community and technical colleges unless the authorized agent of the eligible grantee provides assurance to the state board for community and technical colleges of compliance with RCW 28A.610.030(4)— i.e., "State funds . . . shall be used solely to expand and complement, but not supplant, federal funds for adult literacy programs."

NEW SECTION**WAC 131-47-085 Assurance of cooperation with the department of social and health services regarding public assistance reports—Program standard.**

No application for an even start project grant shall be approved by the state board for community and technical colleges unless the authorized agent of the eligible grantee agrees to assist eligible parents in any reporting requirement of the department of social and health services related to compliance with RCW 28A.610.030(3)—i.e., "fulfillment of . . . work and training obligation for the receipt of public assistance."

NEW SECTION**WAC 131-47-090 Assurance to submit annual evaluation report to the state board for community and technical colleges.**

No application for an even start project grant shall be approved by the superintendent of public instruction unless the authorized agent of the eligible grantee agrees to submit to the state board for community and technical colleges on a date established by the state board for community and technical colleges an annual evaluation report which shall contain the following:

(1) Progress made by adult enrolled as evidence by:

(a) Grade equivalent or standardized test scores by basic skills at beginning and end of enrollment in even start programs.

(b) Total number of instructional hours offered.

(c) Total number of instructional hours actually received by participants.

(2) Effect of parents' participation in even start on children of enrollees as evidenced by:

(a) Preinterviews and post interviews of parents; and/or

(b) Other independent verifications of the parent's effect on the child's education.

(3) Summary impressions on the most effective methods and materials for serving specific populations.

(4) Observations regarding the effect of support services on program participation.

(5) Recommendations for program improvements.

(6) Estimated need for even start programs in service area versus number of participants enrolled.

(7) Such additional information as the state board for community and technical colleges shall request related to the effectiveness of the funded project even start.

NEW SECTION

WAC 131-47-095 Reporting requirements. Successful applicants for project even start will be required to report fiscal, program, and client data to state board for community and technical colleges upon request.

At a minimum, applicants are required to ensure that:

(1) Financial systems allow for effective control and accountability for all program funds, property, and other assets, including use for authorized purposes only.

(2) Accounting systems will meet and comply with generally accepted accounting principles. Transactions will be supported by source documentation which identifies the source and use of the contract funds.

(3) The agency records management system provides for systematic accumulation; filing; retention of appropriate records; all contract documentation of accountability and an inventory of nonexpendable items. Included are vouchers; receipts; materials and equipment cost; facilities usage; and, general indirect costs.

(4) Program and client data are available at a minimum on a quarterly basis. Monthly attendance records are kept on all participants.

NEW SECTION

WAC 131-47-100 Request for even start project grants to the state board for community and technical colleges. Any eligible grantee may submit a request to the state board for community and technical colleges for an even start project grant. Such request must be reviewed and approved by the governing board of the requesting public or private agency and shall include the assurances required by WAC 392-315-075, 392-315-080, and 392-315-085.

NEW SECTION

WAC 131-47-105 Assurance of cooperation with state auditor. No application for an even start project grant shall be approved by the state board for community and technical colleges unless the authorized agent or eligible grantee agrees to provide written assurance that an audit will be permitted if deemed appropriate by the state auditor.

NEW SECTION

WAC 131-47-110 Assurance of service to targeted groups. No application for an even start project grant shall be approved by the state board of community and technical colleges unless the authorized agent or eligible grantee agrees to provide written assurance that even start programs will serve one or more of the following groups:

(1) Single heads of household.

(2) Parents of early childhood education assistance program (ECEAP) participants.

(3) Parents of federal head start program participants.

(4) Public assistance recipients.

(5) Ethnic minorities.

(6) Limited English-proficient parents who are below the eighth grade literacy level in their own language.

(7) Parents of children with special needs.

NEW SECTION

WAC 131-47-115 Priority groups. Programs funded under project even start shall give priority to serving parents with children who have not yet enrolled in kindergarten or are in grades kindergarten through three.

NEW SECTION

WAC 131-47-120 Date of receipt of even start project proposals. In order to be considered for possible funding, an even start project proposal must be received in the office of the state board for community and technical colleges by 5:00 p.m. of the date set forth in the bulletin of the state board for community and technical colleges requesting the submission of even start project proposals.

NEW SECTION

WAC 131-47-125 Even start advisory committee. An advisory committee composed of at least one representative from among the following agencies/groups shall make recommendations to the state board for community and technical colleges regarding the implementation and operation of project even start and the proposal selection process:

Office of superintendent of public instruction, department of social and health services, department of community development, community-based agencies, adult basic education directors, local literacy councils, parent-education specialists, state university colleges of education, common school districts, education service districts, ethnic minority commissions, a local board of education, a business or industry with a commitment to education, and professional organizations devoted to early childhood education, reading instruction, and English as a second language (ESL) instruction, and department of social and health services or common school programs serving children with special needs in grades P-3. A selection committee approved by the advisory committee shall evaluate the proposals submitted under project even start. Members of the selection committee will not be from commissions, agencies, organizations, or schools which have submitted proposals, and, must not personally benefit from the outcome of the selection process.

NEW SECTION

WAC 131-47-130 Duties of even start advisory committee. The even start advisory committee shall select subcommittees of not more than seven members of the committee, or individuals approved by the committee to:

(1) Evaluate requests for proposals and make recommendations for funding to the state board for community and technical colleges, including the need for the state board for community and technical colleges to negotiate the terms, conditions, or funding of any grant proposal. Members of the selection subcommittee will not be from commissions, agencies, organizations, or schools which have submitted even start proposals and must not personally benefit from the outcome of the selection process.

(2) Make recommendations to the state board for community and technical colleges on the administration and

operation of project even start, including the need to change any statute or rule affecting project even start.

(3) Develop the bylaws that govern the activities of the advisory committee.

NEW SECTION

WAC 131-47-135 Priority projects. In accordance with RCW 28A.610.040, "before developing and funding new adult literacy programs to carry out the purposes of project even start.", the state board for community and technical colleges shall fund the existing adult literacy programs and parent related programs which meet the conditions established in this chapter and are offered by the following agencies:

- (1) Common schools.
- (2) Community and technical colleges.
- (3) Community-based, nonprofit organizations.

NEW SECTION

WAC 131-47-140 Coordination of programs. Even start programs shall coordinate their services with programs that enroll the participants' children. Such coordination is essential for several reasons:

(1) Parent participation opportunities in the children's programs enable parents to become involved in their children's learning and development.

(2) Resources available to children and parents through state funded early childhood education and assistance programs and federally funded head start programs and other programs serving at risk children complement those available to parents through even start.

(3) The support network of parents and instructional personnel offered through the children's programs will complement, extend, and continue the parent education component beyond participants' period of active involvement in the even start program.

NEW SECTION

WAC 131-47-145 Evaluation criteria for project even start. Proposals for even start funds shall be evaluated according to the following criteria:

(1) The applicant's likely success in meeting the goals of this program;

(2) The need for literacy, basic skills, and child development instruction for illiterate and semiliterate parents of young children in the geographical area served by the applicant. All proposals must contain data which identify the estimated number of males and females to be served, the estimate of limited English-speaking adults and ethnic minorities to be enrolled, the number of anticipated public assistance recipients to be served, and the number of anticipated percentage of participants with children enrolled in early childhood education and assistance programs (ECEAP) and head start programs;

(3) The applicant's ability to design a unique program of instruction for parents which integrates instruction in literacy, basic skills, and child development knowledge;

(4) The linkages between the applicant's program and the instructional programs serving the children of the parents being served: Head start programs, early childhood educa-

tion assistance program (ECEAP), state or federally funded elementary school basic skills programs serving students who have scored below the national average on basic skills tests, and cooperative preschools at community or technical colleges;

(5) The applicant's plan for evaluating the effect of the program on both the parent participants and their preschool or school aged children;

(6) The cost-effectiveness of the program; and the reasonableness of the budget;

(7) The applicant's administrative capability; and

(8) The applicant's ability to cooperate and coordinate between a variety of relevant service providers in all phases of the program and the ability and willingness to leverage other resources to support the participants and the program.

NEW SECTION

WAC 131-47-150 Performance standards for project even start. Programs proposed under project even start shall:

(1) Reflect instructional methods, staffing patterns, curricula, and utilization of resources which reflect current research in adult learning theory, first and second language literacy acquisition, the role of parents in the child's acquisition of language, and effective parenting skills;

(2) Be sensitive to the social, cultural, and ethnic differences of the participants, and shall respond to those differences in the program design;

(3) Offer adult services at least ten hours per week for a minimum of ten weeks and for at least thirty weeks within a fifty-two week period.

NEW SECTION

WAC 131-47-155 Administrative expenditures. Administration expenditures (i.e., direct and indirect) for programs funded under project even start may not exceed ten percent of the total grant awarded.

NEW SECTION

WAC 131-47-160 Liability insurance. The state board for community and technical colleges assumes no liability with respect to bodily injury, illness, accident, theft, or any other damages or losses concerning persons or property, or involving the applicant's equipment or vehicles. Successful applicants who are nonpublic entities shall have the responsibility of providing adequate insurance coverage to protect against legal liability arising out of activities.

NEW SECTION

WAC 131-47-165 Bonding. Every officer, director, or employee of a nonpublic entity who is authorized to act on behalf of the applicant or any subcontractor for the purpose of receiving or depositing funds into program accounts or issuing financial documents, checks, or other instruments of payment for program costs will be bonded to provide protection against loss.

WSR 93-14-055

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed June 30, 1993, 11:20 a.m.]

The State Personnel Board is withdrawing a notice of proposed rule making (CR-102).

The original notice to be withdrawn is WSR 93-06-079 filed on March 3, 1993, and continued on WSR 93-09-058 filed on April 20, 1993.

The following WAC has been withdrawn: WAC 356-30-260 Probationary period—Provisions—Status of employee.

Dennis Karras
Director

WSR 93-14-056

PROPOSED RULES PERSONNEL BOARD

[Filed June 30, 1993, 11:24 a.m.]

Continuance of WSR 93-10-028.

Title of Rule: New sections WAC 356-05-157 Essential functions and 356-22-005 Recruitment—Essential functions.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, 586-1770; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, 2nd Floor, Board Room, Olympia, WA, on August 12, 1993, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead, P.O. Box 47500, Olympia, WA 98504-7500, by August 10, 1993.

Date of Intended Adoption: August 12, 1993.

June 29, 1993
Dennis Karras
Secretary

WSR 93-14-057

PROPOSED RULES PERSONNEL BOARD

[Filed June 30, 1993, 11:25 a.m.]

Continuance of WSR 93-09-057.

Title of Rule: New section WAC 356-30-331 Reduction in force—Transition pool.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, 586-1770; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, 2nd Floor, Board room, Olympia, WA, on July 8, 1993, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead, P.O. Box 47500, Olympia, WA 98504-7500, by July 6, 1993.

Date of Intended Adoption: July 8, 1993.

June 29, 1993

Dennis Karras

Secretary

WSR 93-14-058

PROPOSED RULES

PERSONNEL BOARD

[Filed June 30, 1993, 11:27 a.m.]

Continuance of WSR 93-08-043 and 93-12-083.

Title of Rule: Amending WAC 356-10-060 Allocation—Request for review.

Purpose: This rule allows a process in which an employee may request a review of an allocation or reallocation determination.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, 586-1770; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, 2nd Floor, Board Room, Olympia, WA, on September 9, 1993, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, Olympia, WA 98504-7500, by September 7, 1993.

Date of Intended Adoption: September 9, 1993.

June 28, 1993

Dennis Karras

Secretary

WSR 93-14-059

PROPOSED RULES

PERSONNEL BOARD

[Filed June 30, 1993, 11:28 a.m.]

Original Notice.

Title of Rule: New section WAC 356-05-171 Family and medical leave.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: Defines family and medical leave.

Reasons Supporting Proposal: For purposes of compliance with the 1993 Federal Family and Medical Leave Act this definition has been proposed.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, 586-

1770; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This new rule is proposed to define that the first twelve workweeks of leave will be considered family and medical leave for purposes of WAC 356-18-145 Leave without pay—Serious health condition and 356-18-150 Leave—Newborn, adoptive, or foster child care—Provision.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way, South, Olympia, WA, on August 12, 1993, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, Olympia, Wa 98504-7500, by August 10, 1993.

Date of Intended Adoption: August 12, 1993.

June 25, 1993

Dennis Karras

Secretary

NEW SECTION

WAC 356-05-171 Family and medical leave. For compliance with the federal family and medical leave act of 1993, the first 12 workweeks of leave will be considered family and medical leave for purposes of WAC 356-18-145, Leave without pay—Serious health conditions, and WAC 356-18-150, Leave—Newborn, adoptive, or foster child care—Provision.

WSR 93-14-060

PROPOSED RULES

PERSONNEL BOARD

[Filed June 30, 1993, 11:30 a.m.]

Continuance of WSR 93-12-084 and 93-08-072.

Title of Rule: New section WAC 356-18-145; and amending WAC 356-18-150, 356-18-110, 356-15-030, 356-18-060, and 356-14-260.

Purpose: These rules all apply to different kinds of leave usage.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, Wa 98504-7500, on August 12, 1993, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, Olympia, Wa 98504, by August 10, 1993.

Date of Intended Adoption: August 12, 1993.

June 25, 1993
Dennis Karras
Secretary

[AMENDATORY SECTION (Amending Order 40, filed 12/10/71)]

PROPOSED

WSR 93-14-062
PROPOSED RULES
PERSONNEL RESOURCES BOARD

[Filed June 30, 1993, 11:31 a.m.]

Original Notice.

Title of Rule: WAC 356-26-110 Certifications—

Actions required.

Purpose: This rule requires agencies to report action taken on certifications.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal would delete the reference in this rule which requires appointing authorities to report actions taken on certifications within 10 days following the certification.

Reasons Supporting Proposal: This proposal is house-keeping in nature. On many occasions this time period would not be reasonable and the Department of Personnel currently allows more flexibility for the appointing authority to report actions taken.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, 586-1770; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The current rule requires actions on certifications be reported to the Department of Personnel. These actions are to be submitted in writing within 10 days of the certification of names. This 10 day requirement is proposed to be deleted. The time period limitation seems to be restrictive and impractical in many instances. The current practice allows much more flexibility.

Proposal Changes the Following Existing Rules: This proposal would delete the 10-day notification period for actions taken on certifications. This housekeeping proposal is intended to reflect current practice.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, 2nd Floor, Board Room, Olympia, WA, on August 12, 1993, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, Olympia, WA 98504-7500, by August 10, 1993.

Date of Intended Adoption: August 12, 1993.

June 24, 1993
Dennis Karras
Secretary

WAC 356-26-110 Certification—Actions required. Reports of actions taken on certified eligibles by the appointing authority shall be in writing to the director (~~within ten working days following certification unless the director has specifically granted an extended time~~). Fair consideration must be given to all names certified.

The following actions are allowed and/or required:

(1) Appropriate appointment of one of the names certified.

(2) Request for additional names to replace names of eligibles who:

(a) Were considered, provided they were only from unranked registers.

(b) Waived consideration, which shall be confirmed by the director.

(c) Failed to reply within four days of notice to appear for consideration.

(d) Were not satisfactory for valid and pertinent reasons directly connected with the position as determined by the director from a written report by the appointing authority.

The preceding actions may be taken, provided the additional name or names do not cause the total number of names certified to exceed the number normally certified.

(3) Request for cancellation of the certification in accordance with WAC 356-26-050.

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

WSR 93-14-063
PROPOSED RULES
PERSONNEL RESOURCES BOARD

[Filed June 30, 1993, 11:33 a.m.]

Original Notice.

Title of Rule: Repealing chapter 356-47 WAC, Career executive program.

Purpose: This chapter of Title 356 WAC established the career executive program which provides for career development of recognized managers and to provide mobility of such employees among agencies.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal will repeal chapter 356-47 WAC.

Reasons Supporting Proposal: The repeal of this chapter is intended to comply with the changes in the current RCWs which was repealed by the adoption of the 1993 civil service bill (ESHB 2054).

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, 586-1770; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: In 1981 chapter 356-47 WAC, Career executive

program was established. These rules deal with identifying, attracting, and retaining highly qualified executive candidates. In accordance with the adoption of the 1993 civil service bill (ESHB 2054) this chapter 356-47 WAC will be repealed effective July 1, 1993.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, 2nd Floor, Board Room, Olympia, WA, on August 12, 1993, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, Olympia, WA 98504-7500, by August 10, 1993.

Date of Intended Adoption: August 12, 1993.

June 24, 1993

Dennis Karras

Secretary

REPEALER

The following chapter of the Washington Administrative Code is repealed:

356-47 Career executive program.

WSR 93-14-064

PROPOSED RULES

PERSONNEL RESOURCES BOARD

[Filed June 30, 1993, 11:35 a.m.]

Original Notice.

Title of Rule: WAC 356-10-050 Employee appointment status—Upward reallocation and 356-10-060 Allocation—Request for review.

Purpose: WAC 356-10-050 provides information on how employees in positions which are reallocated upward are affected. WAC 356-10-060 provides guidelines on requesting an informal review by the director or designee on allocations or reallocations of a position.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal would allow incumbents to appeal incumbent status following reallocation after the informal review process.

Reasons Supporting Proposal: This would allow the director's designee to determine incumbent status and the waiver of examinations for employees who have performed higher level duties in excess of one year at the time of the review decision.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, 586-1770; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules currently have guidelines covering the effects of a reallocation upward as well as the process to request an informal review by the director of personnel or

designee. Under these rules the director or designee currently has the authority to review the determination of an allocation or reallocation. This proposal will broaden the designee's authority and will give employees the ability to appeal incumbent status.

Proposal Changes the Following Existing Rules: This proposal adds the ability for an incumbent to appeal status. It also will add to the director's or designee's authority to approve the retention of status without examination for employees who were reallocated based on an appeal and who have been performing the higher level duties for over one year at the time of the appeal determination.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, 2nd Floor, Board Room, Olympia, WA, on August 12, 1993, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, Olympia, WA 98504-7500, by August 10, 1993.

Date of Intended Adoption: August 12, 1993.

June 24, 1993

Dennis Karras

Secretary

AMENDATORY SECTION (Amending Order 368, filed 1/16/91, effective 3/1/91)

WAC 356-10-050 Employee appointment status—Upward reallocation. Employees in positions that have been reallocated upward are affected as follows:

(1) Employee must compete at the time of certification from the appropriate eligible register, unless otherwise determined by the director of personnel or designee, when the position is reallocated upward based on recent or impending changes in duties and responsibilities. The effective date of an incumbent's appointment status as provided in this subsection will be the date when he/she is appointed from a certification. If the employee is appointed from a certification, his/her salary is then determined in accordance with the rule governing promotion. The employee will serve a probationary or trial service period.

(2) Employees in positions that have been reallocated upwards based on duties of a higher level classification performed for over one year shall retain status in the reallocated position and shall have their salary adjusted in accordance with the rule governing promotion, provided:

(a) The incumbent meets the minimum or desirable qualifications for the new class; or, the incumbent meets acceptable qualifications as determined by the director of personnel or designee; and

(b) The department of personnel verifies that the incumbent has the knowledge, skills and abilities needed for the new class.

(3) If the employee is not certified from the appropriate eligible register, transferred, promoted, demoted or otherwise retained in status within ninety days, the provisions governing reduction in force shall apply. This shall not preclude the employee's eligibility for a temporary appointment under these rules up to thirty days after the register is established. Employees who do not achieve status in a reallocated position shall be paid for time worked in the higher class

based on the rule governing promotion (up to a maximum of three years).

(4) The employee retains existing appointment status when the position is reallocated based on a revision of a class series, a class series study, or an agency-wide or major subdivision-wide classification review planned, conducted, or authorized by the department of personnel in advance of personnel board action (if any), when the reallocation involves no change in duties or responsibilities. The employee's salary then is adjusted to the same step in the new range as held in the present range.

(a) An employee in an underfill status will maintain that status.

(b) Subsection (1) or (2) of this section apply when a change in duties, responsibilities, or organization coincides with a revision of a class series.

(5) The director of personnel or designee may approve the retention of status without examination for an incumbent in a reallocated position when it is evident that the reallocation is, in effect, the correction of a long-term inequity. The employee's salary is adjusted in accordance with the rule governing promotion. The application of this subsection shall not be denied in those cases where the employee has performed duties at a higher class for three continuous years or more.

(6) The director of personnel or designee may approve the retention of status without examination for an incumbent in a position that is reallocated as a result of an appeal, provided that the incumbent performed the higher level duties in excess of one year at the time of the appeal determination.

~~((6))~~ (7) In reallocations determined by the department of personnel's director or designee the effective date of an incumbent's appointment status as provided for in subsection (2) or (5) of this section will be the earliest date that a copy of the classification questionnaire, either submitted directly by the incumbent or by the agency, is received by the department of personnel. Receipt of such classification questionnaires shall be acknowledged by the department of personnel if the submitting party includes a self-addressed stamped envelope with the copy of the classification questionnaire furnished the department of personnel.

For positions reallocated by agencies under their delegated allocation authority, the effective date of an incumbent's appointment status as provided for in subsection (2) or (5) of this section will be the earliest date that a copy of the classification questionnaire is received by the agency's personnel office or by the department of personnel.

~~((7))~~ (8) The department of personnel, the director of personnel, and the state personnel resources board shall not award additional compensation to an employee for any period prior to the date on which the classification questionnaire was received by the department of personnel.

AMENDATORY SECTION (Amending Order 163, filed 11/16/81)

WAC 356-10-060 Allocation—Request for review. A review by the director of personnel or designee of the allocation ~~((or)),~~ reallocation of a position, or incumbent status may be requested by the incumbent in the position at the time the reallocation was requested, or on the date the

allocation decision was issued, or at the conclusion of a class study, or by the agency director as follows:

(1) The written request for a review must be filed with the director of personnel within 30 calendar days following notification of the effective date of the action and must contain the reasons and basis for the review.

(2) The director of personnel or designee shall acknowledge receipt of the request and send a copy of the request to the agency.

(3) The agency shall make every effort to resolve the disagreement through agency procedures.

(4) During the review, the director of personnel or designee shall conduct a hearing and may investigate and obtain such information as may be deemed necessary.

(5) Within 30 days of the receipt of the request for review, the director of personnel or designee shall set a date for a hearing and shall notify the incumbent employee, employing agency, employee organization, and designated department of personnel analyst: PROVIDED, That the notice shall not be less than 20 calendar days. The hearing shall be informal and any of the above designated parties may present their views. The director of personnel or designee will enter a written determination and provide each of the participating parties with a copy.

(6) An employee or agency may appeal the determination of the director of personnel or designee to the state personnel appeals board as provided in Title 358 WAC.

(7) Allocation or reallocation reviews which result from a class-wide or broader position survey need not be heard until the director of personnel or designee has had a reasonable period of time to reexamine the position in question and all pertinent facts.

(8) Wherever possible, agencies shall continue employee's duties unchanged, pending an allocation decision.

**WSR 93-14-065
PROPOSED RULES
PERSONNEL RESOURCES BOARD**

[Filed June 30, 1993, 11:36 a.m.]

Original Notice.

Title of Rule: New section WAC 356-22-125 Examinations—Desirable qualifications.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal will allow in rule, the ability of the director of personnel or designee to approve the substitution of desirable qualifications for minimum qualifications for a classification.

Reasons Supporting Proposal: Since the implementation of the desirable qualifications pilot project, the benefits have been broader and more diverse candidate pools.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, 586-1770; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposal is to adopt a new section on desirable qualifications. This practice would enable agencies and the Department of Personnel to select job classifications for which substitution of desirable qualifications for minimum qualifications would be appropriate. This proposal intends to broaden and create a more diverse candidate pool which has been the case in an on-going pilot project using this practice. This proposal will enable agencies and the Department of Personnel to use this practice on a permanent basis.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, 2nd Floor, Board Room, Olympia, WA, on August 12, 1993, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, Olympia, WA 98504-7500, by August 10, 1993.

Date of Intended Adoption: August 12, 1993.

June 24, 1993
Dennis Karras
Secretary

NEW SECTION

WAC 356-22-125 Examinations—Desirable qualifications. Desirable qualifications may be reviewed and substituted for the established minimum qualifications for a job classification as approved by the director of personnel or designee. The desirable qualifications may be amended or removed if the director or designee determine they are no longer appropriate. All affected agencies and employee organizations shall be notified in writing of any approved desirable qualifications for a job classification, or any changes made thereof.

No provisions of this rule shall infringe upon the authority of the personnel resource board to adopt job classifications with desirable qualifications.

**WSR 93-14-070
PROPOSED RULES
PARKS AND RECREATION
COMMISSION**

[Filed June 30, 1993, 11:49 a.m.]

Original Notice.

Title of Rule: New state park fees established and selected fees increased.

Purpose: Establishes fees for boat launches, trailer dump stations, popular destination parks, and marine trail camping fees.

Statutory Authority for Adoption: RCW 43.51.040.

Summary: Establishes new state park fees or increases existing fees.

Reasons Supporting Proposal: Fee increases proposed by Washington State Parks and Recreation Commission.

Name of Agency Personnel Responsible for Drafting: Wayne McLaughlin, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, 753-2029; Implementation and Enforcement: Kathy Smith, Washington

State Park and Recreation Commission, 7150 Cleanwater Lane, Olympia, 753-5761.

Name of Proponent: Washington State Parks and Recreation Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: In order to adequately fund state park operations it is necessary to establish new fees and increase existing fees. Increase existing fees or change applicability of fees throughout chapter 352-32 WAC, Standard fees.

Proposal Changes the Following Existing Rules: Increases fees.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Best Western Hallmark Inn, 3000 West Marina Drive, Moses Lake, WA 98837, on September 17, 1993, at 9:00 a.m.

Submit Written Comments to: Wayne McLaughlin, Washington State Parks and Recreation Commission, by September 10, 1993.

Date of Intended Adoption: September 17, 1993.

June 30, 1993
Sharon Howdeshell
Office Manager

AMENDATORY SECTION (Amending WSR 93-08-025, filed 3/30/93, effective 5/1/93)

WAC 352-32-250 Standard fees charged. The following fees shall be charged in all parks operated by the Washington state parks and recreation commission:

(1) Overnight camping - standard campsite: \$10.00 per night;

(2) Overnight camping - utility campsite: \$14.00 per night. Payment for utility campsite will be collected whether utility hookups are actually used or not, except when otherwise specified by a ranger. The electrical hookup surcharge reference in WAC 352-32-252(3) shall be \$2.00 per night;

(3) Overnight camping - primitive campsite: \$5.00 per night for nonmotorized vehicle and \$7.00 per night for motorized vehicle;

(4) Overnight camping - reservation fee: As specified in WAC 352-32-035;

(5) Overnight camping - multiple campsites: Where campsites are designated and posted as a "multiple campsite," an individual may rent the multiple campsite by paying the multiple campsite fee. The multiple campsite fee will be calculated by multiplying the standard utility or primitive campsite fee, as applicable, by the number of individual campsites to be used in the designated multiple campsite;

(6) Group camping area - certain parks: \$1.00 per person per day and/or night; nonrefundable reservation fee - \$10.00. Recreational vehicle campers must pay the primitive campsite fee or other appropriate fee based on facilities available;

(7) Environmental learning center - overnight camping: \$4.45 per camper per night;

(a) Camp Wooten and Cornet Bay environmental learning centers during the season the swimming pools are operational: \$5.45 per camper per night;

(b) Environmental learning center - day use only: \$1.00 multiplied by the minimum capacity established for each environmental learning center or \$1.00 for each member of the group - whichever is higher;

(8) Hot showers: \$.25 for a minimum of six minutes shower time;

(9) Electric stoves: \$.25 for thirty minutes cooking time;

(10) Adirondacks - not to include those located in ELC areas: Same as fee charged for full utility campsite. Occupancy shall be limited to the number of built-in bunks provided;

(11) Extra vehicle overnight parking fee: \$4.00 per night for each additional unhitched vehicle in excess of the one recreational vehicle allowed at each campsite: *Provided*, An extra vehicle overnight parking fee shall not be imposed when the recreational vehicle and the towed vehicle arrive at the park hitched together, and after the camper has registered for and occupied the assigned campsite either the recreational vehicle or the towed vehicle remain parked at the campsite for the duration of the camper's stay;

(12) Marine park moorage facilities - see WAC 352-12-020 and 352-12-030;

(13) Overnight camping - emergency camp area: The fee shall be the standard campsite fee.

These fees do not apply in those circumstances set forth in WAC 352-32-280 and 352-32-285 as now or hereafter amended.

(14) Unattended vehicle overnight parking permit: Unoccupied vehicles parked overnight in designated areas must obtain a permit by registering and paying the \$4.00 per night permit fee. The permit must be prominently displayed in the vehicle;

(15) Campsite reservations - see WAC 352-32-035(6);

(16) Boat launch permit fee - ~~(\$5.00)~~ \$4.00 per day for one or more launches per watercraft per day at those boat launches where bathrooms, parking areas, and docking facilities are provided and maintained on a regular basis; and \$3.00 per day at other boat launches as designated by the commission: *Provided*, said fees shall not be imposed on vehicles of persons camping within the state park area containing such boat ~~(launch)~~ launches; and, *Provided*, said fee shall not be imposed on vehicles of persons using any recreational housing or conference facilities at Fort Worden State Park; and, *Provided*, said fee shall not be imposed on vehicles of persons using any environmental learning center; and, *Provided*, said fee shall not apply to vehicles of persons holding limited income senior citizen, disability, or veteran disability passes; and, *Provided*, said fee shall not apply where prohibited by lease or deed restrictions, or by applicable federal or state law; and, *Provided*, said fee shall not be imposed on vehicles properly displaying a valid annual boat launch permit;

(17) Annual boat launch permit fee - ~~(\$50.00 per calendar year)~~ \$20.00 per boat launching vehicle for issuance of an annual boat launch permit for the period of July 1, 1993, through December 31, 1993; and \$40.00 per boat launching vehicle for issuance of an annual boat launch permit effective January 1, 1994. Such permits may be obtained by submitting an application therefor to Washington state parks and recreation commission ~~(regional offices, or by writing to the Washington State Parks and Recreation~~

~~Commission~~) headquarters, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, Washington, 98504-2650. Permits must be displayed in conformance with instructions set forth thereon~~(-)~~;

(18) Trailer dump station fee - \$3.00 per use: *Provided*, such fee shall not be imposed on recreational vehicles using the dump station while camping within the state park area containing the dump station;

(19) Popular destination park fee - \$1.00 surcharge for use of standard or utility campsite located in a popular destination park during the period of May 21 through September 14;

(20) ~~(Day area parking fee - \$3.00 per vehicle per day for use of any designated day area parking space during the period of May 21 through September 14: *Provided*, said fee shall not be imposed on vehicles used for boat launching which are subject to a boat launch fee as set forth in subsection (16) of this section; and, *Provided*, said fee shall not be imposed on vehicles of persons camping within the state park area containing such day area parking space; and, *Provided*, said fee shall not be imposed on vehicles of persons using any recreational housing or conference facilities at Fort Worden State Park; and, *Provided*, said fee shall not be imposed on vehicles of persons using any environmental learning center; and, *Provided*, said fee shall not apply to vehicles of persons holding limited income senior citizen, disability or veteran disability passes; and, *Provided*, said fee shall not apply where prohibited by lease or deed restrictions, or by applicable federal or state law;~~

~~(21))~~ Marine trail camping area fee - certain parks: \$1.00 per person per day and/or night.

WSR 93-14-073
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Filed June 30, 1993, 2:56 p.m.]

Original Notice.

Title of Rule: WAC 275-155-020 Authorization for indefinite commitment to the sexual predator program and 275-155-050 Rights of a person committed to the sexual predator program.

Purpose: These proposed amendments improve consistency with the authorizing RCW to clarify wording and to bring the rights specified in the Washington Administrative Code in line with those afforded by the statute.

Statutory Authority for Adoption: RCW 71.09.030 and 71.09.050.

Statute Being Implemented: RCW 71.09.030 and 71.09.050.

Summary: Amending this rule will result in the WAC using the same wording as the authorizing RCW and will bring the rights specified in the WAC in line with those afforded by the statute.

Reasons Supporting Proposal: The purpose of these amendments is to clarify wording and improve consistency of the WAC with the authorizing RCW.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dave Weston, Special Commitment Center, SCAN 291-2390.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 30, 1993
 Rosemary Carr
 Acting Director
 Administrative Services

AMENDATORY SECTION (Amending Order 3054, filed 8/21/90, effective 9/21/90)

WAC 275-155-020 Authorization for indefinite commitment to the sexual predator program. The department shall admit a person to the SPP as a sexually violent predator only when all of the following requirements are met:

- (1) Petition. The prosecuting attorney or attorney general if requested by the prosecutor files a petition with the superior court in the county where a person was most recently charged or convicted of a sexually violent offense;
- (2) Probable cause. A court determines probable cause exists and orders a person transferred to an appropriate facility for evaluation as to whether the person is a sexually violent predator;
- (3) Evaluation. A person is evaluated by one or more professionally qualified persons and is found to have:
 - (a) Been charged with or convicted of a sexually violent offense;
 - (b) A mental abnormality ~~((rendering))~~ or personality disorder which makes the person likely to ((commit a sexually violent offense)) engage in predatory acts of sexual violence; and
 - (c) A sentence or commitment about to expire or having expired.
- (4) Trial. A court commences a trial determining if a person is a sexually violent predator within forty-five days of the petition filing date, not including continuances requested by the alleged sexually violent predator; and
- (5) Judgment. A court or jury finds a person, beyond a reasonable doubt, to be a sexually violent predator and the person is committed to the department's custody for control, care, and treatment.

AMENDATORY SECTION (Amending Order 3054, filed 8/21/90, effective 9/21/90)

WAC 275-155-050 Rights of a person committed to the sexual predator program. (1) During a person's ~~((evaluation or))~~ commitment to the SPP, the department shall apprise the committed person of the person's right to an attorney and to retain a professionally qualified person to perform an evaluation on the committed person's behalf.

(2) Upon request, the department shall provide to the following persons access to a committed person for an evaluation and all records and reports related to the person's commitment, control, care, and treatment:

- (a) The committed person's attorney;
- (b) The committed person's professionally qualified person, if any;
- (c) The prosecuting attorney, or the attorney general, if requested by the prosecuting attorney; and
- (d) The professionally qualified person approved by the prosecuting attorney or the attorney general.

- (3) A person the court commits to the SPP shall:
- (a) Receive adequate care and individualized treatment;
 - (b) Be permitted to wear the committed person's own clothes and keep and use the person's personal possessions, except when deprivation of possessions is necessary for the person's protection and safety, the protection and safety of others, or the protection of property within the SPP;
 - (c) Be permitted to accumulate and spend a reasonable amount of money in the person's SPP account;
 - (d) Have access to reasonable personal storage space within SPP limitations;
 - (e) Be permitted to have approved visitors within reasonable limitations;
 - (f) Have reasonable access to a telephone to make and receive confidential calls within SPP limitations; and
 - (g) Have reasonable access to letter writing material and to:

- (i) Receive and send correspondence through the mail within SPP limitations; and
- (ii) Send written communication regarding the fact of the person's commitment.

(4) A person the court commits to the SPP shall have the following procedural rights to:

- (a) Have reasonable access to an attorney and be informed of the name and address of the person's designated attorney;
- (b) ~~((Remain silent, understanding statements the person makes may be used against the person;~~
- (c) ~~Present evidence and to cross-examine witnesses testifying against the person in court;~~
- (d) ~~))~~ Petition the court for release from the SPP; and
- (e) ~~((c))~~ (c) Receive annual written notice of the person's right to petition the committing court for release. The department's written notice and waiver shall:
 - (i) Include the option to voluntarily waive the right to petition the committing court for release; and
 - (ii) Annually be forwarded to the committing court by the department.

WSR 93-14-074
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Filed June 30, 1993, 2:57 p.m.]

Original Notice.

Title of Rule: WAC 275-38-860 Resident care and habilitation cost center rate and 275-38-906 Adjustments to prospective rates.

Purpose: Describes methodology used in ICF/MR rate setting effective July 1, 1993.

Statutory Authority for Adoption: RCW 74.09.120.

Statute Being Implemented: RCW 74.09.120.

Summary: Describes methodology for establishing direct care staff cost for rate setting purposes effective July 1, 1993.

Reasons Supporting Proposal: Change in reimbursement methodology deleting use of benchmark compensation rate in conflict with WAC 275-38-860.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ron Sherman, Division of Developmental Disabilities, 586-5153.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposed Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 30, 1993

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3037, filed 7/12/90, effective 8/12/90)

WAC 275-38-860 Resident care and habilitation cost center rate. (1) For C and D level facilities, the resident care and habilitation cost center ~~((will))~~ shall reimburse for resident living services, habilitative and training services, recreation services, and nursing services in accordance with applicable federal and state regulation.

(2) For E level facilities; the resident care and habilitation cost center ~~((will))~~ shall reimburse for resident living services, habilitative and training services, recreation services, and nursing services in accordance with applicable federal and state regulation. The cost center ~~((will also))~~ shall reimburse for resident care and training staff perform-

ing administration and operations functions specified in WAC 275-38-870.

(3) A facility's resident care and habilitation cost center rate shall be ~~((determined as follows:~~

~~(a) The facility's most recent desk reviewed costs per resident day shall be adjusted for inflation except the costs for resident care and training (RCT) and recreation staff and purchased services;~~

~~(b) RCT and recreation reimbursement shall be determined by multiplying the number of reimbursed RCT and recreation staff and purchased services hours reported in the facility's most recent cost report by the greater of ten dollars and seventy nine cents or the most recent reported cost for RCT and recreation staff and purchased services per reported hour; and~~

~~(c) The amounts determined under subsection (3)(a) and (b) of this section shall be summed to establish the facility's rate))~~ the facility's most recent desk-reviewed costs per resident day adjusted for inflation.

AMENDATORY SECTION (Amending Order 3037, filed 7/12/90, effective 8/12/90)

WAC 275-38-906 Adjustments to prospective rates.

(1) Prospective rates shall be maximum payment rates for contractors for the periods to which they apply, except as otherwise provided in WAC 275-38-906. The department shall not grant rate adjustments for cost increases which are or were subject to management control or negotiation including, but not limited to, all lease cost increases, or for cost increases not expressly authorized in subsections (2) and (3) of this section.

(2) The department shall adjust rates for any capitalized additions or replacements made as a condition for licensure or certification.

(3) The department shall adjust rates for increased costs that must be incurred and which cannot be otherwise met through the contractor's prospective rate, for the following:

(a) Program changes required by the department;

(b) Changes in staffing levels or consultants at a facility required by the department; and

(c) Changes required by survey; and

(d) Changes in assessments related to revenue as required by the state legislature.

(4) Contractors requesting an adjustment shall submit:

(a) A financial analysis showing the increased cost and an estimate of the rate increase, computed according to allowable methods, necessary to fund the cost;

(b) A written justification for granting the rate increase; and

(c) A certification and supporting documentation which shows the changes in staffing, or other improvements, have been commenced or completed.

(5) Contractors receiving prospective rate increases under WAC 275-38-906 shall submit quarterly reports, beginning the first day of the month following the date the increase is granted, showing how the additional rate funds were spent. If the funds were not spent for change or improvements approved by the department in granting the adjustment, they may be subject to immediate recovery by the department unless the department finds the facility gave

written notice of its intent to close by a date certain and recovery jeopardizes the facility's ability to provide for resident health, safety, and welfare.

(6) A contractor requesting an adjustment under subsection (3)(c) of this section shall submit a written plan specifying additional staff to be added and the resident needs the facility has been unable to meet due to lack of sufficient staff.

(7) In reviewing a request made under subsection (3) of this section, the department shall consider:

- (a) Whether additional staff requested by a contractor is appropriate in meeting resident needs;
- (b) Comparisons of staffing levels of facilities having similar characteristics;
- (c) The physical layout of the facility;
- (d) Supervision and management of current staff;
- (e) Historic trends in under-spending of a facility's resident care and habilitation;
- (f) Numbers and positions of existing staff; and
- (g) Other resources available to the contractor under subsection (3) of this section.

**WSR 93-14-075
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Public Assistance)
[Filed June 30, 1993, 2:58 p.m.]

Original Notice.

Title of Rule: WAC 388-96-585 Unallowable costs, 388-96-710 Prospective reimbursement rate for new contractors, and 388-96-774 Prospective rate revisions.

Purpose: Eliminates the 85th percentile limits on accounting and legal costs. Amends the method by which a new contractor's rate is adjusted July 1 of the first year or second year of the state's fiscal biennium in order to be compatible with ESSB 5724. Clarifies that current funding will not be granted in a cost center when that cost center is at or above the median cost limit for the facility's peer group.

Statutory Authority for Adoption: RCW 74.46.800.

Statute Being Implemented: RCW 74.46.800.

Summary: Repeals the limit on legal and accounting fees in excess of the 85th percentile. Clarifies how a new contractor's initial rate will be calculated under ESSB 5724. Clarifies that current funding will not be granted in cost center when that cost center is at or above the median cost limit for the facility's peer group.

Reasons Supporting Proposal: To implement ESSB 5724.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Pat Hague, Aging and Adult Services Administration, 493-2969.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on August 10, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by July 27, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 3, 1993.

Date of Intended Adoption: August 11, 1993.

June 30, 1993

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3555, filed 5/26/93, effective 6/26/93)

WAC 388-96-585 Unallowable costs. (1) The department shall not allow costs if not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) The department shall include, but not limit unallowable costs to the following:

(a) Costs of items or services not covered by the medical care program. Costs of nonprogram items or services even if indirectly reimbursed by the department as the result of an authorized reduction in patient contribution;

(b) Costs of services and items provided to SNF or ICF recipients covered by the department's medical care program but not included in SNF or ICF services respectively. Items and services covered by the medical care program are listed in chapters 388-86 and 388-88 WAC;

(c) Costs associated with a capital expenditure subject to Section 1122 approval (Part 100, Title 42 C.F.R.) if the department found the capital expenditure inconsistent with applicable standards, criteria, or plans. If the contractor did not give the department timely notice of a proposed capital expenditure, all associated costs shall be nonallowable as of the date the costs are determined not to be reimbursable under applicable federal regulations;

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained;

(e) Costs of outside activities (e.g., costs allocable to the use of a vehicle for personal purposes or related to the part of a facility leased out for office space);

(f) Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care;

(g) Costs in excess of limits or violating principles set forth in this chapter;

(h) Costs resulting from transactions or the application of accounting methods circumventing the principles of the prospective cost-related reimbursement system;

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of

the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere;

(j) Bad debts. Beginning July 1, 1983, the department shall allow bad debts of Title XIX recipients only if:

(i) The debt is related to covered services;

(ii) It arises from the recipient's required contribution toward the cost of care;

(iii) The provider can establish reasonable collection efforts were made;

(iv) The debt was actually uncollectible when claimed as worthless; and

(v) Sound business judgment established there was no likelihood of recovery at any time in the future.

Reasonable collection efforts shall consist of three documented attempts by the contractor to obtain payment. Such documentation shall demonstrate the effort devoted to collect the bad debts of Title XIX recipients is at the same level as the effort normally devoted by the contractor to collect the bad debts of non-Title XIX patients. Should a contractor collect on a bad debt, in whole or in part, after filing a cost report, reimbursement for the debt by the department shall be refunded to the department to the extent of recovery. The department shall compensate a contractor for bad debts of Title XIX recipients at final settlement through the final settlement process only.

(k) Charity and courtesy allowances;

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations. Any portion of trade association dues attributable to legal and consultant fees and costs in connection with lawsuits or other legal action against the department shall be unallowable;

(m) Vending machine expenses;

(n) Expenses for barber or beautician services not included in routine care;

(o) Funeral and burial expenses;

(p) Costs of gift shop operations and inventory;

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except items used in patient activity programs where clothing is a part of routine care;

(r) Fund-raising expenses, except expenses directly related to the patient activity program;

(s) Penalties and fines;

(t) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations;

(u) Federal, state, and other income taxes;

(v) Costs of special care services except where authorized by the department;

(w) Expenses of key-man insurance and other insurance or retirement plans not in fact made available to all employees on an equal or fair basis in terms of costs to employees and benefits commensurate to such costs;

(x) Expenses of profit-sharing plans;

(y) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to patient care;

(z) Personal expenses and allowances of owners or relatives;

(aa) All expenses of maintaining professional licenses or membership in professional organizations;

(bb) Costs related to agreements not to compete;

(cc) Goodwill and amortization of goodwill;

(dd) Expense related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care;

(ee) Legal and consultant fees in connection with a fair hearing against the department relating to those issues where:

(i) A final administrative decision is rendered in favor of the department or where otherwise the determination of the department stands at the termination of administrative review; or

(ii) In connection with a fair hearing, a final administrative decision has not been rendered; or

(iii) In connection with a fair hearing, related costs are not reported as unallowable and identified by fair hearing docket number in the period they are incurred if no final administrative decision has been rendered at the end of the report period; or

(iv) In connection with a fair hearing, related costs are not reported as allowable, identified by docket number, and prorated by the number of issues decided favorably to a contractor in the period a final administrative decision is rendered.

(ff) Legal and consultant fees in connection with a lawsuit against the department, including suits which are appeals of administrative decisions;

(gg) Lease acquisition costs and other intangibles not related to patient care;

(hh) Interest charges assessed by the state of Washington for failure to make timely refund of overpayments and interest expenses incurred for loans obtained to make such refunds;

(ii) Beginning January 1, 1985, lease costs, including operating and capital leases, except for office equipment operating lease costs;

(jj) Beginning January 1, 1985, interest costs;

(kk) Travel expenses outside the states of Idaho, Oregon, and Washington, and the Province of British Columbia. However, travel to or from the home or central office of a chain organization operating a nursing home will be allowed whether inside or outside these areas if such travel is necessary, ordinary, and related to patient care;

(ll) Board of director fees for services in excess of one hundred dollars per board member, per meeting, not to exceed twelve meetings per year;

(mm) Moving expenses of employees in the absence of a demonstrated, good-faith effort to recruit within the states of Idaho, Oregon, and Washington, and the Province of British Columbia;

(nn) For rates effective after June 30, 1993, depreciation expense in excess of four thousand dollars per year for each passenger car or other vehicles primarily used for the administrator, facility staff, or central office staff;

(oo) Any costs associated with the use of temporary health care personnel from any nursing pool not registered with the director of the department of health at the time of such pool personnel use;

(pp) Costs of payroll taxes associated with compensation in excess of allowable compensation for owners, relatives, and administrative personnel;

(qq) Department-imposed postsurvey charges incurred by the facility as a result of subsequent inspections which occur beyond the first postsurvey visit during the certification survey calendar year;

~~(rr) ((Costs and fees otherwise allowable for legal services, whether purchased, allocated by a home office, regional office or management company, or performed by the contractor or employees of the contractor, in excess of the eighty fifth percentile of such costs, measured on a total cost basis, reported by all contractors for the most recent cost report period: *Provided*, That this limit shall not apply to a contractor unless the contractor has exceeded this percentile for each of the three years preceding the most recent cost report year;~~

~~(ss) Costs and fees otherwise allowable for accounting and bookkeeping services, whether purchased, allocated by a home office, regional office or management company, or performed by the contractor or employees of the contractor, in excess of the eighty fifth percentile of such costs, measured on a per patient day cost basis, reported by all contractors for the most recent cost report period, provided this limit shall not apply to a contractor unless the contractor has exceeded this percentile for each of the three years preceding the most recent cost report year;~~

(~~tt~~) For all partial or whole rate periods after July 17, 1984, costs of assets, including all depreciable assets and land, which cannot be reimbursed under the provisions of the Deficit Reduction Act of 1984 (DEFRA) and state statutes and regulations implementing DEFRA;

~~((~~uu~~))~~ (ss) Effective for July 1, 1991, and all following rates, compensation paid for any purchased nursing care services, including registered nurse, licensed practical nurse, and nurse assistant services, obtained through service contract arrangement in excess of the amount of compensations which would have been paid for such hours of nursing care services had they been paid at the combined regular and overtime average hourly wage, including related taxes and benefits, for in-house nursing care staff of like classification of registered nurse, licensed practical nurse, or nursing assistant at the same nursing facility, as reported on the facility's filed cost report for the most recent cost report period;

~~((~~vv~~))~~ (tt) Outside consultation expenses required pursuant to WAC 388-88-135;

~~((~~ww~~))~~ (uu) Fees associated with filing a bankruptcy petition under chapters VII, XI, and XIII, pursuant to the Bankruptcy Reform Act of 1978, Public Law 95-598.

AMENDATORY SECTION (Amending Order 3555, filed 5/26/93, effective 6/26/93)

WAC 388-96-710 Prospective reimbursement rate for new contractors. (1) The department shall establish an initial prospective reimbursement rate for a new contractor as defined under WAC 388-96-026 (1)(a) or (b) within sixty days following receipt by the department of a properly completed projected budget (see WAC 388-96-026). The rate shall take effect as of the effective date of the contract and shall comply with all the provisions of rate setting

contained in this chapter including all lids and maximums set forth in this chapter.

(2) To set the initial prospective reimbursement rate for a new contractor as defined in WAC 388-96-026 (1)(a) and (b), the department shall:

(a) Determine whether the new contractor belongs to the metropolitan statistical area (MSA) peer group or the non-MSA peer group using the latest information received from the office of management and budget or the appropriate federal agency;

(b) Select all nursing facilities from the department's records of all the current Medicaid nursing facilities in the new contractor's peer group with the same bed capacity plus or minus ten beds. If the selection does not result in at least seven facilities, then the department will increase the bed capacity by plus or minus five bed increments until a sample of at least seven nursing facilities is obtained; and

(c) Based upon the most recent information available to the department for the nursing facilities selected under subsection (2)(b) of this section, rank from the lowest to the highest the rates in nursing services, food, administrative, and operational cost centers and based on this ranking:

(i) Determine the rate in the middle of the ranking, above and below which lie an equal number of rates (median) and then identify the rate immediately above the median for each cost center identified in subsection (2)(c) of this section. The rate immediately above the median will be known as the "selected rate" for each cost center; and

(ii) Set the new contractor's rates for each cost center identified in subsection (2)(c) at the lower of the "selected rate" or the budget rate; and

(iii) Set the property rate in accordance with the provisions of this chapter; and

(iv) Set the return on investment rate in accordance with the provisions of this chapter. In computing the financing allowance, the department shall use for the nursing services, food, administrative, and operational cost centers the rates set pursuant to subsection (2)(c)(i) and (ii) of this section.

(3) If the department has not received a properly completed projected budget from the new contractor as defined under WAC 388-96-026 (1)(a) or (b) at least sixty days prior to the effective date of the new contract, the department shall establish rates for:

(a) Nursing services, food, administrative and operational cost centers based on the "selected rates" as determined under subsection (2)(c) of this section; and

(b) Property in accordance with the provisions of this chapter using for the new contractor:

(i) As defined under ~~((subsection))~~ WAC 388-96-026 1(a) ~~((of this section))~~, information from the certificate of need; or

(ii) As defined under ~~((subsection))~~ WAC 388-96-026 1(b) ~~((of this section))~~, information provided by the new contractor within ten days of the date the department requests the information in writing. If the contractor as defined under ~~((subsection))~~ WAC 388-96-026 1(b) ~~((of this section))~~, has not provided the requested information ~~((timely))~~ within ten days of the date requested, then the property rate will be zero. The property rate will remain zero until the information is received.

(c) Return on investment rate in accordance with the provisions of this chapter using the "selected rates" estab-

lished under subsection (2)(c) of this section, to compute the working capital provision and variable return for the new contractor:

(i) As defined under ~~((subsection))~~ WAC 388-96-026 (1)(a) ((of this section)), information from the certificate of need; or

(ii) As defined under ~~((subsection))~~ WAC 388-96-026 (1)(b) ((of this section)), information provided by the new contractor within ten days of the date the department requests the information in writing. If the contractor as defined under ~~((subsection))~~ WAC 388-96-026 (1)(b) ((of this section)), has not provided ~~((timely))~~ the requested information within ten days of the date requested, then the net book value of allowable assets will be zero. The financing allowance rate component will remain zero until the information is received.

(4) The initial prospective reimbursement rate for a new contractor as defined under WAC 388-96-026 (1)(c), shall be the last prospective reimbursement rate paid by the department to the Medicaid contractor operating the nursing facility immediately prior to the effective date of the new contract.

(5) ~~((For))~~ If the new contractor as defined under WAC 388-96-026 (1)(a), (b), or (c)((:)) began participating in the program beginning in the first year of a state fiscal biennium or had its first year of a state fiscal biennium rate set under WAC 388-96-710(6), its July 1 prospective reimbursement rate for the second year of that state fiscal biennium shall:

(a) Be the initial prospective rate set in accordance with WAC 388-96-710 inflated in accordance with WAC 388-96-719; and

(b) Remain in effect until a prospective rate can be set under WAC 388-96-713.

~~((a))~~ The initial prospective rate shall remain in effect until a prospective rate can be set according to WAC 388-96-713; or

~~((b))~~ (6) If the new contractor ((has participated)) began participating in the program ((for less than six months of the prior calendar year)) beginning in the second year of a state fiscal biennium, its July 1 prospective reimbursement rate for the first year of the next state fiscal biennium will be ((the one)) set ((pursuant to WAC 388-96-710 inflated in accordance with WAC 388-96-719(3)) for the new contractor defined under:

(a) WAC 388-96-026 (1)(a) and (b), by applying WAC 388-96-710 (2) and (3) using the July 1 rate components established for the first year of the state's fiscal biennium following the second year of the state's fiscal biennium in which the new contractor began participating in the program; or

(b) WAC 388-96-026 (1)(c), by using twelve months of cost report data derived from the old contractor's data and the new contractor's data for the cost report year prior to the first year of the state fiscal biennium for which the rate is being set and applying WAC 388-96-719 through WAC 388-96-754 to set the component rates.

(7) For July 1, 1993 rate setting only, if a new contractor as defined under WAC 388-96-026(1) is impacted by the peer group median cost plus twenty-five percent limit in its nursing services cost, such contractor shall not receive a per patient day prospective rate in nursing services for July 1, 1993 lower than the same contractor's prospective rate in

nursing services as of June 30, 1993, as reflected in departmental records as of that date, inflated by any increase in the IPD Index authorized by WAC 388-96-719.

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

AMENDATORY SECTION (Amending Order 3555, filed 5/26/93, effective 6/26/93)

WAC 388-96-774 Prospective rate revisions. (1) The department shall determine each contractor's reimbursement rates prospectively at least once each calendar year, to be effective July 1st. The department shall determine all prospective reimbursement rates for 1984 and thereafter using the prior year's desk-reviewed cost reports. Prospective rates shall be maximum payment rates for contractors for the periods to which they apply.

(a) The department may grant revisions for:

(i) Inflation only as authorized under WAC 388-96-719(3); and

(ii) Other revisions for cost increases only as authorized in this section.

(b) The department shall not grant and the contractor shall not use rate adjustments for:

(i) Wage increases for existing, newly hired or promoted staff except as authorized in WAC 388-96-756; and

(ii) The use of temporary employment services providing direct patient care.

(c) The department shall not grant a rate adjustment to a cost center if that cost center is at or above the median cost for the facility's peer group plus the applicable percentage, reduced or increased under WAC 388-96-719.

(2) The department shall adjust rates for any capitalized additions or replacements made as a condition for licensure or certification.

(3) The department may adjust rates for any of the following:

(a) Variations in the distribution of patient classifications or changes in patient characteristics from:

(i) The prior reporting year; or

(ii) Those used to set the rate for a new contractor; or

(iii) Corresponding to the nursing staff funded for a new contractor.

(b) Program changes required by the department as evidenced by a written directive from the director of nursing home services, aging and adult services administration; and

(c) Changes in staffing levels at a facility required by the department as evidenced by a written directive from the director of nursing home services, aging and adult services administration.

(4) Contractors requesting an adjustment shall submit a written request to the department separate from all other requests and inquires of the department, e.g., WAC 388-96-904 (1) and (5). The written request shall include the following:

(a) A financial analysis showing:

(i) The increased cost; and

(ii) An estimate of the rate increase, computed according to allowable methods, necessary to fund the cost.

(b) A written justification for granting the rate increase; and

(c) A certification and supporting documentation showing the changes in staffing have commenced, or other commenced or completed improvements.

(5) Contractors receiving prospective rate increases per this section shall submit quarterly reports. The quarterly reports shall cover the first day the rate increase is effective and show how the additional rate funds and hours were utilized. If the funds and/or hours were not utilized for the changes and/or improvements approved by the department in granting the adjustment, they shall be subject to immediate recovery by the department.

(6) A contractor requesting an adjustment pursuant to subsection (3)(a) of this section shall submit a written plan specifying:

- (a) Additional staff to be added;
- (b) Changes in all patient characteristics requiring the additional staff; and

(c) The predicted improvements in patient care services which will result. The department shall respond to such requests within sixty days following the receipt of a properly completed request.

(7) In reviewing a request made under subsection (3) of this section, the department shall consider one or more of the following:

- (a) Whether additional staff requested by a contractor is necessary to meet patient care needs;
- (b) Comparisons of staffing patterns of nursing facilities from either the latest statewide metropolitan statistical area (MSA) peer group or non-MSA peer group to which the nursing facility belongs and calculated on a per patient day basis. The department shall use the latest MSA and non-MSA received from the office of management and budget or the appropriate federal agency;
- (c) The physical layout of the facility;
- (d) Nursing service planning and management for maximum efficiency;
- (e) Historic trends in underspending of a facility's nursing services component rate;
- (f) Numbers, positions, and scheduling of existing staff;
- (g) Increases in acuity (debility) levels of contractors' residents;
- (h) Survey, inspection of care, and department consultation results; and
- (i) The facility's ability to fund its staffing request through the facility's existing total Medicaid reimbursement rate.

(8) If a request made under subsection (3) of this section is approved by the department, the cost of funding the additional staff may be reduced for rate revision purposes by amounts shifted out of nursing services in 1986 or 1987, as reflected in the preliminary or final settlement reports for 1986 and 1987.

(9) The department may also adjust rates to cover costs associated with placing a nursing home in receivership for costs not covered by the rate of the former contractor, including:

- (a) Compensation of the receiver;
- (b) Reasonable expenses of receivership and transition of control; and
- (c) Costs incurred by the receiver in carrying out court instructions or rectifying deficiencies found.

(10) The department shall not grant a rate adjustment effective earlier than sixty days prior to receipt of the written request for such adjustment accompanied by all related documentation and information required by this section.

WSR 93-14-078
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)
 [Filed June 30, 1993, 3:03 p.m.]

Original Notice.

Title of Rule: Chapter 388-96 WAC, Nursing home accounting and reimbursement system. WAC 388-96-756 and 388-96-775 are repealed.

Purpose: To implement changes to the Medicaid payment system for nursing facilities adopted by the 1993 state legislature, effective July 1, 1993.

Statutory Authority for Adoption: RCW 74.46.800 and 74.09.120.

Statute Being Implemented: RCW 74.46.800 and 74.09.120.

Summary: These changes to the Medicaid payment system for nursing facilities comply with ESSB 5724 (chapter 13, Laws of 1993) and ESSB 5966 (chapter 3, Laws of 1993) making amendments to the Medicaid payment system, effective July 1, 1993.

Reasons Supporting Proposal: To implement changes to the Medicaid payment system for nursing facilities adopted by the 1993 state legislature, effective July 1, 1993, to comply with ESSB 5724 and ESSB 5966.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Robert Gray, Aging and Adult Services Administration, 493-2588.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on September 7, 1993, at 10:00 a.m.

If you need sign language assistance, please contact the Office of Issuances by August 24, 1993. TDD #753-0699.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Mailstop 5805, Department of Social and Health Services, Olympia, 98504, FAX 664-0018 [664-0118] or SCAN 366-0118, by August 31, 1993.

Date of Intended Adoption: September 14, 1993.

June 30, 1993
 Rosemary Carr
 Acting Director
 Administrative Services

Reviser's note: The material contained in this filing will appear in the 93-16 issue of the Register as it was received after the applicable

closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

WSR 93-14-085
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 30, 1993, 4:50 p.m.]

Continuance of WSR 93-13-022.

Title of Rule: Repealing chapter 388-37 WAC; and new chapter 388-235 WAC, General assistance unemployable (GAU).

Purpose: New chapter 388-235 WAC facilitates on-line computer access by eligibility staff in our field offices and makes the policies easier to understand. Policies contained in chapter 388-37 WAC relating to general assistance for pregnancy (GAS) programs are recodified under a separate chapter 388-30 WAC. New chapter 388-235 WAC relates to financial and medical assistance programs.

Name of Proponent: Department of Social and Health Services, governmental.

Date of Intended Adoption: July 29, 1993.

June 30, 1993
Rosemary Carr
Acting Director
Administrative Services

WSR 93-14-086
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 30, 1993, 4:51 p.m.]

Continuance of WSR 93-13-023.

Title of Rule: Chapter 388-230 WAC, General assistance for pregnant women.

Purpose: The Department of Social and Health Services is currently rewriting, reorganizing, and recodifying WAC policies relating to financial and medical assistance programs. This will facilitate on-line (computer) access by eligibility staff in field offices and will make the policies easier to understand. New chapter 388-230 WAC repeals chapter 388-37 WAC.

Name of Proponent: Department of Social and Health Services, governmental.

Date of Intended Adoption: July 29, 1993.

June 30, 1993
Rosemary Carr
Acting Director
Administrative Services

WSR 93-14-094
PROPOSED RULES
DEPARTMENT OF HEALTH
(Health Unit I)
[Filed July 1, 1993, 2:00 p.m.]

Original Notice.

Title of Rule: WAC 246-807-210 Future care contracts prohibited, 246-807-280 Full disclosure of cost of services, 246-807-290 Improper billing practices, 246-807-320 Records and x-rays and withdrawal from practice—Maintenance and retention of patient records, 246-807-311 Sexual misconduct, 246-807-395 State and federal agencies, 246-807-396 Professional standards review organizations, 246-807-500 Philosophy governing voluntary substance abuse monitoring programs, 246-807-510 Terms used in WAC 246-807-500 through 246-807-530, 246-807-520 Approval of substance abuse monitoring programs, and 246-807-530 Participation in approved substance abuse monitoring program.

Purpose: To adopt rules regarding mandatory reporting, sexual misconduct and clarify existing rules.

Statutory Authority for Adoption: RCW 18.26.110.

Statute Being Implemented: Chapter 18.26 RCW.

Summary: Mandatory reporting was adopted as an emergency rule, this rule needs to be implemented permanently. The sexual misconduct rule is new and the others are housekeeping.

Reasons Supporting Proposal: To clarify our rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Connie M. Glasgow, 1300 Quince Street, 586-1931.

Name of Proponent: [Department of Health], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Mandatory reporting was adopted as emergency rule. This hearing will make it permanent. New rules for sexual misconduct and substance abuse monitoring establishes definitions and required rules necessary for implementing WPPS.

Proposal Changes the Following Existing Rules: [No information supplied by agency.]

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Red Lion Inn, Diamond Room, I-90 at Sullivan Road, Spokane, WA 99220, on August 19, 1993, at 9:30 a.m.

Submit Written Comments to: Connie M. Glasgow, 1300 Quince Street, Olympia, WA 98504, by August 16, 1993.

Date of Intended Adoption: August 19, 1993.

June 25, 1993
Connie M. Glasgow
Program Manager

AMENDATORY SECTION (Amending Order 110B, filed 2/20/91, effective 3/23/91)

WAC 246-807-210 Future care contracts prohibited. It shall be considered unprofessional conduct for any chiropractor to enter into a contract which would obligate a

PROPOSED

patient to pay for care to be rendered in the future (~~(unless the contract provides that the patient is entitled to a complete refund for any care not received))~~).

AMENDATORY SECTION (Amending Order 110B, filed 2/20/91, effective 3/23/91)

WAC 246-807-280 Full disclosure of cost of services.

(1) This rule will apply to all representations made in public advertising regarding the provision of chiropractic services, including x-rays or chiropractic examinations, on a free basis or at a reduced cost. This rule will also apply to all billings or other written or oral communications regarding charges for chiropractic services whether made to patients, third party health care payors, or to any other person, firm, or governmental agency.

(2) When a chiropractic service is represented in public advertising as available without cost or at a reduced cost that service must be made available to everyone who wishes to take advantage of the offer on an equal basis. No charge may be made to any individual or third party health care payor for any services which have been provided on a free basis (~~(unless full disclosure is made)~~).

(3) All billings to third party payors for patients who are also being treated for an unrelated condition must fully disclose the additional treatment being provided and the charges for that treatment.

(4) Billings to patients or to third party health care payors (~~(should)~~) shall accurately reflect the actual charge to the patient, including any discounts, reduced fees, or waiver of co-payment.

(5) Because of the potential element of fraud being present, advertising full or partial forgiveness of coinsurance is prohibited unless the insurance company is given accurate and complete information relating to the actual charge to the patient and that coinsurance has been fully or partially waived.

AMENDATORY SECTION (Amending Order 110B, filed 2/20/91, effective 3/23/91)

WAC 246-807-290 Improper billing practices. The following acts shall constitute grounds for which disciplinary action may be taken:

(1) Rebating or offering to rebate to an insured any payment to the licensee by the third-party payor of the insured for services or treatments rendered under the insured's policy.

(2) Submitting to any third-party payor a claim for a service or treatment at a greater or an inflated fee or charge than the usual fee the licensee charges for that service or treatment when rendered without third-party reimbursement.

~~((3) Advertising any reduced or discounted fees for services or treatments or advertising any free services or treatments without prominently stating in the advertisement the usual fee of the licensee for the service or treatment which is the subject of the discount or free offering.))~~

AMENDATORY SECTION (Amending Order 110B, filed 2/20/91, effective 3/23/91)

WAC 246-807-320 Records and x-rays and withdrawal from practice—Maintenance and retention of patient records.

(1) Any chiropractor who treats patients in the state of Washington shall maintain all treatment records regarding patients treated. These records may include, but shall not be limited to treatment plans, patient charts, patient histories, correspondence, financial data, and billing. These records shall be retained by the chiropractor for five years in an orderly, accessible file and shall be readily available for inspection by the chiropractic disciplinary board or its authorized representative: *Provided*, That x-rays or copies of records may be forwarded pursuant to a licensed agent's written request. Also, office records shall state the date on which the records were released, method forwarded and to whom, and the reason for the release. A reasonable fee may be charged the patient to cover mailing and clerical costs.

(2) A chiropractor shall honor within fifteen days a written request from an adult patient or their legal representative or ~~((that))~~ the legal representative of a minor child to release original x-rays ~~((on a loan basis))~~ and records to other licensed health care providers or the chiropractor may provide duplicate films or a copy of the patient records and may charge the patient reasonable duplication costs. Once the original films have been loaned at patient request, the chiropractor is no longer responsible for them, nor for their retrieval of subsequent production.

A chiropractor who has received original x-rays on a loan basis shall return them to the loaning chiropractor upon request within sixty days unless other arrangements are made.

NEW SECTION

WAC 246-807-311 Sexual misconduct. (1) The chiropractor shall never engage in sexual contact or sexual activity with current clients.

(2) The chiropractor shall never engage in sexual contact or sexual activity with former clients if such contact or activity involves the abuse of the chiropractor-client relationship. Factors which the board may consider in evaluating if the chiropractor-client relationship has been abusive includes but is not limited to:

- (a) The amount of time that has passed since therapy terminated;
- (b) The nature and duration of the therapy;
- (c) The circumstances of cessation or termination;
- (d) The former client's personal history;
- (e) The former client's current mental status;
- (f) The likelihood of adverse impact on the former client and others; and
- (g) Any statements or actions made by the chiropractor during the course of treatment suggesting or inviting the possibility of a post termination sexual or romantic relationship with the former client.

(3) The chiropractor shall never engage in sexually harassing or demeaning behavior with current or former clients.

NEW SECTION

WAC 246-807-395 State and federal agencies. The board requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a chiropractor has been judged to have demonstrated incompetency or negligence in the practice of chiropractic, or has otherwise committed unprofessional conduct; or whose practice is impaired as a result of a mental, physical or chemical condition.

NEW SECTION

WAC 246-807-396 Professional standards review organizations. Unless prohibited by federal or state law, every professional standards review organization operating within the State of Washington shall report to the board any determinations that a chiropractor has engaged or is engaging in consistent, excessive utilization of any chiropractic test, treatment or procedure when such procedures are unnecessary under the circumstances in which such services were provided.

SUBSTANCE ABUSE MONITORINGNEW SECTION

WAC 246-807-500 Philosophy governing voluntary substance abuse monitoring programs. The board recognizes the need to establish a means of proactively providing early recognition and treatment options for chiropractors whose competency may be impaired due to the abuse of drugs or alcohol. The board intends that such chiropractors be treated and their treatment monitored so that they can return to or continue to practice their profession in a way which safeguards the public. To accomplish this the board shall approve voluntary substance abuse monitoring programs and shall refer chiropractors impaired by substance abuse to approved programs as an alternative to instituting disciplinary proceedings as defined in RCW 18.130.160.

NEW SECTION

WAC 246-807-510 Terms used in WAC 246-807-500 through 246-807-530. (1) "Approved substance abuse monitoring program" or "approved monitoring program" is a program the board has determined meets the requirements of the law and the criteria established by the board in WAC 246-807-520 which enters into a contract with chiropractors who have substance abuse problems regarding the required components of the chiropractor's recovery activity and oversees the chiropractor's compliance with these requirements. Substance abuse monitoring programs do not provide evaluation or treatment to participating chiropractors.

(2) "Contract" is a comprehensive, structured agreement between the recovering chiropractor and the approved monitoring program stipulating the chiropractor's consent to comply with the monitoring program and its required components of the chiropractor's recovery activity.

(3) "Approved treatment facility" is a facility approved by the bureau of alcohol and substances abuse, department of social and health services according to RCW 70.96A.020(2) or 69.54.030 to provide intensive alcoholism or drug treatment if located within Washington state. Drug

and alcohol treatment programs located out-of-state must be equivalent to the standards required for approval under RCW 70.96A.020(2) or 69.54.030.

(4) "Substance abuse" means the impairment, as determined by the board, of a chiropractor's professional services by an addiction to, a dependency on, or the use of alcohol, legend drugs, or controlled substances.

(5) "Aftercare" is that period of time after intensive treatment that provides the chiropractor and the chiropractor's family with group or individual counseling sessions, discussions with other families, ongoing contact and participation in self-help groups and ongoing continued support of treatment program staff.

(6) "Support group" is a group of health care professionals meeting regularly to support the recovery of its members. The group provides a confidential setting with a trained and experienced health care professional facilitator in which chiropractors may safely discuss drug diversion, licensure issues, return to work, and other professional issues related to recovery.

(7) "Twelve step groups" are groups such as alcoholics anonymous, narcotics anonymous, and related organizations based on a philosophy of anonymity, belief in a power outside of oneself, a peer group association, and self-help.

(8) "Random drug screens" are laboratory tests to detect the presence of drugs of abuse in body fluids which are performed at irregular intervals not known in advance by the person being tested.

(9) "Health care professional" is an individual who is licensed, certified, or registered in Washington to engage in the delivery of health care to patients.

NEW SECTION

WAC 246-807-520 Approval of substance abuse monitoring programs. The board will approve the monitoring program(s) which will participate in the board's substance abuse monitoring program. A monitoring program approved by the board may be contracted with an entity outside the department but within the state, out-of-state, or a separate structure within the department.

(1) The approved monitoring program will not provide evaluation or treatment to the participating chiropractor.

(2) The approved monitoring program staff must have the qualifications and knowledge of both substance abuse and the practice of chiropractic as defined in this chapter to be able to evaluate:

- (a) Clinical laboratories;
- (b) Laboratory results;
- (c) Providers of substance abuse treatment, both individuals and facilities;
- (d) Support groups;
- (e) The chiropractic work environment; and
- (f) The ability of the chiropractor to practice with reasonable skill and safety.

(3) The approved monitoring program will enter into a contract with the chiropractor and the board to oversee the chiropractor's compliance with the requirements of the program.

(4) The approved monitoring program may make exceptions to individual components of the contract on an individual basis.

(5) The approved monitoring program staff will determine, on an individual basis, whether a chiropractor will be prohibited from engaging in the practice of chiropractic for a period of time and restrictions, if any, on the chiropractor's access to controlled substances in the work place.

(6) The approved monitoring program shall maintain records on participants.

(7) The approved monitoring program will be responsible for providing feedback to the chiropractor as to whether treatment progress is acceptable.

(8) The approved monitoring program shall report to the board any chiropractor who fails to comply with the requirement of the monitoring program.

(9) The approved monitoring program shall receive from the board guidelines on treatment, monitoring, and limitations on the practice of chiropractic for those participating in the program.

NEW SECTION

WAC 246-807-530 Participation in approved substance abuse monitoring program. (1) In lieu of disciplinary action, the chiropractor may accept board referral into the approved substance abuse monitoring program.

(a) The chiropractor shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation will be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.

(b) The chiropractor shall enter into a contract with the board and the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to:

(i) The chiropractor will undergo intensive substance abuse treatment in an approved treatment facility.

(ii) The chiropractor will agree to remain free of all mind-altering substances including alcohol except for medications prescribed by an authorized prescriber, as defined in RCW 69.41.030 and 69.50.101.

(iii) The chiropractor must complete the prescribed aftercare program of the intensive treatment facility, which may include individual and/or group psychotherapy.

(iv) The chiropractor must cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment, prognosis, and goals.

(v) The chiropractor will submit to random drug screening as specified by the approved monitoring program.

(vi) The chiropractor will attend support groups facilitated by a health care professional and/or twelve step group meetings as specified by the contract.

(vii) The chiropractor will comply with specified employment conditions and restrictions as defined by the contract.

(viii) The chiropractor shall sign a waiver allowing the approved monitoring program to release information to the board if the chiropractor does not comply with the requirements of this contract.

(c) The chiropractor is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment, and random drug screens.

(d) The chiropractor may be subject to disciplinary action under RCW 18.130.160 if the chiropractor does not consent to be referred to the approved monitoring program, does not comply with specified employment restrictions, or does not successfully complete the program.

(2) A chiropractor who is not being investigated by the board or subject to current disciplinary action or currently being monitored by the board for substance abuse may voluntarily participate in the approved substance abuse monitoring program without being referred by the board. Such voluntary participants shall not be subject to disciplinary action under RCW 18.130.160 for their substance abuse, and shall not have their participation made known to the board if they meet the requirements of the approved monitoring program:

(a) The chiropractor shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation will be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.

(b) The chiropractor shall enter into a contract with the board and the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to:

(i) The chiropractor will undergo intensive substance abuse treatment in an approved treatment facility.

(ii) The chiropractor will agree to remain free of all mind-altering substances including alcohol except for medications prescribed by an authorized prescriber, as defined in RCW 69.41.030 and 69.50.101.

(iii) The chiropractor must complete the prescribed aftercare program of the intensive treatment facility, which may include individual and/or group therapy psychotherapy.

(iv) The chiropractor must cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment, prognosis and goals.

(v) The chiropractor will submit to random drug screening as specified by the approved monitoring program.

(vi) The chiropractor will attend support groups facilitated by a health care professional and/or twelve step group meetings as specified by the contract.

(vii) The chiropractor will comply with specified employment conditions and restrictions as defined by the contract.

(viii) The chiropractor shall sign a waiver allowing the approved monitoring program to release information to the board if the chiropractor does not comply with the requirements of this contract.

(c) The chiropractor is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment, and random drug screens.

(3) The treatment and pretreatment records of license holders referred to or voluntarily participating in approved monitoring programs shall be confidential, shall be exempt from RCW 42.17.250 through 42.17.450 and shall not be subject to discovery by subpoena or admissible as evidence except for monitoring records reported to the disciplinary

authority for cause as defined in subsections (1) and (2) of this section. Records held by the board under this section shall be exempt from RCW 42.17.250 through 42.17.450 and shall not be subject to discovery by subpoena except by the license holder.

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

**WSR 93-14-098
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD**

[Filed July 1, 1993, 3:35 p.m.]

Continuance of WSR 93-11-088.

Title of Rule: Health professional loan repayment and scholarship program, WAC 250-25-060 through 250-25-080.

Date of Intended Adoption: July 29, 1993.

July 1, 1993
Jim Sainsbury
for Elson S. Floyd
Executive Director

**WSR 93-14-099
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD**

[Filed July 1, 1993, 3:36 p.m.]

Continuance of WSR 93-11-089.

Title of Rule: Future teacher conditional scholarship program, WAC 250-65-030 through 250-65-060.

Date of Intended Adoption: July 29, 1993.

July 1, 1993
Jim Sainsbury
for Elson S. Floyd
Executive Director

**WSR 93-14-100
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD**

[Filed July 1, 1993, 3:40 p.m.]

Continuance of WSR 93-11-090.

Title of Rule: Educational opportunity grant program, WAC 250-70-030.

Date of Intended Adoption: July 29, 1993.

July 1, 1993
Jim Sainsbury
for Elson S. Floyd
Executive Director

**WSR 93-14-101
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD**

[Filed July 1, 1993, 3:43 p.m.]

Continuance of WSR 93-11-091.

Title of Rule: American Indian endowed scholarship program, WAC 250-76-020 and 250-76-070.

Date of Intended Adoption: July 29, 1993.

July 1, 1993
Jim Sainsbury
for Elson S. Floyd
Executive Director

**WSR 93-14-102
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD**

[Filed July 1, 1993, 3:46 p.m.]

Continuance of WSR 93-11-092.

Title of Rule: Washington award for excellence in education academic grant, WAC 250-78-050 and 250-78-060.

Date of Intended Adoption: July 29, 1993.

July 1, 1993
Jim Sainsbury
for Elson S. Floyd
Executive Director

**WSR 93-14-103
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD**

[Filed July 1, 1993, 3:50 p.m.]

Continuance of WSR 93-11-094.

Title of Rule: Washington state scholars program, WAC 250-66-020.

Date of Intended Adoption: July 29, 1993.

July 1, 1993
Jim Sainsbury
for Elson S. Floyd
Executive Director

**WSR 93-14-110
PROPOSED RULES
DEPARTMENT OF WILDLIFE**

[Filed July 2, 1993, 8:12 a.m.]

Original Notice.

Title of Rule: Amending WAC 232-12-007 Classification of wild animals.

Purpose: To amend WAC 232-12-007 Classification of wild animals.

Statutory Authority for Adoption: RCW 77.12.020 and 77.12.040.

Statute Being Implemented: RCW 77.12.020 and 77.12.040.

Summary: Deletes lynx as a game animal and as a furbearing animal; and corrects scientific and common names to current taxonomy.

Reasons Supporting Proposal: The classification of the lynx as protected wildlife designated as threatened means, by definition, that it should not be hunted. It is therefore recommended lynx be removed from the list of classified game and furbearing animals.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Tony de la Torre, AD, Wildlife Enforcement, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 232-12-007 identifies species of wild animals to be managed by the Department of Wildlife as game animals and as such, be hunted as authorized by the Wildlife Commission. This amendment deletes lynx from the list of game animals and furbearing animals. This proposal to delete lynx from the classified list of game and furbearing animals (WAC 232-12-007) is contingent on the Wildlife Commission adopting the agency's proposed amendment of WAC 232-12-011 to classify the lynx as protected wildlife.

Proposal Changes the Following Existing Rules: See Summary and Explanation of Rule above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Colville Community Center, 430 East Hawthorne, Colville, WA 99114, on August 14, 1993, at 8:00 a.m.

Submit Written Comments to: Rich Poelker, 600 Capitol Way North, Olympia, WA 98501-1091, by August 6, 1993.

Date of Intended Adoption: August 14, 1993.

July 1, 1993
Rich Poelker
Administrative Rules Officer

AMENDATORY SECTION (Amending Order 492, filed 5/2/91)

WAC 232-12-007 Classification of wild animals. (1)
Game animals include:

Common Name	Scientific Name
eastern cottontail	<i>Sylvilagus floridanus</i>
((mountain)) Nuttall's cottontail	<i>Sylvilagus nuttallii</i>
snowshoe hare	<i>Lepus americanus</i>
white-tailed jackrabbit	<i>Lepus townsendii</i>
black-tailed jackrabbit	<i>Lepus californicus</i>
fox	<i>Vulpes vulpes</i>
black bear	<i>Ursus americanus</i>
raccoon	<i>Procyon lotor</i>
cougar	<i>Felis concolor</i>
((lynx))	((<i>Lynx canadensis</i>))
bobcat	<i>Lynx rufus</i>
Roosevelt and Rocky	

Mountain elk	<i>Cervus elaphus</i>
mule deer and black-tailed deer	<i>Odocoileus hemionus</i>
white-tailed deer	<i>Odocoileus virginianus</i>
moose	<i>Alces alces</i>
pronghorn	<i>Antilocapra americana</i>
mountain goat	<i>Oreamnos americanus</i>
((mountain)) California and Rocky Mountain bighorn sheep	<i>Ovis canadensis</i>
((bull frog)) bullfrog	<i>Rana catesbeiana</i>

(2) Furbearing animals are game animals and include:

Common Name	Scientific Name
beaver	<i>Castor canadensis</i>
muskrat	<i>Ondatra zibethicus</i>
fox	<i>Vulpes vulpes</i>
raccoon	<i>Procyon lotor</i>
marten	<i>Martes americana</i>
short-tailed weasel or ermine	<i>Mustela erminea</i>
long-tailed weasel	<i>Mustela frenata</i>
mink	<i>Mustela vison</i>
badger	<i>Taxidea taxus</i>
river otter	<i>Lutra canadensis</i>
((lynx))	((<i>Lynx canadensis</i>))
bobcat	<i>Lynx rufus</i>

WSR 93-14-111
PROPOSED RULES
DEPARTMENT OF WILDLIFE

[Filed July 2, 1993, 8:14 a.m.]

Original Notice.

Title of Rule: Amending WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished.

Purpose: To amend WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished.

Statutory Authority for Adoption: RCW 77.12.020.

Statute Being Implemented: RCW 77.12.020.

Summary: Deletes western pond turtle, Oregon silverspot butterfly, and pygmy rabbit as protected wildlife designated as threatened. Adds North American lynx, western gray squirrel, marbled murrelet, and Steller (northern) sea lion as protected wildlife designated as threatened. Adds Larch Mountain salamander as protected wildlife designated as sensitive. Deletes all nonnative turtles, western gray squirrel, bowhead whale, fur seal as other protected wildlife. Provides better organization and clarification of language and scientific names.

Reasons Supporting Proposal: The North American lynx, western gray squirrel, marbled murrelet, and Steller (northern) sea lion are likely to become endangered within the foreseeable future throughout a significant portion of their range within Washington without cooperative management or removal of threats. The lynx population is threatened due to the rate and extent of past and planned habitat alteration, forest maturation, population declines due to historic trapping, and possible reduced immigration from British Columbia. The marbled murrelet and Steller (north-

ern) sea lion are federally listed as threatened species under the Endangered Species Act. The marbled murrelet is threatened by the loss of older forest nesting habitat as a result of commercial timber harvesting. The Steller sea lion has undergone significant population declines as a result of reductions in prey, commercial harvest, and losses incidental to commercial fisheries. The western gray squirrel has undergone significant population and distribution declines as a result of habitat loss and fragmentation, disease, and fluctuating food supplies. The Larch Mountain salamander has specialized microhabitat requirements and limited distribution and numbers which make it vulnerable to habitat alteration. It is likely to become endangered or threatened in a significant portion of its range in Washington without cooperative management or removal of threats. This proposal reflects the biological status of the remaining populations of these species in Washington. Additional changes correct scientific and common names and provide clarification. Painted turtle is listed specifically, instead of all wild turtles because, in addition to the western pond turtle, it is the only other native turtle in Washington. Introduced turtles will no longer be considered protected wildlife. Bowhead whale is deleted because it has never been documented to occur as far south as Washington. Fur seal is deleted because it was already covered under reference to the Pinnipedia. A change was made reflecting that there are two species of golden-mantled ground squirrels rather than just one; and the four species of chipmunks are specifically identified.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Tony de la Torre, AD, Wildlife Enforcement, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 232-12-011 identifies species of wild animals to be managed by the Department of Wildlife as protected species in one of three categories: Threatened, sensitive, and other protected wildlife. This amendment adds North American lynx, western gray squirrel, marbled murrelet, and Steller (northern) sea lion as threatened species; adds Larch Mountain salamander as a sensitive species; deletes western gray squirrel, fur seal, and all wild turtles as other protected wildlife; adds painted turtle as other protected wildlife. Threatened and sensitive species are in need of special management consideration to recover populations to healthy levels or keep them from becoming threatened or endangered. Land managing agencies and local governments may use these lists to consider the needs of species of special concern in land management decisions. Threatened species are also recognized in the Department of Natural Resources forest practice rules for evaluating forest practice applications. This proposal to delete western pond turtle, the Oregon silverspot butterfly, and the pygmy rabbit from the classified list of protected wildlife designated as threatened is contingent on the Wildlife Commission adopting the agency's proposal to amend WAC 232-12-014 to classify the

western pond turtle, the Oregon silverspot butterfly, and the pygmy rabbit as endangered wildlife.

Proposal Changes the Following Existing Rules: See Summary and Explanation of Rule above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Colville Community Center, 430 East Hawthorne, Colville, WA 99114, on August 14, 1993, at 8:00 a.m.

Submit Written Comments to: Rich Poelker, 600 Capitol Way North, Olympia, WA 98501-1091, by August 6, 1993.

Date of Intended Adoption: August 14, 1993.

July 1, 1993

Rich Poelker

Administrative Rules Officer

AMENDATORY SECTION (Amending Order 441, filed 5/15/90)

WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished. Protected wildlife are designated into three subcategories: Threatened, sensitive, and other.

(1) Threatened species are any wildlife native to the state of Washington that are likely to become endangered within the foreseeable future throughout a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as threatened include:

~~((Protected wildlife designated as threatened include ferruginous hawk, *Buteoregalis*; bald eagle, *Haliaeetus leucocephalus*; western pond turtle, *Clemmys marmorata*; green sea turtle, *Chelonia mydas*; loggerhead sea turtle, *Caretta caretta*; Oregon silverspot butterfly, *Speyeria zerene hippolyta*; pygmy rabbit, *Brachylagus idahoensis*))~~

<u>Common Name</u>	<u>Scientific Name</u>
western gray squirrel	<i>Sciurus griseus</i>
Steller (northern) sea lion	<i>Eumetopias jubatus</i>
North American lynx	<i>Lynx canadensis</i>
bald eagle	<i>Haliaeetus leucocephalus</i>
ferruginous hawk	<i>Buteo regalis</i>
marbled murrelet	<i>Brachyramphus marmoratus</i>
green sea turtle	<i>Chelonia mydas</i>
loggerhead sea turtle	<i>Caretta caretta</i>

(2) Sensitive species are any wildlife species native to the state of Washington that are vulnerable or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as sensitive include:

<u>Common Name</u>	<u>Scientific Name</u>
Larch Mountain salamander	<i>Plethodon larselli</i>

(3) Other protected wildlife~~(s)~~include:

~~((Other protected wildlife include all birds not classified as game birds, predatory birds, or endangered species[,] or designated as threatened species or sensitive species; and fur seal, *Callorhinus ursinus*; fisher, *Martes pennanti*; wolverine, *Gulo luseus*; western gray squirrel, *Sciurus griseus*;~~

~~Douglas squirrel, *Tamiasciurus douglasii*; red squirrel, *Tamiasciurus hudsonicus*; flying squirrel, *Glaucomys sabrinus*; golden-mantled ground squirrel, *Callospermophilus saturatus*; chipmunks, *Eutamias*; cony or pika, *Ochotona princeps*; hoary marmot, *Marmota caligata* and *olympus*;~~)

<u>Common Name</u>	<u>Scientific Name</u>
<u>cony or pika</u>	<u><i>Ochotona princeps</i></u>
<u>least chipmunk</u>	<u><i>Tamius minimus</i></u>
<u>yellow-pine chipmunk</u>	<u><i>Tamius amoenus</i></u>
<u>Townsend's chipmunk</u>	<u><i>Tamius townsendii</i></u>
<u>red-tailed chipmunk</u>	<u><i>Tamius ruficaudus</i></u>
<u>hoary marmot</u>	<u><i>Marmota caligata</i></u>
<u>Olympic marmot</u>	<u><i>Marmota olympus</i></u>
<u>Cascade golden-mantled ground squirrel</u>	<u><i>Spermophilus saturatus</i></u>
<u>golden-mantled ground squirrel</u>	<u><i>Spermophilus lateralis</i></u>
<u>red squirrel</u>	<u><i>Tamiasciurus hudsonicus</i></u>
<u>Douglas squirrel</u>	<u><i>Tamiasciurus douglasii</i></u>
<u>northern flying squirrel</u>	<u><i>Glaucomys sabrinus</i></u>
<u>fisher</u>	<u><i>Martes pennanti</i></u>
<u>wolverine</u>	<u><i>Gulo gulo</i></u>
<u>painted turtle</u>	<u><i>Chrysemys picta</i></u>

~~((All wild turtles not otherwise classified as endangered species, or designated as threatened species or sensitive species;))~~ All birds not classified as game birds, predatory birds or endangered species, or designated as threatened species or sensitive species; mammals of the order *Cetacea*, including whales and porpoises, and mammals of the ~~((suborder))~~ order *Pinnipedia* not otherwise classified as endangered species, or designated as threatened species or sensitive species. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear.

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

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

WSR 93-14-112
PROPOSED RULES
DEPARTMENT OF WILDLIFE
 [Filed July 2, 1993, 8:14 a.m.]

Original Notice.

Title of Rule: Amending WAC 232-12-014 Wildlife classified as endangered species.

Purpose: To amend WAC 232-12-014 Wildlife classified as endangered species.

Statutory Authority for Adoption: RCW 77.12.020.

Statute Being Implemented: RCW 77.12.020.

Summary: Classifies three threatened species, pygmy rabbit, western pond turtle, and Oregon silverspot butterfly, as endangered species; and provides better organization and clarification of language and scientific names.

Reasons Supporting Proposal: The classification of the threatened species of pygmy rabbit, western pond turtle, and Oregon silverspot butterfly as endangered species, identifies these as species native to Washington that are seriously threatened with extinction throughout all or a significant portion of their range in the state. These species have undergone significant reductions in population numbers and distribution primarily as a result of habitat loss. Remaining populations require special management considerations and development of recovery plans in order to restore them to viable levels. This proposal reflects the biological status of the remaining populations of these species in Washington.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Tony de la Torre, AD, Wildlife Enforcement, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 232-12-014 identifies wild animals to be managed by the Department of Wildlife as endangered species and as such, receive special management consideration in order to restore populations to viable levels. This amendment would classify the pygmy rabbit, western pond turtle, and Oregon silverspot butterfly as endangered species. Land managing agencies and local governments may use these lists to consider the needs of species of special concern in land management decisions. Endangered species are also recognized in the Department of Natural Resources forest practice rules for evaluating forest practice applications.

Proposal Changes the Following Existing Rules: See Summary and Explanation of Rule above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Colville Community Center, 430 East Hawthorne, Colville, WA 98501-1091 [99114], on August 14, 1993, at 8:00 a.m.

Submit Written Comments to: Rich Poelker, 600 Capitol Way North, Olympia, WA 98501-1091, by August 6, 1993.

Date of Intended Adoption: August 14, 1993.

July 1, 1993

Rich Poelker

Administrative Rules Officer

AMENDATORY SECTION (Amending Order 305, filed 2/12/88)

WAC 232-12-014 Wildlife classified as endangered species. Endangered species include: ~~((Columbian white-tailed deer, *Odocoileus virginianus leucurus*; Mountain caribou, *Rangifer tarandus*; Blue whale, *Balaenoptera musculus*; Bowhead whale, *Balaena mysticetus*; Finback whale, *Balaenoptera physalus*; Gray whale, *Eschrichtius gibbosus*; Humpback whale, *Megaptera novaeangliae*; Right whale, *Balaena glacialis*; Sei whale, *Balaenoptera borealis*; Sperm whale, *Physeter catodon*; Wolf, *Canis lupus*; Peregrine falcon, *Falco peregrinus*; Aleutian Canada goose, *Branta canadensis leucopareia*; Brown pelican, *Pelecanus*~~

~~occidentalis; Leatherback sea turtle, *Dermochelys coriacea*; Grizzly bear, *Ursus arctos horribilis*; Sea Otter, *Enhydra lutris*; White pelican, *Pelecanus erythrorhynchos*; Sandhill crane, *Grus canadensis*; Snowy plover, *Charadrius alexandrinus*; Upland sandpiper, *Bartramia longicauda*; Northern spotted owl, *Strix occidentalis*))~~

<u>Common Name</u>	<u>Scientific Name</u>
<u>pygmy rabbit</u>	<u><i>Brachylagus idahoensis</i></u>
<u>gray wolf</u>	<u><i>Canis lupus</i></u>
<u>grizzly bear</u>	<u><i>Ursus arctos</i></u>
<u>sea otter</u>	<u><i>Enhydra lutris</i></u>
<u>Gray whale</u>	<u><i>Eschrichtius robustus</i></u>
<u>sei whale</u>	<u><i>Balaenoptera borealis</i></u>
<u>fin whale</u>	<u><i>Balaenoptera physalus</i></u>
<u>blue whale</u>	<u><i>Balaenoptera musculus</i></u>
<u>humpback whale</u>	<u><i>Megaptera novaeangliae</i></u>
<u>black right whale</u>	<u><i>Balaena glacialis</i></u>
<u>sperm whale</u>	<u><i>Physeter macrocephalus</i></u>
<u>Columbian white-tailed deer</u>	<u><i>Odocoileus virginianus</i></u> <u><i>leucurus</i></u>
<u>woodland caribou</u>	<u><i>Rangifer tarandus caribou</i></u>
<u>American white pelican</u>	<u><i>Pelecanus erythrorhynchos</i></u>
<u>brown pelican</u>	<u><i>Pelecanus occidentalis</i></u>
<u>Aleutian Canada goose</u>	<u><i>Branta canadensis</i></u> <u><i>leucopareia</i></u>
<u>peregrine falcon</u>	<u><i>Falco peregrinus</i></u>
<u>sandhill crane</u>	<u><i>Grus canadensis</i></u>
<u>snowy plover</u>	<u><i>Charadrius alexandrinus</i></u>
<u>upland sandpiper</u>	<u><i>Bartramia longicauda</i></u>
<u>spotted owl</u>	<u><i>Strix occidentalis</i></u>
<u>western pond turtle</u>	<u><i>Clemmys marmorata</i></u>
<u>leatherback sea turtle</u>	<u><i>Dermochelys coriacea</i></u>
<u>Oregon silverspot butterfly</u>	<u><i>Speyeria zerene hippolyta</i></u>

Explanation of Rule, its Purpose, and Anticipated Effects: To implement phase II of the tariff review study. There are no major affects anticipated.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Transportation Building, Board Room ID2, Olympia, Washington 98504 [98504], on August 19, 1993, at 9:15 a.m.

Submit Written Comments to: Ben Klein, Department of Transportation, Marine Division, Olympia, Washington 98504-7318, by August 18, 1993.

Date of Intended Adoption: August 19, 1993.

July 2, 1993

Chris R. Rose, Administrator
Transportation Commission

WSR 93-14-113

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

[Filed July 2, 1993, 8:48 a.m.]

Original Notice.

Title of Rule: WAC 468-300-010, 468-300-020, and 468-300-040.

Purpose: The adoption of a revised schedule of tolls for the Washington state ferry system, amending WAC 468-300-010, 468-300-020, and 468-300-040.

Statutory Authority for Adoption: RCW 47.56.030 and 47.60.326.

Statute Being Implemented: RCW 47.60.326.

Summary: To revise the existing schedule of tolls for the Washington state ferry system.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Michael T. McCarthy, State Ferry Terminal, (206) 464-6428.

Name of Proponent: Washington State Department of Transportation, governmental.

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

AMENDATORY SECTION (Amending WSR 92-18-005, filed 8/20/92, effective 9/20/92)

WAC 468-300-010 Ferry passenger tolls.

Effective 03:00 a.m. (~~(September 20, 1992)~~) October 10, 1993

ROUTES	Full Fare	Half Fare	Frequent User Ticket Book 20 Rides ¹	Bicycle Surcharge ²
Via Passenger-Only Ferry				
*Seattle-Vashon				
*Seattle-Southworth	3.30	1.65	19.80	N/C
*Seattle-Bremerton				
Via Auto Ferry				
*Fauntleroy-Southworth				
*Seattle-Bremerton				
*Seattle-Winslow	3.30	1.65	19.80	0.50
*Edmonds-Kingston				
Port Townsend-Keystone	1.65	0.85	19.80	0.25
*Fauntleroy-Vashon				
*Southworth-Vashon	2.15	1.10	12.90	0.50
*Pt. Defiance-Tahlequah				
*Mukilteo-Clinton				
*Anacortes to Lopez Shaw, Orcas or Friday Harbor	4.65	2.35	27.90	2.50
Anacortes to Sidney and Sidney to all destinations	6.05	3.05	N/A	4.00
Between Lopez, Shaw, Orcas and Friday Harbor ³	N/C	N/C	N/C	N/C
From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	2.25	1.25	N/A	1.50

@ These fares rounded to the nearest multiple of \$.25.

* These routes operate as a one-point toll collection system.

FREQUENT USER TICKETS - Shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage.

BICYCLE SURCHARGE - Is an addition to the appropriate passenger fare.

INTER-ISLAND FARES - Passenger fares included in Anacortes tolls.

HALF FARE - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare.

SENIOR CITIZENS - Passengers and driver, age 65 and over, with proper identification establishing proof of age, may travel at half-fare tolls on any route where passenger fares are collected.

NOTE: Half fare does not include vehicle.

DISABLED - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize ferry system services, may travel at half-fare tolls on any route upon presentation of a WSF (~~(Disabled)~~) Disability Travel Permit, Regional Reduced Fare Permit, or other identification which establishes disability at time of travel. In addition, those (~~(disabled)~~) persons with disabilities who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSF (~~(Disabled)~~) Disability Travel Permit and such endorsement shall allow the attendant to (~~(else)~~) travel (~~(at half fare)~~) free.

BUS PASSENGERS - Passengers traveling on public transit buses pay the applicable fare. Passengers traveling in private or commercial buses will be charged the half-fare rate.

MEDICARE CARD HOLDERS - Any person holding a Medicare card duly issued to that person pursuant to Title II or Title XVIII of the Social Security Act may travel at half-fare tolls on any route upon presentation of a WSF (~~(Disabled)~~) Disability Travel Permit or a Regional Reduced Fare Permit at time of travel.

NOTE: Half-fare privilege does not include vehicle.

FERRY/TRANSIT PASS - A combination ferry-transit monthly pass may be available for a particular route when determined by Washington state ferries and a local public transit agency to be a viable fare instrument. The WSF portion of the fare is based on 21 days of passenger travel at a 50% discount.

PROMOTIONAL TOLLS - A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

SCHOOL GROUPS - Passengers traveling in authorized school groups for institution-sponsored activities will be charged a flat rate of \$1 per walk-on group or per vehicle of students and/or advisors and staff. Walk-on groups and private vehicles require letter of authorization. Vehicles and drivers will be charged at fare applicable to vehicle size. The special school rate is \$2 on routes where one-point toll systems are in effect.

NOTE: The school group rate is not available on the Anacortes-Sidney B.C. route during the peak season.

AMENDATORY SECTION (Amending WSR 92-18-005, filed 8/20/92, effective 9/20/92)

WAC 468-300-020 ((Auto)) Vehicle under 20', motorcycle, and stowage ferry tolls.

Effective 03:00 a.m. ((September 20, 1992)) October 10, 1993

ROUTES	((Auto)) w/ Sr.		Motorcycle/Stowage Incl. Driver			
	Auto [†] Incl. Driver One Way	Citizen or Disabled Driver	Frequent User Ticket book 20 Rides ²	Auto Height Surcharge [†]	Frequent User Ticket book 20 Rides ²	One Way
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow	5.55	4.75	88.80	1.40	2.45	39.20
Port Townsend-Keystone Edmonds-Kingston						
*Fauntleroy-Vashon *Southworth-Vashon	7.50	6.45	60.00	1.90	3.20	25.60
*Pt. Defiance-Tahlequah						
Mukilteo-Clinton	3.75	3.20	60.00	0.95	1.60	25.60
			10 Rides			
*Anacortes to Lopez *Shaw, Orcas *Friday Harbor	11.60 13.85 15.85	9.30 11.55 13.55	46.40 55.40 63.40	2.90 3.45 3.95	6.05 6.50 6.90	48.40 52.00 55.20
Anacortes to Sidney and Sidney to all destinations	26.05	23.05	N/A	6.50	10.05	N/A
Between Lopez, Shaw, Orcas and Friday Harbor ² @	6.50	6.50	26.00	1.75	1.75	N/A
From Lopez, Shaw, Orcas and Friday Harbor to Sidney @	13.25	12.25	N/A	3.25	4.50	N/A))
ROUTES	Vehicle Under 20' Incl. Driver One Way	Vehicle Under 20' w/ Sr. Citizen or Disabled Driver	Vehicle Under 20' Over Height Surcharge	Frequent User Ticket book 20 Rides	One Way	Motorcycle/Stowage Incl. Driver Frequent User Ticket book 20 Rides
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow	5.55	4.75	3.35	88.80	2.45	39.20
Port Townsend-Keystone Edmonds-Kingston						
*Fauntleroy-Vashon *Southworth-Vashon	7.50	6.45	4.50	60.00	3.20	25.60
*Pt. Defiance-Tahlequah						
Mukilteo-Clinton	3.75	3.20	2.25	60.00	1.60	25.60
			10 Rides			
*Anacortes to Lopez *Shaw, Orcas *Friday Harbor	11.60 13.85 15.85	9.30 11.55 13.55	6.95 8.30 9.50	46.40 55.40 63.40	6.05 6.50 6.90	48.40 52.00 55.20

<u>Anacortes to Sidney and Sidney to all destinations</u>	<u>26.05</u>	<u>23.05</u>	<u>15.65</u>	<u>N/A</u>	<u>10.05</u>	<u>N/A</u>
<u>Between Lopez, Shaw, Orcas and Friday Harbor@</u>	<u>6.50</u>	<u>6.50</u>	<u>4.00</u>	<u>26.00</u>	<u>1.75</u>	<u>N/A</u>
<u>From Lopez, Shaw, Orcas and Friday Harbor to Sidney@</u>	<u>13.25</u>	<u>12.25</u>	<u>8.00</u>	<u>N/A</u>	<u>4.50</u>	<u>N/A</u>

@ These fares rounded to the nearest multiple of \$.25.

* These routes operate as a one-point toll collection system.

~~((HEIGHT SURCHARGE))~~ SIZE - All vehicles up to 20' in length and under 7'6" in height shall pay the ~~((auto))~~ vehicle under 20' toll. Vehicles up to 20' in length but over 7'6" in height ~~((surcharge of 25% of the full fare auto and driver))~~ shall pay a height surcharge of 60% of the vehicle full fare. Upon presentation of a WSF ~~((Disabled))~~ Disability Travel Permit, Regional Reduced Fare Permit, or other identification which establishes disability, the height surcharge will be waived for vehicles equipped with wheel chair lift or other mechanism designed to accommodate the person with disability.

FREQUENT USER TICKETS - Shall be valid only for 90 days from date of purchase after which time the ticket shall not be accepted for passage.

INTER-ISLAND FARES - Tolls collected westbound only. Vehicles traveling between islands may request a single transfer ticket good for one transfer at an intermediate island. The transfer may only be obtained when purchasing the appropriate vehicle fare for inter-island travel (westbound at Lopez, Shaw, or Orcas) and is free of charge. Transfers shall be valid for 24 hours from time of purchase.

SENIOR CITIZEN ((DISCOUNTS)) OR DISABLED DRIVER - ~~((Discounts of 50% for the driver of the above vehicles shall apply. Senior citizen discount is determined by subtracting full fare passenger rate and adding half fare passenger rate))~~ Half fare discount applies to driver portion of the vehicle fare and only when the driver is eligible.

VANPOOLS - A commuter vanpool which carries ~~((seven))~~ five or more persons on a regular expense-sharing basis for the purpose of travel to or from work or school and which is certified as such by a local organization approved by the Washington state ferry system, may purchase for a \$10 fee, a permit valid for one year valid only during the hours shown on the permit. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. ~~((All riders in the van, including the driver,))~~ The \$10.00 fee shall include the driver. Remaining passengers shall pay the applicable passenger fare. Except that the minimum total paid for all ((riders)) passengers in the van shall not be less than four times the applicable passenger fare.

STOWAGE - Stowage carry-on items including kayaks, canoes and other items of comparable size which are typically stowed on the vehicle deck of the vessel shall be charged at the motorcycle rate. This rate includes the walk-on passenger carrying on the item to be stowed.

PEAK SEASON SURCHARGE - A 20% surcharge shall be applied effective the second Sunday in May through the second Sunday in October to all vehicles except those using frequent user tickets.

PENALTY CHARGES - Owner of vehicle without driver will be assessed a \$100.00 penalty charge.

PROMOTIONAL TOLLS - A promotional rate may be established at the discretion of the secretary of transportation for a specified discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending WSR 92-18-005, filed 8/20/92, effective 9/20/92)

WAC 468-300-040 Oversize vehicle ferry tolls.

Effective 03:00 a.m. ~~((September 20, 1992))~~ October 10, 1993

ROUTES	Oversize Vehicle Ferry Tolls ¹							Cost Per Ft. Over 80'
	Overall Unit Length - Including Driver							
	20' To Under 30'	30' To Under 40'	40' To Under 50'	50' To Under 60'	60' To Under 70'	70' To and Include 80'		
Fauntleroy-Southworth								
Seattle-Bremerton								
Seattle-Winslow	((10.40)) <u>13.30</u>	13.90 <u>17.75</u>	19.40 <u>24.30</u>	23.30 <u>29.15</u>		38.85	44.40	0.55
Port Townsend-Keystone								
Edmonds-Kingston								
*Fauntleroy-Vashon								
*Southworth-Vashon	((14.05)) <u>18.00</u>	18.75 <u>24.00</u>	26.50 <u>34.30</u>	31.50 <u>39.40</u>		52.50	60.00	0.75
*Pt. Defiance-Tahlequah								
Mukilteo-Clinton	((7.00)) <u>9.00</u>	9.40 <u>12.00</u>	13.25 <u>16.40</u>	15.75 <u>19.70</u>		26.25	30.00	0.40

*Anacortes to Lopez ²							
*Shaw, Orcas	((25.90	34.65	48.50	58.15))			
	<u>33.25</u>	<u>44.30</u>	<u>60.60</u>	<u>72.70</u>	96.95	110.80	1.40
*Friday Harbor							
Anacortes to Sidney and Sidney to all destinations	((42.00	49.70	64.25	73.75	113.65	129.90	1.75))
	<u>48.85</u>	<u>65.15</u>	<u>81.40</u>	<u>97.70</u>	<u>145.90</u>	<u>166.70</u>	<u>2.10</u>
Between Lopez, Shaw, Orcas and Friday Harbor ³ @	((11.00	11.00	11.00	44.00	44.00	44.00))	
	<u>14.00</u>	<u>14.00</u>	<u>14.00</u>	<u>55.00</u>	<u>55.00</u>	<u>55.00</u>	N/A
From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	((24.50	28.75	37.25	42.75	66.00	75.25))	
	<u>24.75</u>	<u>33.00</u>	<u>41.50</u>	<u>49.75</u>	<u>74.25</u>	<u>84.75</u>	1.00

@ These fares rounded to the nearest multiple of \$.25.

* These routes operate as a one-point toll collection system.

¹OVERSIZE VEHICLES - Includes all vehicles 20 feet in length and longer regardless of type: Commercial trucks, recreational vehicles, ~~((autos))~~ vehicles under 20' pulling trailers, etc. Length shall include vehicle and load to its furthest extension. Overheight charge is included in oversize vehicle toll. Vehicles which are ~~((+0))~~ 11 feet in width or wider pay double the fare applicable to their length. Private and commercial passenger buses or other passenger vehicles pay the applicable oversize vehicle tolls. Public transit buses shall travel free upon display of an annual permit which may be purchased for \$10.

PEAK SEASON SURCHARGE - ~~((Beginning May 9, 1993, an annual peak season surcharge of 20% applies to all oversize vehicle ferry tolls from))~~ A 20% surcharge shall be applied effective the second Sunday in May ~~((of each year))~~ through the second Sunday in October ~~((except for))~~ to all vehicles except those using frequent user tickets. ~~((The senior citizen discount applies to the driver of an oversize vehicle.))~~

²STOPOVERS - Tolls collected westbound only. Oversize vehicles traveling westbound from Anacortes may purchase a single intermediate stopover ticket for \$2.50 when first purchasing the appropriate vehicle fare. The stopover is valid for a 24-hour period.

³INTER-ISLAND - Tolls collected westbound only. Vehicles traveling between islands may request a single transfer ticket good for one transfer at an intermediate island. The transfer may only be obtained when purchasing the appropriate vehicle fare for interisland travel (westbound at Lopez, Shaw, or Orcas) and is free of charge. Transfers shall be valid for 24 hours from time of purchase.

SENIOR CITIZEN DISCOUNTS - Discounts of 50% for the driver of the above vehicles shall apply. Senior citizen discount is determined by subtracting full-fare passenger rate and adding half-fare passenger rate.

PENALTY CHARGES - Owner of vehicle without driver will be assessed a \$100.00 penalty charge.

DISCOUNT FROM REGULAR TOLL

Oversize vehicles making 12 or more, one-way crossings per week (Sunday thru Saturday) will qualify for a 20% discount from the regular ferry tolls.

EMERGENCY TRIPS DURING NONSERVICE HOURS - While at locations where crew is on duty charge shall be equal to the cost of fuel consumed to make emergency trip. Such trips shall only be offered as a result of official requests from an emergency services agency and only in the case of no reasonable alternative.

BULK NEWSPAPERS - Per 100 lbs. \$2.20

(Shipments exceeding 60,000 lbs. in any month shall be assessed \$1.10 per 100 lbs.)

Daily Newspapers, in bundles, and medical supplies, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

EXPRESS SHIPMENTS - A flat handling charge of \$25.00 per parcel is charged.

(Shipments exceeding 100 lbs. assessed \$8.30 for each 25 lbs. or fraction thereof.)

Express shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight that can easily be handled by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

San Juan inter-island express shipments will be handled at \$5.00 per parcel.

MEDICAL SUPPLIES - A flat handling charge of \$5.00 per shipment is charged.

DISCLAIMER - Under no circumstances does Washington state ferries warrant the availability of ferry service at a given date or time; nor does it warrant the availability of space on board a vessel on a given sailing.

WSR 93-14-117

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 93-21—Filed July 2, 1993, 4:19 p.m.]

Original Notice.

Title of Rule: WAC 173-19-4205 City of Tumwater shoreline master program.

Purpose: Adoption of revised shoreline master program into the state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: This is a plan for enhancement and rehabilitation of fish and wildlife habitat at selected sites along the Deschutes River in Tumwater.

Name of Agency Personnel Responsible for Drafting: Linda Whitcher, Washington Department of Ecology, Box 47692, Olympia, 98504-7692, (206) 459-6789; Implementation and Enforcement: D. Rodney Mack, Box 47600, Olympia, 98504-7600, (206) 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This is an amendment to the city of Tumwater shoreline master program for the Deschutes River. This

special area management plan provides for fish and wildlife habitat enhancement projects within the Deschutes River riparian zone.

Proposal Changes the Following Existing Rules: This amends chapter 173-19 WAC, Shoreline Management Act of 1971.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: City Council Chambers, Tumwater City Hall, 555 Israel Road, Tumwater, WA, on September 9, 1993, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Department of Ecology, Shorelands and Coastal Zone Management, P.O. Box 47692, Olympia, WA 98504-7692, by September 19, 1993.

Date of Intended Adoption: October 26, 1993.

July 2, 1993
Mary Riveland
Director

AMENDATORY SECTION (Amending Order 92-03, filed 4/21/92, effective 5/22/92)

WAC 173-19-4205 Tumwater, city of. City of Tumwater master program approved May 21, 1976. Revision approved August 30, 1984. Revision approved September 29, 1987. Revision approved May 15, 1990. Revision approved October 2, 1990. Revision approved April 17, 1991. Revision approved April 21, 1991. Revision approved October 26, 1993.

**WSR 93-14-118
PROPOSED RULES
DEPARTMENT OF ECOLOGY**

[Filed July 2, 1993, 4:23 p.m.]

Original Notice.

Title of Rule: Controls for new sources of toxic air pollutants.

Purpose: Amendments to this rule are being proposed to improve the clarity of the rule and to be consistent with changes to chapter 70.94 RCW and the federal Clean Air Act.

Other Identifying Information: Chapter 173-460 WAC.

Statutory Authority for Adoption: RCW 70.94.331.

Statute Being Implemented: Chapter 70.94 RCW.

Summary: Chapter 173-460 WAC regulates new or modified sources of toxic air pollution. The rule requires a technology based control strategy and a residual risk analysis. The proposed amendment revises definitions, corrects typographical errors, adds forty-two chemical substances, and updates the residual risk levels based on current health effects data.

Reasons Supporting Proposal: These changes are being proposed to improve the clarity of the rule and to be consistent with changes to chapter 70.94 RCW and the federal Clean Air Act.

Name of Agency Personnel Responsible for Drafting: Elizabeth Waddell, P.O. Box 47600, Olympia, WA 98504-7600, (206) 493-2878; Implementation and Enforcement:

Joe Williams, P.O. Box 47600, Olympia, WA 98504-7600, (206) 459-6255.

Name of Proponent: Washington Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of chapter 173-460 WAC is to establish the systematic control of new sources emitting toxic air pollutants in order to prevent air pollution, reduce emissions to the extent reasonably possible, and maintain such levels of air quality as will protect human health and safety. This chapter requires a technology based control strategy which includes pollution prevention (best available control technology) and a residual risk analysis (acceptable source impact level).

Proposal Changes the Following Existing Rules: Revisions to three areas of the rule are being proposed: Definitions, typographical errors, and acceptable source impact levels. Definitions were revised to be consistent with chapter 70.94 RCW, as revised by HB 1029 during the 1991 legislative session. Typographical errors in the original rule were corrected. In addition, several changes were made to improve the clarity of the rule and to provide consistency with similar rules in effect in the jurisdiction of the Puget Sound Air Pollution Control Agency. Forty-two chemical substances were added to the list of regulated pollutants. These substances were added in order to be consistent with new requirements of the federal Clean Air Act amendments of 1990. In addition, new health effects data were used to update the acceptable source impact levels for all substances in the rule.

Small Business Economic Impact Statement: The Washington Department of Ecology (ecology) is proposing revisions to the controls for new sources of toxic air pollutants rule, chapter 173-460 WAC. The rule is designed to limit the emission of toxic air pollutants (TAPs) from new and modified sources by regulating the emission of an extensive list of TAPs. The revisions consist of editorial changes to clarify rule language and the addition of 42 TAPs to the list of TAPs contained in WAC 173-460-150 and 173-460-160.

Chapter 173-460 WAC requires affected sources of TAPs to be in compliance with applicable federal, state, and local air pollution control regulations, to include at least the best available control technology (BACT) for the increased TAPs emitted, and to perform analyses designed to quantify the TAPs emitted and evaluate their health risk. The rule applies to any new source of toxic air pollutants that falls within a major standard industrial classification (SIC) group that is identified in the rule. The SIC groups include major groups 10, 12, 13, 20-39, and 49, plus some additional nonmanufacturing industries. The rule became effective on September 1, 1991.

In general, the proposed revisions to chapter 173-460 WAC do not impose substantive new requirements for businesses in the state. The editorial changes are generally of a minor nature, consisting of language clarification and error corrections. The only substantive editorial revision involves the definition of new sources and source modifications. These definitional changes makes rule applicability somewhat less inclusive than the original rule language. The

TAPs that are being added to WAC 173-460-150 and 173-460-160 of the rule are contained in the list of 189 substances to be regulated by the Environmental Protection Agency (EPA) as air toxics under Section 112 of the 1990 Federal Clean Air Act amendments. Their inclusion in chapter 173-460 WAC will not result in substantial economic impacts. Only three of these TAPs are identified as being emitted in the state and they are emitted in relatively small amounts.

The State Economic Policy Act (chapter 43.21H RCW) requires that economic values be given appropriate consideration in the promulgation of rules. The Regulatory Fairness Act (RFA) (chapter 19.85 RCW) requires that rules promulgated under the Administrative Procedure Act be reviewed in light of their economic impact on small businesses in the state. One goal of such a review is to ensure that a proposed rule does not place a disproportionately higher burden on small businesses in an affected industry. To meet this goal, the RFA requires that a small business economic impact statement (SBEIS) be performed if a rule affects more than 20 percent of all businesses in the state or more than 10 percent of the businesses in any one industry, as identified by a three-digit standard industrial classification (SIC) code. The SBEIS analyzes compliance costs and evaluates impacts of proposed rules on small businesses in the state. If disproportionate impacts exist, the SBEIS must propose mitigation measures. The proposed revisions to chapter 173-460 WAC have been reviewed and evaluated in terms of their economic impacts. The table at the end of this summary shows the three-digit SIC code industries likely to be affected. Although less than 20 percent of all businesses in the state will be affected, more than 10 percent of the firms in at least one SIC industry (i.e. metal cans and shipping containers, SIC 341). Consequently, the threshold for requiring an SBEIS has been met and the economic impacts on businesses must be analyzed. However, all of the affected firms are large businesses and, as a result, no disproportionate impacts on existing small businesses will result from the proposed revisions.

The principal source of compliance costs for the proposed revisions result from the potential need to quantify the increased amounts of TAPs emitted, install the best available control technology (T-BACT), and evaluate the health effects of these incremental amounts. However, for most of the affected businesses in the state, compliance costs will be low. There are three principal reasons for this. First, all but three sources in the state affected by the proposed revisions are currently under the jurisdiction of local air pollution authorities that regulate the additional TAPs being added to the state list under the proposed revisions. Consequently, these businesses will not be affected by these revisions. Second, the extent of the required procedures to determine the health effects of the incremental amounts of TAPs depends on the quantity emitted. If the increased amounts of TAPs emitted are below limits specified in WAC 173-460-080, no further evaluation is necessary. If not, further analysis is required, some of which may be costly and complex. Of the three TAPs being added to the state list that are emitted in the state, none are emitted in amounts that exceed the limits specified in WAC 173-460-080. Thus, costs of determining health effects will be low. Third, for the three sources not currently regulated by PSAPCA, the cost of any additional

control technologies is estimated to be low due to the fact that the emissions of the additional TAPs are likely to be already controlled by currently mandated technologies.

Potentially Affected Three-Digit SIC Industries

SIC	INDUSTRY	TOTAL INDUSTRY FIRMS	FIRMS AFFECTED
203	Preserved Fruits and Vegetables	122	1
264	Paperboard Manufacturers	NA	1
267	Converted Paper & Paperboard Products	43	1*
284	Soap, Cleaners, and Toilet Goods	24	2
285	Paints and Allied Products	30	2
291	Petroleum Refining	27	1
308	Miscellaneous Plastic Products	216	1*
327	Concrete, Gypsum, and Plastic Products	189	1
341	Metal Cans and Shipping Containers	13	3
367	Electronic Components and Accessories	100	2
371	Motor Vehicles and Equipment	91	1
372	Aircraft and Parts	231	1

Note: *=SIC codes for these sources are estimated.

Copies of the full SBEIS are available from: Elizabeth Waddell, Department of Ecology, Air Quality Program, P.O. Box 47600, Olympia, WA 98504-7600.

Hearing Location: On August 11, 1993, at 10 a.m., Washington Department of Ecology, Northwest Regional Office, 3190 160th Avenue S.E. Conference Room 1C, Bellevue, WA 98008-5452, and on August 12, 1993, at 7 p.m., Spokane County Health District, West 1101 College Avenue, Spokane, WA 99201-2095.

Submit Written Comments to: Elizabeth Waddell, P.O. Box 47600, Olympia, WA 98504-7600, by August 20, 1993.

Date of Intended Adoption: October 25, [1993].

July 2, 1993

Mary Riveland
Director

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-020 Definitions. The definitions of terms contained in chapter 173-400 WAC are incorporated into this chapter by reference. In the event of a conflict between the definitions provided in chapter 173-400 WAC and the definitions provided in this section, the definitions in this section shall govern. Unless a different meaning is clearly required by context, the following words and phrases as used in this chapter shall have the following meanings. Note: For copies of the above mentioned rule and any other rule cited in this chapter, contact the Department of Ecology, Records Section, Mailstop PV-11, Olympia, WA 98504-8711.

(1) "Acceptable source impact analysis" means a procedure for demonstrating compliance with WAC 173-460-070 and 173-460-080, that compares maximum incremental ambient air impacts with applicable acceptable source impact levels (ASIL).

(2) "Acceptable source impact level (ASIL)" means a concentration of a toxic air pollutant in the outdoor atmosphere in any area which does not have restricted or controlled public access that is used to evaluate the air quality impacts of a single source. There are three types of acceptable source impact levels: Risk-based, threshold-based, and special. Concentrations for these three types of ASILs are

determined as provided in WAC 173-460-110. ASILs are listed in WAC 173-460-150 and 173-460-160.

(3) "Authority" means an air pollution control authority activated pursuant to chapter 70.94 RCW that has jurisdiction over the subject source. Ecology is the authority if an air pollution control authority has not been activated or if ecology has jurisdiction over the source pursuant to RCW 70.94.395.

(4) "Best available control technology for toxics (T-BACT)" applies to each toxic air pollutant (TAP) discharged or mixture of TAPs, taking into account the potency quantity and toxicity of each toxic air pollutant or mixture of TAPs discharged in addition to the meaning given in WAC 173-400-030(10).

(5) "Carcinogenic potency factor" means the upper 95th percentile confidence limit of the slope of the dose-response curve and is expressed in units of (mg/kg-day)⁻¹.

(6) "Class A toxic air pollutant (Class A TAP)" means a substance or group of substances listed in WAC 173-460-150.

(7) "Class B toxic air pollutant (Class B TAP)" means any substance that is not a simple asphyxiant or nuisance particulate and that is listed in WAC 173-460-160.

(8) "EPA's Dispersion Modeling Guidelines" means the United States Environmental Protection Agency Guideline on Air Quality Models, EPA ((450/2-78-0277R)) 450/2-78-027R as amended by Supplement B (September 1990) and is hereby incorporated by reference.

(9) "EPA's Risk Assessment Guidelines" means the United States Environmental Protection Agency's Guidelines for Carcinogenic Risk Assessment, 51 FR 33992 (September 24, 1986) and is hereby incorporated by reference.

(10) "Increased cancer risk of one in one hundred thousand" means the 95th percent upper bound on the estimated risk of one additional cancer above the background cancer rate per one hundred thousand individuals continuously exposed to a Class A toxic air pollutant at a given average dose for a specified time.

(11) "Increased cancer risk of one in one million" means the 95th percent upper bound on the estimated risk of one additional cancer above the background cancer rate per one million individuals continually exposed to a Class A toxic air pollutant at a given average dose for a specified time.

(12) "Inhalation Reference ((Dose)) (Inhalation ((RfD)) RfC)" means a reference ((dose)) concentration published in the United States Environmental Protection Agency Integrated Risk Information System (IRIS).

(13) "Mixture" means a combination of two or more substances mixed in arbitrary proportions.

(14) "Modification" means any physical change in, or change in the method of operation of, a stationary source that increases the amount of any toxic air contaminant emitted by such source or that results in the emission of any toxic air contaminant not previously emitted. The term modification shall be construed consistent with the definition of modification in Section 7411, Title 42, United States Code, and with rules implementing that section.

~~(15) "New toxic air pollutant source" means ((a source or emissions unit which may emit toxic air pollutants and which commenced construction after the effective date of this chapter. Addition to, enlargement, modification, replacement, or any alteration of any process or air pollutant~~

~~source which may increase emissions or ambient air concentrations of any regulated air pollutant, including toxic air pollutants, shall be construed as construction or installation or establishment of a new toxic source.~~

~~(15) "Reasonably available control technology for toxics (T-RACT)" applies to each toxic air pollutant (TAP) discharged or mixture of TAPs, taking into account the potency, quantity, and toxicity of each toxic air pollutant or mixture of TAPs discharged in addition to the meaning given in WAC 173-400-030(59));~~

(a) The construction or modification of a stationary source that increases the amount of any toxic air pollutant emitted by such source or that results in the emission of any toxic air pollutant not previously emitted; and

(b) Any other project that constitutes a new source under section 112 of the Federal Clean Air Act.

(16) "Second Tier Analysis" means an optional procedure used after T-BACT and acceptable source impact analysis for demonstrating compliance with WAC 173-460-070. The second tier analysis uses a health impact assessment as provided in WAC 173-460-090, instead of an acceptable source impact level.

(17) "Simple asphyxiant" means a physiologically inert gas or vapor that acts primarily by diluting atmospheric oxygen below the level required to maintain proper levels of oxygen in the blood. Examples of simple asphyxiants are given in Appendix X of the TLV Booklet referred to in subsection (19) of this section and incorporated by reference.

(18) "Threshold limit value-time weighted average (TLV-TWA)" means a concentration limit recommended by the American Conference of Governmental Industrial Hygienists (ACGIH) for a normal eight-hour workday and forty-hour workweek.

(19) "TLV Booklet" means "TLVs, Threshold Limit Values and Biological Exposure Indices for ((1987-88)) 1991-92," published by the American Conference of Governmental Industrial Hygienists and is hereby incorporated by reference.

(20) "Toxic air pollutant (TAP)" means any Class A or Class B toxic air pollutant listed in WAC 173-460-150 and 173-460-160. The term toxic air pollutant may include particulate matter and volatile organic compounds if an individual substance or a group of substances within either of these classes is listed in WAC 173-460-150 and/or 173-460-160. The term toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of compounds.

(21) "Upper bound unit risk factor" means the 95 percent upper confidence limit of an estimate of the extra risk of cancer associated with a continuous 70 year exposure to 1 ug/m³ of a Class A toxic air pollutant.

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-030 Requirements, applicability and exemptions. (1) Applicability.

(a) The provisions of this chapter shall apply state-wide. The authority shall enforce WAC 173-460-010, 173-460-020, 173-460-030, 173-460-040, 173-460-050, 173-460-060, 173-460-070, 173-460-080, 173-460-130, 173-460-140, 173-460-150, and 173-460-160.

(b) Except as provided in this chapter, any new toxic air pollutant source listed in (b)(i), (ii), or (iii) of this subsection that may emit a Class A or Class B TAP into the ambient air is subject to these regulations:

(i) Standard industrial classifications:

(A) Major group 10-Metal mining.

(B) Major group 12-Bituminous coal and lignite mining.

(C) Major group 13-Oil and gas extraction.

(D) Manufacturing industries major groups 20-39.

(E) Major group 49-Electric, gas, and sanitary services except 4971 irrigation systems.

(F) Dry cleaning plants, 7216.

(G) General medical surgical hospitals, 8062.

(H) Specialty hospitals, 8069.

(I) National security, 9711.

(ii) Any source or source category listed in WAC 173-400-100, 173-400-115(2), or 173-490-030(1) except WAC 173-490-030 (1)(e) gasoline dispensing facilities.

(iii) Any of the following sources:

(A) Landfills.

(B) Sites subject to chapter 173-340 WAC Model Toxics Control Act—Cleanup regulation.

(2) Exempt sources.

(a) Containers such as tanks, barrels, drums, cans, and buckets are exempt from the requirements of this chapter unless equipped with a vent other than those required solely as safety pressure release devices.

(b) Nonprocess fugitive emissions of toxic air pollutants from stationary sources, such as construction sites, unpaved roads, coal piles, waste piles, and fuel and ash handling operations are exempt from WAC 173-460-060.

(c) The following sources are generally exempt from the requirements of WAC 173-460-050, 173-460-070, 173-460-080, and 173-460-090. However, the authority may on a case-by-case basis, require compliance with these sections if the authority determines that the amount of emissions, nature of pollutant, or source location indicate that the ambient impact should be evaluated.

(i) Perchloroethylene dry cleaners

(ii) Petroleum solvent dry cleaning systems

(iii) Solvent metal cleaners

(iv) ~~((Spray coating operations))~~ Chromic acid plating and anodizing

(v) Abrasive blasting

(d) Demolition and renovation projects involving asbestos removal and disposal are exempt from the requirements of this chapter.

(e) Process vents subject to 40 C.F.R. Parts 264 and 265, Subpart AA are exempt from the requirements of this chapter.

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-040 New source review. (1) Applicability. This chapter supplements the new source review requirements of WAC 173-400-110 by adding additional new source review requirements for toxic air pollutant sources. If a notice of construction is required under both chapter 173-400 WAC and this chapter, the written applications shall be combined. A notice of construction is a written application to permit construction of a new source.

(a) The owner or operator of a new toxic air pollutant source listed in WAC 173-460-030 ~~((2))~~ (1) shall notify the authority prior to the construction, installation, or establishment of a new toxic air pollutant source and shall file a notice of construction application with the authority for the proposed emission unit(s). Notification and notice of construction are not required if the source is an exempt source listed in WAC 173-460-030 ~~((3))~~ (2) or subsection (2) of this section.

(b) The notice of construction and new source review applies only to the affected emission unit(s) and the contaminants emitted from the emission unit(s).

(c) New source review of a modification ~~((is))~~ shall be limited to the emission unit or units proposed to be modified and the ~~((emission unit or units whose emissions of TAPs may))~~ toxic air contaminants whose emissions would increase as a result of the modification.

(2) The owner or operator of a new toxic air pollutant source listed in WAC 173-460-030 ~~((2))~~ (1) is not required to notify or file a notice of construction with the authority if any of the following conditions are met:

(a) Routine maintenance or repair requires equivalent replacement of air pollution control equipment; or

(b) The new source is a minor process change(s) that does not increase capacity and total toxic air pollutant emissions do not exceed the emission rates specified in small quantity emission rate tables in WAC 173-460-080; or

(c) The new source is the result of minor changes in raw material composition and the total toxic air pollutant emissions do not exceed the emission rates specified in the small quantity emission rate tables in WAC 173-460-080.

(3) Additional information. Within thirty days of receipt of a notice of construction, the authority may require the submission of additional plans, specifications, and other information necessary for the review of the proposed new or modified source.

(4) Requirements for new toxic air pollutant sources. The authority shall review notice(s) of construction, plans, specifications, and other associated information to determine that:

(a) The source will be in accord with applicable federal, state, and authority air pollution control rules and regulations;

(b) The source will use T-BACT for emissions control for the toxic air pollutants which are likely to increase; and

(c) ~~((The source will use T-BACT for emissions control for the toxic air pollutants which are likely to remain the same or decrease; and~~

~~((d)))~~ Sources required to use T-BACT for emission control demonstrate compliance with WAC 173-460-070 by using the procedures established in WAC 173-460-080 or, failing that, demonstrates compliance, by using the additional procedures in WAC 173-460-090 and/or 173-460-100.

~~((4))~~ (5) Preliminary determination. Within thirty days after receipt of all information required, the authority shall:

(a) Make preliminary determinations on the matters set forth in this section; and

(b) Initiate compliance with the provisions of WAC 173-400-171 relating to public notice and public comment, as applicable.

~~((5))~~ (6) Final determination. If, after review of all information received including public comment, the authority

finds that all the conditions in this section are satisfied, the authority shall issue a regulatory order to approve the notice of construction for the proposed new source or modification. If the authority finds that the conditions in this section are not satisfied, the authority shall issue an order for the prevention of construction, installation, or establishment of the toxic air pollution source(s). Where ecology has jurisdiction, it will endeavor to make final determinations as promptly as possible.

~~((6))~~ (7) Appeal of decision. A final notice of construction decision may be appealed to the pollution control hearings board pursuant to chapter 43.21B RCW.

~~((7))~~ (8) Commencement of construction. The owner(s) or operator(s) of the new source shall not commence construction until the applicable notice of construction has been approved.

~~((8))~~ (9) Operation and maintenance plan. As a condition of notice of construction approval; prior to start up, the authority may require a plan for the operation and maintenance of all equipment and procedures to assure continuous compliance with this chapter.

(a) A copy of the plan shall be filed with the authority upon request.

(b) The plan shall reflect good industrial practice and may include operating parameters and maintenance procedures, and shall be updated to reflect any changes in good industrial practice.

(c) Submittal of all plans should coincide with the authorities reporting requirements where applicable.

~~((9))~~ (10) Jurisdiction. Emission of toxic air pollutants that exceed the acceptable source impact levels listed in WAC 173-460-150 and 173-460-160 requires ecology and, if applicable, authority approval as specified in WAC 173-460-090 and 173-460-100.

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-050 Requirement to quantify emissions. (1) New sources.

(a) When applying for a notice of construction, an owner or operator of a new toxic air pollution source shall quantify those emissions of each TAP or combination of TAPs that:

(i) Will be used for the modeling procedures in WAC 173-460-080; and

(ii) That may be discharged after applying required control technology. The information shall be submitted to the authority.

(b) Emissions shall be quantified in sufficient detail to determine whether the source complies with the requirements of this chapter.

(2) Small quantity sources.

Sources that choose to use small quantity emission rate tables instead of using dispersion modeling shall quantify emissions as required under WAC 173-460-080, in sufficient detail to demonstrate to the satisfaction of the authority that the emissions are less than the applicable emission rates listed in WAC 173-460-080.

(3) Level of detail.

An acceptable source impact level analysis under WAC 173-460-080, may be based on a conservative estimate of

emissions that represents good engineering judgment. If compliance with WAC 173-460-070 and 173-460-080 cannot be demonstrated, more precise emission estimates shall be used prior to WAC 173-460-090.

(4) Mixtures of toxic air pollutants.

(a) An owner or operator of a source that may discharge more than one toxic air pollutant may demonstrate compliance with WAC 173-460-070 and 173-460-080 by:

(i) Quantifying emissions and performing modeling for each TAP individually; or

(ii) ~~(Calculate)~~ Calculating the sum of all TAP emissions and perform modeling for the total TAP emissions and compare maximum ambient levels to the smallest ASIL; or

(iii) Equivalent procedures may be used if approved by ecology.

(b) Dioxin and furan emissions shall be considered together as one TAP and expressed as an equivalent emission of 2,3,7,8 TCDD based on the relative potency of the isomers in accordance with United States Environmental Protection Agency (EPA) guidelines.

Note: Copies of EPA "Interim procedures for estimating risks associated with exposures to mixtures of chlorinated dibenzo-p-dioxins and dibenzofurans (CDDs and CDFs). 1989 Update" are available by requesting EPA /625/3-89/016, March 1989 from ORD Publications (513) 684-7562.

(c) Polyaromatic hydrocarbon (PAH) emissions. The owner or operator of a source that may emit a mixture of polyaromatic hydrocarbon emissions shall quantify the following PAHs and shall consider them together as one TAP equivalent in potency to benzo(a)pyrene: benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, indeno(1,2,3-cd)pyrene, benzo(a)pyrene. The acceptable source impact analysis shall be conducted using the polyaromatic hydrocarbon emission ASIL contained in WAC 173-460-150(3).

(d) Uncontrolled roof vent emissions from primary aluminum smelters. The owner or operator of a primary aluminum smelter that may emit a mixture of polyaromatic hydrocarbons from uncontrolled roof vents shall quantify PAH emissions using either of the following methods:

(i) Quantify PAH emissions using the procedures in (c) of this subsection; or

(ii) Multiply the total particulate emission mass from the uncontrolled roof vents by the percent of the particulate that is extractable organic matter. The percent extractable organic matter shall be considered one percent of total particulate matter unless ecology determines that there is compelling scientific data which demonstrates that the use of this value is inappropriate. The acceptable source impact analysis shall be conducted using the primary aluminum smelter uncontrolled roof vent PAH emission ASIL contained in WAC 173-460-150(3). Note: For example, 100 grams of particulate air emission mass times one percent yields one gram of PAH emissions.

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-060 Control technology requirements. Except as provided for in WAC 173-460-040, a person shall not establish, operate, or cause to be established or operated

any new toxic air pollutant source which is likely to increase TAP emissions without installing and operating T-BACT. Satisfaction of the performance requirements listed below fulfill the T-BACT requirement for those particular sources. Local air pollution authorities may develop and require performance requirements in lieu of T-BACT provided that ecology approves the performance requirements as equivalent to T-BACT.

(1) Perchloroethylene dry cleaners. The entire dryer exhaust shall be vented through a control device which will reduce VOC emissions to 5 kg or less per 100 kg dry weight of cleaned articles.

(a) The control device shall meet one of the following conditions:

(i) The exhaust from a carbon adsorber shall contain less than 100 ppm perchloroethylene as measured over a period of one minute before dilution; or

(ii) The air temperature at the outlet of a refrigerated condenser shall reach seven degrees centigrade or less during the cool-down period. A temperature gauge with a minimum range from negative thirty-two to seventy-five degrees centigrade shall be installed and maintained on the condenser outlet duct; or

(iii) The demonstrated control efficiency for any other control device shall be ninety percent or greater by weight, prior to the discharge to the atmosphere measured over a complete control cycle.

(b) The operation of any perchloroethylene dry cleaner shall meet all of the following conditions:

(i) All leaking components shall be repaired immediately; and

(ii) All filtration cartridges shall be drained in the filter housing or other enclosed container before discarding the cartridges.

(2) Petroleum solvent dry cleaning systems. A petroleum solvent dry cleaning system shall include the following:

(a) All cleaned articles are dried in a solvent recovery dryer or the entire dryer exhaust is vented through a properly functioning control device which will reduce emissions to no more than 3.5 kg of VOC per 100 kg dry weight of cleaned articles; and

(b) All cartridge filtration systems are drained in their sealed housing or other enclosed container before discarding the cartridges; and

(c) All leaking components shall be repaired immediately.

(3) Chromic acid plating and anodizing. The facility-wide uncontrolled hexavalent chromium emissions from plating or anodizing tanks shall be reduced by at least ninety-five percent using either of the following control techniques:

(a) An antimist additive or other equally effective control method approved by ecology or authority; or

(b) The tank is equipped with:

(i) A ~~((close))~~ capture system which represents good engineering practice and which shall be in place and in operation at all times electrical current is applied to the tank; and

(ii) An emission control system which limits hexavalent chromium emissions to no more than 0.15 milligrams per ampere-hour of electrical charge applied to the tank or

uncontrolled emissions shall be reduced by ninety-five percent.

(4) Chromic acid ~~((and))~~ plating and anodizing (greater than 1 kilogram). If the facility-wide hexavalent chromium emissions from chromic acid plating and anodizing are greater than 1 kilogram per year after the application of control techniques required by subsection (3) of this section, the facility-wide hexavalent chromium emissions shall be reduced by at least ninety-nine percent using either of the following control techniques:

(a) An antimist additive or other equally effective control method approved by ecology or authority; or

(b) The tank is equipped with:

(i) A ~~((close))~~ capture system which represents good engineering practice and which shall be in place and in operation at all times electrical current is applied to the tank; and

(ii) An emissions control system which limits hexavalent chromium emissions to no more than 0.03 milligrams per ampere-hour of electrical charge applied to the tank or uncontrolled emissions shall be reduced by ninety-nine percent.

(5) Solvent metal cleaners.

(a) Any solvent metal cleaner shall include all of the following equipment:

(i) A cover for the solvent tank which shall be closed at all times except when processing work in the degreaser. However, the cover shall be closed to the maximum extent possible when parts are being degreased;

(ii) A facility for draining cleaned parts such that the drained solvent is returned to the solvent tank;

(iii) For cold solvent cleaners, a freeboard ratio greater than or equal to 0.75;

(iv) Vapor degreasers shall have:

(A) A high vapor cutoff thermostat with manual reset; and

(B) For degreasers with spray devices, a vapor-up thermostat which will allow spray operation only after the vapor zone has risen to the design level; and

(C) Either a freeboard ratio greater than or equal to ~~((0.75))~~ 1.00 or a refrigerated freeboard chiller; and

(v) Conveyorized vapor degreasers shall have:

(A) A drying tunnel or a rotating basket sufficient to prevent cleaned parts from carrying liquid solvent out of the degreaser; and

(B) A high vapor cutoff thermostat with manual reset; and

(C) A vapor-up thermostat which will allow conveyor movement only after the vapor zone has risen to the design vapor level.

(b) The operation of any solvent metal cleaner shall meet the following requirements:

(i) Solvent shall not leak from any portion of the degreasing equipment;

(ii) Solvent, including waste solvent, shall be stored in closed containers and shall be disposed of in such a manner as to prevent its evaporation into the atmosphere;

(iii) For cold cleaners, cleaned parts shall be drained until dripping ceases; and

(iv) Degreasers shall be constructed to allow liquid solvent from cleaned parts to drain into a trough or equivalent device and return to the solvent tank.

(c) For open-top vapor degreasers, solvent drag-out shall be minimized by the following measures:

- (i) Racked parts shall be allowed to ~~((fully))~~ drain fully;
- (ii) The work load shall be degreased in the vapor zone until condensation ceases;
- (iii) Spraying operations shall be done within the vapor layer;

(iv) When using a powered hoist, the vertical speed of parts in and out of the vapor zone shall be less than three meters per minute (ten feet per minute);

(v) When the cover is open, the lip of the degreaser shall not be exposed to steady drafts greater than 15.3 meters per minute (fifty feet per minute); and

(vi) When equipped with a lip exhaust, the fan shall be turned off when the cover is closed.

(d) For conveyORIZED vapor degreasers, solvent drag-out shall be minimized by the following measures:

- (i) Racked parts shall be allowed to fully drain; and
- (ii) Vertical conveyor speed shall be maintained at less than three meters per minute (ten feet per minute).

(6) Abrasive blasting.

(a) Abrasive blasting ~~((should))~~ shall be performed inside a booth or hangar designed to capture the blast grit or overspray.

(b) Outdoor blasting of structures or items too large to be reasonably handled indoors ~~((should))~~ shall employ control measures such as curtailment during windy periods and enclosure of the area being blasted with tarps.

(c) Outdoor blasting ~~((should))~~ shall be performed with either steel shot or an abrasive containing less than one percent (by mass) which would pass through a No. 200 sieve.

(d) All abrasive blasting with sand shall be performed inside a blasting booth or cabinet.

guidelines. If concentrations predicted by dispersion screening models exceed applicable acceptable source impact levels, more refined modeling and/or emission estimation techniques shall be used. Refined modeling techniques shall be approved by ecology and the authority. (Note: EPA's Guideline on Air Quality Models, EPA ((450/2-78-0277R)) 450/2-78-027R, can be obtained through NTIS (703) 487-4650).

(d) Averaging times. The owner or operator shall use the averaging times in (d)(i), (ii), (iii) of this subsection unless alternate averaging times are approved by ecology. Ecology may allow the use of an alternate averaging time if it determines that the operating procedures of the source may cause a high concentration of a TAP for a short period and that consideration of potential health effects due to peak exposures may be warranted for the TAP.

(i) An annual average shall be used for Class A TAPs listed in WAC 173-460-150(2).

(ii) The averaging times specified in WAC 173-460-150(3) shall be used for Class A TAPs listed in WAC 173-460-150(3).

(iii) A twenty-four-hour averaging time shall be used for Class B TAPs listed in WAC 173-460-160.

(e) Small quantity emission rates. Instead of using dispersion modeling to show compliance with ambient impact demonstration requirements in WAC 173-460-080 and 173-460-090, a source may use the small quantity emission rate tables for all toxic air pollutants with acceptable source impact levels equal to or greater than 0.001 ug/m3. A source must first meet control technology and emission quantification requirements of WAC 173-460-050 and 173-460-060, then demonstrate that the source emission rate does not exceed the rates specified in the appropriate table below.

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-080 Demonstrating ambient impact compliance. (1) When applying for a notice of construction under WAC 173-460-040, the owner or operator of a new toxic air pollutant source which is likely to increase TAP emissions shall complete an acceptable source impact level analysis for Class A and Class B TAPs. The authority may complete this analysis.

(2) Acceptable source impact analysis.

(a) Carcinogenic effects. The owner or operator shall use dispersion modeling to estimate the maximum incremental ambient impact of each Class A TAP from the source and compare the estimated incremental ambient values to the Class A acceptable source impact levels in WAC 173-460-150. If applicable, the source may use the small quantity emission rate tables in (e) of this subsection.

(b) Other toxic effects. The owner or operator shall use dispersion modeling to estimate the maximum incremental ambient impact of each Class B TAP from the source and compare the estimated ambient values to the Class B acceptable source impact levels in WAC 173-460-160. If applicable, the source may use the small quantity emission rate tables in (e) of this subsection.

(c) Dispersion modeling. The owner or operator shall use dispersion modeling techniques in accordance with EPA

SMALL QUANTITY EMISSION RATES
CLASS A TOXIC AIR POLLUTANTS

Acceptable Source Impact Level (Annual ug/m3)	TAP Emissions Pounds per Year (10 meter stack and downwash)
0.001 to 0.0099	0.5
0.01 to 0.06	10
0.07 to 0.12	20
0.13 to 0.99	50
1.0 to 10	500

SMALL QUANTITY EMISSION RATES
CLASS B TOXIC AIR POLLUTANTS

Acceptable Source Impact Level (24 hour ug/m3)	TAP Emissions Pounds per Year	Pounds per Hour
Less than 1	175	0.02
1 to 9.9	175	0.02
10 to 29.9	1,750	0.20
30 to 59.9	5,250	0.60
60 to 99.9	10,500	1.20
100 to 129.9	17,500	2.0
130 to 250	22,750	2.6
Greater than 250	43,748	5.0

(3) Criteria for compliance. Compliance with WAC 173-460-070 is demonstrated if the authority determines that, on the basis of the acceptable source impact analysis, the source's maximum incremental ambient air impact levels do

not exceed the Class A or Class B acceptable source impact levels in WAC 173-460-150 and 173-460-160; or, if applicable, the source TAP emission rates do not exceed the rates specified in subsection (2)(e) of this section.

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-090 Second tier analysis. (1) Applicability.

(a) The owner or operator who cannot demonstrate class A or class B TAP source compliance with WAC 173-460-070 and 173-460-080 using an acceptable source impact level analysis as provided in WAC 173-460-080(2), may submit a petition requesting ecology perform a second tier analysis evaluation to determine a means of compliance with WAC 173-460-070 and 173-460-080 by establishing allowable emissions for the source. Petitions for second tier analysis evaluation shall be submitted to the local authority or ecology if ecology has jurisdiction over the source. Petitions received by local authorities shall be submitted to ecology within ten days of receipt. A second tier analysis evaluation may be requested when a source wishes to more accurately characterize risks, to justify risks greater than acceptable source impact levels, or to otherwise modify assumptions to more accurately represent risks. Risks may be more accurately characterized by utilizing updated EPA unit risk factors, inhalation reference (~~(((doses)))~~) concentrations, or other EPA recognized or approved methods. Ecology shall specify the maximum allowable emissions of any class A or class B TAP source based on ecology's second tier analysis evaluation.

(b) Ecology shall evaluate a source's second tier analysis only if:

(i) The authority has advised ecology that other conditions for processing the notice of construction have been met; and

(ii) Emission controls contained in the conditional notice of construction represent at least T-BACT; and

(iii) Ambient concentrations exceed acceptable source impact levels after using more refined emission quantification and air dispersion modeling techniques.

(c) Ecology shall determine whether the conditions in (b)(i), (ii), and (iii) of this subsection for a second tier analysis have been satisfied within ten working days of receipt of all information needed to make the determination. The matter shall be returned to the authority if ecology finds the conditions for a second tier analysis evaluation have not been met.

(2) Jurisdiction.

(a) Any second tier analysis application submitted by a source wishing to emit toxic air pollutants at levels greater than the acceptable source impact level contained in WAC 173-460-150 or 173-460-160 shall be approved or rejected by ecology.

(b) Any new emission limits approved by ecology as a result of the second tier analysis evaluation shall be enforced by the authority provided the authority approves the new emission limits.

(3) Approval criteria.

(a) Based on the second tier analysis, ecology may approve the emissions of TAPs from a source where ambient

concentrations exceed acceptable source impact levels only if it determines that emission controls represent at least T-BACT and the source demonstrates that emissions of Class A TAPs are not likely to result in an increased cancer risk of more than one in one hundred thousand. The emission of Class A TAPs at levels likely to result in an increased cancer risk of more than one in one hundred thousand requires the approval of the director after complying with WAC 173-460-100.

(b) Ecology shall consider the second tier analysis and other information submitted by the applicant as well as department of health comments.

(i) Comments from other agencies and universities with appropriate expertise may also be considered in the decision to approve emissions that exceed acceptable source impact levels.

(ii) Public comments shall be considered if the source applies for a risk management decision under WAC 173-460-100.

(4) Contents of the second tier analysis.

(a) The second tier analysis consists of a health impact assessment. The applicant shall complete and submit a health impact assessment to ecology which includes the following information. Ecology may approve the submittal of less information if it determines that such information is sufficient to perform the second tier analysis evaluation. The health impact assessment shall be prepared in accordance with EPA's risk assessment guidelines as defined in WAC 173-460-020(~~(((8)))~~) (9).

(i) Demographics such as population size, growth, and sensitive subgroups;

(ii) Toxicological profiles of all toxic air pollutants that exceed the ASIL;

(iii) Characterization of existing pathways and total daily intake for toxic air pollutants that exceed the ASIL;

(iv) Contribution of the proposed source toward total daily intake for toxic air pollutants that exceed the ASIL;

(v) Using existing data, characterization of risk from current exposure to the toxic air pollutants that exceed the ASIL. This includes existing TAP sources in the area, and anticipated risk from the new source;

(vi) Additive cancer risk for all Class A toxic air pollutants which may be emitted by the source;

(vii) Other information requested by ecology and pertinent to ecology's decision to approve the second tier application;

(viii) Uncertainty in the data; and

(ix) Length of exposure and persistence in the environment.

(b) The health assessment shall utilize current scientific information. New scientific information on the toxicological characteristics of toxic air pollutants may be used to justify modifications of upper bound unit risk factors used to calculate ASILs in WAC 173-460-150 and/or absorption rates of individual toxic air pollutants if ecology determines there is compelling scientific data which demonstrates that the use of EPA recognized or approved methods are inappropriate.

(5) Additional information.

(a) If approved by ecology, newly discovered scientific information which was unavailable at the time of the original submission of the health assessment may be used to justify

modifications of the original health assessment. Ecology may approve the additional information if the source exercised due diligence at the time of original submission.

(b) Within thirty days after receipt of the second tier analysis and all supporting data and documentation, ecology may require the submission of additional information needed to evaluate the second tier analysis.

(6) Determination.

(a) If the second tier analysis is approved by ecology, ecology will return the petition to the authority and the authority may approve the notice of construction.

(b) The authority shall specify allowable emissions consistent with ecology's second tier analysis evaluation determination expressed in weight of pollutant per unit time for each emissions unit involved in the application. The notice of construction shall also include all requirements necessary to assure that conditions of this chapter and chapter 173-400 WAC are satisfied.

(7) Public notification requirements.

Ecology decisions regarding second tier analysis or decisions under WAC 173-460-100 shall comply with public notification requirements contained in WAC 173-400-171.

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-100 Request for risk management decision. (1) Applicability. The owner or operator of a source that emits Class A TAPs that are likely to result in an increased cancer risk of more than one in one hundred thousand may request that ecology establish allowable emissions for the source.

(2) Contents of the application.

The applicant shall meet the submittal requirements of WAC 173-460-090(1) and submit all materials required under WAC 173-460-090 (4) and (5). The applicant may submit the request for a risk management decision concurrently with the second tier analysis application. Prior denial of the second tier analysis application under WAC 173-460-090(6) is not required.

(3) Criteria for approval. Ecology may approve the emissions of TAPs from a source where ambient concentrations are likely to result in an increased cancer risk of more than one in one hundred thousand only if the source first demonstrates the following:

(a) Proposed emission controls represent all known available and reasonable technology; and

(b) Application of all known available toxic air pollution prevention methods to reduce, avoid, or eliminate toxic air pollutants prior to their generation including recycling, chemical substitution, and efforts to redesign processes; and

(c) The proposed changes will result in a greater benefit to the environment as a whole.

(4) Additional methods to reduce toxic air pollutants. In addition to the requirements in subsection (3) of this section, the owner or operator may propose and ecology may consider ~~((innovative or established))~~ measures that ~~((are likely to))~~ would reduce community exposure, especially exposure of that portion of the community subject to the greatest additional risk, to comparable toxic air pollutants provided that such measures are not already required.

~~((Examples of innovative measures include but are not limited to:~~

~~(a) Reducing vehicle miles traveled to the facility through vanpool programs and transportation management plans;~~

~~(b) Permanent removal of woodstoves; and~~

~~(c) Purchasing used automobiles. Examples of established methods include, but are not limited to, emission bubbles and offsets.))~~

(5) Public involvement. Ecology will ~~((endeavor to))~~ initiate public notice and comment within thirty days of receipt of a completed risk management decision application. In addition to the public notice and comment requirements of WAC 173-400-171, the owner or operator shall hold a public hearing to:

(a) Present the results of the second tier analysis, the proposed emission controls, pollution prevention methods, additional proposed measures, and remaining risks; and

(b) Participate in discussions ~~((with))~~ and answer questions ~~((from the affected community)).~~

(6) Time limitation. The owner or operator shall commence construction within eighteen months of the director's approval.

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-110 Acceptable source impact levels.

There are three types of acceptable source impact levels: Risk-based, threshold-based, and special acceptable source impact levels. They are computed as follows:

(1) Risk-based acceptable source impact levels for Class A TAPs. Risk-based acceptable source impact levels means the annual average concentration, in micrograms per cubic meter, that may cause an increased cancer risk of one in one million. Ecology shall calculate the risk-based acceptable source impact levels for Class A TAPs in WAC 173-460-150(2) using the following equation:

$$\text{Risk based ASIL (ug/m3)} = \frac{\text{RISK}}{\text{URF}}$$

*Where:

RISK = Cancer risk level (1 in 1,000,000)

URF = Upper bound unit risk factor as published in IRIS data base or other appropriate sources (ug/m3)-1.

(2) Threshold-based acceptable source impact levels for Class B TAPs. Threshold-based acceptable source impact levels in WAC 173-460-160 shall be determined as follows:

(a) If a Class B TAP has an Environmental Protection Agency Inhalation Reference ~~((Dose))~~ Concentration, the inhalation reference ~~((dose))~~ concentration and specified averaging time shall be used.

(b) Other Class B TAP acceptable source impact levels shall be determined by dividing the TLV-TWA by three hundred to calculate a twenty-four hour TWA acceptable source impact level.

(3) Special acceptable source impact levels.

(a) Ecology may establish special acceptable source impact levels for TAPs for which upper bound risk factors or TLVs have not been established, or for mixtures of compounds if it determines that the above acceptable source

impact level methods are not appropriate, do not adequately protect human health or are overly stringent.

(b) The averaging times for special ASILs are listed in WAC 173-460-150(3).

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-150 Class A toxic air pollutants: Known, probable and potential human carcinogens and acceptable source impact levels.

(1) TABLE I
CLASS A TOXIC AIR POLLUTANTS
Known and Probable Carcinogens

CAS #	SUBSTANCE
75-07-0	Acetaldehyde
53-96-3	<u>Acetylaminofluorene</u>
79-06-1	<u>Acrylamide</u>
107-13-1	Acrylonitrile
309-00-2	Aldrin
—	Aluminum smelter polyaromatic hydrocarbon emissions
117-79-3	2-Aminoanthraquinone
97-56-3	o-Aminoazotoluene
92-67-1	4-Aminobiphenyl
61-82-5	Amitrole
62-53-3	<u>Aniline</u>
90-04-0	<u>o-Anisidine</u>
(—)	(—)
C7440-38-2	Arsenic and inorganic arsenic compounds
1332-21-4	Asbestos
2465-27-2	Auramine (technical grade)
56-55-3	Benz(a)anthracene
71-43-2	Benzene
92-87-5	Benzidine and its salts
50-32-8	Benzo(a)pyrene
((204-99-2))	(—)
205-99-2	Benzo(b)fluoranthene
205-82-3	Benzo(j)fluoranthene
((205-08-9))	(—)
207-08-9	Benzo(k)fluoranthene
1694-09-3	Benzyl violet 4b
(—)	(—)
7440-41-7	Beryllium and compounds
111-44-4	Bis(2-chloroethyl)ether
117-81-7	Bis(2-ethylhexyl)phthalate (<u>DEHP</u>)
542-88-1	Bis(chloromethyl)ether ((and technical grade chloromethyl methyl ether))
75-25-2	<u>Bromoform</u>
106-99-0	1,3-Butadiene
3068-88-0	B-Butyrolactone
(—)	(—)
7440-43-9	Cadmium and compounds
56-23-5	Carbon tetrachloride
57-74-9	Chlordane
((74-87-3)	Chlorodibromoethane))
510-15-6	<u>Chlorobenzilate</u>
67-66-3	Chloroform
107-30-2	Chloromethyl methyl ether (technical-grade)
108-43-0	Chlorophenols
126-99-8	Chloroprene
(—)	(—)
C7440-47-3	Chromium, hexavalent metal and compounds
—	Coke oven emissions
8001-58-9	Creosote
135-20-6	Cupferron
94-75-7	2,4-D and esters
3547-04-4	<u>DDE (p,p'-Dichloroethylene)</u>
50-29-3	DDT (1,1,1 Trichloro-2,2-Bis(p-chlorophenyl)-ethane)
613-35-4	N,N-Diacetylbenzidine
101-80-4	4,4'-Diaminodiphenyl ether

226-36-8	Dibenz(a,h)acridine
53-70-3	Dibenz(a,h)anthracene
224-42-0	Dibenz(a,j)acridine
132-64-9	<u>Dibenzofurans</u>
189-64-0	Dibenzo(a,h)pyrene
191-30-0	Dibenzo(a,l)pyrene
189-55-9	((1,2,7,8-Dibenzopyrene (dibenzo(a,i)pyrene)))
192-65-4	<u>1,2,7,8-Dibenzopyrene (dibenzo(a,i)pyrene)</u>
764-41-0	Dibenzo(a,e)pyrene
28434-86-8	1,4-Dichloro-2-butene
106-46-7	3,3'-Dichloro-4,4'-diaminodiphenyl ether
91-94-1	1,4-Dichlorobenzene
107-06-2	3,3'-Dichlorobenzidine
75-09-2	1,2-Dichloroethane (ethylene chloride)
696-28-6	Dichloromethane (methylene chloride)
78-87-5	Dichlorophenylarsine (arsenic group)
60-57-1	1,2-Dichloropropane
1615-80-1	Dieldrin
101-90-6	1,2-Diethylhydrazine
119-90-4	Diglycidyl resorcinol ether
119-93-7	3,3'-Dimethoxybenzidine (ortol-dianisidine)
77-78-1	<u>3,3-Dimethyl benzidine</u>
540-73-8	Dimethyl sulfate
((25321-14-6	1,2-Dimethylhydrazine
((123-91-9))	Dinitrotoluenes (mixed))
123-91-1	(—)
—	1,4-Dioxane
122-66-7	Dioxins and furans
106-89-8	1,2-Diphenylhydrazine
106-93-4	<u>Epichlorohydrin</u>
75-21-8	Ethylene ((Dibromide)) dibromide (dibromethane)
96-45-7	Ethylene oxide
50-00-0	<u>Ethylene thiourea</u>
67-45-8	Formaldehyde
765-34-4	<u>Furazolidone</u>
76-44-8	Furium (nitrofurans group)
118-74-1	Glyciadialdehyde
319-84-6	Heptachlor
319-85-7	Hexachlorobenzene
((580-89-9))	Hexachlorocyclohexane (Lindane) Alpha BHC
58-89-9	Hexachlorocyclohexane (Lindane) Beta BHC
((67-72-1	Hexachlorocyclohexane (Lindane) Gamma BHC
680-31-9	Hexachloroethane))
302-01-2	<u>Hexamethylphosphoramide</u>
193-39-5	<u>Hydrazine</u>
—	Indeno(1,2,3-cd)pyrene
301-04-2	Isopropyl oils
7446-27-7	<u>Lead compounds</u>
58-89-9	Lead acetate
129-15-7	Lead phosphate
71856-48-9	<u>Lindane</u>
592-62-1	2-Methyl-1-nitroanthraquinone
3697-24-3	<u>Methyl azoxymethanol-B-D-glucosiduronic acid</u>
101-14-4	((<u>Methylazoxymethanol</u> & <u>Methyl azoxymethanol</u>) acetate
838-88-0	5-Methylchrysene
101-77-9	4,4'-Methylenebis(2-chloroaniline) (MBOCA)
13552-44-8	4,4'-Methylenebis(2-methylaniline)
64091-91-4	((4,4-Methylenedianiline)) 4,4-Methylene dianiline
(—)	4,4-Methylenedianiline dihydrochloride
2385-85-5	4-(Methylnitrosamino)-1-(3-pyridyl)-1-butanone
139-91-3	(—)
924-16-3	Mirex
134-32-7	5-(Morpholinomethyl)-3-((5-nitrofurfurylidene)amino)-2-oxazoli ((din-one)) <u>dinone (furaltudone)</u>
C7440-02-0	<u>N-Nitrosodi-n-butylamine</u>
531-82-8	1-Naphthylamine
759-73-9	Nickel and compounds
621-64-7	N-(4-(5-Nirto-2-furyl)-2-thiazolyl)acetamide
10595-95-6	N-Nitroso-n-ethylurea (NEU)
59-89-2	N-Nitrosodi-n-propylamine
86-30-6	N-Nitrosomethylethylamine
55-18-5	N-Nitrosomorpholine
62-75-9	N-Nitrosodiphenylamine
—	N-Nitrosodiethylamine (diethylnitrosoamine) (DEN)
—	N-Nitrosodimethylamine

602-87-9	5-Nitroacenaphthene
1836-75-5	Nitrofen
	Nitrofurans ((<u>Furazolidone</u>))
59-87-0	Nitrofurazone
555-84-9	1-(5-Nitrofurfurylidene)amino)-2-imidazolidinone
126-85-2	Nitrogen mustard N-oxide
302-70-5	Nitrogen mustard N-oxide hydrochloride
79-46-9	2-Nitropropane
615-53-2	N-Nitroso-n-methylurethane
2646-17-5	Oil orange SS
794-93-4	Panfuran S (dihydroxymethylfuratrizine)
87-86-5	<u>Pentachlorophenol</u>
127-18-4	Perchloroethylene (tetrachloroethylene)
63-92-3	Phenoxybenzamine hydrochloride
	N-Phenyl-2-naphthylamine
	Polyaromatic hydrocarbons (PAH)
1336-36-3	Polychlorinated biphenyls (PCBs)
3761-53-3	Ponceau MX
	P(p)(alpha, alpha, alpha)-Tetra-chlorotoluene
1120-71-4	<u>1,3-Propane sultone</u>
75-56-9	<u>Propylene oxide</u>
1746-01-6	2,3,7,8-Tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD)
139-65-1	4,4'-Thiodianiline
1314-20-1	Thorium dioxide
95-80-7	<u>2,4-Toluene diamine</u>
584-84-9	2,4-Toluene diisocyanate
95-53-4	o-Toluidine ((<u>& its hydrochloride</u>))
636-21-5	<u>o-Toluidine hydrochloride</u>
8001-35-2	Toxaphene
55738-54-0	Trans-2((Dimethylamino)methylimino)-5-(2-(5-nitro-2-furyl) vinyl)-1,3,4-oxadiazole
79-01-6	Trichloroethylene
(25167-82-2))	
88-06-2	<u>2,4,6-Trichlorophenol ((mixed))</u>
75-01-4	<u>Vinyl chloride</u>

(2) TABLE II
CLASS A TOXIC AIR POLLUTANTS
WITH ESTABLISHED
ACCEPTABLE SOURCE IMPACT LEVELS

CAS #	SUBSTANCE	10-6 RISK ASIL MICRO- GRAMS/M ³ ANNUAL AVERAGE
(75-07-0)	Acetaldehyde	0.4500000
107-13-1	Acrylonitrile	0.0150000
309-00-2	Aldrin	0.0002000
	Arsenic and inorganic arsenic compounds	0.0002300
1332-21-4	Asbestos (Note: fibers/ml)	0.0000042
71-43-2	Benzene	0.1200000
92-87-5	Benzidine and its salts	0.0000150
50-32-8	Benzo(a)pyrene	0.0006000
	Beryllium and compounds	0.0004200
111-44-4	Bis(2-chloroethyl)ether	0.0030000
542-88-1	Bis(chloromethyl)ether and technical-grade chloromethyl methyl ether	0.0000160
	Cadmium and compounds	0.0005600
56-23-5	Carbon tetrachloride	0.0670000
57-74-9	Chlordane	0.0027000
67-66-3	Chloroform	0.0430000
108-43-0	Cholorphenols	0.1800000
	Chromium, hexavalent metal and compounds	0.0000830
	Coke oven emissions	0.0016000
50-29-3	DDT (1,1,1 Trichloro 2,2 Bis-(p-chlorophenyl) ethane)	0.0100000
	1,4 Dichloro 2 butene	0.0003800
107-06-2	1,2-Dichloroethane (ethylene chloride)	0.0400000
75-09-2	Dichloromethane (methylene chloride)	2.0000000
60-57-1	Dieldrin	0.0002000
122-66-7	1,2-Diphenylhydrazine	0.0045000
106-93-4	Ethylene Dibromide	0.0045000
75-21-8	Ethylene oxide	0.0100000

50-00-0	Formaldehyde	0.0770000
76-44-8	Heptachlor	0.0007700
118-74-1	Hexachlorobenzene	0.0020000
67-72-1	Hexachloroethane	0.2500000
127-18-4	Perchloroethylene (tetrachloroethylene)	1.1000000
1746-01-6	2,3,7,8-Tetrachlorodibenzi-p-dioxin (2,3,7,8-TCDD)	0.0000003
8001-35-2	Toxaphene	0.0030000
79-01-6	Trichloroethylene	0.8000000
25167-82-2	Trichlorophenol (mixed)	0.1800000
75-01-4	Vinyl Chloride	0.0230000
75-07-0	Acetaldehyde	0.4500000
79-06-1	Acrylamide	0.0007700
107-13-1	Acrylonitrile	0.0150000
309-00-2	Aldrin	0.0002000
62-53-3	Aniline	6.3000000
C7440-38-2	Arsenic and inorganic arsenic compounds	0.0002300
1332-21-4	Asbestos (Note: fibers/ml)	0.0000044
71-43-2	Benzene	0.1200000
92-87-5	Benzidine and its salts	0.0000150
50-32-8	Benzo(a)pyrene	0.0004800
7440-41-7	Beryllium and compounds	0.0004200
111-44-4	Bis(2-chloroethyl)ether	0.0030000
117-81-7	Bis(2-ethylhexyl)phthalate (DEHP)	2.5000000
542-88-1	Bis(chloromethyl)ether	0.0000160
75-25-2	Bromoform	0.9100000
106-99-0	1,3-Butadiene	0.0036000
7440-43-9	Cadmium and compounds	0.0005600
56-23-5	Carbon tetrachloride	0.0670000
57-74-9	Chlordane	0.0027000
510-15-6	Chlorobenzilate	0.2000000
67-66-3	Chloroform	0.0430000
108-43-0	Cholorphenols	0.1800000
C7440-47-3	Chromium, hexavalent metal and compounds	0.0000830
	Coke oven emissions	0.0016000
3547-04-4	DDE (p,p'-dichlorodiphenyldichloroethylene)	0.1000000
50-29-3	DDT (1,1,1 Trichloro-2,2-Bis-(p-chlorophenyl)-ethane)	0.0100000
	1,4-Dichloro-2-butene	0.0003800
106-46-7	1,4-Dichlorobenzene	1.5000000
91-94-1	3,3'-Dichlorobenzidine	0.0770000
107-06-2	1,2-Dichloroethane (ethylene chloride)	0.0380000
75-09-2	Dichloromethane (methylene chloride)	0.5600000
60-57-1	Dieldrin	0.0002200
119-93-7	3,3-Dimethyl benzidine	0.0038000
123-91-1	1,4-Dioxane	0.0320000
122-66-7	1,2-Diphenylhydrazine	0.0045000
106-89-8	Epichlorohydrin	0.8300000
106-93-4	Ethylene dibromide	0.0045000
75-21-8	Ethylene oxide	0.0100000
96-45-7	Ethylene thiourea	1.0000000
50-00-0	Formaldehyde	0.0770000
76-44-8	Heptachlor	0.0007700
118-74-1	Hexachlorobenzene	0.0022000
58-89-9	Hexachlorocyclohexane (Lindane) gamma BHC	0.0026000
302-01-2	Hydrazine	0.0002000
C7440-02-0	Nickel and compounds	0.0021000
924-16-3	N-Nitrosodi-n-butylamine	0.0006300
55-18-5	N-Nitrosodiethylamine (diethylnitrosoamine)(DEN)	0.0000230
62-75-9	N-Nitrosodimethylamine	0.0000710
79-46-9	2-Nitropropane	0.0003700
87-86-5	Pentachlorophenol	0.3300000
127-18-4	Perchloroethylene (tetrachloroethylene)	1.1000000
1336-36-3	Polychlorinated biphenyls (PCB)	0.0045000
75-56-9	Propylene oxide	0.2700000
1746-01-6	2,3,7,8-Tetrachlorodibenzi-p-dioxin (2,3,7,8-TCDD)	0.0000003
95-80-7	2,4-Toluene diamine	0.0110000
95-53-4	o-Toluidine	0.1400000
636-21-5	o-Toluidine hydrochloride	0.1400000
8001-35-2	Toxaphene	0.0031000
79-01-6	Trichloroethylene	0.5900000
88-06-2	2,4,6-Trichlorophenol ((mixed))	0.3200000
75-01-4	Vinyl chloride	0.0120000

(3) TABLE III
CLASS A TOXIC AIR POLLUTANTS
WITH SPECIAL ACCEPTABLE SOURCE
IMPACT LEVELS

CAS #	SUBSTANCE	ASIL MICROGRAMS/M ³	AVERAGING TIME
(Primary aluminum smelter uncontrolled roof vent polyaromatic hydrocarbon (PAH) emissions (Note: Quantify according to WAC 173-460-050 (4)(d))	0.0013	Annual
61-82-5	Amitrole	0.6	24 hour
106-99-0	1,3-Butadiene	73.3	24 hour
126-99-8	B-Chloroprene	116.6	24 hour
94-75-7	2,4-D and esters	33.3	24 hour
106-46-7	1,4-Dichlorobenzene	1500	24 hour
78-87-5	1,2-Dichloropropane	1166.6	24 hour
77-78-1	Dimethyl sulfate	1.6	24 hour
540-73-8	1,2-Dimethylhydrazine	3.3	24 hour
123-91-9	1,4-Dioxane	300	24 hour
58-89-9	Lindane	1.6	24 hour
101-14-4	4,4'-Methylenebis (2-Chloroaniline) (MBOCA)	0.7	24 hour
101-77-9	4,4-Methylenedianiline	2.6	24 hour
7440-02-0	Nickel and compounds	3.3	24 hour
79-46-9	2-Nitropropane	116.6	24 hour
	Polyaromatic hydrocarbon (PAH) emissions (Note: Quantify according to WAC 173-460-050 (4)(d))	0.0006	Annual
584-84-9	2,4-Toluene diisocyanate	0.1	24 hour
95-53-4	O-Toluidine	30	24 hour
	Primary aluminum smelter uncontrolled roof vent polyaromatic hydrocarbon (PAH) emissions (Note: Quantify according to WAC 173-460-050 (4)(d))	0.0013	Annual
61-82-5	Amitrole	0.06	24 hour
90-04-0	o-Anisidine	1.7	24 hour
126-99-8	B-Chloroprene	120	24 hour
94-75-7	2,4-D and esters	33	24 hour
78-87-5	1,2-Dichloropropane	4.0	24 hour
77-78-1	Dimethyl sulfate	1.7	24 hour
540-73-8	1,2-Dimethylhydrazine	4.0	24 hour
319-84-6	Hexachlorocyclohexane (Lindane) alpha BHC	1.7	24 hour
319-85-7	Hexachlorocyclohexane (Lindane) beta BHC	1.7	24 hour
	Lead compounds	0.5	24 hour
58-89-9	Lindane	1.7	24 hour
101-14-4	4,4'-Methylenebis (2-Chloroaniline) (MBOCA)	0.7	24 hour
101-77-9	4,4-Methylenedianiline	2.7	24 hour
	Polyaromatic hydrocarbon (PAH) emissions (Note: Quantify according to WAC 173-460-050 (4)(d))	0.00048	Annual
584-84-9	2,4-Toluene diisocyanate	0.12	24 hour

AMENDATORY SECTION (Amending Order 90-62, filed 6/18/91, effective 9/18/91)

WAC 173-460-160 Class B toxic air pollutants and acceptable source impact levels. The following table lists Class B toxic air pollutants and acceptable source impact levels:

CLASS B TOXIC AIR POLLUTANTS AND ACCEPTABLE SOURCE IMPACT LEVELS

CAS#	SUBSTANCE	ASIL MICROGRAMS/M ³ TWENTY-FOUR-HOUR AVERAGE
((86-88-4	ANTU	1.0
75-07-0	Acetic acid	83.3
108-24-7	Acetic anhydride	66.6
67-64-1	Acetone	5927.4
75-05-8	Acetonitrile	233.1
79-27-6	Acetylene tetrabromide	50.0
107-02-8	Aerolein	0.8
79-06-1	Acrylamide	0.1
79-10-7	Acrylic acid	99.9
107-18-6	Allyl alcohol	16.7
106-92-3	Allyl glycidyl ether (AGE)	73.3
2179-59-1	Allyl-propyl disulfide	40.0
7429-90-5	Aluminum, Al alkyls	6.7
7429-90-5	Aluminum, as Al metal dust	33.3
7429-90-5	Aluminum, as Al pyro powders	16.7
7429-90-5	Aluminum, as Al soluble salts	6.7
7429-90-5	Aluminum, as Al welding fumes	16.7
504-29-0	2-Aminopyridine	6.7
7664-41-7	Ammonia	59.9
12125-02-9	Ammonium chloride fume	33.3
3825-26-1	Ammonium perfluorooctanoate	0.3
7773-06-0	Ammonium sulfamate	33.3
628-63-7	n-Amyl acetate	1764.9
626-38-0	see Amyl acetate	2214.5
62-53-3	Aniline & homologues	33.3
29191-52-4	Anisidine (o,p isomers)	1.7
7440-36-0	Antimony & compounds as Sb	1.7
1309-64-4	Antimony trioxide, as Sb	1.7
7784-42-1	Arsine	0.7
8052-42-4	Asphalt (petroleum) fumes	16.7
1912-24-9	Atrazine	16.7
86-50-0	Azinphos methyl	0.7
7440-39-3	Barium, soluble compounds Ba	1.7
17804-35-2	Benomyl	33.3
94-36-0	Benzoyl Peroxide	16.7
100-44-7	Benzyl chloride	16.7
92-52-4	Biphenyl	5.0
1304-82-1	Bismuth telluride	33.3
1304-82-1	Bismuth telluride Se doped	16.7
1303-96-4	Borates, anhydrous	3.3
1303-96-4	Borates, decahydrate	16.7
1303-96-4	Borates, pentahydrate	3.3
1303-86-2	Boron oxide	33.3
10294-33-4	Boron tribromide	33.3
7726-95-6	Boron trifluoride	10.0
214-40-9	Bromacil	33.3
7726-95-6	Bromine	2.3
7789-30-2	Bromine pentafluoride	2.3
75-25-2	Bromoform	16.7
106-97-8	Butane	6327.0
111-76-2	2-Butoxyethanol	399.6
123-86-4	n-Butyl acetate	2364.3
105-46-4	see Butyl acetate	3163.5
540-88-5	tert Butyl acetate	3163.5
141-32-2	Butyl acrylate	183.2
71-36-3	n-Butyl alcohol	499.5
78-92-2	see Butyl alcohol	1015.7
75-65-0	tert Butyl alcohol	999.0
1189-85-1	tert Butyl chromate, as CrO3	0.3
2426-08-6	n-Butyl glycidyl ether (BGE)	449.6
138-22-7	n-Butyl lactate	83.3
109-79-5	Butyl mercaptan	5.0
109-73-9	Butylamine	50.0
89-72-5	o-see Butylphenol	99.9
98-51-1	p-tert Butyltoluene	199.8
156-62-7	Calcium cyanamide	1.7
1305-62-0	Calcium hydroxide	16.7

PROPOSED

1305 78 8	Calcium oxide	6.7	75 71 8	Dichlorodifluoromethane	16483.5
76 22 2	Camphor, synthetic	40.0	75 34 3	1,1-Dichloroethane	2697.3
105 60 2	Caprolactam, dust	3.3	111 44 4	Dichloroethyl ether	99.9
105 60 2	Caprolactam, vapor	66.6	540 59 0	1,2-Dichloroethylene	2630.7
2425 06 1	Captafol	0.3	75 43 4	Dichlorofluoromethane	133.2
133 06 2	Captan	16.7	78 87 5	1,2-Dichloropropane	1165.5
63 25 2	Carbaryl	16.7	542 75 6	Dichloropropene	16.7
1563 66 2	Carbofuran	0.3	75 99 0	2,2-Dichloropropionic acid	20.0
1333 86 4	Carbon black	11.7	76 14 2	Dichlorotetrafluoroethane	23310.0
75 15 0	Carbon disulfide	99.9	62 73 7	Dichlorvas	3.3
558 13 4	Carbon tetrabromide	4.7	141 66 2	Dierotophos	0.8
353 50 4	Carbonyl fluoride	16.7	77 73 6	Diethylpentadiene	99.9
120 80 9	Catechol	66.6	102 54 5	Diethylpentadienyl iron	33.3
21351 79 1	Cesium hydroxide	6.7	60 57 1	Dieldrin	0.8
8001 35 2	Chlorinated camphene	1.7	111 42 2	Diethanolamine	50.0
	Chlorinated diphenyl oxide	1.7	96 22 0	Diethyl ketone	2347.7
7782 50 5	Chlorine	10.0	84 66 2	Diethyl phthalate	16.7
10049 04 4	Chlorine dioxide	1.0	109 89 7	Diethylamine	99.9
7790 91 2	Chlorine trifluoride	1.3	100 37 8	Diethylaminoethanol	166.5
600 25 9	1-Chloro-1-nitropropane	33.3	111 40 0	Diethylene triamine	13.3
107 20 0	Chloroacetaldehyde	10.0	75 61 6	Difluorodibromomethane	2863.8
532 27 4	α-Chloroacetophenone	1.0	2238 07 5	Diglycidyl ether	1.7
79 04 9	Chloroacetyl chloride	0.7	108 83 8	Diisobutyl ketone	499.5
2698 41 1	o-Chlorobenzylidene malonitrile	1.3	108 18 9	Diisopropylamine	66.6
108 90 7	Chlorobenzene	1165.5	127 19 5	Dimethyl acetamide	116.6
74 97 5	Chlorobromomethane	3496.5	124 40 3	Dimethylamine	59.9
75 45 6	Chlorodifluoromethane	11655.0	121 69 7	Dimethylaniline	83.3
76 15 3	Chloropentafluoroethane	21045.6	68 12 2	Dimethylformamide	99.9
76 06 2	Chloropicrin	2.3	57 14 7	1,1-Dimethylhydrazine	3.3
2039 87 4	o-Chlorostyrene	949.1	131 11 3	Dimethylphthalate	16.7
95 49 8	o-Chlorotoluene	832.5	148 01 6	Dinitolmide	16.7
2921 88 2	Chlorpyrifos	0.7	534 52 1	Dinitro o-cresol	0.7
7440 47 3	Chromium (II) compounds, as Cr	1.7	528 29 0	Dinitrobenzene, all isomers	3.3
7440 47 3	Chromium (III) compounds, Cr	1.7	78 34 2	Dioxathion	0.7
7440 47 3	Chromium (metal)	1.7	122 39 4	Diphenylamine	33.3
14977 61 8	Chromyl chloride	0.5	123 19 3	Dipropyl ketone	782.6
2971 90 6	Clopidol	33.3	34590 94 8	Dipropylene glycol methyl ether	1998.0
7440 48 4	Cobalt as Co metal Dust and fu	0.2	85 00 7	Diquat	1.7
10210 68 1	Cobalt carbonyl as Co	0.3	97 77 8	Disulfiram	6.7
16842 03 8	Cobalt hydroxycarbonyl	0.3	298 04 4	Disulfuton	0.3
7440 50 8	Copper, Dusts and mists, as Cu	3.3	128 37 0	2,6-Ditert. butyl p-cresol	33.3
7440 50 8	Copper, Fume	0.7	330 54 1	Diuron	33.3
	Cotton dust, raw	0.7	1321 74 0	Divinyl benzene	166.5
1319 77 3	Cresol, all isomers	73.3	2104 64 5	EPN	1.7
4170 30 3	Crotonaldehyde	20.0	115 29 7	Endosulfan	0.3
299 86 5	Cruformate	16.7	72 20 8	Endrin	0.3
98 82 2	Cumene	815.9	13838 16 9	Enflurane	1914.8
420 04 2	Cyanamide	6.7	141 43 5	Ethanolamine	26.6
151 50 8	Cyanides, as CN	16.7	563 12 2	Ethion	1.3
460 19 5	Cyanogen	66.6	110 80 5	2-Ethoxyethanol	63.3
506 77 4	Cyanogen chloride	2.0	111 15 9	2-Ethoxyethyl acetate	89.9
110 82 7	Cyclohexane	3496.5	60 29 7	Ethyl Ether	3996.0
108 93 0	Cyclohexanol	666.0	141 78 6	Ethyl acetate	4662.0
108 94 1	Cyclohexanone	333.0	140 88 5	Ethyl acrylate	66.6
110 83 8	Cyclohexene	3380.0	64 17 5	Ethyl alcohol	6327.0
108 91 8	Cyclohexylamine	133.2	541 85 5	Ethyl amyl ketone	432.9
121 82 4	Cyclonite	5.0	100 41 4	Ethyl benzene	1448.6
542 92 7	Cyclopentadiene	666.0	74 96 4	Ethyl bromide	2963.7
287 92 3	Cyclopentane	5727.6	106 35 4	Ethyl butyl ketone	765.9
13121 70 5	Cyhexatin	16.7	75 00 3	Ethyl chloride	8658.0
94 75 7	2,4-D	33.3	109 94 4	Ethyl formate	999.0
17702 41 9	Decaborane	1.0	75 08 1	Ethyl mercaptan	3.3
8065 48 3	Demeton	0.3	78 10 4	Ethyl silicate	283.1
117 81 7	Di(2-ethylhexyl)phthalate	16.7	75 04 7	Ethylamine	59.9
123 42 2	Diacetone alcohol	799.2	107 07 3	Ethylene chlorohydrin	10.0
333 41 5	Diazinon	0.3	107 21 1	Ethylene glycol	416.3
334 88 3	Diazomethane	1.3	628 96 6	Ethylene glycol dinitrate	1.0
19287 45 7	Diborane	0.3	107 15 3	Ethylenediamine	83.3
107 66 4	Dibutyl phosphate	16.7	151 56 4	Ethylenimine	3.3
84 74 2	Dibutyl phthalate	16.7	16219 75 3	Ethylidene norbornene	83.3
102 81 8	2-N-Dibutylaminoethanol	46.6	100 74 3	N-Ethylmorpholine	76.6
594 72 9	1,1-Dichloro-1-nitroethane	33.3	22224 92 6	Fenamiphos	0.3
118 52 5	1,3-Dichloro-5,5-Dimethyl hydantoin	0.7	115 90 2	Fensulfothion	0.3
7572 29 4	Dichloroacetylene	1.3	55 38 9	Fenthion	0.7
95 50 1	o-Dichlorobenzene	999.0	14484 64 1	Ferbam	33.3
106 46 7	p-Dichlorobenzene	1498.5	12604 58 9	Ferrovandadium dust	3.3

PROPOSED

Februous glass dust	33.3
Fluorides, as F	8.3
7782 41 4 Fluorine	6.7
944 22 9 Fonofos	0.3
75 12 7 Formamide	50.0
64 18 6 Formic acid	30.0
98 01 1 Furfural	26.6
98 00 1 Furfuryl alcohol	133.2
7782 65 2 Germanium tetrahydride	2.0
111 30 8 Glutaraldehyde	2.3
556 52 5 Glycidol	249.8
7440 58 6 Hafnium	1.7
151 67 7 Halothane	1332.0
142 82 5 Heptane (n Heptane)	5328.0
87 68 3 Hexachlorobutadiene	0.8
77 47 4 Hexachlorocyclopentadiene	0.3
1325 87 1 Hexachloronaphthalene	0.7
684 16 2 Hexafluoroacetone	2.3
822 06 0 Hexamethylene diisocyanate	0.1
100 54 3 Hexane (n Hexane)	599.4
Hexane, other isomers	5994.0
591 78 6 2 Hexanone (MBK)	66.6
108 84 9 see Hexyl acetate	999.0
107 41 5 Hexylene glycol	416.3
10025 10 6 Hydrogen bromide	33.3
7647 01 0 Hydrogen chloride	23.3
74 90 8 Hydrogen cyanide	33.3
7664 39 3 Hydrogen fluoride, as F	8.3
7722 84 1 Hydrogen peroxide	5.0
7783 07 5 Hydrogen selenide, as Se	0.7
7783 06 4 Hydrogen sulfide	46.6
123 31 9 Hydroquinone	6.7
999 61 1 2 Hydroxypropyl acrylate	10.0
95 13 6 Indene	149.9
7440 74 6 Indium, & compounds as In	0.3
7553 56 2 Iodine	3.3
75 47 8 Iodoform	33.3
1309 37 1 Iron oxide fume, Fe2O3 as Fe	16.7
13463 40 6 Iron pentacarbonyl, as Fe	2.7
Iron salts, soluble as Fe	3.3
123 92 2 Isoamyl acetate	1748.3
123 51 3 Isoamyl alcohol	1198.8
110 19 0 Isobutyl acetate	2331.0
78 83 1 Isobutyl alcohol	499.5
26952 21 6 Isooctyl alcohol	899.1
78 59 1 Isophorone	83.3
4098 71 9 Isophorone diisocyanate	0.1
109 59 1 Isopropoxyethanol	349.7
108 21 4 Isopropyl acetate	3163.5
67 63 0 Isopropyl alcohol	3263.4
108 20 3 Isopropyl ether	3496.5
4016 14 2 Isopropyl glycidyl ether (IGE)	799.2
75 31 0 Isopropylamine	40.0
768 52 5 N Isopropylaniline	33.3
463 51 4 Ketene	3.0
3687 31 8 Lead arsenate, as Pb3 (AsO4)2	0.5
7758 97 6 Lead chromate, as Cr	0.2
68476 85 7 Liquified petroleum gas	5994.0
7580 67 8 Lithium hydride	0.1
1309 48 4 Magnesium oxide fume	33.3
121 75 5 Malathion	33.3
108 31 6 Maleic anhydride	3.3
7439 96 5 Manganese Dust & compounds	16.7
7439 96 5 Manganese Fume	3.3
12079 65 1 Manganese cyclopentadienyl tricarbonyl	0.3
7439 97 6 Mercury, Aryl & inorganic empd	0.3
7439 97 6 Mercury, as Hg Alkyl compounds	0.03
7439 97 6 Mercury, vapors except alkyl	0.2
141 79 7 Mesityl oxide	199.8
79 41 4 Methacrylic acid	233.1
16752 77 5 Methomyl	8.3
72 43 5 Methoxychlor	33.3
109 86 4 2 Methoxyethanol	53.3
110 49 6 2 Methoxyethyl acetate	79.9
150 76 5 4 Methoxyphenol	16.7
137 05 3 Methyl 2 cyanoacrylate	26.6

79 20 9 Methyl acetate	2031.3
74 99 7 Methyl acetylene	5494.5
Methyl acetylene propadiene mixture (MAPP)	5994.0
96 33 3 Methyl acrylate	116.6
67 56 1 Methyl alcohol	865.8
100 61 8 N Methyl aniline	6.7
74 83 9 Methyl bromide	66.6
74 87 3 Methyl chloride	349.7
71 55 6 Methyl chloroform	6327.0
8022 00 2 Methyl demeton	1.7
78 93 3 Methyl ethyl ketone (MEK)	1964.7
1338 23 4 Methyl ethyl ketone peroxide	5.0
107 31 3 Methyl formate	832.5
60 34 4 Methyl hydrazine	1.2
74 88 4 Methyl iodide	33.3
110 12 3 Methyl isoamyl ketone	799.2
108 11 2 Methyl isobutyl carbinol	333.0
108 10 1 Methyl isobutyl ketone (MIBK)	682.7
624 83 9 Methyl isocyanate	0.2
563 80 4 Methyl isopropyl ketone	2347.7
74 93 1 Methyl mercaptan	3.3
80 62 6 Methyl methacrylate	1365.3
110 43 0 Methyl n amyl ketone	782.6
591 78 6 Methyl n butyl ketone	66.6
298 00 0 Methyl parathion	0.7
107 87 9 Methyl propyl ketone	2331.0
681 84 5 Methyl silicate	20.0
98 83 9 a Methyl styrene	799.2
126 98 7 Methylnylonitrile	10.0
109 87 5 Methylal	10323.0
74 89 5 Methylamine	40.0
108 87 2 Methylcyclohexane	5328.0
25639 42 3 Methylcyclohexanol	782.6
583 60 8 o Methylcyclohexanone	765.9
12108 13 3 Methylcyclopentadienyl manganese tricarbonyl	0.7
5124 30 1 Methylene bis (4 cyclo hexylisocyanate)	0.2
101 68 8 Methylene bisphenyl isocyanate	0.2
101 77 9 4,4' Methylene dianiline	2.7
21087 64 9 Metribuzin	16.7
7786 34 7 Mevinphos	0.3
7439 98 7 Molybdenum, as Mo soluble epds	16.7
7439 98 7 Molybdenum, insoluble epds	33.3
6923 22 4 Monoerotophos	0.8
110 91 8 Morpholine	233.1
300 76 5 Naled	10.0
91 20 3 Naphthalene	166.5
54 11 5 Nicotine	1.7
1929 82 4 Nitrapyrin	33.3
7697 37 2 Nitric acid	16.7
10102 43 9 Nitric oxide	99.9
100 01 6 p Nitroaniline	10.0
98 95 3 Nitrobenzene	16.7
100 00 5 p Nitrochlorobenzene	2.0
79 24 3 Nitroethane	1032.3
7783 54 2 Nitrogen trifluoride	99.9
55 63 0 Nitroglycerin	1.7
75 52 5 Nitromethane	832.5
108 03 2 1 Nitropropane	299.7
88 72 2 Nitrotoluene	36.6
111 84 2 Nonane	3496.5
2234 13 1 Octachloronaphthalene	0.3
111 65 9 Octane	4828.5
8012 95 1 Oil mist, mineral	16.7
20816 12 0 Osmium tetroxide, as Os	0.007
144 62 7 Oxalic acid	3.3
7783 41 7 Oxygen difluoride	0.3
8002 74 2 Parafin wax fume	6.7
4685 14 7 Paraquat	0.3
56 38 2 Parathion	0.3
19624 22 7 Pentaborane	0.0
1321 64 8 Pentachloronaphthalene	1.7
87 86 5 Pentachlorophenol	1.7
109 66 0 Pentane	5994.0
594 42 3 Perchloromethyl mercaptan	2.7

7616 94 6	Perechloryl fluoride	46.6	3383 96 8	Temphos	33.3
108 95 2	Phenol	63.3	26140 60 3	Terphenyls	16.7
92 84 2	Phenothiazine	16.7	76 12 0	1,1,2,2 Tetrachloro 1,2 difluoroethane	13886.1
101 84 8	Phenyl ether	23.3	76 11 9	1,1,1,2 Tetrachloro 2,2 difluoroethane	13886.1
122 60 1	Phenyl glycidyl ether	20.0	79 34 5	1,1,2,2 Tetrachloroethane	23.3
108 98 5	Phenyl mercaptan	6.7	1335 88 2	Tetracloronaphthalene	6.7
106 50 3	p Phenylene diamine	0.3	78 00 2	Tetraethyl lead, as Pb	0.3
100 63 0	Phenylhydrazine	66.6	109 99 9	Tetrahydrofuran	1964.7
638 21 1	Phenylphosphine	0.8	175 74 1	Tetramethyl lead, as Pb	0.5
298 02 2	Phorate	0.2	3333 52 6	Tetramethyl succinonitrile	10.0
75 44 5	Phosgene	1.3	509 14 8	Tetranitromethane	26.6
7803 51 2	Phosphine	1.3	7722 88 5	Tetrasodium pyrophosphate	16.7
7664 38 2	Phosphoric acid	3.3	479 45 8	Tetryl	5.0
7723 14 0	Phosphorus	0.3	7440 28 0	Thallium, soluble compounds, Ti	0.3
10025 87 3	Phosphorus oxychloride	2.0	96 69 5	4,4 Thiobis(6 tert, butyl m cresol)	33.3
10026 13 8	Phosphorus pentachloride	3.3	68 11 1	Thioglycolic acid	13.3
1314 80 3	Phosphorus pentasulfide	3.3	7719 09 7	Thionyl chloride	16.7
7719 12 2	Phosphorus trichloride	5.0	137 26 8	Thiuram	16.7
85 44 9	Phthalic anhydride	20.0	7440 31 5	Tin, Metal	6.7
626 17 5	m Phthalodinitrile	16.7	7440 31 5	Tin, Organic compounds, as Sn	0.3
1918 02 1	Picloram	33.3	7440 31 5	Tin, oxide & inorganic except SnH4	6.7
88 89 1	Picric acid	0.3	108 88 3	Toluene	1248.8
83 26 1	Pindone	0.3	584 84 9	Toluene 2,4 diisocyanate, (TDI)	0.1
142 64 3	Piperazine dihydrochloride	16.7	108 44 1	m Toluidine	30.0
7440 06 4	Platinum, Metal	3.3	106 49 0	p Toluidine	30.0
7440 06 4	Platinum, Soluble salts as Pt	0.0	126 73 8	Tributyl phosphate	8.3
1310 58 3	Potassium hydroxide	6.7	76 13 1	1,1,2 Trichloro 1,2,2 trifluoroethane	25308.0
107 19 7	Propargyl alcohol	6.7	76 03 9	Trichloroacetic acid	23.3
57 57 8	B Propioloactone	5.0	120 82 1	1,2,4 Trichlorobenzene	133.2
114 26 1	Propoxur	1.7	79 00 5	1,1,2 Trichloroethane	149.9
79 09 4	Propionic acid	99.9	71 55 6	1,1,1 Trichloroethane	6327.0
109 60 4	n Propyl acetate	2797.2	75 69 4	Trichlorofluoromethane	18648.0
71 23 8	Propyl alcohol	1665.0	1321 65 9	Trichloronaphthalene	16.7
627 13 4	n Propyl nitrate	349.7	96 18 4	1,2,3 Trichloropropane	199.8
78 87 5	Propylene dichloride	1165.5	121 44 8	Triethylamine	133.2
6423 43 4	Propylene glycol dinitrate	1.0	75 63 8	Trifluorobromomethane	20313.0
107 98 2	Propylene glycol mono methyl ether	1198.8	552 30 7	Trimellitic anhydride	0.1
75 55 8	Propylene imine	16.7	2551 13 7	Trimethyl benzene	416.3
8003 34 7	Pyrethrum	16.7	121 45 9	Trimethyl phosphite	33.3
110 86 1	Pyridine	50.0	75 50 3	Trimethylamine	79.9
106 51 4	Quinone	1.3	118 96 7	2,4,6 Trinitrotoluene	1.7
108 46 3	Resoreinol	149.9	78 30 8	Trionthoeresyl phosphate	0.3
7440 16 6	Rhodium Metal	3.3	603 34 9	Triphenyl amine	16.7
7440 16 6	Rhodium, Insoluble compounds	3.3	115 86 6	Triphenyl phosphate	10.0
7440 16 6	Rhodium, Soluble compounds	0.03	7440 33 7	Tungsten, Insoluble compounds	16.7
299 84 3	Ronnel	33.3	7440 33 7	Tungsten, Soluble compounds	3.3
83 79 4	Rotenone	16.7	8006 64 2	Turpentine	1864.8
	Rubber solvent (Naphtha)	5328.0	7440 61 1	Uranium, insoluble & soluble	0.7
7782 49 2	Selenium compounds, as Se	0.7	8032 32 4	VM & P Naphtha	4495.5
7783 79 1	Selenium hexafluoride, as Se	0.7	110 62 3	n Valeraldehyde	582.8
136 78 7	Sesone	33.3	1314 62 1	Vanadium, as V2O5	0.2
7803 62 5	Sileon tetrahydride	23.3	108 05 4	Vinyl acetate	99.9
7440 22 4	Silver, Metal	0.3	593 60 2	Vinyl bromide	66.6
7440 22 4	Silver, soluble compounds Ag	0.03	106 87 6	Vinyl cyclohexene dioxide	199.8
26628 22 8	Sodium azide	1.0	75 35 4	Vinylidene chloride	66.6
7631 90 5	Sodium bisulfite	16.7	25013 15 4	Vinyl toluene	799.2
62 74 8	Sodium fluoroacetate	0.2	81 81 2	Warfarin	0.3
1310 73 2	Sodium hydroxide	6.7		Welding fumes	16.7
7681 57 4	Sodium metabisulfite	16.7	1477 55 0	m Xylene a,a' diamine	0.3
7803 52 3	Stibine	1.7	1330 20 7	Xylenes (m, o, p isomers)	1448.6
57 24 9	Strychnine	0.5	1300 73 8	Xylidine	33.3
100 42 5	Styrene	716.0	7440 65 5	Yttrium, metal and epds as Y	3.3
1395 21 7	Subtilisins	0.0	7646 85 7	Zinc chloride fume	3.3
3689 24 5	Sulfotep	0.7	13530 65 9	Zinc chromates	0.03
2551 62 4	Sulfur hexafluoride	19980.0	1314 13 2	Zinc oxide, fume	16.7
10025 67 9	Sulfur monochloride	20.0	7440 67 2	Zirconium compounds, as Zr	16.7))
5714 22 7	Sulfur pentafluoride	0.3	86 88 4	ANTU	1.0
7783 60 0	Sulfur tetrafluoride	1.3	60 35 5	Acetamide	—
7664 93 9	Sulfuric acid	3.3	64 19 7	Acetic acid	83
2699 79 8	Sulfuryl fluoride	66.6	108 24 7	Acetic anhydride	67
35400 43 2	Sulprofos	3.3	67 64 1	Acetone	5900
93 76 5	2,4,5 T	33.3	75 05 8	Acetonitrile	220
107 49 3	TEPP	0.2	98 86 2	Acetophenone	—
7440 25 7	Tantalum, metal & oxide dusts	16.7	79 27 6	Acetylene tetrabromide	47
13494 80 9	Tellurium & compounds as Te	0.3	107 02 8	Acrolein	0.02
7783 80 4	Tellurium hexafluoride, as Te	0.7	79 06 1	Acrylamide	0.10

79-10-7	Acrylic acid	0.30	21351-79-1	Cesium hydroxide	6.7
107-18-6	Allyl alcohol	17	133-90-4	Chloramben	—
107-05-1	Allyl chloride	1.0	57321-68-8	Chlorinated diphenyl oxide	1.7
106-92-3	Allyl glycidyl ether (AGE)	77	7782-50-5	Chlorine	5.0
2179-59-1	Allyl propyl disulfide	40.0	10049-04-4	Chlorine dioxide	0.2
C7429-90-5	Aluminum, Al alkyls	6.7	7790-91-2	Chlorine trifluoride	1.3
7429-90-5	Aluminum, as AL metal dust	33	600-25-9	1-Chloro-1-nitropropane	33
C7429-90-5	Aluminum, as AL pyro powders	17	107-20-0	Chloroacetaldehyde	11
C7429-90-5	Aluminum, as Al soluble salts	6.7	79-11-8	Chloroacetic acid	—
C7429-90-5	Aluminum, as Al welding fumes	17	532-27-4	a-Chloroacetophenone	1.1
504-29-0	2-Aminopyridine	6.3	79-04-9	Chloroacetyl chloride	0.67
7664-41-7	Ammonia	100	2698-41-1	o-Chlorobenzylidene malonitrile	1.3
12125-02-9	Ammonium chloride fume	33	108-90-7	Chlorobenzene	150
3825-26-1	Ammonium perfluorooctanoate	0.33	74-97-5	Chlorobromomethane	3500
7773-06-0	Ammonium sulfamate	33	75-45-6	Chlorodifluoromethane	12000
628-63-7	n-Amyl acetate	1800	76-15-3	Chloropentafluoroethane	21000
626-38-0	sec-Amyl acetate	2200	76-06-2	Chloropicrin	2.2
62-53-3	Aniline & homologues	1.0	2039-87-4	o-Chlorostyrene	940
29191-52-4	Anisidine (o,p- isomers)	1.7	95-49-8	o-Chlorotoluene	860
C7440-36-0	Antimony & compounds as Sb	1.7	2921-88-2	Chlorpyrifos	0.67
1309-64-4	Antimony trioxide, as Sb	1.7	C7440-47-3	Chromium (II) compounds, as Cr	1.7
7784-42-1	Arsine	0.53	C7440-47-3	Chromium (III) compounds, Cr	1.7
8052-42-4	Asphalt (petroleum) fumes	17	7440-47-3	Chromium (metal)	1.7
1912-24-9	Atrazine	17	14977-61-8	Chromyl chloride	0.53
86-50-0	Azinphos-methyl	0.67	2971-90-6	Clopidol	33
C7440-39-3	Barium, soluble compounds Ba	1.7	7440-48-4	Cobalt as Co metal Dust and fume	0.17
17804-35-2	Benomyl	33	10210-68-1	Cobalt carbonyl as Co	0.33
56-55-3	Benzo(a)anthracene	—	16842-03-8	Cobalt hydrocarbonyl	0.33
98-07-7	Benzotrithloride	—	C7440-50-8	Copper, Dusts and mists, as Cu	3.3
94-36-0	Benzoyl Peroxide	17	7440-50-8	Copper, Fume	0.67
100-44-7	Benzyl chloride	17	—	Cotton dust, raw	0.67
92-52-4	Biphenyl	4.3	1319-77-3	Cresol, all isomers	73
1304-82-1	Bismuth telluride	33	4170-30-3	Crotonaldehyde	20
1304-82-1	Bismuth telluride Se doped	17	299-86-5	Cruformate	17
C1303-96-4	Borates, anhydrous	3.3	98-82-2	Cumene	820
C1303-96-4	Borates, decahydrate	17	420-04-2	Cyanamide	6.7
C1303-96-4	Borates, pentahydrate	3.3	51-50-8	Cyanides, as CN	17
1303-86-2	Boron oxide	33	460-19-5	Cyanogen	67
10294-33-4	Boron tribromide	33	506-77-4	Cyanogen chloride	2.5
76737-07-2	Boron trifluoride	9.3	110-82-7	Cyclohexane	3400
314-40-9	Bromacil	33	108-93-0	Cyclohexanol	690
7726-95-6	Bromine	2.2	108-94-1	Cyclohexanone	333
7789-30-2	Bromine pentafluoride	2.4	110-83-8	Cyclohexene	3400
75-25-2	Bromoform	17	108-91-8	Cyclohexylamine	140
106-97-8	Butane	—	121-82-4	Cyclonite	5.0
111-76-2	2-Butoxyethanol	400	542-92-7	Cyclopentadiene	680
123-86-4	n-Butyl acetate	2400	287-92-3	Cyclopentane	5700
105-46-4	sec-Butyl acetate	3200	13121-70-5	Cyhexatin	17
540-88-5	tert-Butyl acetate	3200	17702-41-9	Decaborane	0.83
141-32-2	Butyl acrylate	170	8065-48-3	Demeton	0.37
71-36-3	n-Butyl alcohol	500	123-42-2	Diacetone alcohol	790
78-92-2	sec-Butyl alcohol	1000	333-41-5	Diazinon	0.33
75-65-0	tert-Butyl alcohol	1000	334-88-3	Diazomethane	1.1
1189-85-1	tert-Butyl chromate, as CrO3	0.33	19287-45-7	Diborane	0.37
2426-08-6	n-Butyl glycidyl ether (BGE)	440	96-12-8	1,2-Dibromo-3-chloropropane	0.20
138-22-7	n-Butyl lactate	83	107-66-4	Dibutyl phosphate	29
109-79-5	Butyl mercaptan	6.0	84-74-2	Dibutyl phthalate	17
109-73-9	Butylamine	50.0	102-81-8	2-N-Dibutylaminoethanol	47
89-72-5	o-sec-Butylphenol	100	594-72-9	1,1-Dichloro-1-nitroethane	40
98-51-1	p-tert-Butyltoluene	200	118-52-5	1,3-Dichloro-5,5-Dimethyl hydantoin	0.67
156-62-7	Calcium cyanamide	1.7	7572-29-4	Dichloroacetylene	1.3
1305-62-0	Calcium hydroxide	17	106-46-7	p-Dichlorobenzene	1500
1305-78-8	Calcium oxide	6.7	75-71-8	Dichlorodifluoromethane	16000
76-22-2	Camphor, synthetic	40	75-34-3	1,1-Dichloroethane	2700
105-60-2	Caprolactam, dust	3.3	540-59-0	1,2-Dichloroethylene	2600
105-60-2	Caprolactam, vapor	67	75-43-4	Dichlorofluoromethane	130
2425-06-1	Captafol	0.33	542-75-6	Dichloropropene	20
133-06-2	Captan	17	75-99-0	2,2-Dichloropropionic acid	19
63-25-2	Carbaryl	17	76-14-2	Dichlorotetrafluoroethane	23000
1563-66-2	Carbofuran	0.33	62-73-7	Dichlorvas	3.3
1333-86-4	Carbon black	12	141-66-2	Dicrotophos	0.83
75-15-0	Carbon disulfide	100	77-73-6	Dicyclopentadiene	100
558-13-4	Carbon tetrabromide	4.7	102-54-5	Dicyclopentadienyl iron	33
353-50-4	Carbonyl fluoride	18	111-42-2	Diethanolamine	43
463-58-1	Carbonyl sulfide	—	96-22-0	Diethyl ketone	2300
120-80-9	Catechol	77	84-66-2	Diethyl phthalate	17

64-67-5	Diethyl sulfate	—	7782-65-2	Germanium tetrahydride	2.1
109-89-7	Diethylamine	100	111-30-8	Glutaraldehyde	2.5
100-37-8	Diethylaminoethanol	170	556-52-5	Glycidol	250
111-40-0	Diethylene triamine	14	—	Glycol ethers	—
75-61-6	Difluorodibromomethane	2900	7440-58-6	Hafnium	1.7
2238-07-5	Diglycidyl ether	1.7	151-67-7	Halothane	1300
108-83-8	Diisobutyl ketone	480	142-82-5	Heptane (n-Heptane)	5500
108-18-9	Diisopropylamine	67	87-68-3	Hexachlorobutadiene	0.70
127-19-5	Dimethyl acetamide	120	77-47-4	Hexachlorocyclopentadiene	0.33
60-11-7	Dimethyl aminoazobenzene	—	67-72-1	Hexachloroethane	32
79-44-7	Dimethyl carbamoyl chloride	—	1335-87-1	Hexachloronaphthalene	0.67
124-40-3	Dimethylamine	60	684-16-2	Hexafluoroacetone	2.3
121-69-7	Dimethylaniline	83	822-06-0	Hexamethylene diisocyanate	0.11
68-12-2	Dimethylformamide	30	100-54-3	Hexane (n-Hexane)	200
57-14-7	1,1-Dimethylhydrazine	4.0	—	Hexane, other isomers	5900
131-11-3	Dimethylphthalate	17	591-78-6	2-Hexanone (MBK)	67
148-01-6	Dinitolmide	17	108-84-9	sec-Hexyl acetate	980
534-52-1	Dinitro-o-cresol	0.67	107-41-5	Hexylene glycol	400
528-29-0	Dinitrobenzene, all isomers	3.3	10035-10-6	Hydrogen bromide	33
51-28-5	2,4-Dinitrophenol	—	7647-01-0	Hydrogen chloride	7.0
25321-14-6	Dinitrotoluenes (mixed)	—	74-90-8	Hydrogen cyanide	37
78-34-2	Dioxathion	0.67	7664-39-3	Hydrogen fluoride, as F	8.7
122-39-4	Diphenylamine	33	7722-84-1	Hydrogen peroxide	4.7
123-19-3	Dipropyl ketone	780	7783-07-5	Hydrogen selenide, as Se	0.53
34590-94-8	Dipropylene glycol methyl ether	2000	7783-06-4	Hydrogen sulfide	0.9
85-00-7	Diquat	1.7	123-31-9	Hydroquinone	6.7
97-77-8	Disulfiram	6.7	999-61-1	2-Hydroxypropyl acrylate	9.3
298-04-4	Disulfuton	0.33	95-13-6	Indene	160
128-37-0	2,6-Ditert. butyl-p-cresol	33	C7440-74-6	Indium, & compounds as In	0.33
330-54-1	Diuron	33	7553-56-2	Iodine	3.3
1321-74-0	Divinyl benzene	180	75-47-8	Iodoform	33
2104-64-5	EPN	1.7	1309-37-1	Iron oxide fume, Fe2O3 as Fe	1.7
115-29-7	Endosulfan	0.33	13463-40-6	Iron pentacarbonyl, as Fe	0.83
72-20-8	Endrin	0.33	—	Iron salts, soluble as Fe	3.3
13838-16-9	Enflurane	1900	123-92-2	Isoamyl acetate	1700
106-89-8	Epichlorohydrin	1.0	123-51-3	Isoamyl alcohol	1200
106-88-7	1,2-Epoxybutane	20	110-19-0	Isobutyl acetate	2400
141-43-5	Ethanolamine	25	78-83-1	Isobutyl alcohol	510
563-12-2	Ethion	1.3	26952-21-6	Isocetyl alcohol	890
110-80-5	2-Ethoxyethanol	200	78-59-1	Isophorone	93
111-15-9	2-Ethoxyethyl acetate	90	4098-71-9	Isophorone diisocyanate	0.15
141-78-6	Ethyl acetate	4800	109-59-1	Isopropoxyethanol	350
140-88-5	Ethyl acrylate	66	108-21-4	Isopropyl acetate	3500
64-17-5	Ethyl alcohol	6300	67-63-0	Isopropyl alcohol	3300
541-85-5	Ethyl amyl ketone	440	108-20-3	Isopropyl ether	3500
100-41-4	Ethyl benzene	1000	4016-14-2	Isopropyl glycidyl ether (IGE)	790
74-96-4	Ethyl bromide	3000	75-31-0	Isopropylamine	40
106-35-4	Ethyl butyl ketone	780	768-52-5	N-Isopropylaniline	37
51-79-5	Ethyl carbamate	—	463-51-4	Ketene	2.9
75-00-3	Ethyl chloride	10000	3687-31-8	Lead arsenate, as Pb3 (AsO4)2	0.50
60-29-7	Ethyl ether	4000	7758-97-6	Lead chromate, as Cr	0.040
109-94-4	Ethyl formate	1000	68476-85-7	Liquified petroleum gas	6000
75-08-1	Ethyl mercaptan	4.3	7580-67-8	Lithium hydride	0.080
78-10-4	Ethyl silicate	280	1309-48-4	Magnesium oxide fume	33
75-04-7	Ethylamine	60	121-75-5	Malathion	33
107-07-3	Ethylene chlorohydrin	11	108-31-6	Maleic anhydride	3.3
107-15-3	Ethylene diamine	83	C7439-96-5	Manganese dust & compounds	0.40
107-21-1	Ethylene glycol	420	C7439-96-5	Manganese fume	3.3
628-96-6	Ethylene glycol dinitrate	1.0	12079-65-1	Manganese cyclopentadienyl tricarbonyl	0.33
151-56-4	Ethylenimine	2.9	C7439-97-6	Mercury, Aryl & inorganic compd	0.33
16219-75-3	Ethylidene norbornene	83	C7439-97-6	Mercury, as Hg Alkyl compounds	0.33
100-74-3	N-Ethylmorpholine	77	C7439-97-6	Mercury, vapors except alkyl	0.17
22224-92-6	Fenamiphos	0.33	141-79-7	Mesityl oxide	200
115-90-2	Fensulfothion	0.33	79-41-4	Methacrylic acid	230
55-38-9	Fenthion	0.67	16752-77-5	Methomyl	8.3
14484-64-1	Ferbam	33	72-43-5	Methoxychlor	33
12604-58-9	Ferrovandium dust	3.3	109-86-4	2-Methoxyethanol	20
—	Febrous glass dust	33	110-49-6	2-Methoxyethyl acetate	80
—	Fine mineral fibers	33	150-76-5	4-Methoxyphenol	1.7
16984-48-8	Fluorides, as F	8.3	137-05-3	Methyl 2-cyanoacrylate	30
7782-41-4	Fluorine	5.3	79-20-9	Methyl acetate	2000
944-22-9	Fonofos	0.3	74-99-7	Methyl acetylene	5500
75-12-7	Formamide	60	59355-75-8	Methyl acetylene-propadiene mixture (MAPP)	5500
64-18-6	Formic acid	31	96-33-3	Methyl acrylate	120
98-01-1	Furfural	26	67-56-1	Methyl alcohol	870
98-00-1	Furfuryl alcohol	130			

100-61-8	<u>N-Methyl aniline</u>	7.3	92-84-2	<u>Phenothiazine</u>	1.7
74-83-9	<u>Methyl bromide</u>	5.0	101-84-8	<u>Phenyl ether</u>	23
74-87-3	<u>Methyl chloride</u>	340	122-60-1	<u>Phenyl glycidyl ether</u>	2000
71-55-6	<u>Methyl chloroform</u>	6700	108-98-5	<u>Phenyl mercaptan</u>	7.7
8022-00-2	<u>Methyl demeton</u>	1.7	106-50-3	<u>p-Phenylene diamine</u>	0.33
78-93-3	<u>Methyl ethyl ketone (MEK)</u>	1000	100-63-0	<u>Phenylhydrazine</u>	1.5
1338-23-4	<u>Methyl ethyl ketone peroxide</u>	5.0	638-21-1	<u>Phenylphosphine</u>	0.77
107-31-3	<u>Methyl formate</u>	820	298-02-2	<u>Phorate</u>	0.17
60-34-4	<u>Methyl hydrazine</u>	1.2	75-44-5	<u>Phosgene</u>	1.3
74-88-4	<u>Methyl iodide</u>	40	7803-51-2	<u>Phosphine</u>	1.3
110-12-3	<u>Methyl isoamyl ketone</u>	780	7664-38-2	<u>Phosphoric acid</u>	3.3
108-11-2	<u>Methyl isobutyl carbinol</u>	350	7723-14-0	<u>Phosphorus</u>	0.33
108-10-1	<u>Methyl isobutyl ketone (MIBK)</u>	680	10025-87-3	<u>Phosphorus oxychloride</u>	2.1
624-83-9	<u>Methyl isocyanate</u>	0.16	10026-13-8	<u>Phosphorus pentachloride</u>	2.8
563-80-4	<u>Methyl isopropyl ketone</u>	2300	1314-80-3	<u>Phosphorus pentasulfide</u>	3.3
74-93-1	<u>Methyl mercaptan</u>	3.3	7719-12-2	<u>Phosphorus trichloride</u>	3.7
80-62-6	<u>Methyl methacrylate</u>	1400	85-44-9	<u>Phthalic anhydride</u>	20
110-43-0	<u>Methyl n-amyl ketone</u>	780	626-17-5	<u>m-Phthalodinitrile</u>	1.7
591-78-6	<u>Methyl n-butyl ketone</u>	67	1918-02-1	<u>Picloram</u>	33
298-00-0	<u>Methyl parathion</u>	0.67	88-89-1	<u>Picric acid</u>	0.33
107-87-9	<u>Methyl propyl ketone</u>	2300	83-26-1	<u>Pindone</u>	0.033
681-84-5	<u>Methyl silicate</u>	20	142-64-3	<u>Piperazine dihydrochloride</u>	1.7
1634-04-4	<u>Methyl tert-butyl ether</u>	500	7440-06-4	<u>Platinum, Metal</u>	3.3
98-83-9	<u>a-Methyl styrene</u>	810	C7440-06-4	<u>Platinum, Soluble salts as Pt</u>	0.0067
126-98-7	<u>Methylacrylonitrile</u>	9.0	1310-58-3	<u>Potassium hydroxide</u>	6.7
109-87-5	<u>Methylal</u>	10000	107-19-7	<u>Propargyl alcohol</u>	7.7
74-89-5	<u>Methylamine</u>	43	57-57-8	<u>B-Propiolactone</u>	5.0
108-87-2	<u>Methylcyclohexane</u>	5400	123-38-6	<u>Propionaldehyde</u>	—
25639-42-3	<u>Methylcyclohexanol</u>	780	114-26-1	<u>Propoxur</u>	1.7
583-60-8	<u>o-Methylcyclohexanone</u>	760	79-09-4	<u>Propionic acid</u>	100
12108-13-3	<u>Methylcyclopentadienyl manganese tricarbonyl</u>	0.67	109-60-4	<u>n-Propyl acetate</u>	2800
5124-30-1	<u>Methylene bis (4-cyclo-hexylisocyanate)</u>	0.18	71-23-8	<u>Propyl alcohol</u>	1600
101-68-8	<u>Methylene bis(phenyl isocyanate)</u>	0.2	627-13-4	<u>n-Propyl nitrate</u>	360
21087-64-9	<u>Metribuzin</u>	1.7	6423-43-4	<u>Propylene glycol dinitrate</u>	1.1
7786-34-7	<u>Mevinphos</u>	0.33	107-98-2	<u>Propylene glycol mono-methyl ether</u>	2000
C7439-98-7	<u>Molybdenum, as Mo soluble cpds</u>	1.7	75-55-8	<u>Propylene imine</u>	16
C7439-98-7	<u>Molybdenum, insoluble cpds</u>	33	75-56-9	<u>Propylene oxide</u>	30
6923-22-4	<u>Monocrotophos</u>	0.83	8003-34-7	<u>Pyrethrum</u>	1.7
110-91-8	<u>Morpholine</u>	240	110-86-1	<u>Pyridine</u>	53
300-76-5	<u>Naled</u>	10	91-22-5	<u>Quinoline</u>	—
91-20-3	<u>Napthalene</u>	170	106-51-4	<u>Quinone</u>	1.5
54-11-5	<u>Nicotine</u>	1.7	108-46-3	<u>Resorcinol</u>	150
1929-82-4	<u>Nitrapyrin</u>	33	7440-16-6	<u>Rhodium Metal</u>	3.3
7697-37-2	<u>Nitric acid</u>	17	C7440-16-6	<u>Rhodium, Insoluble compounds</u>	3.3
10102-43-9	<u>Nitric oxide</u>	100	C7440-16-6	<u>Rhodium, Soluble compounds</u>	0.033
100-01-6	<u>p-Nitroaniline</u>	10	299-84-3	<u>Ronnel</u>	33
98-95-3	<u>Nitrobenzene</u>	1.7	83-79-4	<u>Rotenone</u>	1.7
100-00-5	<u>p-Nitrochlorobenzene</u>	2.0	—	<u>Rubber solvent (Naphtha)</u>	5300
79-24-3	<u>Nitroethane</u>	1000	C7782-49-2	<u>Selenium compounds, as Se</u>	0.67
7783-54-2	<u>Nitrogen trifluoride</u>	97	7783-79-1	<u>Selenium hexafluoride, as Se</u>	0.53
92-93-3	<u>4-Nitrobiphenyl</u>	—	136-78-7	<u>Sesone</u>	33
55-63-0	<u>Nitroglycerin</u>	1.5	7803-62-5	<u>Silcon tetrahydride</u>	22
75-52-5	<u>Nitromethane</u>	830	7440-22-4	<u>Silver, Metal</u>	0.33
100-02-7	<u>4-Nitrophenol</u>	—	C7440-22-4	<u>Silver, soluble compounds Ag</u>	0.033
108-03-2	<u>1-Nitropropane</u>	20	26628-22-8	<u>Sodium azide</u>	1.0
684-93-5	<u>N-Nitroso-N-methylurea</u>	—	7631-90-5	<u>Sodium bisulfite</u>	1.7
88-72-2	<u>Nitrotoluene</u>	3.7	62-74-8	<u>Sodium fluoroacetate</u>	0.17
111-84-2	<u>Nonane</u>	3500	1310-73-2	<u>Sodium hydroxide</u>	6.7
2234-13-1	<u>Octachloronaphthalene</u>	0.33	7681-57-4	<u>Sodium metabisulfite</u>	16.7
111-65-9	<u>Octane</u>	4700	7803-52-3	<u>Stibine</u>	1.7
8012-95-1	<u>Oil mist, mineral</u>	1.7	57-24-9	<u>Strychnine</u>	0.5
20816-12-0	<u>Osmium tetroxide, as Os</u>	0.0053	100-42-5	<u>Styrene</u>	1000
144-62-7	<u>Oxalic acid</u>	3.3	96-9-3	<u>Styrene oxide</u>	—
7783-41-7	<u>Oxygen difluoride</u>	0.37	1395-21-7	<u>Subtilisins</u>	0.0002
8002-74-2	<u>Parafin wax fume</u>	6.7	3689-24-5	<u>Sulfotep</u>	0.67
4685-14-7	<u>Paraquat</u>	4.5	2551-62-4	<u>Sulfur hexafluoride</u>	20000
56-38-2	<u>Parathion</u>	0.33	10025-67-9	<u>Sulfur monochloride</u>	18
19624-22-7	<u>Pentaborane</u>	0.043	5714-22-7	<u>Sulfur pentafluoride</u>	0.33
1321-64-8	<u>Pentachloronaphthalene</u>	1.7	7783-60-0	<u>Sulfur tetrafluoride</u>	1.5
82-68-8	<u>Pentachloronitrobenzene (quintobenzene)</u>	1.7	7664-93-9	<u>Sulfuric acid</u>	3.3
87-86-5	<u>Pentachlorophenol</u>	1.7	2699-79-8	<u>Sulfuryl fluoride</u>	67
109-66-0	<u>Pentane</u>	6000	35400-43-2	<u>Sulprofos</u>	3.3
594-42-3	<u>Perchloromethyl mercaptan</u>	2.5	93-76-5	<u>2,4,5-T</u>	33
7616-94-6	<u>Perchloryl fluoride</u>	43	107-49-3	<u>TEPP</u>	0.16
108-95-2	<u>Phenol</u>	63	C7440-25-7	<u>Tantalum, metal & oxide dusts</u>	1.7
			C13494-80-9	<u>Tellurium & compounds as Te</u>	0.33

7783-80-4	<u>Tellurium hexafluoride, as Te</u>	0.33
3383-96-8	<u>Temephos</u>	33
26140-60-3	<u>Terphenyls</u>	16
76-12-0	<u>1,1,2,2-Tetrachloro-1,2-difluoroethane</u>	14000
76-11-9	<u>1,1,1,2-Tetrachloro-2,2-difluoroethane</u>	14000
79-34-5	<u>1,1,2,2-Tetrachloroethane</u>	23
1335-88-2	<u>Tetrachloronaphthalene</u>	6.7
78-00-2	<u>Tetraethyl lead, as Pb</u>	0.33
109-99-9	<u>Tetrahydrofuran</u>	2000
75-74-1	<u>Tetramethyl lead, as Pb</u>	0.5
3333-52-6	<u>Tetramethyl succinonitrile</u>	9.3
509-14-8	<u>Tetranitromethane</u>	27
7722-88-5	<u>Tetrasodium pyrophosphate</u>	1.7
479-45-8	<u>Tetryl</u>	5.0
C7440-28-0	<u>Thallium, soluble compounds, Ti</u>	0.33
96-69-5	<u>4,4-Thiobis(6-tert, butyl-m-cresol)</u>	33
68-11-1	<u>Thioglycolic acid</u>	13
7719-09-7	<u>Thionyl chloride</u>	16
137-26-8	<u>Thiram</u>	3.3
C7440-31-5	<u>Tin, Metal</u>	6.7
C7440-31-5	<u>Tin, Organic compounds, as Sn</u>	0.33
7440-31-5	<u>Tin, oxide & inorganic except SnH4</u>	6.7
7550-45-0	<u>Titanium tetrachloride</u>	—
108-88-3	<u>Toluene</u>	400
108-44-1	<u>m-Toluidine</u>	29
106-49-0	<u>p-Toluidine</u>	29
126-73-8	<u>Tributyl phosphate</u>	7.3
76-13-1	<u>1,1,2-Trichloro-1,2,2-trifluoroethane</u>	27000
76-03-9	<u>Trichloroacetic acid</u>	22
120-82-1	<u>1,2,4-Trichlorobenzene</u>	120
79-00-5	<u>1,1,2-Trichloroethane</u>	180
71-55-6	<u>1,1,1-Trichloroethane</u>	6000
75-69-4	<u>Trichlorofluoromethane</u>	19000
1321-65-9	<u>Trichloronaphthalene</u>	1.7
95-95-4	<u>2,4,5-Trichlorophenol</u>	—
96-18-4	<u>1,2,3-Trichloropropane</u>	200
121-44-8	<u>Triethylamine</u>	7.0
75-63-8	<u>Trifluorobromomethane</u>	20000
1582-09-8	<u>Trifluralin</u>	—
552-30-7	<u>Trimellitic anhydride</u>	0.13
2551-13-7	<u>Trimethyl benzene</u>	420
540-84-1	<u>2,2,4-Trimethylpentane</u>	—
121-45-9	<u>Trimethyl phosphite</u>	33
75-50-3	<u>Trimethylamine</u>	80
118-96-7	<u>2,4,6-Trinitrotoluene</u>	1.7
78-30-8	<u>Triorthocresyl phosphate</u>	0.33
603-34-9	<u>Triphenyl amine</u>	1.7
115-86-6	<u>Triphenyl phosphate</u>	10
C7440-33-7	<u>Tungsten, Insoluble compounds</u>	1.7
C7440-33-7	<u>Tungsten, Soluble compounds</u>	3.3
8006-64-2	<u>Turpentine</u>	1900
C7440-61-1	<u>Uranium, insoluble & soluble</u>	0.67
8032-32-4	<u>VM & P Naphtha</u>	4600
110-62-3	<u>n-Valeraldehyde</u>	590
1314-62-1	<u>Vanadium, as V2O5</u>	0.17
108-05-4	<u>Vinyl acetate</u>	200
593-60-2	<u>Vinyl bromide</u>	73
106-87-6	<u>Vinyl cyclohexene dioxide</u>	200
75-35-4	<u>Vinylidene chloride</u>	67
25013-15-4	<u>Vinyl toluene</u>	800
81-81-2	<u>Warfarin</u>	0.33
—	<u>Welding fumes</u>	1.7
1477-55-0	<u>m-Xylene a,a'-diamine</u>	0.33
1330-20-7	<u>Xylenes (m-,o-,p-isomers)</u>	1500
1300-73-8	<u>Xylidine</u>	8.3
C7440-65-5	<u>Yttrium, metal and cpds as Y</u>	3.3
7646-85-7	<u>Zinc chloride fume</u>	3.3
13530-65-9	<u>Zinc chromates</u>	0.033
1314-13-2	<u>Zinc oxide, fume</u>	1.7
C7440-67-7	<u>Zirconium compounds, as Zr</u>	1.7

WSR 93-14-120
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF LICENSING
 (By the Code Reviser's Office)
 [Filed July 6, 1993, 8:15 a.m.]

WAC 308-90-080, proposed by the Department of Licensing in WSR 93-01-111, appearing in issue 93-01 of the State Register, which was distributed on January 6, 1993, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
 Washington State Register

WSR 93-14-127
PROPOSED RULES
PUGET SOUND AIR
POLLUTION CONTROL AGENCY
 [Filed July 6, 1993, 4:10 p.m.]

Original Notice.

Title of Rule: Amending Section 5.03 of Regulation I; and adopting Sections 6.11, 7.01, 7.03, 7.05, and 7.07 of Regulation I and Section 2.02 of Regulation III.

Purpose: To meet the requirements of the Federal Clean Air Act (FCAA) amendments for developing and implementing an operating permits program including defining insignificant sources and to incorporate provisions of Parts 60 and 61, Title 40, Code of Federal Regulations.

Other Identifying Information: Section 5.03 pertains to Registration Required, Exh. A - Exclusions. Section 6.11 pertains to New Source Performance Standards. Article 7 pertains to Operating Permits. Section 2.02 pertains to National Emission Standards for Hazardous Air Pollutants.

Statutory Authority for Adoption: Chapter 70.94 RCW. Statute Being Implemented: RCW 70.94.151 and 70.94.161.

Summary: Amendments would update the list of sources exempt from the agency's registration program. New sections would adopt the agency's operating permits program and incorporate provisions of Parts 60 and 61, Title 40, CFR relating to new source performance standards (NSPS) and national emission standards for hazardous air pollutants (NESHAP).

Reasons Supporting Proposal: FCAA amendments require state and local agencies to develop and implement an operating permits program for large facilities that may emit 100 tons/year or more of criteria air pollutants and/or 10 tons of toxics and to incorporate provisions of Parts 60 and 61, Title 40, CFR.

Name of Agency Personnel Responsible for Drafting: John Anderson, 110 Union Street, #500, Seattle, 98101, 689-4051; Implementation: Dave Kircher, 110 Union Street, #500, Seattle, 98101, 689-4050; and Enforcement: Jim Nolan, 110 Union Street, #500, Seattle, 98101, 689-4053.

Name of Proponent: Puget Sound Air Pollution Control Agency, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The state implementation plan will be updated to reflect these amendments.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposal would adopt the agency's operating permits program, including defining insignificant sources and it would incorporate NSPS and NESHAP provisions (Parts 60 and 61, Title 40, CFR) as required by the FCAA amendments.

Proposal Changes the Following Existing Rules: The proposal adopts the agency's operating permits program including updating the list of sources exempt from the agency's registration program and incorporates NSPS and NESHAP provisions.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Puget Sound Air Pollution Control Agency Offices, 110 Union Street, #500, Seattle, WA 98101, on August 12, 1993, at 9:00 a.m.

Submit Written Comments to: Laurie Halvorson, Puget Sound Air Pollution Control Agency, 110 Union Street, #500, Seattle, WA 98101, by August 2, 1993.

Date of Intended Adoption: August 12, 1993.

July 2, 1993

David S. Kircher
Manager - Engineering

AMENDATORY SECTION

REGULATION I SECTION 5.03 REGISTRATION REQUIRED

All air contaminant sources within the jurisdiction of the Agency shall be registered with the Agency, except any of the excluded sources which are listed in Exhibit A to this Regulation I, which by this reference is made a part hereof as now constituted or hereafter amended.

EXHIBIT A - INSIGNIFICANT SOURCES

Exclusions:

(1) ~~((Air conditioning or v))~~ Ventilating systems not designed to ((remove contaminant generated by or released from equipment)) control air contaminants.

~~((2) Atmosphere generators used in connection with metal heat treating processes.~~

~~(3) Blast cleaning equipment which uses a suspension of abrasive in liquid water.~~

~~(4) Foundry sand mold forming equipment, unheated.~~

~~(5)) (2) Fuel burning equipment ((unless waste derived fuel as defined in Section 9.08 is burned, which)) that has a maximum input rate of:~~

~~(i) less than 0.5 million Btu per hour (0.15 million joules per second) burning waste-derived fuel; or~~

~~(ii) less than 10 million Btu per hour (3 million joules per second) burning natural gas, propane, or butane; or~~

~~(iii) less than 1 million Btu per hour (0.3 million joules per second) burning any other fuel.~~

~~((i) is used solely for a private dwelling serving less than five families; or~~

~~(ii) has an energy input of less than 1 GJ (1 million Btu) per hour.~~

~~(6) Waste derived fuel burning equipment as defined in Section 9.08, which has an energy input of less than 0.5 GJ (0.5 million Btu) per hour.~~

~~(7)) (3) Insecticide, pesticide, or fertilizer spray equipment.~~

~~((8)) (4) Internal combustion engines ((including gas turbine and jet engines, except stationary gas turbine engines and stationary internal combustion engines for which a United States Environmental Protection Agency (EPA) New Source Performance Standard has been adopted)) less than the size thresholds of the proposed United States Environmental Protection Agency (EPA) New Source Performance Standards (NSPS) 40 CFR Part 60 Subpart FF (Stationary Internal Combustion Engines, 44 FR 43152 7/23/79) or the promulgated EPA NSPS 40 CFR Part 60 Subpart GG (Stationary Gas Turbines).~~

~~((9)) (5) Laboratory ((fume hoods)) equipment used exclusively for chemical or physical analyses.~~

~~((10)) (6) Laundry dryers ((extractors, or tumblers used exclusively for the removal of water from fabric)) without control equipment.~~

~~(7) Dryers or ovens used solely to accelerate evaporation.~~

~~((11)) (8) Routing, turning, carving, cutting, and drilling equipment used for metal, wood, plastics, rubber, leather, or ceramics which does not release air contaminants to the ambient air.~~

~~((12) Sewing equipment.~~

~~(13) Steam cleaning equipment used exclusively for that purpose.~~

~~(14) Storage tanks, reservoirs, or containers which do not store substances capable of emitting air contaminants.~~

~~(15)) (9) Storage tanks ((reservoirs, or containers storing volatile organic compounds)):~~

~~(i) that do not store substances capable of emitting air contaminants; or~~

~~(ii) with a rated capacity of less than 1,000 gallons (3,780 liters) used for storage of gasoline; or~~

~~(iii) with a rated capacity of less than 10,000 gallons (38,000 liters) used for storage of volatile organic compounds; or~~

~~((i) of a capacity of 3,780 liters (1,000 gallons) or less; or~~

~~(ii) of a capacity of 15,000 liters (4,000 gallons) or less used for storage of substances other than gasoline; or~~

~~((iii)) (iv) ((of a)) with a rated capacity of ((150,000 liters (40,000 gallons) or less)) less than 40,000 gallons (150,000 liters) used for storage of ((substances)) volatile organic compounds with a true vapor pressure less than 0.01 kPa (0.002 psia).~~

~~((16) Vacuum cleaning systems used exclusively for industrial, commercial, or residential housekeeping, which do not release air contaminants into the ambient air.~~

~~(17) Vacuum producing devices used in laboratory operations, and vacuum producing devices which do not remove or convey air contaminant from or to another source.~~

~~((18)) (10) ((Vents used exclusively for:~~

~~(i) sanitary or storm drainage systems ((or~~

~~(ii) safety valves; or~~

~~(iii) storage tanks)).~~

~~((19) Washing or drying equipment used for products fabricated from metal or glass, if no volatile organic material is used in the process.~~

~~((20) Water cooling towers and cooling ponds which do not emit any air contaminants.~~

~~((21))~~ ~~((11) ((Portable, manually operated w))~~ Welding, brazing, or soldering equipment.

~~((22))~~ ((12) Asphalt roofing and laying equipment (not including manufacturing or storage).

~~((23))~~ ((13) Restaurants and other retail food-preparing establishments.

~~((24))~~ ((14) Cold solvent cleaners using a solvent with a true vapor pressure less than or equal to 4.2 kPa (0.6 psia).

~~((25))~~ ((15) Retail printing operations (not including web presses).

~~((26) Retail paint sales (not including manufacturing).~~

~~((27))~~ ((16) Spray painting or blasting equipment used at a temporary location to clean or paint bridges, water towers, buildings, or similar structures.

~~((28))~~ ((17) Sources which due to the amount and nature of air contaminants produced, and potential to contribute to air pollution, are determined through review by the Control Officer not to warrant registration ((~~provided that for new sources, such determination shall be based upon review of a Notice of Construction~~)).

NEW SECTION

REGULATION I SECTION 6.11 NEW SOURCE PERFORMANCE STANDARDS

It shall be unlawful for any person to cause or allow the operation of any source in violation of any provision of Part 60, Title 40, of the Code of Federal Regulations (CFR) in effect July 1, 1993 herein incorporated by reference.

NEW SECTION

REGULATION I ARTICLE 7: OPERATING PERMITS

REGULATION I SECTION 7.01 PURPOSE

The purpose of this article is to provide for a comprehensive operating permit program consistent with the requirements of Title V of the federal Clean Air Act Amendments of 1990 and its implementing regulation 40 CFR Part 70, and RCW 70.94.161 and its implementing regulation Chapter 173-401 of the Washington Administrative Code.

NEW SECTION

REGULATION I SECTION 7.03 APPLICABILITY

The provisions of this article apply to all Chapter 401 sources subject to the requirements of WAC 173-401 and shall become effective 90 days after the EPA authorizes Puget Sound Air Pollution Control Agency to issue operating permits under the federal Clean Air Act.

NEW SECTION

REGULATION I SECTION 7.05 COMPLIANCE

It shall be unlawful for any person to cause or allow the operation of any source subject to the requirements of WAC

173-401 without complying with the provisions of WAC 173-401 and any permit issued under its authority.

NEW SECTION

REGULATION I SECTION 7.07 FEES

(a) The Agency shall levy annual operating permit fees as set forth in Article 5 of Regulation I to cover the cost of administering the operating permit program.

(b) The agency may, on a source-by-source basis, levy a surcharge to cover the cost of public involvement under WAC 173-401-800.

(c) The Agency shall collect and transfer to the Washington State Department of Ecology a surcharge established by the Department of Ecology under WAC 173-401 to cover the Department of Ecology's program development and oversight costs.

NEW SECTION

REGULATION III SECTION 2.02 NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

It shall be unlawful for any person to cause or allow the operation of any source in violation of any provision of Part 61, Title 40, of the Code of Federal Regulations (CFR) in effect July 1, 1993 herein incorporated by reference.

WSR 93-14-133
PROPOSED RULES
DEPARTMENT OF HEALTH
 (Board of Massage)
 [Filed July 7, 1993, 11:29 a.m.]

Original Notice.

Title of Rule: WAC 246-830-460, 246-830-465, 246-830-470, 246-830-475, 246-830-480 and 246-830-485, continuing education basic requirement, amount, effective date, exemptions, qualifications of program, acceptable credits, certification of compliance.

Purpose: To establish a continuing education requirement of ten hours of acceptable education as a condition of licensure renewal.

Statutory Authority for Adoption: RCW 18.108.025(1).

Statute Being Implemented: Chapter 18.35 RCW.

Summary: Rules to establish a ten hour yearly requirement for renewal.

Reasons Supporting Proposal: To provide consumer protection, by requiring practitioners to maintain professional knowledge in a rapidly growing field of technique.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Janice K. Boden, 1300 Quince Street S.E., (206) 753-3199.

Name of Proponent: Board of Massage, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rule would establish a ten hour yearly requirement for renewal of licensure; the purpose would be to provide the public with competent and more aware practitioners; and the

anticipated affect would be that licensees would participate willingly, that programs and new ideas would be more fully disseminated to the practitioners and the public would benefit by the affects of yearly continual education.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Tacoma Public Library, Cascade Room A, 1102 Tacoma Avenue South, Tacoma, WA 98402, on August 16, 1993, at 9:30 a.m.

Submit Written Comments to: Rules Management, Ann Foster, 1300 Quince Street S.E., P.O. Box 47902, Olympia, WA 98504-7902, by August 12, 1993.

Date of Intended Adoption: August 16, 1993.

July 5, 1993

Janice K. Boden
Program Manager

NEW SECTION

WAC 246-830-460 Continuing education basic requirement—Amount. In the one-year period immediately preceding the annual renewal of the license, the licensee shall complete ten hours of acceptable continuing education. (1) Measurement is in full academic hours only (a fifty-minute period equals one hour). A one-day course shall constitute eight hours of credit.

(2) Credit shall be granted only for class hours, and not preparation hours.

(3) Acceptable courses taken after January 1, 1993 may be included in the first computation of continuing education hours necessary for renewal.

NEW SECTION

WAC 246-830-465 Effective date of requirement.

(1) The effective date of the continuing education requirement shall be one year after the 1993 renewal date.

(2) With respect to a newly licensed individual, the regulation shall become effective on the renewal date two years after initial licensure in this state.

NEW SECTION

WAC 246-830-470 Exemptions. Upon a showing of good cause by a licensee, the secretary with advice from the board, may exempt such licensee from any, all, or part of the continuing education requirement. Exemptions are effective for one year.

NEW SECTION

WAC 246-830-475 Qualification of program for continuing education credit. Completion of a formal program of learning which contributes directly to the professional competence of a licensed individual in their practice shall qualify as continuing education credit.

NEW SECTION

WAC 246-830-480 Acceptable continuing education. Completion of the following qualifies as continuing education credit:

(1) Attendance at a recognized local, state, national or international continuing education program having a featured speaker;

(2) First aid, CPR or emergency related classes;

(3) Viewing of educational video tapes not to exceed four credits;

(4) Teaching a seminar for the first time, not to exceed eight hours; or

(5) Business and management courses not to exceed four hours.

NEW SECTION

WAC 246-830-485 Certification of compliance. (1)

In conjunction with the application for renewal of licensure at the end of each one year period as provided for in RCW 18.108.060, each licensee shall submit an affidavit of compliance on a form provided by the secretary indicating the ten hours of continuing education completed by the licensee.

(2) The secretary, with recommendations from the board, reserves the right to require any licensee to submit evidence of training in order to demonstrate compliance with the continuing education requirement. It is therefore the responsibility of each licensee to maintain records, or certificates or other evidence of compliance with the continuing education requirements for up to two years.

NEW SECTION

WAC 246-830-486 Requirements not met. Failure on the part of a licensee to demonstrate that the continuing education requirement has been met shall be grounds for denial of renewal.

WSR 93-14-134

PROPOSED RULES

DEPARTMENT OF WILDLIFE

[Filed July 7, 1993, 11:47 a.m.]

Original Notice.

Title of Rule: WAC 232-28-61936 1992-94 Washington game fish seasons and catch limits—Wannacut Lake and Katey Lake (Region 2).

Purpose: To implement a fishing closure on Wannacut Lake, Okanogan County, and Katey Lake, Grant County which are subject to rehabilitation during fall 1993.

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: These waters are being proposed for rehabilitation during September to October 1993. Wannacut Lake is currently open April 25, 1993, to October 31, 1993. Katey Lake is currently open year around. This proposed rule change would close the fishing season September 1, 1993, through April 29, 1994, on Wannacut Lake, and October 1, 1993, through June 30, 1994, on Katey Lake.

Reasons Supporting Proposal: The lakes are proposed to be closed to fishing to comply with current rotenone label restrictions (the public needs to be discouraged from consuming fish killed during the rehabilitations); and the lakes will not be stocked with trout fry until the summer of 1994.

Name of Agency Personnel Responsible for Drafting and Implementation: Bruce Crawford, A.D., Fisheries Management, Olympia, (206) 753-2895; and Enforcement: Tony de la Torre, A.D., Wildlife Enforcement, Olympia, (206) 753-2839.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The fishing seasons are proposed to be closed from September 1, 1993, thorough 12:00 midnight, April 29, 1994, on Wannacut Lake, and October 1, 1993, through June 30, 1994 on Katey Lake. This is to discourage the public from harvesting fish killed during rehabilitations and because the lakes will not be stocked with trout fry until summer, 1994. Some recreational opportunities will be lost during the closures. Increased trout production and recreational opportunities are expected after the rehabilitation is complete.

Proposal Changes the Following Existing Rules: Wannacut Lake (Okanogan County) is currently managed under an April 25, 1993, to October 31, 1993, fishing season. The proposed rule closes Wannacut Lake to fishing from September 1 through April 29, 1994; and Katey Lake (Grant County) is currently managed under a year around fishing season. The proposed rule closes Katey Lake to fishing from October 1, 1993, through June 30, 1994.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Colville Community Center, 430 East Hawthorne, Colville, WA 99114, on August 14, 1993, at 8:00 a.m.

Submit Written Comments to: Richard J. Poelker, 600 Capitol Way North, Olympia, WA 98501-1091, by July 30, 1993.

Date of Intended Adoption: August 14, 1993.

July 7, 1993

Richard J. Poelker
Administrative Regulations Officer

NEW SECTION

WAC 232-28-61936 1992-94 Washington game fish seasons and catch limits—Wannacut Lake and Katey Lake (Region 2). Notwithstanding the provisions of WAC 232-28-619, the following game fish seasons will apply to Wannacut Lake and Katey Lake.

Wannacut Lake: April 25, 1993, through 12:00 midnight, August 31, 1993, season.

Closed waters: 12:01 a.m., September 1, 1993, through 12:00 midnight on April 29, 1994.

Katey Lake: Year around season, except closed waters effective 12:01 a.m., October 1, 1993, through 12:00 midnight, June 30, 1994.

WSR 93-14-003
PERMANENT RULES
COUNTY ROAD
ADMINISTRATION BOARD

[Filed June 23, 1993, 2:46 p.m.]

Date of Adoption: May 4, 1993.

Purpose: Revises permanent rules for the implementation of chapter 42, Laws of 1990, regarding pavement management systems.

Citation of Existing Rules Affected by this Order: Amending chapter 136-320 WAC.

Statutory Authority for Adoption: RCW 36.78.070 and 46.68.095(4).

Pursuant to notice filed as WSR 93-07-045 on March 15, 1993.

Effective Date of Rule: Thirty-one days after filing.

June 1, 1993

Vern E. Wagar
 Executive Director

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-320-010 Definition. A pavement management system ((PMS)) is a systematic ((method used to preserve and maintain paved road systems by analyzing pavement life cycles, determining when and what kind of pavement preservation work is necessary and most cost effective, and budgeting funds accordingly to prevent major road deterioration. A key element of a PMS is the capacity to plan)) analytical tool used to preserve and maintain paved road systems by periodic surveys of pavement condition and analysis of pavement life cycles to assess overall system performance and costs, and to determine the alternative strategies and costs necessary to prevent significant road deterioration. A key element of a PMS is its ability to provide pavement preservation ((work)) alternatives based upon a predictive pavement deterioration model ((or process)).

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-320-020 Application. A ((county's)) pavement management system shall be ((applied to the pavement preservation and rehabilitation activities of all county paved arterials. Application to the local access system, although desirable, shall not be required to receive CAPA)) used by all counties to guide the pavement preservation and rehabilitation activities on all county paved arterial roads. Beginning January 1, 1996, each county shall utilize a computer-based pavement management system (PMS) meeting the requirements of WAC 136-320-030 on all county paved arterial roads in order to retain eligibility for CAPP funds. Application of the PMS to the local access system will not be required to retain eligibility for CAPP funds.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-320-030 ((Submittals by counties.))
Pavement management system requirements. ((In order for a county to be eligible for CAPA funds the county road engineer must submit a description of the county's current pavement management system. Work done prior to the submittal of the pavement management system description shall not be eligible for CAPA funding. The description must contain sufficient information, including specific policies and/or procedures, to evaluate the adequacy of the following items:

(1) ~~System definition.~~ The PMS must assure that all paved arterial lane miles are included for analysis and that system changes, additions, and deletions are periodically incorporated into the system definition. This shall also include a system of maintaining a historical record of all resurfacing and/or rehabilitation work on all paved arterials.

(2) ~~Condition rating criteria.~~ The PMS must contain specific descriptions of how pavement condition is determined, the frequency of the determination, and the threshold(s) at which the various preservation actions should be programmed. Condition determination, frequency, and thresholds may vary depending upon pavement type and operational characteristics of road groups.

(3) ~~Annual prioritization.~~ The PMS must contain specific description of the county's method for the advance determination of which paved arterial road segments will receive priority in the annual expenditure for pavement preservation and rehabilitation regardless of the source of the funds. This item shall also include discussion of how local access roads are included in the prioritization process.

(4) ~~Advance programming.~~ The PMS must contain specific description of the county's procedures to estimate future pavement preservation and reconstruction needs on at least an annual basis so as to prevent major arterial road deterioration.) Each county's PMS shall meet the following minimum standards:

(1) All county jurisdiction paved arterials, as defined by the most recently approved county road log as described in chapter 136-60 WAC, shall be surveyed for visual pavement distress at least biennially. Distress rating information must be keyed to the county road log by both road number and mileposts.

(2) All visual distresses (or defects) for both flexible and rigid pavements, both in severity and extent, shall be as defined within the "Pavement Surface Condition Rating Manual" (March 1992, produced by the Washington state transportation center in cooperation with the Northwest Pavement Management Systems Users Group and the Washington state department of transportation). Only those distresses noted as "core program defect" are required to be surveyed. Measurement may be at the project, segment, or sample unit level. Measurement for each distress will be by:

(a) Selection of the most predominant severity and extent combination; or

(b) Determination of the extent percent of each level of severity.

Measurement may be by a manual or automated visual condition rating process. The distress information will be converted to a pavement condition rating in accordance with

a standard deduct matrix or continuous deduct value curves as provided by the CRABoard. Alternate deduct matrices may be used by a county for internal management analyses. Alternate distress determination and evaluation methodologies may be used if approved by the CRABoard in accordance with WAC 136-320-040.

(3) The PMS shall provide for the recording and storage of pavement resurfacing, rehabilitation, and reconstruction history data, including surfacing and base layer types and thicknesses, and year of application. Counties will not be required to determine such information for any work done prior to the county's implementation date.

(4) The PMS shall include a future pavement condition prediction model that uses the periodic pavement condition distress data to forecast future pavement condition and to determine an estimate of service life.

(5) The PMS shall provide for annual downloading to the CRABoard of one of the following for all paved arterials surveyed for pavement condition in the previous twelve months:

(a) The individual pavement distresses;

(b) The resultant pavement condition rating based on the CRABoard-provided standard deduct matrix; or

(c) The resultant pavement condition rating for an approved alternative PMS as described in WAC 136-320-040.

Such downloading shall be called the pavement condition data file. It shall be keyed to the county road log, and shall be transmitted in the electronic medium and format specified by the CRABoard, along with the annual road log update required by chapter 136-60 WAC.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-320-040 ((~~Evaluation~~)) **Alternative pavement management system requirements.** ((~~Upon receipt of a county's pavement management system description, the executive director shall evaluate it as to its adequacy in meeting the requirements. The executive director shall notify the county road engineer of the evaluation.~~)) Alternative PMS distress determination and evaluation methodologies, processes, or systems may be used if they yield pavement condition ratings comparable to the process described in WAC 136-320-030(2). Counties intending to use an alternative process must satisfactorily demonstrate to the CRABoard that the alternative process is based on sound pavement engineering principles and is comparable in quality and scale through research results, documented conversion equations, statistical sampling, or other methods.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-320-050 ((~~Modifications~~)) **State-wide pavement condition data file.** ((~~Subsequent to the initial submittal of a county's pavement management system description, the county road engineer shall notify the executive director, in writing, of any substantive changes in the county's PMS process. All changes will be evaluated by the executive director in the same manner as the original evaluation and notification provided to the county road engineer.~~)) The county road administration board shall

maintain a pavement condition data file, organized by county, containing the pavement condition ratings as provided annually by each county.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-320-060 **Annual review.** ((~~In conjunction with the annual determination of CAPA allocations as set forth in chapter 136-310 WAC, the executive director shall review the status of each county's pavement management system and report his findings to the CRABoard. The review shall consider the original description submittal, any subsequent modifications and a staff evaluation of the adequacy of implementation. The staff evaluation shall be drafted and a copy sent to the respective county engineer not less than two weeks prior to the CRABoard's annual CAPA allocation meeting.~~)) On an annual basis, beginning in calendar year 1993, the executive director of the county road administration board shall review the implementation of and, beginning in calendar year 1995, the compliance with the requirements of WAC 136-320-030 or 136-320-040 and report the results to the CRABoard.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-320-070 ((~~Standardization~~)) **CRAB assistance.** ((~~(1) Distress methodology. In order to achieve uniformity in pavement condition determination for analysis and reporting purposes, the CRABoard shall adopt one or more standard pavement distress identification and analysis methodologies. Upon adoption, the standard or standards shall be provided to each county. Each county shall utilize the adopted standard/standards or an acceptable alternate.~~))

((~~2) Alternate methodologies. Any county which utilizes pavement condition or distress data different from a CRAB standard shall either modify its PMS process to accommodate the standard or shall demonstrate to the satisfaction of the CRABoard the equivalency of county's method to the CRAB standard. The county shall be responsible for providing any research documents, conversion equations, or other technical support such that the county's pavement condition data can be correctly converted to the CRAB standard.~~))

((~~3) Retention of CAPA eligibility. No county shall be eligible for CAPA funds that have not met the requirements of subsections (1) and (2) of this section within three years of CRAB's promulgation of standards.~~)) To enable each county to meet its eligibility requirements, CRAB shall provide a PMS software application and training as part of its agency-supported county road information system. CRAB shall also provide to counties, upon request, administrative and technical assistance related to defining, developing, operating, managing, and utilizing pavement management technology.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

WAC 136-320-080 ((~~CRAB assistance~~)) **Use of pavement management system data for distribution of county arterial preservation account funds.** ((~~To enable~~))

~~each county to meet its eligibility requirements, CRAB will update its existing WSC2 PMS micro computer software so that it is fully integrated with the county road log through the county road information system (CRIS). Upon completion, CRAB will make the updated software and appropriate training available to counties on request. CRAB shall also provide, on request, administrative and technical assistance related to defining, developing, operating, managing, and utilizing current pavement management technology.))~~ The results and/or data from the individual or collective county PMS's will not be used to distribute county arterial preservation funds nor to establish priorities for specific projects or otherwise alter the statutory fund distribution. Said results and/or data will be used to evaluate regional or state-wide arterial pavement preservation and rehabilitation needs and to demonstrate compliance with the enabling legislation.

WSR 93-14-008
PERMANENT RULES
STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES

[Filed June 24, 1993, 11:37 a.m.]

Date of Adoption: Thursday, June 17, 1993.

Purpose: Revises the Washington state community and technical college personnel standards.

Citation of Existing Rules Affected by this Order: Amending WAC 131-16-091, 131-16-092, and 131-16-093.

Statutory Authority for Adoption: Chapter 28B.50 RCW.

Pursuant to notice filed as WSR 93-10-103 on May 5, 1993.

Changes Other than Editing from Proposed to Adopted Version: In proposed WAC 131-16-093 (2)(b), it reads, "Counselors may be issued a one-year certificate upon completion of the minimum requirements for a temporary certificate . . ." The state board made the distinction by referring to "vocational" counselors.

Effective Date of Rule: Thirty-one days after filing.

June 24, 1993
 Claire C. Krueger
 Executive Assistant
 Rules Coordinator

AMENDATORY SECTION (Amending Order 134, Resolution No. 91-27, filed 10/4/91, effective 11/4/91)

WAC 131-16-091 Additional qualifications in areas of specialization. In addition to the general standards required by WAC 131-16-080 and chapter 490-28A WAC in the case of vocational education personnel, the district board of trustees shall establish that candidates for appointment meet or exceed the following standards in their areas of specialization:

(1) Professional personnel performing services for which advanced degrees are normally available shall hold the equivalent of a master's degree in the field of their educational service from an accredited college or university or a bachelor's degree and extensive professional experience in the field of their educational service.

(2) Professional personnel in vocational fields or other specialized areas for which advanced degrees are not normally available shall have sufficiently broad and comprehensive training and work experience that particularly qualifies them to provide instruction in their area of specialization.

(3) All newly hired vocational education teaching personnel must have recent work experience beyond the learning period as a fully qualified worker in the occupation that will be taught. The minimum work experience shall be equal to the recognized learning period required to gain competence in the occupation, but shall be in no case less than two calendar years of full-time work or its equivalent beyond the learning experience. The number of hours worked shall be equivalent to the hours worked by full-time workers in the occupation to be taught.

(a) Minimum work experience for apprenticeable occupations will be equal to the learning period then currently registered with the state department of labor and industries.

(b) Minimum work experience in occupations requiring state or local licensing, certification, or registry will be two calendar years subsequent to receipt of license, unless the occupation is also an apprenticeable trade. Current licenses, registrations, and/or certifications shall be maintained as a requirement for teaching courses in the respective occupation.

(c) Minimum work experience for all other trades and occupations will be two calendar years of full-time employment or the equivalent, subsequent to the required learning period, which shall be the number of hours worked by full-time workers during a two-year period in the occupation.

(d) Recent work experience shall be defined as employment full-time for six months or the equivalent, within the two years immediately preceding initial vocational certification, which shall be one-fourth of the hours required by (c) of this subsection.

(e) One year full-time employment shall mean that which is the standard for the occupation.

(4) All other vocational education teaching personnel including instructors of vocationally related courses, teachers' aides, lab assistants, and tutors, who do not meet the work experience and educational requirements specified above may be employed either on a full-time or part-time basis: *Provided*, That such individuals shall possess appropriate technical skills and knowledge in the specific program area assigned: *And provided further*, That such individuals shall work under the direct supervision of, or in direct coordination with, an appropriately certified professional. Each college district shall maintain job descriptions for each position in this category.

(5) Vocational counselors shall meet the minimum work experience requirement by verifying work experience in one or more occupations other than professional education, which is cumulative to at least two years of full-time employment. Vocational counselors shall be certified only if they have had preparation in vocational counseling, testing, and occupational information.

(6) General administrative personnel shall have advanced training or experience relevant to their assigned duties. The chief administrator shall hold an earned doctorate from an accredited university or have equivalent adminis-

trative expertise as demonstrated by successful performance of broad administrative responsibilities.

(7) The vocational administrator and all other subordinate vocational education administrative personnel must have been employed as a full-time vocational education instructor, occupational information specialist, or vocational counselor for at least three academic years or have equivalent experience in industry or other public agencies and they must have had at least two calendar years of accumulated experience in the capacity of a supervisor in education, business, industry, a public agency, or an equivalent volunteer community service. In addition, such individuals must have demonstrated to the employing agency a commitment to and understanding of vocational education. Industry and public agency experience will be evaluated at no more than a one-to-one basis. The vocational administrator's personnel file must have verification that these standards have been met.

(8) A current first aid certificate, including CPR, is required for those vocational instructors and counselors prior to the second quarter of employment in vocational programs where the instructional environment brings students into physical proximity with machinery, electrical circuits, biologicals, radioactive substances, chemicals, flammables, intense heat, gases under pressure, excavations, scaffolding, ladders, and other hazards.

~~(9) ((A current CPR certificate is required for all vocational instructors and counselors.~~

~~(10))~~ Responsibility for ensuring that appropriate staff have first aid training will rest with the assigned vocational administrator as defined in subsection (7) of this section.

~~((11))~~ (10) The specific type of first aid program, including CPR, required of vocational instructors and counselors shall be achieved by passing a course of first aid instruction and participation in practical application of the following subject matter;

- Bleeding control and bandaging.
- Practical method of artificial respiration, including mouth to mouth and mouth to nose resuscitation.
- Closed chest heart massage.
- Poisons.
- Shock, unconsciousness, stroke.
- Burns, scalds.
- Sunstroke, heat exhaustion.
- Frostbite, freezing, hypothermia.
- Strains, sprains, hernias.
- Fractures, dislocations.
- Proper transportation of the injured.
- Bites, stings.

Subjects covering specific health hazards likely to be encountered by coworkers of first aid students enrolled in the course.

~~((12))~~ (11) Specifically excluded from conformance to the first aid requirement are:

(a) Those instructors who teach related subjects to vocational students, i.e., Mathematics, English, or communications skills, etc., when these subjects are taught in classrooms rather than shops or laboratories.

(b) Physicians, registered nurses, licensed practical nurses, and others when their occupational competencies and training include first aid knowledge and skills equal to or superior to that represented by the first aid certification being required under these regulations.

AMENDATORY SECTION (Amending Order 134, Resolution No. 91-27, filed 10/4/91, effective 11/4/91)

WAC 131-16-092 Maintaining and improving occupational and teaching competencies for vocational administrators, instructors and counselors. It shall be the responsibility of the president of each institution or district to assure compliance with the following standards, which must be met or exceeded by all districts:

(1) The institution or district will certify through the assigned vocational administrator each full-time instructor and vocational counselor and maintain documentation of such certification. The certificate and the documentation on file shall specify the function and/or the specific occupational area for which the individual is certified.

(2) Each full-time contracted vocationally certified instructor or counselor shall have an individual improvement plan which covers the time interval of the current certification developed in consultation with and approved by the vocational administrator or designee. The vocational administrator shall maintain a file of all such plans, which shall be reviewed annually.

(3) Part-time vocational teaching and counseling personnel must be ~~((certified))~~ certifiable and have a verification of work experience related to instructional assignment record on file in the individual's personnel folder. This record must be on file for each part-time instructor/counselor during each quarter of teaching employment. Part-time instructors must have teaching competencies reviewed every five years. "Teaching competencies" refers to (a) currency in the occupation and (b) teaching skills. Part-time vocational counselors must have records in their file indicating compliance with WAC 131-16-091(5). ~~((Part-time teaching personnel not qualifying for five-year certificates must be awarded a temporary certificate effective for a maximum of three years. At the conclusion of the initial three years, the individual must complete thirty clock hours or three credits of elements of instruction or equivalent before an additional three-year temporary certificate may be granted. During each subsequent three-year period, at least thirty clock hours or three credits of teacher training must be completed before the award of a renewed temporary certificate.))~~

(4) Full-time professional personnel may not be employed on the basis of a temporary certificate for a period of more than one year.

(5) Certification under the above standards is a condition of continued employment for all vocational education personnel.

(6) Safety and occupational health practice standards are met by satisfying OSHA and WISHA requirements.

AMENDATORY SECTION (Amending Order 134, Resolution No. 91-27, filed 10/4/91, effective 11/4/91)

WAC 131-16-093 Types of vocational education certificates. In issuing certificates for vocational education personnel, the college district shall utilize the following nomenclature and shall meet the standards set forth below as a minimum:

(1) Temporary certificate.

(a) Full-time vocational instructors shall be issued a temporary certificate provided that such individuals shall be required to complete an orientation to begin no later than the

first day of employment. An orientation outline must be on file at each campus. A temporary certificate is not renewable for full-time instructors and counselors.

(b) Full-time vocational counselors shall be issued a temporary certificate provided that such individuals have met the requirements set forth in WAC 131-16-091(5).

(2) One-year certificate.

(a) Instructional personnel who have completed the minimum requirements for a temporary certificate and who, in addition, provide documentation of teaching competency as demonstrated by having satisfactorily completed a minimum of three credits in courses concentrated upon the elements of teaching, or the equivalent, shall be issued a one-year certificate. A one-year certificate may be renewed once.

(b) (Vocational) Counselors may be issued a one-year certificate upon completion of the minimum requirements for a temporary certificate and who, in addition, have completed a minimum of three credits or thirty clock hours in course(s) in accordance with the individual's professional improvement plan. A one-year certificate may be renewed no more than once.

(3) Three-year certificate. May be used as a temporary with part-time instructors. (Optional with the local district for full-time instructors.)

(4) Five-year certificate (initial).

(a) Instructional personnel, occupational information specialists, and vocational counselors who have met the requirements of WAC 131-16-070 through 131-16-092 and who have earned a master's degree or doctorate in their professional career field or in the field of education from a recognized college or university accredited by a group recognized by the Council on Postsecondary Accreditation (COPA), and who have completed the minimum requirements for a temporary certificate, may be issued a five-year certificate.

(b) Instructional personnel and vocational counselors who have not earned a master's degree or doctorate in their professional career field or in the field of education from an accredited college or university shall be issued a five-year certificate upon completion of at least two years of teaching service, who have, in addition to the one-year certificate requirements, documentation of competency as demonstrated by having satisfactorily completed a minimum of three credits or thirty clock hours in courses dealing with the techniques of occupational analysis, or equivalent, a minimum of three credits in courses concentrated upon the principles of vocational course organization or equivalent, and who have completed a minimum of three additional professional improvement units in accordance with the individual's professional improvement plan.

(c) Vocational counseling personnel who do not have a master's degree shall be issued a five-year certificate upon:

(i) Completion of at least two years of counseling service,
 (ii) in addition to the one-year certificate requirements, documentation of competency as demonstrated by having satisfactorily completed a minimum of three credits or thirty clock hours in courses dealing with advanced or graduate level counseling theories and/or techniques, or equivalent, and
 (iii) completion of a minimum of six additional professional improvement units in accordance with the individual's professional improvement plan.

(5) Five-year certificate (renewal). A five-year renewable certificate shall be issued to professional personnel who have completed a minimum of fifteen professional improvement units during the previous five-year period in accordance with the individual's improvement plan, documenting currency in teaching skills. Professional improvement plans shall, if deemed appropriate, include work experience as defined in WAC 131-16-094(1), and no more than ten professional units in any one category as defined in WAC 131-16-094 shall apply.

(6) The assigned vocational administrator shall be responsible for the designation of approved course equivalents.

WSR 93-14-011
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed June 24, 1993, 3:51 p.m.]

Date of Adoption: June 24, 1993.

Purpose: To amend professional license fees.

Citation of Existing Rules Affected by this Order:
 Amending WAC 246-810-020 Expiration of registration or certification, 246-810-990 Counselor fees, 246-824-990 Dispensing optician fees, 246-828-990 Hearing aid fitter/dispenser fees, 246-830-990 Massage practitioner fees, 246-836-990 Naturopathic physician fees, 246-843-990 Nursing home administrator fees, 246-845-990 Nursing pool fees, 246-849-990 Ocularist fees, 246-933-990 Veterinary fees, and 246-935-990 Animal technician fees; new sections WAC 246-845-050 Registration of a nursing pool, 246-845-060 Application, 246-845-070 Registrations, 246-845-080 Insurance requirements, 246-845-090 Quality assurance standards, 246-845-100 Renewal of registration, 246-845-110 Denial, suspension or revocation of registration, 246-824-040 Application for examination, 246-824-071 Licensure by endorsement—Definitions, 246-824-072 Temporary permits, and 246-824-073 Retired active license; and repealing WAC 246-845-020 Registration of a nursing pool, 246-845-030 Renewal of registration, and 246-845-040 Denial, suspension or revocation of registration.

Statutory Authority for Adoption: RCW 43.70.250.

Pursuant to notice filed as WSR 93-10-039 and 93-10-040 on April 28, 1993; and WSR 93-10-071 on May 3, 1993.

Changes Other than Editing from Proposed to Adopted Version: WAC 246-810-990 eliminate certified marriage and family therapist oral exam and reexam fee; and WAC 246-836-990 reduced pregraduate basic science exam fee from \$300 to \$175.

Effective Date of Rule: Thirty-one days after filing.

June 24, 1993

Bruce Miyahara
 Secretary

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-810-020 Expiration of registration or certification. A registration or certification shall expire on the registered or certified practitioner's (~~second~~) first

birthdate following the date of ~~(original)~~ initial issue at which time it will be subject to renewal. Thereafter, the registration or certification will be renewable at ~~(two-year)~~ one-year intervals, on or before the birthdate of the registered or certified practitioner.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-810-990 Fees. The following fees shall be charged by the professional licensing services division of the department of health:

Title	Fee
Registered counselor:	
Application and registration	((75.00)) 40.00
Application assessment	((3.50)) 2.00
Renewal	((70.00)) 37.00
Renewal assessment	((3.50)) 1.85
Late renewal penalty	((73.50)) 37.00
Duplicate (license) <u>registration</u>	((42.00)) 15.00
Certification/verification	50.00
Registered (counselor) hypnotherapist:	
Application and registration	((75.00)) 85.00
Application assessment	((3.50)) 4.25
Renewal	((70.00)) 35.00
Renewal assessment	((3.50)) 1.75
Late renewal penalty	((73.50)) 35.00
Duplicate (license) <u>registration</u>	((42.00)) 15.00
Certification/verification	((50.00)) 15.00
Certified marriage(/) and family therapist:	
Application (and certification)	((125.00)) 100.00
Application assessment	((6.00)) 5.00
<u>Initial certification</u>	125.00
Written examination	((140.00)) 250.00
(Oral examination)	((140.00))
Retake examination—Written	((140.00)) 250.00
(Retake examination—Oral)	((140.00))
Renewal	((70.00)) 200.00
Renewal assessment	((3.50)) 10.75
Late renewal penalty	((73.50)) 100.00
Duplicate (license) <u>certification</u>	((50.00)) 15.00
Certification/verification	((50.00)) 15.00
<u>Wall certificate</u>	15.00
Certified mental health counselor:	
Application (and certification)	((125.00)) 75.00
Application assessment	((6.00)) 3.75
<u>Initial certification</u>	60.00
Examination	((145.00)) 90.00
Retake examination	((120.00)) 90.00
Renewal	((70.00)) 65.00
Renewal assessment	((3.50)) 3.25
Late renewal penalty	((73.50)) 50.00
Duplicate (license) <u>certification</u>	((62.00)) 15.00
Certification/verification	((50.00)) 15.00
<u>Wall certificate</u>	15.00
Certified social worker:	
Application (and certification)	((105.00)) 50.00
Application assessment	((5.00)) 2.50
<u>Initial certification</u>	50.00

Examination	((140.00)) 115.00
Retake examination	((120.00)) 115.00
Renewal	((70.00)) 65.00
Renewal assessment	((3.50)) 3.25
Late renewal penalty	((73.50)) 50.00
Duplicate (license) <u>certification</u>	((62.00)) 15.00
Certification/verification	((50.00)) 15.00
<u>Wall certificate</u>	15.00

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

AMENDATORY SECTION (Amending Order 224, filed 12/23/91, effective 1/23/92)

WAC 246-824-990 Dispensing optician fees. The following fees shall be charged by the professional licensing services of the department of health:

Title of Fee	Fee
Optician:	
Full examination (or reexamination)	\$200.00
Reexamination—Practical only	((30.00)) 50.00
Reexamination—Written (basic) only	25.00
Reexamination—Written (contact lens) only	25.00
Renewal	125.00
Late renewal penalty	15.00
Duplicate license	((25.00)) 15.00
<u>Apprentice registration</u>	75.00
<u>Endorsement application</u>	100.00
<u>Inactive license</u>	35.00

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

AMENDATORY SECTION (Amending Order 173, filed 6/6/91, effective 7/7/91)

WAC 246-828-990 Hearing aid fitter/dispenser fees. The following fees shall be charged by the professional licensing services of the department of health:

Title of Fee	Fee
Trainee:	
Initial application	\$((350.00)) 200.00
Trainee transfer of sponsor—Within fifteen days	((100.00)) 50.00
Trainee transfer of sponsor—Over fifteen days	((200.00)) 100.00
Extension of trainee license	((200.00)) 100.00
Fitter/dispenser:	
Examination or reexamination (full)	((500.00)) 350.00
Partial reexamination	((300.00)) 200.00
Initial license	((300.00)) 175.00
Renewal	((500.00)) 340.00
Late renewal penalty	((400.00)) 272.00
Duplicate license	15.00
Certification	((25.00)) 15.00
<u>Temporary practice permit</u>	175.00

PERMANENT

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

AMENDATORY SECTION (Amending Order 224, filed 12/23/91, effective 1/23/92)

WAC 246-830-990 Massage fees. The following fees shall be charged by the professional licensing services of the department of health:

Title of Fee	Fee
Written examination and reexamination	\$ ((60.00)) <u>65.00</u>
Practical examination and reexamination	((80.00)) <u>50.00</u>
Reciprocity	50.00
Initial license	((80.00)) <u>55.00</u>
Renewal	((70.00)) <u>65.00</u>
Late renewal penalty	((75.00)) <u>50.00</u>
Certification	((25.00)) <u>15.00</u>
Duplicate license	15.00

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

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-836-990 Naturopathic physician licensing fees. (1) The following fees are payable to the department of health.

Title of fee	Amount
Application(/examination/reexamination)	((550.00)) <u>50.00</u>
Pregraduate basic science examination	((300.00)) <u>175.00</u>
Clinical examinations (initial/retake)	<u>275.00</u>
Basic science examination (initial/retake)	<u>125.00</u>
Add-on examinations (initial/retake)	<u>75.00</u>
State examination (initial/retake)	<u>50.00</u>
Initial license	<u>50.00</u>
License renewal	((550.00)) <u>450.00</u>
Late renewal penalty	((300.00)) <u>225.00</u>
Duplicate license	((50.00)) <u>15.00</u>
Certification	((50.00)) <u>15.00</u>
Application for reciprocity	((550.00)) <u>50.00</u>

(2) Fees submitted to and processed by the department are nonrefundable.

AMENDATORY SECTION (Amending Order 154, filed 4/16/91, effective 5/17/91)

WAC 246-843-990 Nursing home administrator fees. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application (examination and original license)	((500.00)) <u>325.00</u>
Reexamination (partial)	((300.00)) <u>125.00</u>
Application—Reciprocity	((400.00)) <u>295.00</u>
Temporary permit	((400.00)) <u>190.00</u>
Renewal	((380.00)) <u>295.00</u>

Inactive license renewal	((200.00)) <u>110.00</u>
Late renewal penalty	((160.00)) <u>145.00</u>
Duplicate license	((25.00)) <u>15.00</u>
Certification	((50.00)) <u>15.00</u>
Administrator-in-training	((275.00)) <u>100.00</u>

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

AMENDATORY SECTION (Amending Order 173, filed 6/6/91, effective 7/7/91)

WAC 246-845-990 Nursing pool fees. The following fees shall be charged by the professional licensing division of the department of health.

Title	Fee
Registration application	((125.00)) <u>\$175.00</u>
Registration renewal	((125.00)) <u>185.00</u>
Late renewal penalty	((75.00)) <u>185.00</u>
Duplicate registration	((15.00)) <u>25.00</u>
Registration certification	<u>25.00</u>

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

AMENDATORY SECTION (Amending Order 224, filed 12/23/91, effective 1/23/92)

WAC 246-849-990 Ocularist fees. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application and examination	((500.00)) <u>\$250.00</u>
Renewal	500.00
Late renewal penalty	((500.00)) <u>175.00</u>
Duplicate license	((15.00)) <u>25.00</u>
Certification	25.00
Apprentice registration	<u>25.00</u>
Apprentice renewal	<u>25.00</u>
Temporary practice permit	<u>25.00</u>
Active retired license	<u>100.00</u>

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

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

AMENDATORY SECTION (Amending Order 252 [351], filed 3/10/92 [3/30/93], effective 4/10/92 [4/30/93])

WAC 246-933-990 Fees. The following fees shall be charged by the professional licensing services division of the department of health:

PERMANENT

Title of Fee	Fee
VETERINARIAN:	
National board examination (NBE) (initial/retake)	((150.00)) <u>\$130.00</u>
Clinical competency test (CCT) (initial/retake)	130.00
State examination (((initial exam/ —initial license))))	((225.00)) <u>125.00</u>
Initial state license	<u>95.00</u>
State examination (retake)	((150.00)) <u>125.00</u>
Specialty licensure (((initial —exam/initial license))))	((225.00)) <u>95.00</u>
Impaired veterinarian assessment	((25.00)) <u>10.00</u>
Temporary permit	((100.00)) <u>95.00</u>
State or specialty license renewal	((115.00)) <u>95.00</u>
Retired active and renewal	((60.00)) <u>45.00</u>
Late renewal penalty (state and specialty license)	((35.00)) <u>31.00</u>
Late renewal penalty (retired active license)	((20.00)) <u>15.00</u>
Duplicate license	15.00
Certification	((25.00)) <u>15.00</u>

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

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

[AMENDATORY SECTION (Amending Order 252, filed 3/10/92, effective 4/10/92)]

WAC 246-935-990 Fees. The following fees shall be charged by the professional licensing services division of the department of health:

Title of Fee	Fee
ANIMAL TECHNICIAN:	
National examination (initial/retake)	((95.00)) <u>\$80.00</u>
State examination (initial/retake)	((100.00)) <u>80.00</u>
Initial registration	60.00
Renewal	((60.00)) <u>51.00</u>
Late renewal penalty	((20.00)) <u>17.00</u>
Duplicate registration	15.00
Certification	((25.00)) <u>15.00</u>

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

NEW SECTION

WAC 246-845-050 Registration of a nursing pool. After January 1, 1989, no individual, firm, corporation, partnership, or association may advertise, operate, manage, conduct, open, or maintain a business providing, procuring, or referring health care personnel for temporary employment in health care facilities without first registering with the department of health.

NEW SECTION

WAC 246-845-060 Application. Applicants for nursing pool registration shall submit to the department of health:

- (1) A completed application for registration on forms furnished by the department;
- (2) A registration fee as established by the secretary;
- (3) Evidence of professional or general liability insurance in accordance with WAC 246-845-080;
- (4) A signed quality assurance standards affidavit, and documentation of methods used for compliance with the standards established in WAC 246-845-090;
- (5) The Washington state corporation certification number or a copy of the "certificate of authority to do business in Washington" if the nursing pool is owned by a corporation.

NEW SECTION

WAC 246-845-070 Registrations. (1) If the applicant meets the requirements of this chapter and chapter 18.130 RCW, the department shall issue a nursing pool registration. The registration shall remain effective for a period of one year from date of issuance unless revoked or suspended pursuant to chapter 18.130 RCW, or voided pursuant to subsection (2) of this section.

(2) If the registered nursing pool is sold or ownership or management is transferred, the new owner or operator shall apply for a new registration.

(3) Each separate location of the business of a nursing pool shall have a separate registration.

NEW SECTION

WAC 246-845-080 Insurance requirements. Each nursing pool shall carry professional and general liability insurance in the amount of one million dollars per occurrence for each person who delivers patient care services. The policy must show coverage using one of the following methods:

(1) The nursing pool maintains insurance coverage in the amount indicated for the nursing pool itself and its employees or agents; or

(2) The nursing pool maintains professional and general liability insurance for its own liability in the amount indicated and only refers self-employed, independent contractors who must maintain their own professional and general liability insurance in the amount indicated. Written evidence of such insurance coverage shall be maintained by the nursing pool in the independent contractor's personnel file for a minimum of three years.

NEW SECTION

WAC 246-845-090 Quality assurance standards. Nursing pools shall comply with the quality assurance standards contained in this section. Evidence of compliance with these standards shall be retained by the nursing pool and be available for inspection by the department for a minimum of three years. These standards are as follows:

(1) Establishment of a prehire/precontract screening procedure which includes the following:

(a) Written or verbal verification of two references relevant to the work the applicant proposes to do for the nursing pool. References must include dates of employment/contracting;

(b) Written verification of applicant's current, unrestricted professional license, certificate, or registration issued by the department;

(c) Written verification of any certification by a private or public entity in clinical areas relevant to the applicant's proposed work;

(d) Written verification of current cardiopulmonary resuscitation certification;

(e) Written health screening plan that assures that each applicant is free of tuberculosis, physically able to perform the job duties required for the position, and compliance with OSHA regulations regarding the HBV virus;

(f) Compliance with RCW 43.43.830 regarding criminal history disclosure and background inquiries;

(g) Establishment of a post-hire/post-contract procedure which includes the following:

(i) Written procedure for orientation of all new hires/contractors to the nursing pool's policies and procedures prior to beginning work;

(ii) Written performance evaluation plan to include written evaluations from facilities regarding performance of persons who have delivered patient care services;

(iii) Written continuing education program for personnel/contractors that at a minimum provides educational programs on a variety of related topics relevant to the work performed to include: HIV/HBV information, fire and safety, universal precautions, infection control, and information concerning Washington state abuse reporting requirements;

(2) Compliance with state and federal wage and labor laws, and federal immigration laws.

NEW SECTION

WAC 246-845-100 Renewal of registration. Nursing pools requesting renewal of registration shall submit a renewal application and fee to the department. If a nursing pool fails to renew its registration prior to the expiration date, the nursing pool is subject to a penalty fee.

NEW SECTION

WAC 246-845-110 Denial, suspension, or revocation of registration. The secretary may deny, suspend, or revoke the registration and/or assess penalties if any nursing pool is found to have violated the provisions of chapter 18.130 RCW, the Uniform Disciplinary Act, or of this chapter.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 246-845-020	Registration of a nursing pool.
WAC 246-845-030	Renewal of registration.
WAC 246-845-040	Denial, suspension, or revocation of registration.

AMENDATORY SECTION (Amending Order 224, filed 12/23/91, effective 1/23/92)

WAC 246-824-040 Application for examination. (1) An individual shall make application for examination, in accordance with RCW 18.34.070, on an application form prepared and provided by the secretary.

(2) The apprenticeship training requirement shall be supported with certification by the licensed individual (or individuals) who provided such training.

(3) Examination fees are not refundable. If an applicant is unable to attend his or her scheduled examination, and so notifies the secretary in writing at least 7 days prior to the scheduled examination date, the applicant will be rescheduled at no additional charge. Otherwise, the fee will be forfeited. (Emergencies considered.)

(4) If an applicant takes the examination and fails to obtain a satisfactory grade, he or she may be scheduled to retake the examination by submitting an application and paying the statutory examination fee.

(5) Applications and fees for examination and all documents required in support of the application must be submitted to the division of professional licensing, department of health, at least sixty days prior to the scheduled examination. Failure to meet the deadline will result in the applicant not being scheduled until the next scheduled examination.

(6) Apprenticeship training shall be completed prior to the application deadline.

NEW SECTION

WAC 246-824-071 Licensure by endorsement—Definitions. (1) For the purpose of licensure by endorsement the following definitions shall apply:

(a) "Credential in another state" means the applicant holds a current valid license to practice as a dispensing optician in another state.

(b) "Substantially equivalent" means the applicant has successfully completed an examination administered by or authorized by either a national professional association or a state other than Washington state. The examination shall cover the same subject matter as the Washington state examination. The licensing law under which the applicant is licensed shall, at a minimum, include the duties described in RCW 18.34.060.

(2) The department shall issue a license by endorsement unless there is a basis for denial of the license or issuance of a license conditioned on the applicant's compliance with an order entered pursuant to RCW 18.130.160. A person applying for a license by endorsement shall submit to the department:

(a) A completed application on a form provided by the department;

(b) An application fee, and if the application is approved, an original license fee;

(c) Evidence satisfactory to the department that the education and examination requirements of the other state are substantially equivalent to that of Washington;

(d) A completed open-book state law examination provided by the department;

(e) Proof of compliance with the AIDS prevention and information education requirements as listed in WAC 246-824-170.

(3) Written documentation shall be submitted directly from all states in which the applicant is or has been licensed, verifying the applicant is in good standing and not subject to charges or disciplinary action for unprofessional conduct or impairment.

(4) If licensure by endorsement is denied, and the applicant is otherwise qualified for the licensing examination, he or she may apply for licensure by examination in accordance with RCW 18.34.070 and WAC 246-824-040.

(5) Endorsement application fees are nonrefundable, but may be applied towards the examination fee if licensure by endorsement is denied.

(6) A license issued by endorsement is subject to annual renewal, penalty for late renewal as established in RCW 18.34.120 and WAC 246-824-990, and continuing education as provided for in WAC 246-824-075.

NEW SECTION

WAC 246-824-072 Temporary permits. Eligibility requirements for temporary permits are the same for licensure by endorsement (WAC 246-824-071), therefore, no temporary permits will be issued. Individuals inquiring about temporary permits will be given information and an application for licensure by endorsement.

NEW SECTION

WAC 246-824-073 Retired active license. (1) A person holding a current Washington state dispensing optician license who wishes to practice only in emergency or intermittent circumstances may apply for a retired active license if that person:

(a) Practices no more than ninety days each year in Washington state;

(b) Does not wish to practice on an intermittent basis but is available to practice for an extended period of time for the purpose of providing his or her professional services in emergency circumstances such as times of declared war or other states of emergency.

(2) An individual requesting a retired active license status shall submit a letter to the department declaring the intent to practice only on an intermittent or emergency basis, along with the active retired renewal fee specified in WAC 246-824-990. Active retired licenses will not be retroactively issued for prior years.

(3) An active retired license is subject to annual renewal and penalty for late renewal as established in RCW 18.34.120 and WAC 246-824-990. Subsequent to being issued a retired active license, the licensee shall report, with the annual renewal the dates and circumstances under which the licensee practiced during the previous year.

(4) An active retired license is subject to continuing education as established in WAC 246-824-075.

(5) To reinstate the license to an active license status the licensee shall notify the department in writing five days in advance of the change and pay a reinstatement fee as specified in WAC 246-824-990.

(6) Individuals on a retired active license status are subject to chapter 18.130 RCW to the same extent as individuals holding an active license.

WSR 93-14-016

PERMANENT RULES

DEPARTMENT OF

NATURAL RESOURCES

[Order 613—Filed June 25, 1993, 1:59 p.m.]

Date of Adoption: June 24, 1993.

Purpose: Removes forest land from DNR protection, assigns responsibility for protection to designated King County fire districts. Removes forest protection from forest lands transferred to fire district protection.

Statutory Authority for Adoption: RCW 76.04.165.

Pursuant to notice filed as WSR 93-10-107 on May 5, 1993.

Effective Date of Rule: Thirty-one days after filing.

June 24, 1993

Kaleen Cottingham
Department Supervisor

NEW SECTION

WAC 332-24-730 Forest protection zone—King County (1) It is determined that some forest lands within King County are best protected by fire protection districts. Therefore, the forest lands, situated within the following fire protection districts, are removed from the Department's forest protection zone and become the protection responsibility of the district:

(a) Fire Protection District 10. All forest lands, except King County, State and federal owned forest lands, within the legal description as follows: Township 23 North, Range 5 East, W.M., the N 1/2 NW 1/4 and the SE 1/4 NW 1/4 of Section 1, the NW 1/4 and the S 1/2 of Sections 2, 3, 10, 11, 12, 13; Township 24 North, Range 5 East, W.M., Sections 13, 14, 23, 24, 25, 26, 27, 34, the NW 1/4 NW 1/4 and the SW 1/4 SW 1/4 of Section 35; Township 23 North, Range 6 East, W.M., E 3/4 of Sections 3, 6, 7, 8, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 36; Township 24 North, Range 6 East, W.M., the S 1/2 NW 1/4 and the N 1/2 SW 1/4 of Section 1, the S 1/2 and the S 1/2 NW 1/4 of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 north of Interstate 90, Section 27 north of Interstate 90, 28, the SE 1/4 and the S 1/2 SW 1/4 and the NE 1/4 SW 1/4 of Section 29, the N 1/2 NE 1/4 and the NE 1/4 NW 1/4 of Section 30, the N 1/4 E 1/2 of Sections 32, 33, 34; Township 25 North, Range 6 East W.M., Sections 26, 27, 28, 32, 33, 34, the N 1/2 NW 1/4 and the SW 1/4 NW 1/4 of Section 35; Township 26 North, Range 6 East, W.M., Sections 25, 26, 35, 36; Township 23 North, Range 7 East, W.M., Sections 3, 4, 10; Township 24 North, Range 7 East, W.M., Sections 18, 19, the S 1/2 of Sections 29, 30, 32, the W 3/4 of Section 33; Township 25 North, Range 6 East, W.M., Sections 1, 12; Township 25 North, Range 7 East, W.M., that portion of the SW 1/4 west of the Tolt River of Section 1, the W 1/2 SW 1/4 of Sections 3, 4, 5, 6, 7, 8, 9, the W 3/4 and the E 1/2 SE 1/4 of Section 10, the SE 1/4 SW 1/4 and that portion of

the E 1/2 west of the Tolt River of Section 11, that portion of the NW 1/4 west of the Tolt River of Section 12, the N 3/4 W 1/2 E 1/2 and the E 1/2 W 1/2 and the SW 1/4 SW 1/4 of Section 14, the W 1/2 and the S 1/2 SE 1/4 of Sections 15, 16, 17, 20, 21, 22, the W 1/4 of Section 23, the SE 1/4 and the NW 1/4 and the NE 1/4 SW 1/4 of Section 26, the N 1/4 and the W 1/4 of Sections 27, 28, 29, 30, 32, 33, that portion west of Griffin Creek of Section 34; Township 26 North, Range 7 East, W.M., the SW 1/4 and the S 1/2 SE 1/4 of Sections 26, 27, 31, 32, 33, the W 1/4 and the N 3/4 E 1/2 W 1/2 of Section 34, the N 1/2 and the E 3/4 N 1/2 S 1/2 of Sections 35, 36.

(b) Fire Protection District 27. All forest lands except State and federal owned forest lands, within the legal description as follows: Township 24 North, Range 6 East, W.M., Section 12; Township 24 North, Range 7 East, W.M., Sections 3, 4, the E 1/4 and the N 1/2 NW 1/4 of Section 5, the N 3/4 E 1/2 W 1/2 and the W 1/2 E 1/2 and the NE 1/4 NE 1/4 and the SE 1/4 SE 1/4 of Section 6, the N 1/2 of Sections 7, 8, 9, 10, 11, 13, 14, 15, the NE 1/4 and the N 1/2 SE 1/4 and the NW 1/4 of Section 16, the E 1/2 NE 1/4 of Sections 17, 18, 19, the NE 1/4 of 22, the N 1/2 of Section 23, the N 1/2 and the N 1/2 SE 1/4 of Section 24; Township 25 North, Range 7 East, W.M., Section 30, the E 3/4 and the N 3/4 W 1/4 of Section 31, the SW 1/4 and the E 1/2 SE 1/4 of Sections 32, 33, 34; Township 24 North, Range 8 East, W.M., the W 1/2 NW 1/4 of Section 19.

(c) Fire Protection District 38. All forest lands, except State and federal owned forest lands, within the legal description as follows: Township 23 North, Range 7 East, W.M., Section 1; Township 24 North, Range 7 East, W.M., Section 36; Township 23 North, Range 8 East, W.M., Sections 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23, 24, 25, 26, 27, 35; Township 24 North, Range 8 East, W.M., Sections 17, 18, 19, 20, 21, south 3/4 of Section 26, that portion of the SE 1/4 of Section 27 as bounded by 428th Avenue SE on the west and north and section line on the east and south, the N 1/2 and the SW 1/4 of Sections 28, 29, 30, 31, 32, 33, the E 1/2 and the S 3/4 of the W 1/2 of Sections 34, 35; Township 23 North, Range 9 East, W.M., Sections 7, 17, 18, 19, 30.

(d) Fire Protection District 43. All forest lands, except State and federal owned forest lands, within the legal description as follows: Township 22 North, Range 5 East, W.M., Section 12; Township 23 North, Range 5 East, W.M., Section 24; Township 22 North, Range 6 East, W.M., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, that portion of the SE 1/4 of Section 25 as bounded by 268th Avenue SE on the west, SE 264th Street on the north and section line on the east and south, Sections 27, 28, 29, 30, 31, 32, 33, 34, 35, that portion of the NE 1/4 of Section 36 as bounded by 268th Avenue SE on the west, SE Ravensdale Way on the south, Landsburg Road SE on the west and section line on the north; Township 23 North, Range 6 East, W.M., Sections 19, 29, 30, 31, 32, 33, 34, 35, 36; Township 22 North Range 7 East, W.M., Sections 5, 6, 7, 8, 18, 19, 32.

(2) Forest lands removed from the protection zone will not be assessed under RCW 76.04.610 or 76.04.630.

(3) The exchange of fire protection responsibility will be effective January 1, 1994.

WSR 93-14-022
PERMANENT RULES
DEPARTMENT OF ECOLOGY
 [Order 92-58—Filed June 28, 1993, 4:25 p.m.]

Date of Adoption: June 28, 1993.

Purpose: To maintain a statewide permit system to protect public health from the effects of agricultural burning.

Citation of Existing Rules Affected by this Order: Amending chapter 173-430 WAC.

Statutory Authority for Adoption: RCW 70.94.650.

Pursuant to notice filed as WSR 93-09-063 on April 20, 1993.

Changes Other than Editing from Proposed to Adopted Version: WAC 173-430-030 Local air agencies or ecology may issue permits for appropriate agricultural burning activities in nonattainment areas and urban growth areas; and WAC 173-430-060 removed references to agricultural burning.

Effective Date of Rule: Thirty-one days after filing.

June 28, 1993

Mary Riveland

Director

AMENDATORY SECTION (Amending Order 90-10, filed 9/17/90, effective 10/18/90)

WAC 173-430-010 Purpose. (1) This chapter, promulgated under chapter 70.94 RCW, as amended, is to assume state jurisdiction over and to control emissions from agricultural burning including the burning of field and forage, and turf grasses grown for seed and for the proper development of the state's natural resources.

(2) Authority to enforce all provisions of this regulation, including establishing permit conditions and issuing permits, is delegated to and shall be carried out by all activated air pollution control authorities or ecology for those areas not under the jurisdiction of an authority.

(3) The purpose of this chapter is to:

(a) Minimize adverse effects on air quality from ~~((the open burning of field and forage, and turf grasses grown for seed))~~ agricultural burning;

(b) Provide for implementation of a research program to explore and identify economical and practical ~~((alternative agricultural practices to the open burning of field and forage, and turf grasses grown for seed))~~ alternatives to agricultural burning;

(c) Provide for interim regulation of such burning until practical alternatives are found.

AMENDATORY SECTION (Amending Order 90-10, filed 9/17/90, effective 10/18/90)

WAC 173-430-020 Definitions. The definitions of terms contained in chapter 173-400 WAC are incorporated into this chapter by reference. Unless a different meaning is clearly required by context, the following words and phrases as used in this chapter, shall have the following meanings:

(1) Agricultural burning: Burning of vegetative debris from an agricultural operation necessary for disease or pest control, necessary for crop propagation and/or crop rotation,

or where identified as a best management practice by the agricultural burning practices and research task force established in RCW 70.94.650 or other authoritative source on agricultural practices.

(2) Field and forage grasses: Canarygrass, bromegrass, oatgrass, timothy, wheatgrass, and orchardgrass, planted to produce seed.

~~((2))~~ (3) Straw: All material, other than seed, removed by swathing, combining, or cutting.

~~((3))~~ (4) Tear-out: Any operation that destroys the existing crop and prepares the area for next year's planting.

~~((4))~~ (5) Turf grasses: All blue grasses, fescues, bentgrass, and perennial ryegrass, planted to produce seed.

AMENDATORY SECTION (Amending Order 90-10, filed 9/17/90, effective 10/18/90)

WAC 173-430-030 Permits, conditions, and restrictions. (1) No agricultural burning including open burning of field or forage grasses, or turf grasses shall be undertaken unless a permit has been obtained from ecology or an authority, as appropriate. ((The issuance, denial, or conditioning of permits shall be governed by consideration of air quality conditions in the area affected by the proposed burning, the time of year, meteorological conditions, the size and duration of the proposed burning activity, the amount of straw removal required, the applicant's need to carry out such burning, and the public's interest in the environment. Permits will be conditioned to minimize air pollution interest in the environment. Permits will be conditioned to minimize air pollution. Until approved alternatives become available, ecology or the authority may limit the number of acres, on a pro rata basis, among those affected for which permits to burn will be issued in order to control emissions.)) Local air agencies (and ecology where no local air agencies exist) may issue permits for appropriate agricultural burning activities in nonattainment and urban growth areas.

(2) For open burning of field or forage grasses, or turf grasses, the issuance, denial, or conditioning of permits shall be governed by consideration of air quality conditions in the area affected by the proposed burning, the time of year, meteorological conditions, the size and duration of the proposed burning activity, the amount of straw removal required, the applicant's need to carry out such burning, and the public's interest in the environment. Permits will be conditioned to minimize air pollution interest in the environment. Permits will be conditioned to minimize air pollution. Until approved alternatives become available, ecology or the authority may limit the number of acres, on a pro rata basis, among those affected for which permits to burn will be issued in order to control emissions.

Burning of acreage not previously under permit may be banned or subject to more restrictive conditions. Burning of field and forage grasses may be restricted, and other measures may be required to minimize air pollution.

Permits issued before 1978 will establish a permit history for the applicant. This permit history will apply to an applicant and not to specific parcels of land and is established only for the maximum amount of acreage included in any permit issued before 1978. Land transferred to a spouse, son, or daughter, will retain a permit history as established by the original applicant.

Any permit denial or restriction may first be applied to applicants without a permit history and to amounts of acreage not included in an applicant's permit history.

Applicants who received permits before 1978 may be given priority for burning the amount of acreage cited in the permit history.

(3) Open burning of field and forage grasses shall be prohibited. However, a permit using restrictions or conditions, may be issued to burn field and forage grasses for disease, pest, or weed control, if such need is certified by a county agent or other agricultural authority; or if such grasses were planted as part of a soil erosion control plan approved by a conservation district.

(4) Open burning of all grasses scheduled for tear-out shall be prohibited unless a permit specifically allows such burning.

(5) Practical alternative production methods and disease controls which would reduce or eliminate ~~((open))~~ agricultural burning shall be used when reasonably available. These methods and controls shall be used regardless of specific provisions of the compliance program described in this section.

AMENDATORY SECTION (Amending Order 90-10, filed 9/17/90, effective 10/18/90)

WAC 173-430-040 Mobile field burners. Mobile field burners, and other methods of incineration not classified as ~~((open))~~ outdoor burning, shall not be prohibited by the restrictions in WAC 173-430-030: *Provided*, That emissions do not exceed the following standards:

(1) Visible emissions shall not exceed an opacity of 20 percent for more than three minutes in any one hour;

(2) Particulate emissions shall not exceed 0.1 grains per standard dry cubic foot of exhaust gas, corrected to seven percent oxygen.

AMENDATORY SECTION (Amending Order 90-10, filed 9/17/90, effective 10/18/90)

WAC 173-430-060 Study of alternatives. Ecology shall conduct, cause to be conducted, or approve of a study or studies to explore and identify economical and practical alternative practices to open burning of field and forage, and turf grasses. To conduct any such study, ecology may contract with public or private entities. Any approved study shall provide for the identification of such alternatives as soon as possible. Ecology shall annually review the progress of such studies, review provisions of this regulation and available alternatives to ~~((open))~~ burning and determine if continuing open burning of field and forage, and turf grasses is justified.

AMENDATORY SECTION (Amending Order 90-10, filed 9/17/90, effective 10/18/90)

WAC 173-430-070 Fees. (1) To support the study or studies described in WAC 173-430-060, ecology or an authority shall collect a fee ~~((of fifty cents per acre of crop to be burned before any permit is issued under WAC 173-430-030-))~~:

(a) For field and forage, and turf grasses grown for seed, the fee is one dollar per acre of crop. The fee is to be

collected before any permit is issued under WAC 173-430-030. This fee shall be submitted with individual permit applications.

(b) For all other agricultural practices, a twenty dollar nonrefundable permit/application fee shall be assessed and submitted with the general agricultural burning permit application. This twenty dollar fee is effective for the interim period ending when the agricultural burning practices and research task force establishes a permanent fee level (pursuant to RCW 70.94.650), or January 1, 1995, whichever occurs first.

(2) When a permit is granted to burn fewer acres of field and forage, and turf grasses grown for seed than requested in the permit application, ecology or the authority shall refund to the permit applicant the unused part of the permit fee.

(3) No part of the permit fee will be refunded if a grower decides to burn fewer acres than the permit allows.

(4) After granting any permit and making any refund required under WAC 173-430-070(2), the authority shall transfer the permit fee to ecology.

(5) Ecology shall deposit all permit fees in ~~((a special grass seed burning research account in the general fund))~~ the air pollution control account.

(6) Ecology shall allocate moneys annually from this account to support approved studies provided for in WAC 173-430-060, up to the amount appropriated to ecology for such purpose.

(7) When ecology concludes that enough reasonably available alternative practices to the open burning of field and forage, and turf grasses grown for seed have been developed, and at such time as all costs of any studies have been paid, the grass seed burning research account shall be dissolved. Any money remaining in the account shall revert to the general fund.

AMENDATORY SECTION (Amending Order 90-10, filed 9/17/90, effective 10/18/90)

WAC 173-430-080 Certification of alternatives. When enough information on alternative practices to open burning of field and forage, and turf grasses grown for seed becomes available, ecology shall conduct public hearings to receive testimony from interested parties. If ecology then concludes that any procedure, program, technique, or device is a practical alternative to the open burning of field and forage and turf grasses grown for seed, ecology shall, by order, approve such alternative. After approval, any alternative that is reasonably available shall be used; and open burning of field and forage, and turf grasses grown for seed shall not be allowed.

WSR 93-14-037
PERMANENT RULES
DEPARTMENT OF HEALTH
 (Board of Pharmacy)

[Order 375B—Filed June 29, 1993, 4:05 p.m.]

Date of Adoption: May 12, 1993.

Purpose: To place Aminorex, a dangerous drug with high abuse potential and no medical use, in Schedule I, making it illegal to possess and manufacture.

Statutory Authority for Adoption: RCW 18.64.005.

Pursuant to notice filed as WSR 93-08-108 on April 7, 1993.

Effective Date of Rule: Thirty-one days after filing.

June 18, 1993

Donald Hobbs

Chairman

NEW SECTION

WAC 246-887-132 Adding Aminorex to Schedule I.

The Washington state board of pharmacy finds that Aminorex (also called aminoxaphen, 2-amino-5-phenyl-2-oxazoline or 4.5-dihydro-5-phenyl-2-oxazolamine) its salts, optical isomers and salts of optical isomers has high potential for abuse and has no medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision and hereby places that substance in Schedule I.

WSR 93-14-038
PERMANENT RULES
DEPARTMENT OF HEALTH
 (Board of Pharmacy)

[Order 376B—Filed June 29, 1993, 4:08 p.m.]

Date of Adoption: May 12, 1993.

Purpose: Lists steroid compounds that are exempt from recordkeeping, refill restrictions and other Controlled Substance Act requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 246-887-160.

Statutory Authority for Adoption: RCW 18.64.005.

Pursuant to notice filed as WSR 93-08-109 on April 7, 1993.

Effective Date of Rule: Thirty-one days after filing.

June 18, 1993

Donald Hobbs

Chairman

AMENDATORY SECTION (Amending Order 343B, filed 3/3/93, effective 4/3/93)

WAC 246-887-160 Schedule III. The board finds that the following substances have a potential for abuse less than the substances listed in Schedules I and II, and have currently accepted medical use in treatment in the United States and that the abuse of the substances may lead to moderate or low physical dependency or high psychological dependency. The board, therefore, places each of the following substances in Schedule III.

(a) The drugs and other substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule III.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous

PERMANENT

system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations are referred to as excepted compounds in Schedule III as published in 21 CFR 1308.13(b)(1) as of April 1, 1984, and any other drug of the ((quantitative)) quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances;

- (2) Benzphetamine;
- (3) Chlorphentermine;
- (4) Clortermine;
- (5) Phendimetrazine.

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

- (1) Any compound, mixture, or preparation containing:
 - (i) Amobarbital;
 - (ii) Secobarbital;
 - (iii) Pentobarbital;

or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule;

- (2) Any suppository dosage form containing:
 - (i) Amobarbital;
 - (ii) Secobarbital;
 - (iii) Pentobarbital;

or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;

(3) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid;

- (4) Chlorhexadol;
- (5) Lysergic acid;
- (6) Lysergic acid amide;
- (7) Methyprylon;
- (8) Sulfondiethylmethane;
- (9) Sulfonethylmethane;
- (10) Sulfonmethane;

(11) Tiletamine and zolazepam or any salt thereof—some trade or other names for a tiletamine-zolazepam combination product: Telazol some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl) cyclohexanone—some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e][1,4] diazepin 7 (1H)-one flupyrzapon.

(d) Nalorphine.

(e) Anabolic steroids. The term "anabolic steroid" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids) that promotes muscle growth, and includes:

- (1) Boldenone;
- (2) Chlorotestosterone;
- (3) Clostebol;
- (4) Dehydrochloromethyltestosterone;

- (5) Dihydrotestosterone;
- (6) Drostanolone;
- (7) Ethylestrenol;
- (8) Fluoxymesterone;
- (9) Formebolone;
- (10) Mesterolone;
- (11) Methandienone;
- (12) Methandranone;
- (13) Methandriol;
- (14) Methandrostenolone;
- (15) Methenolone;
- (16) Methyltestosterone;
- (17) Mibolerone;
- (18) Nanrolone;
- (19) Norethandrolone;
- (20) Oxandrolone;
- (21) Oxymesterone;
- (22) Oxymetholone;
- (23) Stanolone;
- (24) Stanozolol;
- (25) Testolactone;
- (26) Testosterone;
- (27) Trenbolone; and

(28) Any salt, ester, or isomer of a drug or substance described or listed in this paragraph, if that salt, ester, or isomer promotes muscle growth. Except such term does not include an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the secretary of health and human services for such administration. If any person prescribes, dispenses, or distributes such steroid for human use such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this paragraph.

The following are implants or pellets which are exempt:

Ingredients	Trade Name	Company
Testosterone Propionate, Oestradiol Benzoate	F-TO	Animal Health Div. Upjohn International Kalamazoo, MI
Trenbolone Acetate	Finaplix-H	Hoechst-Roussel Agri-Vet Co., Somerville, NJ
Trenbolone Acetate	Finaplix-S	Hoechst-Roussel Agri-Vet Co., Somerville, NJ
Testosterone Propionate, Estradiol Benzoate	Heifer-oid	Anchor Division Boehringer Ingelheim St. Joseph, MO
Testosterone Propionate, Estradiol Benzoate	Heifer-oid	Bio-Ceutic Division Boehringer Ingelheim St. Joseph, MO
Testosterone Propionate, Estradiol Benzoate	Heifer-oid	Ivy Laboratories, Inc. Overland Park, KS
Trenbolone Acetate, Estradiol	Revalor-s	Hoechst-Roussel Agri-Vet Co., Somerville, NJ
Testosterone Propionate, Estradiol Benzoate	Synovex H	Syntex Laboratories Palo Alto, CA

(f) The following anabolic steroid products containing compounds, mixtures, or preparations are exempt from the

recordkeeping, refill restrictions, and other Controlled Substances Act requirements:

<u>Ingredients</u>	<u>Trade Name</u>	<u>Company</u>
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	<u>Androgyn L.A.</u>	<u>Forest Pharmaceuticals St. Louis, Mo</u>
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	<u>Andro-Estro 90-4</u>	<u>Rugby Laboratories Rockville Centre, NY</u>
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	<u>depANDROGYN</u>	<u>Forest Pharmaceuticals St. Louis, MO</u>
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	<u>DEPO-T.E.</u>	<u>Quality Research Laboratories Carmel, IN</u>
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	<u>depTESTROGEN</u>	<u>Martica Pharmaceuticals Phoenix, AZ</u>
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	<u>Duomone</u>	<u>Wintec Pharmaceutical Pacific, MO</u>
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	<u>DURATESTRIN</u>	<u>W.E. Hauck Alpharetta, GA</u>
Testosterone cypionate 50 mg/ml Esterified cypionate 2 mg/ml	<u>DUO-SPAN II</u>	<u>Primedics laboratories Gardena, CA</u>
Esterified estrogens 1.25 mg. Methyltestosterone 2.5 mg.	<u>Estratest</u>	<u>Solvay Pharmaceuticals Marietta, GA</u>
Esterified estrogens 0.525 mg. Methyltestosterone 1.25 mg.	<u>Estratest HS</u>	<u>Solvay Pharmaceuticals Marietta, GA</u>
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	<u>PAN ESTRA TEST</u>	<u>Pan American Labs Covington, LA</u>
Conjugated estrogens 1.25 mg. Methyltestosterone 10 mg.	<u>Premarin with Methyltestosterone</u>	<u>Ayerst Labs, Inc. New York, NY</u>
Conjugated estrogens 0.625 mg. Methyltestosterone 5 mg.	<u>Premarin with Methyltestosterone</u>	<u>Ayerst Labs, Inc. New York, NY</u>
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	<u>TEST-ESTRO Cypionates</u>	<u>Rugby Laboratories Rockville Centre, NY</u>

Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	<u>Testosterone Cyp 50 Estradiol Cyp 2</u>	<u>I.D.E.-Interstate Amityville, NY</u>
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	<u>Testosterone Cypionate-Estradiol Cypionate Injection</u>	<u>Best Generics No. Miami, Beach FL</u>
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	<u>Testosterone Cypionate-Estradiol Cypionate Injection</u>	<u>Schein Pharmaceuticals Port Washington, NY</u>
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	<u>Testosterone Cypionate-Estradiol Cypionate Injection</u>	<u>Steris Labs, Inc. Phoenix, AZ</u>
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	<u>Testosterone Enanthate-Estradiol Valerate Injection</u>	<u>Schein Pharmaceuticals Port Washington, NY</u>
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	<u>Testosterone Enanthate-Estradiol Valerate Injection</u>	<u>Steris Labs, Inc. Phoenix, AZ</u>

(g) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof calculated as the free anhydrous base or alkaloid, in limited quantities as set forth in paragraph (e) of this section:

(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

PERMANENT

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

WSR 93-14-041
PERMANENT RULES
DEPARTMENT OF FISHERIES

[Order 93-55—Filed June 29, 1993, 4:19 p.m.]

Date of Adoption: June 1, 1993.

Purpose: Amend commercial salmon rules.

Citation of Existing Rules Affected by this Order:
 Amending WAC 220-47-302, 220-47-304, 220-47-311, 220-47-401, and 220-47-411.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to notice filed as WSR 93-09-073 on April 21, 1993.

Changes Other than Editing from Proposed to Adopted Version: Adjust seasons based on public testimony and projected run sizes.

Effective Date of Rule: Thirty-one days after filing.

June 24, 1993

Judith Freeman

Deputy

for Robert Turner

Director

AMENDATORY SECTION (Amending Order 92-47, filed 7/20/92, effective 8/20/92)

WAC 220-47-302 Puget Sound—Lawful gear—Gill net. (1) Lawful drift gill net salmon gear in Puget Sound shall not exceed 1,800 feet in length nor contain meshes of a size less than 5 inches.

(2) Lawful skiff gill net salmon nets in Puget Sound shall not exceed 300 feet in length and 90 meshes in depth nor contain meshes of a size less than 5 inches. Nets must be retrieved by hand (no hydraulics may be used). The skiff from which the net is deployed shall not exceed 20 feet in length. Nets must be attended by the fisher at all times. ~~((Skiff gill net gear is legal gear in any fishery opened to drift gill net gear.))~~

(3) Drift gill nets and skiff gill nets shall be operated substantially in a straight line. Circle setting or setting other than substantially in a straight line shall be unlawful.

(4) ~~((Effective January 1, 1993,))~~ All gill net gear used in Puget Sound must have floats or corks of a contrasting ~~((fluorescent))~~ color attached in 50-foot intervals along the corkline.

AMENDATORY SECTION (Amending Order 92-47, filed 7/20/92, effective 8/20/92)

WAC 220-47-304 Puget Sound—All citizen salmon species seasons. The following are Puget Sound all citizens salmon species seasons listed by area and species:

AREA	SPECIES	DATE	RANGE
6D:	COHO	((9/20 — 10/31)) 9/19	10/23
7.7A:	COHO	((8/30 — 10/3)) 9/5	10/2
	CHUM	((10/4 — 11/28)) 10/3	11/27
7B:	CHINOOK	((7/12 — 9/5)) 7/11	9/4
	COHO	((9/6 — 10/24)) 9/5	10/23
	CHUM	((10/25 — 12/12)) 10/24	12/11
7C:	CHINOOK	((7/12 — 10/10)) 7/11	10/9
7E:	CHINOOK	((7/26 — 9/5)) 8/1	9/11
8:	<u>PINK</u> CHUM	8/22	9/11
		((10/25 — 11/28)) 10/24	11/27
8A:	CHINOOK	((7/19 — 9/5)) 7/25	9/4
	COHO	((9/6 — 10/24)) 9/5	10/23
	CHUM	((10/25 — 11/28)) 10/24	11/27
8D:	CHINOOK	((7/19 — 9/19)) 7/18	9/18
	COHO	((9/20 — 11/7)) 9/19	11/13
	CHUM	((11/8 — 12/12)) 11/14	12/11
10,11:	COHO	((9/6 — 10/17)) 9/5	10/9
	CHUM	((10/18 — 11/28)) 10/10	11/27
12:	COHO	((9/6 — 10/17)) 9/5	10/16
	CHUM	((10/18 — 11/21)) 10/17	11/20
12A:	<u>COHO</u> <u>CHUM</u>	9/5	10/9
		10/10	12/18
12B:	CHINOOK	((7/12 — 9/5)) 7/11	9/4
	COHO	((9/6 — 10/17)) 9/5	10/16
	CHUM	((10/18 — 11/21)) 10/17	11/20
12C:	CHINOOK	((7/19 — 9/5)) 7/18	9/4
	CHUM	((11/1 — 11/28)) 10/31	11/27

AMENDATORY SECTION (Amending Order 92-47, filed 7/20/92, effective 8/20/92)

WAC 220-47-311 Purse seine—Open periods. During ~~((1992))~~ 1993, it is unlawful to take, fish for or possess salmon taken with purse seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided for hereinafter in each respective Management and Catch Reporting Area:

AREA	TIME	DATE	TIME	DATE
((6D:))	6AM	9/21	4PM	10/30

PERMANENT

7,7A:	6AM	5PM	10/27, 11/2, 11/10
7B:	6AM	4PM	10/23
	6AM	4PM	11/6
7B:	6AM	4PM	10/22
	6AM	4PM	10/29
	6AM	4PM	11/5
8A, 8D:	7AM	6PM	10/26
	6AM	5PM	11/1, 11/2, (11/3))
			11/9, 11/10
	(7AM	5PM	11/16, 11/17
8A:	6AM	5PM	11/2, 11/3, 11/4
	6AM	5PM	11/10, 11/11, 11/12
	7AM	5PM	11/16, 11/17
	7AM	5PM	11/24, 11/25
8D:	6AM	8PM	9/21, 9/22, 9/23, 9/24
	6AM	8PM	9/29, 9/30, 10/1, 10/2
	7AM	7PM	10/5, 10/6, 10/7, 10/8
	7AM	7PM	10/13, 10/14, 10/15, 10/16
	7AM	7PM	10/19, 10/20, 10/21, 10/22
	6AM	5PM	10/27, 10/28, 10/29, 10/30
	6AM	5PM	11/2, 11/3, 11/4, 11/5
10,11:	6AM	8PM	9/21, (9/29, 9/30) 9/27
	7AM	7PM	10/5, 10/6, 10/18
	7AM	6PM	(10/19) 10/26
	6AM	5PM	(10/27, 11/2, 11/10) 11/1, 11/9
12,12B:	7AM	7PM	10/18, 10/19
	7AM	6PM	10/26, 10/27
	6AM	5PM	(11/2, 11/3, 11/10, 11/11) 11/1
	(7AM	5PM	11/16)

All other saltwater and freshwater areas - closed.

AMENDATORY SECTION (Amending Order 92-47, filed 7/20/92, effective 8/20/92)

WAC 220-47-401 Reef net open periods. During ((4992)) 1993, it is unlawful to take, fish for or possess salmon taken with reef net gear for commercial purposes in Puget Sound((-)) except in the following designated Puget Sound Salmon Management and Catch Reporting Area, during the periods provided for hereinafter in each respective area:

AREA	TIME	:	DATE(S)
<u>7, 7A</u>	<u>7AM - 7PM</u>		<u>Daily 10/10 - 10/16</u>
	<u>7AM - 7PM</u>		<u>Daily 10/22 - 10/30</u>

It is unlawful to retain coho salmon taken with reef net gear. All other saltwater and freshwater areas - closed.

AMENDATORY SECTION (Amending Order 92-47, filed 7/20/92, effective 8/20/92)

WAC 220-47-411 Gill net—Open periods. During 1992, it is unlawful to take, fish for or possess salmon taken with gill net gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

AREA	TIME	:	DATE(S)
6D:	6AM ((9/20))	-	4PM ((10/23))
	9/19		10/29
Skiff fishery only.			
((7,7A:	4PM 7AM	NIGHTLY	10/26, 11/2, 11/9
7B:	8PM 6AM	NIGHTLY	7/27, 7/28, 8/3, 8/4, 8/5, 8/10, 8/11, 8/12
	7PM 7AM	NIGHTLY	8/17, 8/18
	7PM 9/8	4PM	10/23
	4PM 10/26	4PM	11/6
8:	4PM 7AM	NIGHTLY	11/2, 11/3
	4PM 8AM	NIGHTLY	11/9, 11/16, 11/17)
7B:	7PM - 7AM	NIGHTLY	8/9, 8/10, 8/11, 8/16, 8/17, 8/18, 8/23, 8/24
	6AM 9/5	through	4PM 10/22
	6AM 10/25	through	4PM 10/29
	6AM 11/1	through	4PM 11/5
8A, 8D:	5PM 10/25	-	8AM 10/26
	4PM - 7AM	NIGHTLY	11/1, 11/2,
	4PM - 8AM	NIGHTLY	((11/3, 11/4)) 11/8, 11/9
	((4PM 8AM	NIGHTLY	11/9, 11/10, 11/11, 11/16, 11/17, 11/23, 11/24
8D:	6PM 8AM	NIGHTLY	9/21, 9/22, 9/23, 9/24, 9/28, 9/29, 9/30, 10/1, 10/5, 10/6, 10/7, 10/8, 10/12, 10/13, 10/14, 10/15, 10/19, 10/20, 10/21, 10/22
	4PM 7AM	NIGHTLY	10/26, 10/27, 10/28, 10/29, 11/2, 11/3, 11/4, 11/5)

9A:	6AM	9/20	through	4PM	9/24
	6AM	9/27	through	4PM	10/1
	6AM	10/4	through	4PM	10/8
	6AM	10/11	through	4PM	10/15
	6AM	10/18	through	4PM	10/22
	6AM	10/25	through	4PM	10/29
	6AM	11/1	through	4PM	11/5
10,11:	6PM - 8AM	NIGHTLY	((9/21, 9/25, 9/29, 10/5, 10/6, 10/19)) 9/20, 9/27, 10/4, 10/5, 10/18		
	((4PM 7AM	NIGHTLY	10/26, 11/2))		
	5PM	10/25	-	8AM	10/26
	6PM	11/1	-	7AM	11/2
	4PM((8AM	NIGHTLY	11/9))	
	11/8	-	8AM	11/9	

12,12B:	((4PM - 7AM)) <u>6PM - 8AM</u>	NIGHTLY	((11/2, 11/3)) <u>10/18, 10/19</u>
	<u>5PM - 8AM</u>	NIGHTLY	<u>10/25, 10/26</u>
	((4PM - 8AM	NIGHTLY	11/9, 11/10,
	4PM	11/1	= 7AM 11/2
12A:	<u>6AM - 8PM</u>	<u>DAILY</u>	<u>9/7, 9/8, 9/9,</u>
			<u>9/10, 9/13, 9/14,</u>
			<u>9/15, 9/16, 9/17,</u>
			<u>9/20, 9/21, 9/22,</u>
			<u>9/23, 9/24</u>
	<u>7AM - 7PM</u>	<u>DAILY</u>	<u>9/27, 9/28, 9/29,</u>
			<u>9/30, 10/1, 10/4,</u>
			<u>10/5, 10/6, 10/7,</u>
			<u>10/8</u>

Notes: Area 12A - Skiff gill net fishing only.

All other saltwater and freshwater areas - closed.
Nightly openings refer to the start date.

WSR 93-14-042
PERMANENT RULES
DEPARTMENT OF FISHERIES
[Order 93-54—Filed June 29, 1993, 4:23 p.m.]

Date of Adoption: June 10, 1993.

Purpose: Amend commercial salmon rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-20-020, 220-36-023, and 220-40-027.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to notice filed as WSR 93-09-074 on April 21, 1993; and WSR 93-13-006 on June 4, 1993.

Changes Other than Editing from Proposed to Adopted Version: Reduction in season lengths in coastal harbors; clarification of westward boundary in August, September, and November fishery in Willapa Bay.

Effective Date of Rule: Thirty-one days after filing.

June 24, 1993
Judith Freeman
Deputy
for Robert Turner
Director

AMENDATORY SECTION (Amending Order 90-17, filed 3/8/90, effective 4/8/90)

WAC 220-20-020 General provisions—Lawful and unlawful acts—Food fish other than salmon. (1) It is unlawful to fish for or possess for commercial purposes any round, undressed sturgeon less than 48 inches or greater than ~~((72))~~ 66 inches in length.

(2) It is unlawful to fish for or possess for commercial purposes or possess aboard a commercial fishing vessel for any purpose any species of halibut (*Hippoglossus*) unless permitted by the current regulations of the International Pacific Halibut Commission.

(3) It is unlawful to fish for or possess for commercial purposes sturgeon taken from any of the waters of Puget Sound or tributaries, and any sturgeon taken with any type of commercial gear incidental to a lawful fishery shall immediately be returned to the water unharmed.

(4) It is unlawful to fish for food fish for commercial purposes in the waters of Shilshole Bay inland and inside a

line projected in a southwesterly direction from Meadow Point to West Point.

(5) It is unlawful to fish for or possess for commercial purposes any starry flounder less than 14 inches in length taken by any commercial gear, in all Puget Sound Marine Fish-Shellfish Areas.

(6) It shall be unlawful to harvest herring eggs naturally deposited on marine vegetation or other substrate, unless a person has a permit issued by the director.

(7) It is unlawful to fish for or possess food fish other than salmon taken for commercial purposes from the San Juan Islands Marine Preserve, except that it is lawful to take herring.

AMENDATORY SECTION (Amending Order 90-77, filed 8/24/90, effective 9/24/90)

WAC 220-36-023 Grays Harbor salmon—Fall fishery. From August 16 through December 31 of each year, it is unlawful to fish for salmon in Grays Harbor for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

Fishing period

(1) Gill net gear may be used to fish for salmon from:

(a) ~~6:00 p.m. ((August 20 to 6:00 p.m. August 21))~~ September 7 to 6:00 p.m. September 9, 6:00 p.m. September 12 to 6:00 p.m. September 16, and 6:00 p.m. September 19 to 6:00 p.m. September 23, 1993, in SMCRA ~~((2A, 2B, and 2D))~~ 2C;

(b) ~~6:00 p.m. ((August 25))~~ October 4 to 6:00 p.m. ((August 26)) October 6, 1993, in SMCRA ~~((2A))~~ 2B, 2C and 2D((;

~~(c) 6:00 p.m. August 30 to 6:00 p.m. August 31 in SMCRA 2A and 2D;~~

~~(d) 6:00 p.m. September 4 to 6:00 p.m. September 5 in SMCRA 2A and 2D;~~

~~(e) 6:00 p.m. September 9 to 6:00 p.m. September 10 in SMCRA 2A and 2D;~~

~~(f) 6:00 p.m. September 14 to 6:00 p.m. September 15 in SMCRA 2A and 2D;~~

~~(g) 6:00 p.m. October 2 to 6:00 p.m. October 5 in SMCRA 2C;~~

~~(h) 6:00 p.m. October 9 to 6:00 p.m. October 12 in SMCRA 2C;~~

~~(i) 6:00 p.m. October 16 to 6:00 p.m. October 19 in SMCRA 2C).~~

Gear

(2) Gill net gear shall be used as provided in WAC 220-36-015 except: August ((+)) 9 through September ((30)) 23, ((7-1/2 inch minimum mesh size)) 9-inch maximum mesh.

AMENDATORY SECTION (Amending Order 90-77, filed 8/24/90, effective 9/24/90)

WAC 220-40-027 Salmon—Willapa Bay fall fishery. From August 16 through December 31 of each year, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

PERMANENT

Fishing period

(1) Gill net gear may be used to fish for salmon from:

(a) ~~6:00 p.m. August 18 to 6:00 p.m. August ((20 to 6:00 p.m. August 22)) 19, 6:00 p.m. August 25 to 6:00 p.m. August 26, 6:00 p.m. September 1 to 6:00 p.m. September 2, and 6:00 p.m. September 7 to 6:00 p.m. September 9, 1993, in SMCRA 2J, 2K, 2M and that portion of SMCRA 2G east of a line drawn true north-south through Willapa Channel Entrance Buoy ((10)) 13, and that portion of SMCRA 2H west of Willapa Channel Marker 35;~~

(b) ~~6:00 p.m. ((August 27)) September 13 to 6:00 p.m. ((August 28)) September 16, 1993, in SMCRA 2H, 2M and that portion of SMCRA 2G east of a line drawn true north-south through Willapa Channel Entrance Buoy ((10, and that portion of SMCRA 2H west of Willapa Channel Marker 35)) 13;~~

(c) ~~6:00 p.m. September ((16)) 19 to 6:00 p.m. ((November 30)) October 14 in SMCRA 2H, 2M and that portion of 2G east of a line drawn true north-south through Willapa Channel ((Marker 24 and SMCRA 2H)) entrance buoy 10;~~

(d) ~~6:00 p.m. September ((16 to 6:00 p.m. October 10 in SMCRA 2M and that portion of SMCRA 2G west of Willapa Channel Marker 24 and east of a line drawn true north-south through Willapa Channel Entrance Buoy 10 except on September 16 and September 22, only, west of Willapa Channel Marker 24 and east of a line drawn true north-south through Willapa Channel Entrance Buoy 12)) 13 to 6:00 p.m. September 14, 1993, 6:00 p.m. September 20 to 6:00 p.m. September 21, 1993, 6:00 p.m. September 23 to 6:00 p.m. September 24, 1993, 6:00 p.m. September 27 to 6:00 p.m. September 28, 1993, 6:00 p.m. September 30 to 6:00 p.m. October 1, 1993, 6:00 p.m. October 4 to 6:00 p.m. October 5, 1993, 6:00 p.m. October 7 to 6:00 p.m. October 8, 1993, 6:00 p.m. October 11 to 6:00 p.m. October 12, 1993, in SMCRA 2J and 2K, except that 6:00 p.m. September 12 to 6:00 p.m. September 17, 1993, and 6:00 p.m. September 19 to 6:00 p.m. October 1, 1993, that part of SMCRA 2J north of an east-west line through the north entrance marker to the Nahcotta basin (red flasher no. 2) is open continuously;~~

(e) ~~6:00 p.m. ((Monday to 6:00 p.m. Tuesday and 6:00 p.m. Thursday to 6:00 p.m. Friday of each week September 17 to)) October ((9 in SMCRA 2J and 2K)) 14 to 6:00 p.m. November 1, 1993, in SMCRA 2H and that portion of SMCRA 2G east of Willapa River Channel Marker 24;~~

(f) ~~6:00 p.m. November ((5)) 1 to 6:00 p.m. November 30, 1993, in SMCRA 2G, 2H, 2J, 2K and 2M and that portion of SMCRA 2 east of a line from Shoalwater Light to Leadbetter Point.~~

Gear

(2) Gill net gear shall be used as provided in WAC 220-40-015 except:

(a) Before September ((16)) 14, ((there is no)) the maximum mesh size is 8-1/2 inches; and

(b) After November 19, the minimum mesh size is 7-1/2 inches.

WSR 93-14-043**PERMANENT RULES****DEPARTMENT OF FISHERIES**

[Order 93-36—Filed June 29, 1993, 4:26 p.m.]

Date of Adoption: April 30, 1993.

Purpose: 1993 sport rules from north of Falcon.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-190, 220-56-195, 220-57-210, 220-57-425, and 220-57-430; and new section WAC 220-56-191.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to notice filed as WSR 93-08-033 on March 31, 1993.

Effective Date of Rule: Thirty-one days after filing.

June 28, 1993

Judith Freeman

Deputy

for Robert Turner

Director

AMENDATORY SECTION (Amending Order 91-13, filed 4/2/91, effective 5/3/91)

WAC 220-56-190 Coastal salmon—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 coastal 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:~~

~~(a) Catch Record Card Areas 5, 6, 7, 8-1, 8-2, 9, and 12—Bag Limit H—open the entire year.~~

~~(b) Catch Record Card Areas 10, 11, and 13—Bag Limit G—open the entire year.~~

~~(c) In the above waters there are specified closures as provided for in WAC 220-56-128, 220-56-130, and 220-56-195.~~

~~(2)) Strait of Juan de Fuca from the mouth of the Sekiu River to the Bonilla-Tatoosh Line((—Bag Limit F except during the period April 16 through June 15 maximum size limit of 30 inches on chinook salmon if the waters described in this subsection are open—open concurrently with the ocean, and these waters will remain open through October 31 or until the ocean salmon quota for any species is taken));~~

~~(a) May 1 through May 31 or chinook quota of 1,000, whichever occurs first - Bag Limit F except no coho may be retained.~~

~~(b) August 15 or when Area 4 quota is taken, whichever occurs later - Bag Limit F until coho quota of 12,000 taken.~~

~~((3)) (2) Pacific Ocean coastal waters: All waters west of ((a line from Tatoosh Island Light to Bonilla Point)) the mouth of the Sekiu River, the 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—when opened by emergency regulation)).~~

~~(a) Catch Record Card Area 4 - July 12 through September 30, or 19,700 coho or overall coastal chinook quota of 25,000, whichever occurs first - Bag Limit F, except that no more than six salmon may be retained in any seven consecutive days - Open to salmon fishing Sunday through Thursday only.~~

(b) Catch Record Card Area 3 - July 5 through September 30, or 4,000 coho or overall coastal chinook quota of 25,000, whichever occurs first - Bag Limit F, except that no more than six salmon may be retained in any seven consecutive days - Open to salmon fishing Sunday through Thursday only.

(c) Catch Record Card Area 2 inside and shoreward of the 25 fathom curve - July 5 through September 30, or 77,100 coho or overall coastal chinook quota of 25,000, whichever occurs first - Bag Limit F, except that no more than four salmon may be retained in any seven consecutive days - Open to salmon fishing Sunday through Thursday only.

(d) Catch Record Card Area 1 - July 5 through September 9, or 96,300 coho or overall coastal chinook quota of 25,000, whichever occurs first - Bag Limit F, except that no more than four salmon may be retained in any seven consecutive days - Open to salmon fishing Sunday through Thursday only. September 12 - September 30, or 5,000 coho or overall coastal chinook quota of 25,000, whichever occurs first - Bag Limit F, except that no more than four salmon may be retained in any seven consecutive days - Open to salmon fishing Sunday through Thursday only. During the fisheries provided for in this section, waters described in WAC 220-56-195(8) (Columbia River Mouth Conservation Zone I; Control Zone 1) are closed to salmon fishing.

(e) For purposes of this section, all salmon retained from Catch Record Card Areas 1, 2, 3, and 4, during the coastal salmon season except for salmon taken from Area 4 east of the Bonilla-Tatoosh Line after August 15, and salmon taken from Grays Harbor and Willapa Bay Areas 2-1 and 2-2 prior to August 16 count as part of the cumulative catch for the seven consecutive day period.

((4)) (3) Grays Harbor (Catch Record Card Area 2-2) (a) Open to salmon angling coincidentally with the season, daily and weekly bag limits, size, and gear restrictions in adjacent waters of the Pacific Ocean (Catch Record Card Area 2). Lawful to fish from the bank only of the north and south jetties 7 days per week when the recreational season is in progress in adjacent ocean waters, (b) Bag Limit A - August 16 through September 15 in the Westport and Ocean Shores boat basins only, (c) Bag Limit A - September 16 through January 31: Waters of Catch Record Card Area 2-2 east of the Channel Marker 13 Line.

((5)) (4) Willapa Bay (Catch Record Card Area 2-1) (a) Open to salmon angling coincidentally with the season, daily and weekly bag limits, size, and gear restrictions in adjacent waters of the Pacific Ocean (Catch Record Card Area 2), (b) Bag Limit A - August 16 through January 31.

NEW SECTION

WAC 220-56-191 Puget Sound salmon—Saltwater seasons and bag limits. It is unlawful to fish for or possess salmon taken by angling for personal use except from the following Puget Sound 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. Puget Sound waters west of the mouth of the Sekiu River are managed concurrent with ocean waters as provided for in WAC 220-56-190.

(1) Catch Record Card Areas 5 and 6:

(a) May 1 through June 15 - Special daily bag limit of two salmon, except that all chinook salmon greater than 30 inches in length and all coho salmon must be released. Chinook minimum size is 22 inches, but there is no minimum size for other salmon.

(b) June 16 through July 15 - Special daily bag limit of two salmon, except that all coho salmon must be released. Chinook minimum size is 22 inches, but there is no minimum size for other salmon.

(c) July 16 through September 6 - Special daily bag limit of two salmon. Chinook minimum size is 22 inches, but there is no minimum size for other salmon.

(d) September 7 through October 31 - Closed to salmon angling.

(e) November 1 through April 30 - Bag Limit H, except that after April 15, all chinook greater than 30 inches in length must be released.

(2) Catch Record Card Area 7:

(a) November 1 through June 30 - Bag Limit H, except during the period April 16 through June 15 all chinook salmon greater than 30 inches in length must be released.

(b) July 1 through October 31 - Special daily bag limit of 2 salmon. Chinook minimum size is 22 inches, but there is no minimum size for other salmon.

(3) Catch Record Card Area 8-1:

(a) November 1 through June 30 - Bag Limit H.

(b) July 1 through September 6 - Special daily bag limit of 2 salmon. Chinook minimum size is 22 inches, but there is no minimum size for other salmon.

(c) September 7 through October 31 - Closed to salmon angling.

(4) Catch Record Card Area 8-2:

(a) November 1 through June 30 - Bag Limit H.

(b) July 1 through October 31 - Special daily bag limit of 2 salmon. Chinook minimum size is 22 inches, but there is no minimum size for other salmon.

(5) Catch Record Card Area 9:

(a) November 1 through June 30 - Bag Limit H.

(b) July 1 through September 6 - Special daily bag limit of 2 salmon. Chinook minimum size is 22 inches, but there is no minimum size for other salmon.

(c) September 7 through September 30 - Closed to salmon angling except:

(i) Fishing allowed when fishing from the Edmonds Public Fishing Pier - Special daily bag limit of 2 salmon. Chinook minimum size is 22 inches, but there is no minimum size for other salmon.

(ii) Fishing for pink salmon allowed in those waters west of Whidbey Island from Bush Point to Lagoon Point and within one-quarter mile of the shoreline - Special daily bag limit of 2 pink salmon and all other salmon must be released. In the fishery provided for in this subsection, terminal gear is limited to pink or red artificial squid lures with barbless hook(s). Either a single hook with single or double points or not more than two single hooks may be used. A flasher or dodger may be used. Bait of any kind is prohibited.

(d) October 1 through October 31 - Special daily bag limit of 2 salmon, except that all coho salmon must be released. Chinook minimum size is 22 inches in length, but there is no minimum size for other salmon.

(6) Catch Record Card Areas 10, 11, and 13 - Bag Limit G.

(7) Catch Record Card Area 12 - Special daily bag limit of 3 salmon of which no more than 2 may be chinook salmon. Chinook minimum size is 22 inches, but there is no minimum size for other salmon.

(8) In the above waters there are specified closures as provided for in WAC 220-56-128 and 220-56-195. Additionally, there are gear and area restrictions at Shilshole Bay, the Duwamish Waterway, and Budd Inlet, and at the Edmonds underwater park and the Elliott Bay, Les Davis, and Des Moines public fishing piers. See specific sections in chapter 220-56 WAC for salmon angling restrictions at these locations.

AMENDATORY SECTION (Amending Order 92-19, filed 5/12/92, effective 6/12/92)

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 a line between the south end of McGlenn Island and the light at the south end of Fidalgo Island (Qk Fl) at the south end of Swinomish Slough shall be closed to salmon angling April 16 through June 15.

(2) Bellingham Bay: Those waters of Bellingham, Samish and Padilla Bays southerly of a line projected from the most westerly point of Gooseberry Point to Sandy Point, easterly of a line from Sandy Point to Point Migley thence along the eastern shoreline of Lummi Island to Carter Point, thence to the most northerly tip of Vendovi Island thence to Clark Point on Guemes Island following the shoreline to Southeast Point on Guemes Island thence to March Point on Fidalgo Island and north of the Burlington Railroad Bridges at the north end of Swinomish Slough shall be closed to salmon angling April 16 through July 15.

(3) Carr Inlet:

(a) Those waters north of a line from Green Point to Penrose Point are closed to salmon angling from April 16 through July 31.

(b) 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 April 16 through September 30.

(c) Those waters of Carr Inlet and Hale Passage north of a line from Penrose Point to the Carr Inlet Acoustic Range Naval Facility Pier and northwesterly of the Fox Island Bridge shall be closed to salmon angling from April 16 through June 15.

(4) Dabob Bay: Those waters north of a line projected true east from Pulali Point are closed to salmon angling April 16 through August 15.

(5) Dungeness Bay: Those waters westerly of a line projected 155 degrees true from Dungeness Spit Light to Kulakala Point are closed to salmon angling April 16 through June 30.

(6) Samish Bay: Those waters southerly of a line projected true east from Fish Point are closed to salmon angling August 1 through October 15.

(7) Port Susan: Those waters of Port Susan north of a line from Camano Head to Hermosa Point are closed to salmon angling April 16 through ~~((August 31))~~ September 30.

(8) Columbia River Mouth Conservation Zone 1: Washington waters within Conservation Zone 1, which Conservation Zone is described as the ocean area surrounding the Columbia River mouth west of the Buoy 10 line and bounded by a line extending for 6 nautical miles due west from North Head along 46°18'00" N. latitude to 124°13'18" W. longitude, then southerly along a line of 167° true to 46°11'06" N. latitude and 124°11'00" W. longitude (Columbia River Buoy), then northeast along Red Buoy Line to the tip of the south jetty are closed to salmon angling at all times except open to fishing from the north jetty when adjacent waters north of the Conservation Zone are open to salmon angling or the Buoy 10 fishery is open.

(9) Commencement Bay: Those waters east of a line projected from the Sperry Ocean Dock to landfall below the Cliff House Restaurant on the north shore of Commencement Bay are closed from April 16 through June 30.

AMENDATORY SECTION (Amending Order 92-19, filed 5/12/92, effective 6/12/92)

WAC 220-57-210 Duckabush River. (1) Special Bag Limit - 2 pink salmon - August 16 through October 31: Downstream from the Mason County Public Utility District #1 overhead electrical distribution line. All salmon other than pink salmon must be released.

(2) Special Bag Limit - 2 ~~((adult))~~ chum salmon or two pink salmon or 1 pink and 1 chum salmon - November 1 through ~~((January 31))~~ December 15: Downstream from the Mason County Public Utility District #1 overhead electrical distribution line. ~~((Coho))~~ All other salmon must be released immediately.

AMENDATORY SECTION (Amending Order 92-19, filed 5/12/92, effective 6/12/92)

WAC 220-57-425 Skagit River. (1) Bag Limit A - July 1 through ~~((December))~~ July 31: Downstream from the mouth of the Cascade River to Gilligan Creek. Chinook salmon greater than 24 inches in length, coho salmon and sockeye salmon must be released immediately. ~~((During the period July, August, and September, not more than one of the adult salmon may be a coho salmon. After September, all coho salmon greater than 20 inches in length must be released. During the period August 1 through September 15, up to six pink salmon allowed in the six salmon daily bag limit.))~~

(2) Special Bag Limit of six salmon per day, not more than three of which may be adult salmon - August 1 through December 31: Downstream from the mouth of the Cascade River to Gilligan Creek. Chinook salmon greater than 24 inches in length, coho salmon and sockeye salmon must be released immediately.

(3) Bag Limit A - June 16 through ~~((December))~~ July 31: Downstream from Gilligan Creek. Not more than one of the adult salmon may be a chinook salmon. ~~((During the~~

~~period July, August, and September, not more than one of the adult salmon may be a coho salmon. After September, all coho salmon greater than 20 inches in length must be released. During the period August 1 through September 15, up to six pink salmon allowed in the six salmon daily bag limit.) Coho salmon and sockeye salmon must be released immediately.~~

(4) Special Bag Limit of six salmon not more than one of which may be an adult chinook and not more than three of which may be adult salmon of any species (the three adult fish includes the chinook, if taken) - August 1 to December 31: Downstream from the mouth of Gilligan Creek. Coho salmon and sockeye salmon must be released immediately.

AMENDATORY SECTION (Amending Order 92-19, filed 5/12/92, effective 6/12/92)

~~WAC 220-57-430 Skokomish River. ((Special Daily Bag Limit of two salmon not less than 12 inches in length. August 1 through September 30 and November 1 through January 31: Downstream from the mouth of Vance Creek. Coho salmon must be released immediately.)) Bag Limit A - August 1 through December 15: Downstream from the Highway 101 Bridge. Terminal gear on the Skokomish River is limited to one bait or lure with one single-pointed hook only, measuring no more than 1/2 inch from point to shank.~~

WSR 93-14-050
PERMANENT RULES
BOARD OF ACCOUNTANCY

[Filed June 29, 1993, 4:35 p.m.]

Date of Adoption: May 21, 1993.

Purpose: General housekeeping, reorganizes WAC section numbering. Recodifies WAC 4-24-131 to chapter 4-25 WAC to consolidate board rules into one chapter of WAC.

Citation of Existing Rules Affected by this Order: New section WAC 4-25-520 Index of public records available.

Statutory Authority for Adoption: Chapter 42.17 RCW.

Pursuant to notice filed as WSR 93-08-093 on April 7, 1993.

Effective Date of Rule: Thirty-one days after filing.

June 28, 1993

Carey L. Rader, CPA
Executive Director

NEW SECTION

WAC 4-25-520 Index of public records available.

(1) The board maintains the following records:

(a) A data base file of every Washington certified public accountant. This file contains each certified public accountant's name, address, certificate type and number, certificate issue date, and certificate status;

(b) A data base file of certified public accountant examination candidates. This file contains each candidate's name, address, and candidate identification numbers;

(c) A data base file of certified public accountant firms. This file contains each firm's name, ownership, address, license status, and license number;

(d) A data base file of final orders, declaratory rulings, interpretations, and policy statements abstracted from board meeting minutes;

(e) Formal disciplinary orders of the board;

(f) Board meeting minutes;

(g) Tape recordings of board meetings for the previous six months;

(h) Board policy manual;

(i) Board rules files;

(j) Certified public accountants' continuing education reports and continuing education sponsor agreements; and

(k) Correspondence and materials dealing with regulatory, supervisory, and enforcement responsibilities of the board. The board does not maintain an index of correspondence files.

(2) Under the Public Records Act, chapter 42.17 RCW, the board may not give, sell, or provide access to lists of individuals or firms requested for commercial purposes. The board will provide lists of certified public accountants and/or candidates to bona fide educational and professional organizations.

WSR 93-14-051
PERMANENT RULES
DEPARTMENT OF REVENUE

[Filed June 30, 1993, 9:15 a.m., effective July 1, 1993]

Date of Adoption: June 30, 1993.

Purpose: To establish the stumpage values for reporting and payment of the timber excise tax for the period July 1, 1993, through December 31, 1993, as required by RCW 84.33.091.

Citation of Existing Rules Affected by this Order: Amending WAC 458-40-660 and 458-40-670.

Statutory Authority for Adoption: RCW 84.33.091.

Other Authority: RCW 84.32.300 and 84.33.096.

Pursuant to notice filed as WSR 93-10-091 on May 4, 1992 [1993].

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: State statute, RCW 84.33.091(1), requires that stumpage values be in effect on or before June 30, 1993, for use from July 1, 1993, through December 31, 1993.

Effective Date of Rule: July 1, 1993.

June 30, 1993

Steven D. Vermillion

for Gary K. O'Neil

Assistant Director

Special Programs Division

Forest Tax Section

AMENDATORY SECTION (Amending WSR 93-02-025, filed 12/31/92, effective 1/1/93)

WAC 458-40-660 Timber excise tax—Stumpage value tables. The following stumpage value tables are hereby adopted for use in reporting the taxable value of stumpage harvested during the period ((~~January~~)) July 1 through ((~~June 30~~)) December 31, 1993:

**((TABLE 1—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1993**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[†]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$555	\$548	\$541	\$534	\$527
		2	530	523	516	509	502
		3	460	453	446	439	432
		4	255	248	241	234	227
Western Redcedar ²	RC	1	738	731	724	717	710
		2	693	686	679	672	665
		3	670	663	656	649	642
		4	611	604	597	590	583
Western Hemlock ³	WH	1	321	314	307	300	293
		2	292	285	278	271	264
		3	268	261	254	247	240
		4	222	215	208	201	194
Other Conifer	OC	1	321	314	307	300	293
		2	292	285	278	271	264
		3	268	261	254	247	240
		4	222	215	208	201	194
Red Alder	RA	1	104	97	90	83	76
Black Cottonwood	BC	1	80	73	66	59	52
Other Hardwood	OH	1	112	105	98	91	84
Hardwood Utility	HU	1	63	56	49	42	35
Conifer Utility	CU	1	54	47	40	33	26
RC Shake Blocks	RCS	1	474	467	460	453	446
RC Shingle Blocks	RCF	1	109	102	95	88	81
RC & Other Posts ⁴	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁵	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁵	TFX	1	0.50	0.50	0.50	0.50	0.50

[†] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Alaska Cedar.

³ 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."

⁴ Stumpage value per 8 lineal feet or portion thereof.

⁵ Stumpage value per lineal foot.

**TABLE 2—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1993**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[†]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$536	\$529	\$522	\$515	\$508
		2	517	510	503	496	489
		3	388	381	374	367	360
		4	255	248	241	234	227

Western Redcedar ²	RC	1	824	817	810	803	796
		2	824	817	810	803	796
		3	792	785	778	771	764
		4	565	558	551	544	537

Western Hemlock ³	WH	1	336	329	322	315	308
		2	323	326	319	312	305
		3	303	296	289	282	275
		4	222	215	208	201	194

Other Conifer	OC	1	336	329	322	315	308
		2	323	326	319	312	305
		3	303	296	289	282	275
		4	222	215	208	201	194

Red Alder	RA	1	104	97	90	83	76
-----------	----	---	-----	----	----	----	----

Black Cottonwood	BC	1	80	73	66	59	52
------------------	----	---	----	----	----	----	----

Other Hardwood	OH	1	112	105	98	91	84
----------------	----	---	-----	-----	----	----	----

Hardwood Utility	HU	1	63	56	49	42	35
------------------	----	---	----	----	----	----	----

Conifer Utility	CU	1	54	47	40	33	26
-----------------	----	---	----	----	----	----	----

RC Shake Blocks	RCS	1	474	467	460	453	446
-----------------	-----	---	-----	-----	-----	-----	-----

RC Shingle Blocks	RCF	1	109	102	95	88	81
-------------------	-----	---	-----	-----	----	----	----

RC & Other Posts ⁴	RCP	1	0.45	0.45	0.45	0.45	0.45
-------------------------------	-----	---	------	------	------	------	------

DF Christmas Trees ⁵	DFX	1	0.25	0.25	0.25	0.25	0.25
---------------------------------	-----	---	------	------	------	------	------

Other Christmas Trees ⁵	TFX	1	0.50	0.50	0.50	0.50	0.50
------------------------------------	-----	---	------	------	------	------	------

[†] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Alaska Cedar.

³ 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."

⁴ Stumpage value per 8 lineal feet or portion thereof.

⁵ Stumpage value per lineal foot.

**TABLE 3—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1993**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[†]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir ²	DF	1	\$556	\$549	\$542	\$535	\$528
		2	556	549	542	535	528
		3	493	486	479	472	465
		4	255	248	241	234	227
Western Redcedar ³	RC	1	873	866	859	852	845
		2	873	866	859	852	845
		3	670	663	656	649	642
		4	610	603	596	589	582
Western Hemlock ⁴	WH	1	425	418	411	404	397
		2	425	418	411	404	397
		3	298	291	284	277	270
		4	222	215	208	201	194
Other Conifer	OC	1	425	418	411	404	397
		2	425	418	411	404	397
		3	298	291	284	277	270
		4	222	215	208	201	194
Red Alder	RA	1	104	97	90	83	76

PERMANENT

Black Cottonwood	BC	1	80	73	66	59	52
Other Hardwood	OH	1	112	105	98	91	84
Hardwood Utility	HU	1	63	56	49	42	35
Conifer Utility	CU	1	54	47	40	33	26
RC Shake Blocks	RCS	1	474	467	460	453	446
RC Shingle Blocks	RCF	1	109	102	95	88	81
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

RC Shake Blocks	RCS	1	474	467	460	453	446
RC Shingle Blocks	RCF	1	109	102	95	88	81
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska Cedar.

⁴ 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."

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

**TABLE 5 — Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1993**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir ²	DF	1	\$514	\$507	\$500	\$493	\$486
		2	514	507	500	493	486
		3	433	426	419	412	405
		4	272	265	258	251	244
Lodgepole Pine	LP	1	199	192	185	178	171
Ponderosa Pine	PP	1	421	414	407	400	393
		2	322	315	308	301	294
Western Redcedar ²	RC	1	828	821	814	807	800
		2	828	821	814	807	800
		3	741	734	727	720	713
		4	644	637	630	623	616
Western Hemlock ⁴	WH	1	376	369	362	355	348
		2	261	254	247	240	233
		3	250	243	236	229	222
		4	222	215	208	201	194
Other Conifer	OC	1	376	369	362	355	348
		2	261	254	247	240	233
		3	250	243	236	229	222
		4	222	215	208	201	194
Red Alder	RA	1	104	97	90	83	76
Black Cottonwood	BC	1	80	73	66	59	52
Other Hardwood	OH	1	112	105	98	91	84
Hardwood Utility	HU	1	63	56	49	42	35
Conifer Utility	CU	1	54	47	40	33	26
RC Shake Blocks	RCS	1	474	467	460	453	446
RC Shingle Blocks	RCF	1	109	102	95	88	81
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

**TABLE 4 — Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1993**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir ²	DF	1	\$500	\$493	\$486	\$479	\$472
		2	463	456	449	442	435
		3	418	411	404	397	390
		4	233	226	219	212	205
Lodgepole Pine	LP	1	199	192	185	178	171
Ponderosa Pine	PP	1	421	414	407	400	393
		2	322	315	308	301	294
Western Redcedar ²	RC	1	773	766	759	752	745
		2	773	766	759	752	745
		3	670	663	656	649	642
		4	532	525	518	511	504
Western Hemlock ⁴	WH	1	320	313	306	299	292
		2	319	312	305	298	291
		3	299	292	285	278	271
		4	245	238	231	224	217
Other Conifer	OC	1	320	313	306	299	292
		2	319	312	305	298	291
		3	299	292	285	278	271
		4	245	238	231	224	217
Red Alder	RA	1	104	97	90	83	76
Black Cottonwood	BC	1	80	73	66	59	52
Other Hardwood	OH	1	112	105	98	91	84
Hardwood Utility	HU	1	63	56	49	42	35
Conifer Utility	CU	1	54	47	40	33	26

- ¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
- ² Includes Western Larch.
- ³ Includes Alaska Cedar.
- ⁴ 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."
- ⁵ Stumpage value per 8 lineal feet or portion thereof.
- ⁶ Stumpage value per lineal foot.

TABLE 6—Stumpage Value Table
Stumpage Value Area 6
 January 1 through June 30, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir ²	DF	1	\$464	\$457	\$450	\$443	\$436
Engelmann Spruce	ES	1	201	194	187	180	173
Lodgepole Pine	LP	1	199	192	185	178	171
Ponderosa Pine	PP	1	421	414	407	400	393
		2	322	315	308	301	294
Western Redcedar ³	RC	1	462	455	448	441	434
True Firs ⁴	WH	1	233	226	219	212	205
Western White Pine	WP	1	329	322	315	308	301
Hardwoods	OH	1	25	18	11	4	1
Utility	CU	1	54	47	40	33	26
RC Shake & Shingle Blocks	RCF	1	152	145	138	131	124
LP & Other Posts ⁵	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁶	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁷	DFX	1	0.25	0.25	0.25	0.25	0.25

- ¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
- ² Includes Western Larch.
- ³ Includes Alaska Cedar.
- ⁴ 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."
- ⁵ Stumpage value per 8 lineal feet or portion thereof.
- ⁶ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
- ⁷ Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 7
 January 1 through June 30, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir ²	DF	1	\$306	\$299	\$292	\$285	\$278
Engelmann Spruce	ES	1	189	182	175	168	161

Lodgepole Pine	LP	1	185	178	171	164	157
Ponderosa Pine	PP	1	405	398	391	384	377
		2	324	317	310	303	296
Western Redcedar ³	RC	1	462	455	448	441	434
True Firs ⁴	WH	1	208	201	194	187	180
Western White Pine	WP	1	329	322	315	308	301
Hardwoods	OH	1	25	18	11	4	1
Utility	CU	1	54	47	40	33	26
RC Shake & Shingle Blocks	RCF	1	152	145	138	131	124
LP & Other Posts ⁵	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁶	PX	1	0.25	0.25	0.25	0.25	0.25
Christmas Trees ⁷	DFX	1	0.25	0.25	0.25	0.25	0.25

- ¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
- ² Includes Western Larch.
- ³ Includes Alaska Cedar.
- ⁴ 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."
- ⁵ Stumpage value per 8 lineal feet or portion thereof.
- ⁶ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
- ⁷ Stumpage value per lineal foot.

TABLE 8—Stumpage Value Table
Stumpage Value Area 10
 January 1 through June 30, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir ²	DF	1	\$449	\$442	\$435	\$428	\$421
		2	415	408	401	394	387
		3	374	367	360	353	346
		4	206	199	192	185	178
Lodgepole Pine	LP	1	199	192	185	178	171
Ponderosa Pine	PP	1	421	414	407	400	393
		2	322	315	308	301	294
Western Redcedar ³	RC	1	766	759	752	745	738
		2	766	759	752	745	738
		3	673	666	659	652	645
		4	525	518	511	504	497
Western Hemlock ⁴	WH	1	285	278	271	264	257
		2	284	277	270	263	256
		3	266	259	252	245	238
		4	218	211	204	191	184
Other Conifer	OC	1	285	278	271	264	257
		2	284	277	270	263	256
		3	266	259	252	245	238
		4	218	211	204	191	184
Red Alder	RA	1	104	97	90	83	76
Black Cottonwood	BC	1	80	73	66	59	52

Other Hardwood	OH	1	112	105	98	91	84
Hardwood Utility	HU	1	63	56	49	42	35
Conifer Utility	CU	1	54	47	40	33	26
RC Shake Blocks	RCS	1	474	467	460	453	446
RC Shingle Blocks	RCF	1	109	102	95	88	81
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska Cedar.
⁴ 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."
⁵ Stumpage value per 8 lineal feet or portion thereof.
⁶ Stumpage value per lineal foot.)

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
 July 1 through December 31, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$710	\$703	\$696	\$689	\$682
		2	692	685	678	671	664
		3	647	640	633	626	619
		4	328	321	314	307	300
Western Redcedar ²	RC	1	1624	1617	1610	1603	1596
		2	1503	1496	1489	1482	1475
		3	616	609	602	595	588
		4	455	448	441	434	427
Western Hemlock ³	WH	1	576	569	562	555	548
		2	509	502	495	488	481
		3	441	434	427	420	413
		4	245	238	231	224	217
Other Conifer	OC	1	576	569	562	555	548
		2	509	502	495	488	481
		3	441	434	427	420	413
		4	245	238	231	224	217
Red Alder	RA	1	85	78	71	64	57
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	1	63	56	49	42	35
Conifer Utility	CU	1	54	47	40	33	26
RC Shake Blocks	RCS	1	742	735	728	721	714
RC Shingle Blocks	RCF	1	164	157	150	143	136
RC & Other Posts ⁴	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁵	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁵	TFX	1	0.50	0.50	0.50	0.50	0.50

DF Christmas Trees ⁵	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁵	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Alaska Cedar.
³ 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."
⁴ Stumpage value per 8 lineal feet or portion thereof.
⁵ Stumpage value per lineal foot.

TABLE 2—Stumpage Value Table
Stumpage Value Area 2
 July 1 through December 31, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$774	\$767	\$760	\$753	\$746
		2	695	688	681	674	667
		3	576	569	562	555	548
		4	568	561	554	547	540
Western Redcedar ²	RC	1	1438	1431	1424	1417	1410
		2	1438	1431	1424	1417	1410
		3	1012	1005	998	991	984
		4	448	441	434	427	420
Western Hemlock ³	WH	1	456	449	442	435	428
		2	450	443	436	429	422
		3	449	442	435	428	421
		4	293	286	279	272	265
Other Conifer	OC	1	456	449	442	435	428
		2	450	443	436	429	422
		3	449	442	435	428	421
		4	293	286	279	272	265
Red Alder	RA	1	85	78	71	64	57
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	1	63	56	49	42	35
Conifer Utility	CU	1	54	47	40	33	26
RC Shake Blocks	RCS	1	742	735	728	721	714
RC Shingle Blocks	RCF	1	164	157	150	143	136
RC & Other Posts ⁴	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁵	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁵	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Alaska Cedar.
³ 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."
⁴ Stumpage value per 8 lineal feet or portion thereof.
⁵ Stumpage value per lineal foot.

PERMANENT

TABLE 3—Stumpage Value Table
Stumpage Value Area 3
 July 1 through December 31, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$750	\$743	\$736	\$729	\$722
		2	708	701	694	687	680
		3	494	487	480	473	466
		4	319	312	305	298	291
Western Redcedar ³	RC	1	1202	1195	1188	1181	1174
		2	1202	1195	1188	1181	1174
		3	824	817	810	803	796
		4	820	813	806	799	792
Western Hemlock ⁴	WH	1	436	429	422	415	408
		2	395	388	381	374	367
		3	354	347	340	333	326
		4	201	194	187	180	173
Other Conifer	OC	1	436	429	422	415	408
		2	395	388	381	374	367
		3	354	347	340	333	326
		4	201	194	187	180	173
Red Alder	RA	1	85	78	71	64	57
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	1	63	56	49	42	35
Conifer Utility	CU	1	54	47	40	33	26
RC Shake Blocks	RCS	1	742	735	728	721	714
RC Shingle Blocks	RCF	1	164	157	150	143	136
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ 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."

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

TABLE 4—Stumpage Value Table
Stumpage Value Area 4
 July 1 through December 31, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$725	\$718	\$711	\$704	\$697
		2	678	671	664	657	650
		3	634	627	620	613	606
		4	560	553	546	539	532
Lodgepole Pine	LP	1	327	320	313	306	299
Ponderosa Pine	PP	1	512	505	498	491	484
		2	396	389	382	375	368
Western Redcedar ³	RC	1	1370	1363	1356	1349	1342
		2	1370	1363	1356	1349	1342
		3	784	777	770	763	756
		4	654	647	640	633	626
Western Hemlock ⁴	WH	1	383	376	369	362	355
		2	378	371	364	357	350
		3	356	349	342	335	328
		4	304	297	290	283	276
Other Conifer	OC	1	383	376	369	362	355
		2	378	371	364	357	350
		3	356	349	342	335	328
		4	304	297	290	283	276
Red Alder	RA	1	85	78	71	64	57
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	1	63	56	49	42	35
Conifer Utility	CU	1	54	47	40	33	26
RC Shake Blocks	RCS	1	742	735	728	721	714
RC Shingle Blocks	RCF	1	164	157	150	143	136
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ 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."

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

PERMANENT

TABLE 5—Stumpage Value Table
Stumpage Value Area 5
 July 1 through December 31, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$762	\$755	\$748	\$741	\$734
		2	699	692	685	678	671
		3	578	571	564	557	550
		4	414	407	400	393	386
Lodgepole Pine	LP	1	327	320	313	306	299
Ponderosa Pine	PP	1	512	505	498	491	484
		2	396	389	382	375	368
Western Redcedar ³	RC	1	1748	1741	1734	1727	1720
		2	1748	1741	1734	1727	1720
		3	844	837	830	823	816
		4	383	376	369	362	355
Western Hemlock ⁴	WH	1	463	456	449	442	435
		2	398	391	384	377	370
		3	339	332	325	318	311
		4	262	255	248	241	234
Other Conifer	OC	1	463	456	449	442	435
		2	398	391	384	377	370
		3	339	332	325	318	311
		4	262	255	248	241	234
Red Alder	RA	1	85	78	71	64	57
Black Cottonwood	BC	1	76	69	62	55	48
Other Hardwood	OH	1	85	78	71	64	57
Hardwood Utility	HU	1	63	56	49	42	35
Conifer Utility	CU	1	54	47	40	33	26
RC Shake Blocks	RCS	1	742	735	728	721	714
RC Shingle Blocks	RCF	1	164	157	150	143	136
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ 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."

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

TABLE 6—Stumpage Value Table
Stumpage Value Area 6
 July 1 through December 31, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$602	\$595	\$588	\$581	\$574
		2	308	301	294	287	280
Engelmann Spruce	ES	1	308	301	294	287	280
Lodgepole Pine	LP	1	327	320	313	306	299
Ponderosa Pine	PP	1	512	505	498	491	484
		2	396	389	382	375	368
Western Redcedar ³	RC	1	618	611	604	597	590
True Firs ⁴	WH	1	344	337	330	323	316
Western White Pine	WP	1	484	477	470	463	456
Hardwoods	OH	1	25	18	11	4	1
Utility	CU	1	50	43	36	29	22
RC Shake & Shingle Blocks	RCF	1	152	145	138	131	124
LP & Other Posts ⁵	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁶	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁷	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ 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."

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁷ Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 7
 July 1 through December 31, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$351	\$344	\$337	\$330	\$323
		2	292	285	278	271	264
Engelmann Spruce	ES	1	292	285	278	271	264
Lodgepole Pine	LP	1	284	277	270	263	256
Ponderosa Pine	PP	1	425	418	411	404	397
		2	374	367	360	353	346
Western Redcedar ³	RC	1	504	497	490	483	476
True Firs ⁴	WH	1	292	285	278	271	264

PERMANENT

Western White Pine	WP	1	580	573	566	559	552
Hardwoods	OH	1	25	18	11	4	1
Utility	CU	1	50	43	36	29	22
RC Shake & Shingle Blocks	RCF	1	152	145	138	131	124
LP & Other Posts ⁵	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁶	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁷	DFX	1	0.25	0.25	0.25	0.25	0.25

RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ 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."
⁵ Stumpage value per 8 lineal feet or portion thereof.
⁶ Stumpage value per lineal foot.

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-Cedar.
⁴ 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."
⁵ Stumpage value per 8 lineal feet or portion thereof.
⁶ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁷ Stumpage value per lineal foot.

TABLE 8—Stumpage Value Table
Stumpage Value Area 10
July 1 through December 31, 1993

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$711	\$704	\$697	\$690	\$683
		2	664	657	650	643	636
		3	620	613	606	599	592
		4	546	539	532	525	518
Lodgepole Pine	LP	1	327	320	313	306	299
Ponderosa Pine	PP	1	512	505	498	491	484
		2	396	389	382	375	368
Western Redcedar ³	RC	1	1356	1349	1342	1335	1328
		2	1356	1349	1342	1335	1328
		3	770	763	756	749	742
		4	640	633	626	619	612
Western Hemlock ⁴	WH	1	369	362	355	348	341
		2	364	357	350	343	336
		3	342	335	328	321	314
		4	290	283	276	269	262
Other Conifer	OC	1	369	362	355	348	341
		2	364	357	350	343	336
		3	342	335	328	321	314
		4	290	283	276	269	262
Red Alder	RA	1	71	64	57	50	43
Black Cottonwood	BC	1	62	55	48	41	34
Other Hardwood	OH	1	71	64	57	50	43
Hardwood Utility	HU	1	49	42	35	28	21
Conifer Utility	CU	1	40	33	26	19	12
RC Shake Blocks	RCS	1	742	735	728	721	714
RC Shingle Blocks	RCF	1	164	157	150	143	136

AMENDATORY SECTION (Amending WSR 93-02-025, filed 12/31/92, effective 1/1/93)

WAC 458-40-670 Timber excise tax—Stumpage value adjustments. Harvest value adjustments relating to the various logging and harvest conditions shall be allowed against the stumpage values as set forth in WAC 458-40-660 for the designated stumpage value areas with the following limitations:

(1) No harvest adjustment shall be allowed against special forest products.

(2) Stumpage value rates for conifer and hardwoods shall be adjusted to a value no lower than one dollar per MBF.

(3) Timber harvesters planning to remove timber from areas having damaged timber or other unforeseen materially increased harvesting costs may apply to the department for adjustment in stumpage values. Such applications should contain a map with the legal descriptions of the area, a description of the damage sustained by the timber or cause of additional costs, and a list of estimated costs to be incurred. Such applications shall be sent to the department before the harvest commences. Upon receipt of such application, the department will determine the amount of adjustment allowed, and notify the harvester. Such amount may be taken as a credit against tax liabilities or, if harvest is terminated, a refund may be authorized. 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 not later than ninety days following completion of the harvest unit.

The following harvest adjustment tables are hereby adopted for use during the period of ((January)) July 1 through ((June 30)) December 31, 1993:

TABLE 1—Harvest Adjustment Table
Stumpage Value Areas 1, 2, 3, 4, 5, and 10
((January)) July 1 through ((June 30)) December 31, 1993

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 40 thousand board feet per acre.	\$0.00
Class 2	Harvest of 20 thousand board feet to 40 thousand board feet per acre.	\$4.00

Class 3	Harvest of 10 thousand board feet to but not including 20 thousand board feet per acre.	- \$7.00
Class 4	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	- \$9.00
Class 5	Harvest of less than 5 thousand board feet per acre.	- \$10.00

II. Logging conditions

Class 1	Generally slopes less than 40%. No significant rock outcrops or swamp barriers.	\$0.00
Class 2	Generally slopes between 40% and 60%. Some rock outcrops or swamp barriers.	- \$17.00
Class 3	Generally rough, broken ground with slopes in excess of 60%. Numerous rock outcrops and bluffs.	- \$25.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	- \$69.00

III. Remote island adjustment:

For timber harvested from a remote island - \$50.00

IV. Thinning (see WAC 458-40-610(20))

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))	- \$125.00

**TABLE 2—Harvest Adjustment Table
Stumpage Value Areas 6 and 7**

~~((January))~~ July 1 through ~~((June 30))~~ December 31, 1993

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	Generally slopes less than 40%. No significant rock outcrops or swamp barriers.	\$0.00
Class 2	Generally slopes between 40% and 60%. Some rock outcrops or swamp barriers.	- \$18.00
Class 3	Generally rough, broken ground with slopes in excess of 60%. Numerous rock outcrops and bluffs.	- \$25.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	- \$69.00
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00

Table 3—Domestic Market Adjustment

Public Timber

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, and Other Nonfederal, Public Timber Sales: Western Red Cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

Private timber

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

The adjustment amounts shall be as follows:

Class 1:	SVA's 1 through 6, and 10	+ \$0.00 per MBF
Class 2:	SVA 7	- \$0.00 per MBF

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

**WSR 93-14-067
PERMANENT RULES
PERSONNEL BOARD**

[Order 422—Filed June 30, 1993, 11:40 a.m., effective August 1, 1993]

Date of Adoption: June 25, 1993.

Purpose: This rule describes procedures and entitlements for an employee who needs to be reasonably accommodated or separated from employment due to a disability.

Citation of Existing Rules Affected by this Order: Amending WAC 356-35-010 Disability—Reasonable accommodation—Separation—Appeals.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 93-10-027 on April 28, 1993.

Effective Date of Rule: August 1, 1993.

June 25, 1993
Dennis Karras
Secretary

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

WAC 356-35-010 Disability—Reasonable accommodation—Separation—Appeals. (1) An appointing authority may initiate a disability separation of a permanent employee only when reasonable accommodations cannot be provided. When the employee requests a disability separation, the appointing authority is not required to consider reasonable accommodations.

(2) If the disability prevents performance of an essential function of the current job, and there is no appropriate work available while trying to reasonably accommodate the employee, the employee shall be allowed to use accrued vacation, sick, shared leave, exchange, and/or compensatory time. If there is no paid leave available or if the employee chooses not to use paid leave, the employee shall be placed on authorized leave without pay.

~~((2))~~ (3) When reasonable accommodations cannot be provided, the employee may be separated by the appointing

PERMANENT

authority after ~~((a minimum of sixty calendar days))~~ written notice ~~((, provided that the employee shall be allowed to exhaust accrued sick leave before separation if the disability prevents attendance at work))~~ of, whichever is greater,

(a) sixty calendar days; or,

(b) the number of consecutive work days for which only accrued sick and vacation leave, as defined in WAC 356-18-050 and 356-18-090, could be used.

If the employee is unable to work due to the disability during the notice period and there is no paid leave available, the absence shall be considered approved leave without pay.

The sixty calendar days notice shall not be required when the employee requests and the appointing authority approves a shorter notice period.

~~((3))~~ (4) For purposes of this rule, determinations of disability shall be made by an appointing authority only at the employee's written request or after obtaining a written statement from a physician or a licensed mental health professional. The appointing authority may require an employee to obtain a medical examination at agency expense from a physician or a licensed mental health professional of the agency's choice. In such cases, the agency shall provide the physician or licensed mental health professional with the specification for the employee's class and a description of the employee's position. Evidence may be requested from the physician or licensed mental health professional regarding the employee's ability to perform the specified duties.

~~((4))~~ (5) Agency initiated ~~((S))~~ separations due to disability shall not be considered disciplinary actions and shall be appealable to the personnel appeals board. At the time of notification that their employment will be terminated because of disability, such employees shall be informed by the appointing authority of their right to appeal. The appeal must be filed in writing to the personnel appeals board as provided in Title 358 WAC within thirty calendar days after notice of separation is given.

~~((5))~~ (6) During the notice period required by subsection ~~((2))~~ (3) of this section the agency shall inform employees being separated due to disability that they may be eligible for benefits/assistance programs such as employees' insurance plans, Social Security, worker's compensation, veteran's benefits, public assistance, disability retirement, and vocational rehabilitation.

~~((6))~~ (7) The names of permanent employees who have been separated because of disability shall be placed on reduction in force and promotional registers by the director of personnel as provided in WAC 356-26-030 upon submission of a statement from a physician or licensed mental health professional that they are able to perform the duties of the class(es) for which the registers are established.

WSR 93-14-082
PERMANENT RULES
DEPARTMENT OF LICENSING

[Filed June 30, 1993, 4:29 p.m.]

Date of Adoption: June 30, 1993.

Purpose: Adopt administrative amendments; formalize distribution of fees to auditors and subagents; and recognize marine documents for release of interest.

Citation of Existing Rules Affected by this Order:
 Amending WAC 308-93-050, 308-93-070, and 308-93-460.
 Statutory Authority for Adoption: RCW 88.02.070 and [88.02].100.

Pursuant to notice filed as WSR 93-11-076 on May 18, 1993.

Effective Date of Rule: Thirty-one days after filing.

June 30, 1993

John Swannack
 for Kathy Baros-Friedt
 Licensing Director

AMENDATORY SECTION (Amending WSR 92-03-075, filed 1/14/92, effective 2/14/92)

WAC 308-93-050 Vessels exempted from registration, excise tax and titling. The following vessels are exempt from registration, titling, and the assessment of excise tax:

(1) ~~((Military or public vessels of the United States, except recreational type public))~~ Vessels exempt from registration under RCW 88.02.030;

(2) ~~((Vessels owned by a state or subdivision thereof, used principally for governmental purposes and clearly identifiable as such;~~

~~(3) Vessels either:~~

~~(a) Registered or numbered under the laws of a country other than the United States; or~~

~~(b) Having a valid United States customs service cruising license issued pursuant to 19 C.F.R. Sec. 4.94;~~

~~(4)) Vessels that have been issued a valid number under federal law or by an approved issuing authority of the state of principal operation, unless the vessel is physically located in this state for a period of more than sixty days in any twelve-month period. ((However,)) A vessel that is validly registered in another state but ((that)) is removed to this state for principal use is subject to titling, registration ((under this chapter. The issuing authority for this state shall recognize the validity of the numbers previously issued for a period of sixty days after arrival in this state)) and assessment of excise taxes, unless otherwise exempt;~~

~~((5) Vessels owned by a resident of another state if the vessel is located upon the waters of this state exclusively for repairs or reconstruction, or any testing related to the repair or reconstruction conducted in this state if an employee of the repair facility is on board the vessel during any testing; provided, that if any vessel owned by a resident of another state is located upon the waters of this state exclusively for repairs, reconstruction, or testing for a period longer than sixty days, that the nonresident shall file an affidavit with the department of revenue verifying the vessel is located upon the waters of this state for repair, reconstruction, or testing and shall continue to file such affidavit every sixty days thereafter while the vessel is located upon the waters of this state exclusively for repairs, reconstruction, or testing;~~

~~(6) All vessels under sixteen feet in overall length which have no propulsion machinery of any type or which are not used on waters subject to the jurisdiction of the United States or on the high seas beyond the territorial seas for vessels owned in the United States and are powered by propulsion machinery of ten or less horsepower;~~

~~(7) Vessels equipped with propulsion machinery of less than ten horsepower that:~~

~~(a) Are owned by the owner of a vessel for which a valid vessel number has been issued;~~

~~(b) Display the number of that numbered vessel followed by the suffix "1" in the manner prescribed by the department; and~~

~~(c) Are used as a tender for direct transportation between that vessel and the shore and for no other purpose;~~

~~(8) Vessels with no propulsion machinery of any type for which the primary mode of propulsion is human power;~~

~~(9) Vessels which are temporarily in this state undergoing repair or alteration;~~

~~(10)) (3) Vessels primarily engaged in commerce which have or are required to have a valid marine document as a vessel of the United States, including but not limited to:~~

~~(a) Commercial fishing vessels;~~

~~(b) Barges;~~

~~(c) Charter vessels, including, bare boat and time share charters.~~

~~((11) Vessels primarily engaged in commerce which are owned by a resident of a country other than the United States;~~

~~(12) A vessel not using the waters of this state;~~

~~(13) Commercial vessels which display decals issued annually by the department of revenue.))~~

AMENDATORY SECTION (Amending WSR 92-24-035, filed 11/25/92, effective 12/26/92)

WAC 308-93-070 Application for title/registration.

(1) An application for certificate of title or registration of a vessel shall be completed and shall include:

(a) The names, addresses and ~~((ZIP codes of))~~ the department assigned identification number for all owners of the vessel being registered including ((a)) lessee and lessor if applicable.

(b) Make, model year and length of vessel.

(c) Type of power (gasoline, diesel, propane, other, etc.).

(d) Primary use.

(e) Primary method of propulsion (inboard, outboard, inboard/outboard, jet, sail, other, etc.).

(f) Type of vessel (open, cabin, house, or other).

(g) Primary vessel construction (fiberglass, wood, aluminum, etc.).

(h) County of moorage.

(i) United States Coast Guard issued number, if any.

(j) Purchase price and purchase year of vessel or declared value and year of declaration. Purchase price includes the price purchaser paid for the vessel, vessel motor, or engine, and all other equipment and accessories, ~~((but does not include a))~~ excluding boat trailers, purchased in a single transaction.

(k) Hull identification number.

(l) ~~((The))~~ Vessel registration numbers previously issued by ~~((an))~~ any issuing authority ((for the vessel)), if any.

(m) That the application is for a new number, renewal or transfer of ownership.

(n) State in which vessel is or will be principally used.

(o) ~~((Federal))~~ United State Coast Guard document number, if applicable.

(2) Name and address of ~~((the legal owner))~~ all persons perfecting a security interest (legal owner), except for United States Coast Guard documented vessels, or a certified statement ((of fact)) by the registered owner that the vessel is free of all liens ((other than those shown on the application)).

(3) In the event a vessel is homemade, the registered owner must complete and sign a declaration of value form. ~~((The signature of the registered owner of a homemade vessel must be notarized by a notary public.))~~

(4) The names of all owners will appear on the application for registration and title. The application must be signed by all registered owner((s)) applicants. Signature must be notarized or certified by an authorized license agent.

(5) The application for certificate of title or registration shall be accompanied by the following where applicable:

(a) A copy of the bill of sale or sales agreement.

(b) ~~((Vessel data form.~~

~~((e)))~~ Declaration of value form.

~~((f)))~~ (c) All proper fees and excise tax.

~~((g)))~~ (d) Previous ownership document properly released.

~~((h)))~~ (e) Excise exemption affidavit.

~~((i)))~~ (f) Proof of sales tax paid.

~~((j)))~~ (g) Manufacturer's statement of origin or original factory invoice.

~~((k)))~~ (h) Copy of carpenter certificate.

~~((l)))~~ (i) Release of interest form.

~~((m)))~~ (j) Other verification of ownership.

~~((n)))~~ (k) Copy of certificate of ownership of vessel issued by United States Coast Guard.

(6) An application made for a vessel to be leased or rented without propulsion machinery will indicate "other" for type of power in subsection (1)(c) of this section and for primary method of propulsion in subsection (1)(e) of this section.

NEW SECTION

WAC 308-93-174 County auditors and subagents—Disposition of application fees. (1) At any time any application is made to the director, the county auditor, or a subagent pursuant to any law dealing with licenses, registration, or the right to operate any vessel on the waterways of this state, the applicant shall pay to the director, auditor, or subagent a fee as provided in RCW 46.01.140 (4)(a).

(2) Applicants for certificates of ownership of a vessel shall pay to the director, county auditor, or subagent a fee as provided in RCW 46.01.140 (4)(c).

(3) The fees under subsections (1) and (2) of this section, if paid to the county auditor or the subagent of the county auditor, shall be paid to the county treasurer as provided in RCW 46.01.140 (4)(d).

(4) A subagent shall collect a service fee as provided in RCW 46.01.140(5).

AMENDATORY SECTION (Amending Order 736-DOL, filed 11/18/83)

WAC 308-93-460 Releasing interest. (1) ~~((In order for a))~~ Any person ((to release his/her)) releasing legal or registered owner interest in a vessel ((as registered or legal owner, his/her signature is required)) shall sign the release

of interest provided on the certificate of ((title)) ownership issued by the department or a previous jurisdiction, ((unless authorized supportive documentation is used in lieu of that signature or in lieu of the certificate issued)) or a release of interest document approved by the department.

(2) ~~((If the)) Signatures ((are not)) releasing owner interest on approved documents other than the certificate of ((title, all signatures)) ownership must be certified in accordance with WAC 308-93-470.~~

~~(3) ((If more than one person is shown on the certificate of title issued by the department as registered or legal owner, the signature of each registered and legal owner is required no matter what the form of ownership unless authorized supportive documents are used in lieu of one or more signatures.~~

~~(4)) A release of interest is not required from one identified as a lessee.~~

(4) A valid marine document, issued by the United States Coast Guard, Documentation Office is acceptable in lieu of release of interest signatures on the certificate of ownership.

(5) When a vessel is removed from being marine documented, a copy of the removal letter from the United States Coast Guard, Documentation Office or a certified copy of the document abstract from the United States Coast Guard, Documentation Office showing removal from being documented and a release of interest document, approved by the department, with notarized signatures of the former owners is acceptable evidence for release of interest by the former owners.

WSR 93-14-083
PERMANENT RULES
DEPARTMENT OF LICENSING
 [Filed June 30, 1993, 4:29 p.m.]

Date of Adoption: June 30, 1993.

Purpose: Amend criteria for specialized license plate qualifications and to recognize the addition of a special square dancer plate. Update instructions for display of license plate tabs. Establish conditions for denial or cancellation of personalized plates.

Citation of Existing Rules Affected by this Order: Amending WAC 308-96A-005, 308-96A-057, 308-96A-295, 308-96A-330, and 308-96A-560.

Statutory Authority for Adoption: RCW 46.01.110.

Pursuant to notice filed as WSR 93-11-069 on May 17, 1993.

Effective Date of Rule: Thirty-one days after filing.

June 30, 1993

John Swannack
for Kathy Baros-Friedt
Licensing Director

AMENDATORY SECTION (Amending WSR 92-15-025, filed 7/6/92, effective 8/6/92)

WAC 308-96A-005 Terminology. Terms used in chapter 46.16 RCW and this chapter shall have the following meanings except where otherwise defined, and unless where used the context thereof clearly indicate to the contrary:

(1) The terms "licensing" and "registering" are synonymous for a transaction in which either the vehicle's registration expiration or the gross weight license or both is updated on the department's records. A registration certificate and current validation tabs are issued to the applicant unless the vehicle has current tabs or a permanent registration certificate and validation tabs, such as permanent fleet, Disabled American Veteran, or government owned vehicles.

(2) The terms "tonnage," "gross weight license," "license based on gross weight," and "gross weight fees" are used interchangeably when referring to license fees that are collected annually from owners of motor trucks, truck tractors, road tractors, tractors, bus, auto stage, or for hire vehicles with seating capacity of more than six, based upon the declared combined gross weight or declared gross weight.

(3) "Capacity fee" is used to refer to the load license for stages and for-hire vehicles with seating capacity of six or less and for fixed load vehicles including circus and tow.

(4) The term "no bill" refers to the notice to renew a license which is mailed by the department to the registered owner in lieu of a prebill. The no bill requires additional information prior to the registration for the current year license.

(5) A "prebill" is the notice to renew a vehicle license which is mailed by the department to the registered owner.

(6) References to "current year" mean the current registration year unless otherwise stated.

(7) "Month of expiration" or "expiration month" is the calendar month during which a registration year ends.

(8) A "fleet" is a group of vehicles registered in the same owner name and which have been assigned the same fleet identifier code by the department.

(a) "Perm or permanent fleet" means a fleet of one hundred or more commercial vehicles licensed to one registered owner where each vehicle is issued nonexpiring tabs and registration.

(b) "Regular fleet" means a fleet licensed to one registered owner where each vehicle is issued year and month tabs.

(9) "License fee" means and is limited to the fees required for the act of licensing a vehicle as set forth in chapter 46.16 RCW. License fee excludes the fees required for special vehicle license plates authorized by chapter 46.16 RCW.

(10) "Ride sharing van" for purposes of RCW 82.08.0287, 82.12.0282, and 82.44.015 means a passenger vehicle with a seating capacity of no fewer than seven nor more than fifteen persons including the driver. The seating capacity may not be fewer than five persons including the driver when at least three passengers are confined to a wheelchair.

(11) "Day of expiration" is the day of the month that the registration, gross weight license, and tabs expire.

(12) "Motor truck" or "truck" means any motor vehicle designed or used for the transportation of properties which includes commodities, merchandise, produce, freight, or animals.

AMENDATORY SECTION (Amending WSR 91-15-006, filed 7/8/91, effective 8/8/91)

WAC 308-96A-057 Purple heart license plates. Any military person that has been awarded a Purple Heart medal by any branch of the Armed Forces, including the Merchant Marines and the Women's Air Forces Service Pilots may be issued a set of special vehicle license plates indicating the recipient was wounded during one of this nations' wars or conflicts.

(1) Applicants for a special Purple Heart vehicle license plate shall satisfy the following conditions:

- (a) Be a resident of the state of Washington;
- (b) Have been wounded in combat;
- (c) Been awarded a Purple Heart medal by any branch of the Armed Forces; and
- (d) Be an owner, co-owner, lessee, or co-lessee of the vehicle to which the Purple Heart special license plate will be issued.

(2) Applications for the special license plates shall be upon forms provided by the department and sent to Specialized Licensing, Department of Licensing, (~~Highway Licenses Building~~) P.O. Box (9999) 9043, Olympia, Washington ((98504-9999)) 98507-9043. The application shall include:

(a) A photocopy of the applicant's form DD-214 or similar document issued by a branch of the Armed Forces which (~~awards a~~) awarded the Purple Heart medal to the applicant and the date of award;

(b) A photocopy of the current registration of the vehicle for which the special license plate is to be issued showing the applicants ownership status in the vehicle; and

(c) A replacement license plate fee then in effect. Veterans who qualify for free vehicle licensing may be issued the Purple Heart special license plate without paying the replacement plate fee.

(3) Purple Heart special license plates may be issued for display on any motor vehicle that is otherwise authorized to display a regular motor vehicle license plate, except the plates may not be issued for motorcycles. Purple Heart special license plates may not be displayed on nonmotor vehicles including campers and travel trailers.

(4) Purple Heart special license plates issued to any qualifying person may be retained by the surviving spouse of the demised qualifying person. The surviving spouse shall be afforded all rights and privileges of the qualified person so long as the surviving spouse:

(a) Was the legally recognized spouse of the qualifying person at the time of the demise of the qualifying person;

(b) Is a resident of the state of Washington;

(c) Is an owner, co-owner, lessee, or co-lessee of the vehicle to which the Purple Heart special license plate is issued or may be issued; or

(d) Doesn't become a legally recognized spouse to another person. If the surviving spouse becomes a legally recognized spouse to another person, the Purple Heart special license plate is invalid and must be removed from the vehicle and surrendered to the department.

NEW SECTION

WAC 308-96A-066 Personalized license plates—Denied or canceled. (1) An application for a personalized license plate may be denied, at the discretion of the department, when the department considers the combination of letters and numbers to be offensive to good taste or decency, which may be misleading; vulgar in nature, a racial ethnic, lifestyle or gender slur, related to illegal activities or substances, blasphemous, or contrary to the department's mission to promote highway safety.

(2) A personalized license plate may be canceled at the discretion of the department if after being issued the department determines the combination of letters and numbers to be offensive to good taste or decency by being profane, sexually suggestive, alcohol or drug related, racist, derogatory, or slanderous, or which could be misleading or a duplicate of license plates provided in chapter 46.16 RCW.

(a) When a personalized license plate is canceled, the vehicle owner will be refunded the amount of the fee paid pursuant to RCW 46.16.585 and 46.16.606 for such license plate; or

(b) Instead of a refund, the owner may apply for and be issued another configured personalized license plate without payment of an additional personalized license plate fee.

NEW SECTION

WAC 308-96A-072 Square dancer license plates. (1) Any Washington state resident is entitled to apply to the department and upon satisfactory showing, to receive in lieu of regular vehicle license plates, similar license plates bearing a symbol of a square dancer.

(2) Square dancer license plates may be issued as provided in RCW 46.16.010 for vehicles required to display two license plates. Vehicles licensed under the provisions of chapter 46.87 RCW are not eligible for square dancer license plates.

(3) A special license plate fee of thirty-five dollars, in addition to all other appropriate fees and taxes, will be collected for each original set of square dancer license plates issued.

(4) A special dancer license plate may be transferred as provided in RCW 46.16.590 to another eligible vehicle owned by the same registered owner.

(5) Replacement square dancer license plates may be obtained as provided in RCW 46.16.270. Replacement license plates shall be the next available license number plates in the square dancer plate series.

AMENDATORY SECTION (Amending Order TL/RG 24, filed 5/5/86)

WAC 308-96A-295 Display of tabs. The department shall issue license plate(~~s~~) tabs, or emblems to identify the month and year of the vehicle registration expiration (~~and the month of expiration~~). They may be displayed as soon as they are purchased. (~~They must be displayed from the day of the expiration of the preceding~~) Tabs or emblems must be displayed starting with the first day of the current registration year. If tabs are issued, they shall be displayed on the front and rear license plates as indicated on the tab in the following manner:

(1) Motorcycle (~~and camper~~) plates shall display the year tab in the upper right corner and the month tab (~~directly below the year tab~~) lengthwise down the right side of the plate between the plate number and the outer frame of the plate.

(2) Plates with the state identification at the bottom of the plate shall have the month tab displayed in the lower left corner and the year tab in the lower right corner.

(3) Plates with the state identification at the top left of the plate shall have the month tab displayed immediately following the final "N" in Washington. The year tab shall be displayed to the immediate right of the month tab in the upper right corner.

(4) Plates with the state identification at the top center of the plate shall have the month tab displayed to the left of the "W" and the year tab displayed to the right of the final "N" in Washington.

AMENDATORY SECTION (Amending WSR 92-03-076, filed 1/14/92, effective 2/14/92)

WAC 308-96A-330 Application (~~(, eligibility—Public transportation authorities, nursing homes, senior citizen centers, and private nonprofit agencies—)~~ **for organization disabled person parking placards.** Application for public transportation authority, nursing homes, senior citizen centers, boarding homes, and private nonprofit agencies for disabled person special parking placards shall be made on forms provided by the department and signed by an appropriate official of the organization. The applicant shall certify that the organization satisfies the eligibility requirements for special disabled person parking placards provided in RCW 46.16.381 and chapter 308-96A WAC.

AMENDATORY SECTION (Amending WSR 91-03-091, filed 1/18/91, effective 2/18/91)

WAC 308-96A-560 Special vehicle license plates—Criteria. The department may approve applications for special vehicle license plates under RCW 46.16.301 after determining that all of the following criteria is satisfied:

(a) It is reasonable to expect a minimum of one thousand special license plates in the approved configuration will be purchased by vehicle owners satisfying the qualifications set forth in the approved application.

(b) The applicant organization is a local chapter or equivalent of a nationally recognized organization.

(c) The special license plate is designed so that it can be readily recognized by law enforcement personnel as an official Washington state issued license plate (~~(designating the applicant organization)~~).

(d) Qualifications for the special license plate do not discriminate between age, sex, religion, or national origin. Qualifications may not include being a member of the applicant organization (~~(provided the organization's membership qualifications are not discriminatory)~~). Plates that identify members of professions that are related to public safety, health, and/or welfare may require proof of professional standing.

(e) The special license plate lettering and color scheme is compatible with the basic license plate design. The plates shall consist of numbers (~~(or)~~) letters, or figures or any combination thereof not exceeding seven positions that do

not conflict with existing license plates. The plate design must provide at least four positions to accommodate serial numbering. The plate may not advertise a product or service. A license plate shall not be approved that may carry connotations offensive to good taste or decency (~~(or)~~) which may be misleading, vulgar in nature, a racial, ethnic lifestyle or gender slur, related to illegal activities or substances, blasphemous, contrary to the department's mission to promote highway safety, or a duplicate of license plates provided in chapter 46.16 RCW.

(f) The applicant organization is recognized as a nonprofit entity by Washington state law and the Internal Revenue Service.

(g) The special license plate has state-wide appeal and is not limited to a particular geographic area.

(h) The applicant organization will not use the special license plate to raise funds or as a qualification to gaining or retaining membership in an organization.

~~((i) The applicant organization is formed to recognize extraordinary contribution, sacrifice, or merit displayed by individual members in the protection of the health and safety of the citizens of the United States and the state of Washington. Organizations comprised of regular law enforcement, fire fighter/suppression, medical, religious order or similar members are deemed to not satisfy this qualification.))~~

WSR 93-14-084

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed June 30, 1993, 4:30 p.m.]

Date of Adoption: June 30, 1993.

Purpose: Provide clarification and prescribe documents required to show ownership of imported vehicles. Authorize alternate display of dealer temporary permits. Prescribe methods for determination of model year.

Citation of Existing Rules Affected by this Order: Amending WAC 308-56A-115, 308-56A-125, 308-56A-140, and 308-56A-420.

Statutory Authority for Adoption: RCW 46.01.110.

Pursuant to notice filed as WSR 93-10-073 on May 4, 1993.

Changes Other than Editing from Proposed to Adopted Version: WAC 308-56A-140 delete "motor" from new language. Section is applicable to all vehicles.

Effective Date of Rule: Thirty-one days after filing.

June 30, 1993

Kathy Baros-Friedt
Licensing Director

AMENDATORY SECTION (Amending Order MV 208, filed 7/31/74)

WAC 308-56A-115 Vehicles not previously titled.

(1) Application for certificates of ~~(title)~~ ownership and/or registration to a vehicle (never before) not previously titled or licensed in this state must be accompanied by (appropriate authorized documentation) documents acceptable to the department.

(2) Application for certificates of ownership and/or registration to a used vehicle or vehicle that has never been

titled or registered in this state or any other jurisdiction must be accompanied by documents set forth in WAC 308-56A-110 for new vehicles.

(3) Application for certificates of ownership and/or registration to a used vehicle or vehicle that has been titled and/or registered in a foreign jurisdiction must be accompanied by the most recently issued valid title or other documents acceptable to the department which constitute proof of ownership.

(4) Application for certificates of ownership and/or registration, for a vehicle imported from a country that cancels the vehicle title and/or registration for export, must be accompanied by the documents evidencing the cancellation and constituting proof of ownership.

(5) Any document provided which is not in the English language, shall be accompanied by a literal translation into the English language and verified as to the accuracy of the translation by a notarized affidavit from the translator.

AMENDATORY SECTION (Amending Order TL/RG 44, filed 9/30/88)

WAC 308-56A-125 Foreign title or registration. ~~((If the))~~ (1) Applications for ~~((title is for a))~~ certificate of ownership on vehicles previously titled and/or registered in another state~~((, the application))~~ or foreign jurisdiction must be accompanied by either a foreign title properly released and the registration, if available, or the registration properly released if it is a nontitle state~~((, provided that no))~~ or jurisdiction. A release is not required if there is no change in ownership.

(2) Applications for certificate of title or registration on vehicles imported into the state of Washington from a foreign jurisdiction, except from another state, territory, or possession of the United States, District of Columbia, or Commonwealth of Puerto Rico, must, in addition to the requirements of subsection (1) of this section, be accompanied by:

(a) A United States Department of Treasury Customs Service form properly executed authorizing the vehicle entry into this country; and

(b) If the vehicle does not conform with all applicable federal motor vehicle safety standards or federal air pollution control regulations, an instrument of release from the National Highway Traffic Safety Administration (NHTSA) and/or the Environmental Protection Agency (EPA) indicating the United States Customs Service may not issue a Notice of Redelivery requiring the vehicle to be returned to United States Customs Service's custody.

AMENDATORY SECTION (Amending WSR 92-03-077, filed 1/14/92, effective 2/14/92)

WAC 308-56A-140 Departmental temporary permit. ~~((If the proper))~~ When proper vehicle ownership documentation is not immediately available, the department may, at its option, issue a temporary permit. ~~((This permit will be valid for sixty days. The temporary permit is available at any vehicle license office. The application must be on the form supplied))~~ Department temporary permits are valid for no longer than sixty days and authorize operation of the vehicle upon the roadways of this state. Temporary permits are available at all vehicle licensing offices.

Application for a temporary permit shall be on forms provided by the department and must be completed in accordance with the instructions issued by the department. The temporary permit fee and all title and licensing fees, except any fee~~((s))~~ for license plates, must be paid~~((, including the temporary permit fee))~~ at the time the temporary permit is issued.

~~((Fees for))~~ The license plate~~((s))~~ fee will be ~~((paid at the time))~~ collected when the license plates are issued. ~~((When))~~ If license fees are being paid monthly in accordance with RCW 46.16.135, the license fees paid must be for at least the entire term of the temporary permit being issued.

The hard copy of the temporary permit must be displayed according to instructions on the permit and the signed registration must be carried in the vehicle or the towing vehicle.

NEW SECTION

WAC 308-56A-160 Model year—How determined.

(1) The model year for a vehicle is the model year assigned by the manufacturer when the vehicle is manufactured or assembled. The model year shall be designated on the manufacturer's certificate of origin (MCO) or similar documents provided by the actual manufacturer.

(2) In the event an original manufacturer has not assigned a model year or the vehicle is rebuilt, assembled, or is a kit, the Washington state patrol or other person authorized by the director to make vehicle inspections will use the following criteria to establish the model year:

(a) The model year for a homemade vehicle will be the year of inspection for the purpose of making an application for title.

(b) When possible, the model year will be determined from the vehicle identification number (VIN). When the VIN does not identify the production date, corresponding production records of the original manufacturer shall be used.

(c) If there is a difference in the VINs on a manufactured motor home chassis and body, the model year will be the year the chassis and body were combined.

(d) The model year for assembled vehicles, kit vehicles, and replicas without an MCO will be determined by the Washington state patrol based on the date of manufacture of the vehicle which the assembled vehicle most closely resembles.

(3) For purposes of this section "manufacturer" means any person, firm, association, corporation, or trust, resident or nonresident, who manufactures or assembles new and unused vehicles or remanufactures vehicles. Manufacture shall include the assembling, altering, or converting of a new vehicle from that of the primary manufacturer to the extent the vehicle qualifies for a change in the series and body type appearing on its title or MCO or similar document.

NEW SECTION

WAC 308-66-196 Possession of custom documents.

If a vehicle is imported from a foreign jurisdiction, except from another state, territory, or possession of the United States, District of Columbia, or Commonwealth of Puerto Rico, and an intervening state of Washington certificate of

ownership has not been issued, the vehicle dealer shall have possession of the following documents in addition to the certificate of ownership as provided in WAC 308-66-195:

(1) A United States Department of the Treasury, Customs Service form properly executed authorizing the vehicle entry into the United States; and

(2) If the vehicle did not conform with federal motor vehicle safety standards or federal air pollution control regulations, an instrument of release from the National Highway Traffic Safety Administration (NHTSA) and/or the Environmental Protection Agency (EPA) indicating the United States Customs Service may not issue a notice of redelivery.

AMENDATORY SECTION (Amending WSR 90-10-013, filed 4/20/90, effective 5/21/90)

WAC 308-56A-420 Delivery of vehicle on dealer's temporary permit. (1) A vehicle dealer properly licensed pursuant to chapter 46.70 RCW may deliver a vehicle not currently registered or that does not bear ~~((currently))~~ valid Washington state license plates or tabs by utilizing a dealer's temporary license permit.

(2) The application for title portion of the permit form must be properly and completely filled out by the selling dealer, detailing all fees collected, ~~((including))~~ the dealer's report of sale and the date of sale. If license based on gross weight is required, ~~((based on gross weight))~~ the amount of gross weight purchased must be clearly shown. The application must be signed by the registered owner.

(3) The dealer shall collect all fees required for ~~((the))~~ titling and registration of a vehicle.

(4) The dealer shall detach the ~~((final))~~ hard copy of the dealer permit and shall record the date of expiration in dark, bold letters and numbers on the permit side of that copy. Date of expiration will be thirty days after date of ~~((delivery))~~ sale of the vehicle. The ~~((remaining permit))~~ application copies shall be used by the dealer to apply for title ~~((transfer))~~ application and to complete licensing of the vehicle ~~((within thirty calendar days from the date of sale))~~. The selling dealer must submit the application and all title/licensing fees ~~((collected))~~ to the department of licensing or ~~((its))~~ an authorized licensing agent within ~~((the thirty day period))~~ thirty calendar days from the date of sale of the vehicle.

(5) The ~~((final))~~ hard copy of the permit and a purchase order identifying the vehicle and date of sale must be carried in the vehicle or the towing vehicle at all times the vehicle is operated on the temporary permit.

(6) ~~((If the vehicle is designed with a rear window, the permit will be attached to))~~ The hard copy of the dealer temporary license permit shall be displayed on the inside of the rear window in the lower left corner, or enclosed in a moisture proof protective case securely attached in the rear license plate holder, with the ((large numbers)) expiration date visible to one standing or following at the rear of the vehicle. ((The means of attachment will not obscure the year, make, identification number, the owner's name and address or the date of issue.))

(7) The dealer's temporary license permit is valid for not more than thirty calendar days following the date of ~~((delivery of))~~ vehicle sale.

(8) The dealer's temporary license permit ~~((cannot))~~ shall not:

(a) Be issued for a dealer ~~((inventory))~~ inventoried or a dealer or dealer-employee operated vehicle;

(b) Be issued as a demonstration permit;

(c) Be issued for a vehicle processed as a courtesy delivery.

(9) Fees paid for dealer's temporary license permit application's forms are not refundable unless the dealer ceases doing business as a vehicle dealer. ~~((The fee paid for a single application can be taken as a credit on that application when it is presented to a license agent with the balance of the appropriate fees.))~~ A credit, in the amount of the permit form fee, will be provided when the permit is used by the vehicle dealer to make application for a vehicle title.

(10) The dealer shall maintain a record of each dealer temporary permit form acquisition and distribution including the following:

(a) Vehicle purchaser's names;

(b) Vehicle identification;

(c) Dates of vehicle sales and deliveries; and

(d) Date and location of purchase of each permit form and the permit number.

WSR 93-14-087
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3540—Filed July 1, 1993, 8:55 a.m.]

Date of Adoption: July 1, 1993.

Purpose: This rule amendment allows the department to deny food stamp benefits when an applicant fails to submit requested information within the ten-day time frame. If the client provides the information within the initial 30-day period, benefits are issued from the date of application. If the client provides information by the end of the second 30-day period, benefits are issued from the date the household furnishes the information.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-49-120 Application disposition.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 93-10-019 on April 23, 1993.

Changes Other than Editing from Proposed to Adopted Version: Old subsection (5) is now (4); old subsection (4) is now (5); and subsection (4)(a) and (b) is now (6).

Effective Date of Rule: Thirty-one days after filing.

July 1, 1993

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3195, filed 7/1/91, effective 8/1/91)

WAC 388-49-120 Application disposition. (1) The department shall provide a household which completes the initial application process an opportunity to participate no

later than thirty days following the date the application was filed.

(2) The department shall consider the date the application is filed as the date the:

(a) Application is received in the correct community services office (CSO) except for conditions described under subsection (2)(b) and (c) of this section; or

(b) Application is received in the Social Security Administration District Office (SSADO) from a noninstitutionalized household consisting solely of persons applying, or eligible, for Supplemental Security Income (SSI); or

(c) Applicant is released from a public institution when the person applied for SSI and food stamps through the SSADO before release.

(3) The department shall send a written approval or denial notice to all applicants as soon as a determination of eligibility and benefit level is made based on documentary evidence provided by the applicant. Such written notice shall be issued no later than thirty days after the date the application is filed.

(4) The department shall send the denial notice on the last working day before the thirtieth day when the thirtieth day falls on a weekend or a holiday.

(5) Except for denial notices described in section (3) and (4) above, the department shall send a ~~((written))~~ denial notice ~~((on the thirtieth day))~~ after ~~((the date the application is filed))~~ ten days when the household fails to respond to a written request for documentary evidence ~~((is not provided to make an))~~ to establish eligibility ~~((determination))~~.

~~((5) The department shall send the denial notice on the last working day before the thirtieth day when the thirtieth day falls on a weekend or a holiday.))~~

(6) The department shall issue benefits to eligible households who have been denied, as described in subsection (5) of this section, when the household provides requested documentary evidence. Benefits shall be provided from:

(a) The date of application if the evidence is provided by the end of the initial thirty day period; or

(b) The day the household provided the missing verification if the evidence is provided by the end of the second thirty day period.

(7) The department shall delay the written notice until the thirtieth day when the household has been denied food stamps with an eligibility decision pending for AFDC or SSI.

~~((7))~~ (8) The household may voluntarily withdraw the application any time before the eligibility determination.

Statutory Authority for Adoption: RCW 82.33.096.
Pursuant to notice filed as WSR 93-11-081 on May 19, 1993.

Effective Date of Rule: Thirty-one days after filing.
July 1, 1993
Gary K. O'Neil
Assistant Director

AMENDATORY SECTION (Amending Order 86-4, filed 12/31/86)

WAC 458-40-634 Timber excise tax—Taxable stumpage value—Small harvester option. A small harvester is ~~((any))~~ a harvester who harvests timber from privately owned, publicly owned, or reclassified forest land in an amount ~~((of less than))~~ not exceeding five hundred thousand board feet in a calendar quarter and not ~~((more than))~~ exceeding one million board feet in a calendar year. Small harvesters may elect to calculate the excise tax in the manner provided by RCW 84.33.073 and 84.33.074. The taxable stumpage value shall be determined by one of the following methods as appropriate:

(1) Sale of logs. Timber which has been severed from the stump, bucked into various lengths and sold in the form of logs shall have a taxable stumpage value equal to the actual gross receipts for the logs, less any costs associated with harvesting and marketing the timber. Harvesting and marketing costs shall include only those costs directly and exclusively associated with harvesting the timber from the land and delivering it to the buyer, and may include the costs of slash disposal required to abate extreme fire hazard. Harvesting and marketing costs shall not include the costs of reforestation, permanent road construction, or any other costs not directly and exclusively associated with the harvesting and marketing of the timber. The 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 such costs, the deduction for harvesting and marketing costs shall be ~~((fifty))~~ thirty-five percent of the gross receipts from the sale of the logs.

(2) Sale of stumpage. Timber which is sold as stumpage and harvested within twelve months of the date of sale shall have a taxable stumpage value equal to the actual gross receipts for the stumpage for the most recent sale prior to harvest. If a ~~((harvester))~~ person purchases stumpage ~~((from another,))~~ and harvests the timber ~~((and sells the logs))~~ more than twelve months after purchase of the stumpage, the taxable value shall be computed as in subsection (1) of this section ~~((for sale of logs))~~.

WSR 93-14-090
PERMANENT RULES
DEPARTMENT OF REVENUE
[Filed July 1, 1993, 1:14 p.m.]

Date of Adoption: July 1, 1993.

Purpose: The amendments are for the purpose of clarifying the rule and changing the optional deduction for harvesting and marketing costs for small harvesters from fifty percent to thirty-five percent.

Citation of Existing Rules Affected by this Order: Amending WAC 458-40-634.

WSR 93-14-095
PERMANENT RULES
DEPARTMENT OF HEALTH
[Filed July 1, 1993, 2:02 p.m.]

Date of Adoption: July 1, 1993.

Purpose: To extend the provisional date from June 30, 1993, to June 30, 1994, to allow provisional providers to complete certification requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 246-930-499.

Statutory Authority for Adoption: RCW 18.155.040.

Pursuant to notice filed as WSR 93-10-072 on May 3, 1993.

Effective Date of Rule: Thirty-one days after filing.

July 1, 1993

Bruce Miyahara

Secretary

AMENDATORY SECTION (Amending Order 275, filed 5/28/92, effective 6/28/92)

WAC 246-930-499 Temporary and provisional certificate during initial implementation of certification program. In order to provide adequate time for applicants to prepare for initial examination and to avoid disruption of current service provision, a system of temporary and provisional certification as described below shall be in effect for applicants whose applications are received by the department before September 1, 1991.

(1) Temporary full certification. An applicant who is a credentialed health professional and who meets all education, experience, and training prerequisites for full certification at the time of application shall be issued temporary full certification in order to allow practice to continue pending satisfactory passage of the examination. The temporary full certification shall expire on issuance of an initial certificate, or on June 30, 1992, whichever comes first. Temporary full certification shall not be renewed.

(2) Temporary affiliate certification. An applicant who is a credentialed health professional and who meets all education, experience, and training prerequisites for affiliate certification at the time of application shall be issued temporary affiliate certification in order to allow practice to continue pending satisfactory passage of the examination. The temporary affiliate certification shall expire on issuance of an initial affiliate or full certificate, or on June 30, 1992, whichever comes first. Temporary affiliate certification shall not be renewed.

(3) Provisional certification.

(a) An applicant who is a credentialed health professional and who has at least one thousand hours of experience in treatment and/or evaluation accrued over the seven years immediately preceding application, and who has the equivalent of one year of graduate school credit toward satisfaction of the education requirements of WAC 246-930-030(1) may submit a plan to the department documenting how he/she plans to meet all remaining experience, education, or training requirements and pass the examination by June 30, 1992. If the plan is approved by the department, the applicant shall be granted provisional full certification.

(b) An applicant who is a credentialed health professional and who otherwise meets all education and training prerequisites for full certification at the time of application and who has the requisite experience except that his or her experience has been primarily in the area of evaluation, or primarily in the area of treatment of offenders, may submit a plan documenting how he/she plans to obtain sufficient experience in evaluation or treatment necessary to qualify for full certification no later than June 30, ~~((1993))~~ 1994. If the plan is approved by the department, the applicant shall be granted a provisional full certification.

(c) Plans submitted under this subsection which call for obtaining additional experience in a practice area in which the applicant does not have the required minimum hours shall include an appropriate supervision component with a certified sex offender treatment provider.

(d) Providers practicing with provisional full certification status may not supervise affiliate providers.

(e) The provisional certification shall expire upon issuance of initial full or affiliate certification or on June 30, 1992, whichever comes first, except that if a provider who holds provisional certification pursuant to (a) and (b) of this subsection or subsection (4) of this section has passed the examination, demonstrated substantial progress in accordance with his or her approved plan, and paid the extension fee required by WAC 246-930-990, the termination date may be extended to June 30, ~~((1993))~~ 1994. Provisional full certification status shall not be renewed.

(4) Provisional affiliate certification. An applicant who is a credentialed health professional, who meets the minimum educational requirements for affiliate certification set forth in WAC 246-930-050, and who has at least one thousand seven hundred hours of experience in treatment and/or evaluation accrued over the seven years immediately preceding application, may submit a plan to the department documenting how she/he plans to meet all remaining experience requirements and/or the training requirements set forth in WAC 246-930-070 and pass the examination by June 30, 1992. If the plan is approved by the department, the applicant shall be granted provisional affiliate certification. Provisional affiliate certification shall expire on issuance of an initial full or affiliate certificate, or June 30, 1992, whichever comes first. Provisional affiliate certification shall not be renewed.

(5) The temporary and provisional certification system shall be in effect from July 1, 1991, through June 30, 1992. On June 30, 1992, all provisional and temporary certificates expire, and only full certification or affiliate status certification shall be issued, except that the approved provisional certificate may be extended to no later than June 30, ~~((1993))~~ 1994, in accordance with subsection (3)(e) of this section.

(6) Any temporary or provisional certification issued pursuant to this section shall be subject to disciplinary action pursuant to chapter 18.130 RCW.

WSR 93-14-096

PERMANENT RULES

OFFICE OF

MARINE SAFETY

[Filed July 1, 1993, 3:03 p.m.]

Date of Adoption: May 25, 1993.

Purpose: The proposed amendment will require all tank, cargo and passenger vessels, as defined by WAC 317-10-030, to comply with chapter 317-10 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 317-10-030 [317-10-035].

Statutory Authority for Adoption: Chapter 43.211 RCW. Pursuant to notice filed as WSR 93-09-069 on April 21, 1993.

Effective Date of Rule: Thirty-one days after filing.

June 28, 1993
 Barbara Herman
 Administrator

AMENDATORY SECTION (Amending WSR 91-22-086, filed 11/5/91, effective 1/1/92)

WAC 317-10-035 Applicability. (1) Oil spill response, cleanup, and disposal contingency plans must be prepared, submitted, and used, pursuant to requirements in this chapter, for:

(a) Tank vessels ~~((of twenty thousand or more dead weight tons, including those operating on the Columbia River;~~

~~(b) Tank vessels less than twenty thousand dead weight tons not operating on the Columbia River; and~~

~~(c) Cargo vessels and passenger vessels of three hundred or more gross tons which are not operating on the Columbia River but otherwise operating on waters of the state)); and~~

(b) Cargo vessels and passenger vessels of three hundred or more gross tons operating on waters of the state.

(2) Federal plans required under 33 C.F.R. 154, 40 C.F.R. 109, 40 C.F.R. 110, or the Federal Oil Pollution Act of 1990 may be submitted to satisfy plan requirements under this chapter if the office deems that such federal requirements possess approval criteria which equal or exceed those of the office.

(3) Response contractors must be approved by the office before they may serve as primary response contractors for a vessel contingency plan.

(4) For those sections of contingency plans which address liquefied petroleum gases, the office may excuse plan holders from meeting requirements in this chapter that are not applicable to spill response for liquefied petroleum gases due to their physical properties.

WSR 93-14-097
PERMANENT RULES
OFFICE OF
MARINE SAFETY
 [Filed July 1, 1993, 3:08 p.m.]

Date of Adoption: May 25, 1993.

Purpose: The proposed chapter implements procedures that comply with RCW 43.21C.120 (the State Environmental Policy Act) and WAC 197-11-900.

Statutory Authority for Adoption: RCW 43.211.020 and 43.21C.120.

Pursuant to notice filed as WSR 93-09-070 on April 21, 1993.

Effective Date of Rule: Thirty-one days after filing.

June 28, 1993
 Barbara Herman
 Administrator

Chapter 317-100 WAC
SEPA PROCEDURES

NEW SECTION

WAC 317-100-010 Authority. These rules are adopted under RCW 43.21C.120 (the State Environmental Policy Act) and chapter 197-11 WAC.

NEW SECTION

WAC 317-100-020 Adoption by reference. The office of marine safety adopts the following sections of chapter 197-11 WAC by reference:

WAC	
197-11-040	Definitions.
197-11-050	Lead agency.
197-11-055	Timing of the SEPA process.
197-11-060	Content of environmental review.
197-11-070	Limitations on actions during SEPA process.
197-11-080	Incomplete or unavailable information.
197-11-090	Supporting documents.
197-11-100	Information required of applicants.
197-11-300	Purpose of this part.
197-11-305	Categorical exemptions.
197-11-310	Threshold determination required.
197-11-315	Environmental checklist.
197-11-330	Threshold determination process.
197-11-335	Additional information.
197-11-340	Determination of nonsignificance (DNS).
197-11-350	Mitigated DNS.
197-11-360	Determination of significance (DS)/initiation of scoping.
197-11-390	Effect of threshold determination.
197-11-400	Purpose of EIS.
197-11-402	General requirements.
197-11-405	EIS types.
197-11-406	EIS timing.
197-11-408	Scoping.
197-11-410	Expanded scoping. (Optional)
197-11-420	EIS preparation.
197-11-425	Style and size.
197-11-430	Format.
197-11-435	Cover letter or memo.
197-11-440	EIS contents.
197-11-442	Contents of EIS on nonproject proposals.
197-11-443	EIS contents when prior nonproject EIS.
197-11-444	Elements of the environment.
197-11-448	Relationship of EIS to other considerations.
197-11-450	Cost-benefit analysis.
197-11-455	Issuance of DEIS.
197-11-460	Issuance of FEIS.
197-11-500	Purpose of this part.
197-11-502	Inviting comment.
197-11-504	Availability and cost of environmental documents.
197-11-508	SEPA register.
197-11-535	Public hearings and meetings.
197-11-545	Effect of no comment.
197-11-550	Specificity of comments.

PERMANENT

197-11-560	FEIS response to comments.	197-11-788	Responsible official.
197-11-570	Consulted agency costs to assist lead agency.	197-11-790	SEPA.
197-11-600	When to use existing environmental documents.	197-11-792	Scope.
197-11-610	Use of NEPA documents.	197-11-794	Scoping.
197-11-620	Supplemental environmental impact statement—Procedures.	197-11-796	State agency.
197-11-625	Addenda—Procedures.	197-11-797	Threshold determination.
197-11-630	Adoption—Procedures.	197-11-799	Underlying governmental action.
197-11-635	Incorporation by reference—Procedures.	197-11-800	Categorical exemptions.
197-11-640	Combining documents.	197-11-810	Exemptions and nonexemptions applicable to specific state agencies.
197-11-650	Purpose of this part.	197-11-855	Department of ecology.
197-11-655	Implementation.	197-11-880	Emergencies.
197-11-660	Substantive authority and mitigation.	197-11-890	Petitioning DOE to change exemptions.
197-11-680	Appeals.	197-11-900	Purpose of this part.
197-11-700	Definitions.	197-11-908	Environmentally sensitive areas.
197-11-702	Act.	197-11-912	Procedures on consulted agencies.
197-11-704	Action.	197-11-916	Application to ongoing actions.
197-11-706	Addendum.	197-11-917	Relationship to chapter 197-10 WAC.
197-11-708	Adoption.	197-11-920	Agencies with environmental expertise.
197-11-710	Affected tribe.	197-11-922	Lead agency rules.
197-11-712	Affecting.	197-11-924	Determining the lead agency.
197-11-714	Agency.	197-11-926	Lead agency for governmental proposals.
197-11-716	Applicant.	197-11-928	Lead agency for public and private proposals.
197-11-718	Built environment.	197-11-930	Lead agency for private projects with one agency with jurisdiction.
197-11-720	Categorical exemption.	197-11-932	Lead agency for private projects requiring licenses from more than one agency.
197-11-722	Consolidated appeal.	197-11-934	Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
197-11-724	Consulted agency.	197-11-936	Lead agency for private projects requiring licenses from more than one state agency.
197-11-726	Cost-benefit analysis.	197-11-938	Lead agencies for specific proposals.
197-11-728	County/city.	197-11-940	Transfer of lead agency status to a state agency.
197-11-730	Decision maker.	197-11-942	Agreements on lead agency status.
197-11-732	Department.	197-11-944	Agreements on division of lead agency duties.
197-11-734	Determination of nonsignificance (DNS).	197-11-946	DOE resolution of lead agency disputes.
197-11-736	Determination of significance (DS).	197-11-948	Assumption of lead agency status.
197-11-738	EIS.	197-11-960	Environmental checklist.
197-11-740	Environment.	197-11-965	Adoption notice.
197-11-742	Environmental checklist.	197-11-970	Determination of nonsignificance (DNS).
197-11-744	Environmental document.	197-11-980	Determination of significance and scoping notice (DS).
197-11-746	Environmental review.	197-11-985	Notice of assumption of lead agency status.
197-11-748	Environmentally sensitive area.	197-11-990	Notice of action.
197-11-750	Expanded scoping.		
197-11-752	Impacts.		
197-11-754	Incorporation by reference.		
197-11-756	Lands covered by water.		
197-11-758	Lead agency.		
197-11-760	License.		
197-11-762	Local agency.		
197-11-764	Major action.		
197-11-766	Mitigated DNS.		
197-11-768	Mitigation.		
197-11-770	Natural environment.		
197-11-772	NEPA.		
197-11-774	Nonproject.		
197-11-776	Phased review.		
197-11-778	Preparation.		
197-11-780	Private project.		
197-11-782	Probable.		
197-11-784	Proposal.		
197-11-786	Reasonable alternative.		

PERMANENT

NEW SECTION

WAC 317-100-030 Purpose. This chapter implements the state-wide rules in chapter 197-11 WAC as they apply to the office of marine safety.

NEW SECTION

WAC 317-100-040 Additional definitions. (1) "Administrator" means the administrator of the office of marine safety.

(2) "Division" means the functional divisions of the office of marine safety's organization.

(3) "Office" means the office of marine safety unless otherwise indicated.

(4) "Program director" means the person responsible for a particular agency division.

NEW SECTION

WAC 317-100-050 Designation of responsible official. Within the office the ultimate responsible official is the administrator. The responsible official for a specific proposal shall be the program director of the division that generates the proposal and whose name shall be published in the *SEPA Register* under WAC 197-11-508 adopted by reference in WAC 317-100-020.

NEW SECTION

WAC 317-100-060 EIS preparation. (1) Preparation of draft and final EISs and SEISs is the responsibility of the program director of the division that generates the proposal or the director's designee. The responsible official shall be satisfied that all EISs and SEISs issued by the office are in compliance with this chapter.

(2) Any draft or final EIS or SEIS shall be prepared by the office, the applicant, or by a consultant mutually agreed upon by the office and applicant.

(3) Whenever a person other than the office prepares a draft or final EIS or SEIS, the responsible official shall:

(a) Coordinate scoping to ensure that the person preparing the document receives all substantive information submitted by any agency or person;

(b) Direct the areas of research and study to be undertaken and the content and organization of the document;

(c) Assist in obtaining information on file with another agency that is needed by the person preparing the document; and

(d) Allow the person preparing the document access to the office's records relating to the document, as prescribed in chapter 317-02 WAC.

(4) This section may not be construed to prohibit the office from charging any fee of an applicant that the office is otherwise authorized to charge (see WAC 197-11-914). A performance bond in an amount specified by the office may be required of the applicant to ensure payment of the office's expenses in preparing, in whole or in part, a draft or final EIS or SEIS.

NEW SECTION

WAC 317-100-070 Coordination of combined state-federal action. When the office considers actions that also involve federal actions, the office shall coordinate with the federal agency involved so that one EIS, or other environmental document, needs to be prepared.

NEW SECTION

WAC 317-100-080 Policies and procedures for conditioning or denying permits or other approvals. (1) The policy and goals in this section are supplemental to other authorities of the office.

(2) It is the policy of the office to avoid or mitigate adverse environmental impacts that may result from the office's decisions.

(3) The office shall ensure that presently unquantified environmental amenities and values are given appropriate consideration in decision-making along with economic and technical considerations.

(4) When an environmental document for a proposal identifies significant adverse impacts, the responsible official shall consider whether:

(a) The environmental document identifies mitigation measures that are reasonable and capable of being accomplished;

(b) Other local, state, or federal requirements and enforcement would mitigate the significant adverse environmental impacts; and

(c) Reasonable mitigation measures are sufficient to mitigate the significant adverse impacts.

(5) When an environmental document for a proposal identifies significant adverse impacts, and the statements in subsection (4)(a), (b), and (c) of this section are true, the responsible party may condition approval of the proposal. If the statements are false, the responsible party may deny the proposal.

NEW SECTION

WAC 317-100-090 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

WSR 93-14-105**PERMANENT RULES****MARITIME COMMISSION**

[Filed July 1, 1993, 4:08 p.m., effective July 1, 1993]

Date of Adoption: July 1, 1993.

Purpose: To delete obsolete provisions and amend WAC 318-04-020 and 318-04-030 to set rates for providing oil spill contingency planning for all ferry routes transiting Washington waters.

Citation of Existing Rules Affected by this Order: Amending WAC 318-04-020 Definitions and 318-04-030 Assessments.

Statutory Authority for Adoption: RCW 88.44.010(5) and 88.44.100.

Other Authority: RCW 34.05.380.

Pursuant to notice filed as WSR 93-11-072 on May 17, 1993.

Changes Other than Editing from Proposed to Adopted Version: Slight, five word change in definition of "ferry route" appearing in proposed WAC 318-04-020 and withdrawal of proposed rules published as WAC 318-04-030 (F) and (2).

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: In order to provide oil spill contingency planning for the Washington state ferry system, required of it on or before July 1, 1993, this rule and assessments must go into effect immediately for the preservation of the public health, safety or general welfare.

Effective Date of Rule: July 1, 1993.

July 1, 1993
Richard W. Buchanan
Rules Coordinator

AMENDATORY SECTION (Amending WSR 92-23-007, filed 11/5/92)

WAC 318-04-020 Definitions Unless the context clearly requires otherwise, the definitions in this section apply throughout these rules.

"Tanker Barge" is a vessel as defined by R.C.W. 88.44.010(15) which is not self-propelled and is designed, constructed or adapted primarily to carry, or carries oil, as defined by R.C.W. 88.44.010(6), in bulk as cargo or cargo residue.

"Tanker Vessel" - is a vessel as defined by R.C.W. 88.44.010(15) which is self-propelled and designed, constructed or adapted primarily to carry or carries oil, as defined by R.C.W. 88.44.010(6), in bulk as cargo or cargo residue.

"Small Tanker Vessel" - is a vessel as defined by R.C.W. 88.44.010(15), of 300 gross registered tons or less, whether self-propelled or not, and designed, constructed or adapted primarily to carry or carries oil, as defined by R.C.W. 88.44.010(6), in bulk as cargo or cargo residue, which voluntarily pays assessments under WAC 318-04-030 and submits to the provisions of R.C.W. Chapter 88.44.

~~"Dry Cargo Barge" is a vessel as defined by R.C.W. 88.44.010(15) which is not self-propelled, but because it is not designed, constructed or adapted primarily to carry oil, is not a tanker barge. To be subject to assessment, the dry cargo barge must be carrying oil solely to fuel barge machinery or mobile equipment carried as cargo.~~

"Ferry Route" is a marine route used to transport goods or passengers by vessel across or through waters of Puget Sound, a river, strait, or other narrow body of Washington water at regular, published intervals.

"Non-Tanker Vessel" is a vessel as defined by R.C.W. 88.44.010(15) which is neither a tanker barge, a tanker vessel, nor a dry cargo barge.

"Maximum Capacity" is the volume of oil, as defined by R.C.W. 88.44.010(6) that a tanker barge or tanker vessel is capable of carrying when fully loaded as designed, constructed or adapted.

"Passenger Vessel" is a self-propelled ship of three-hundred or more gross tons with a fuel capacity of at least six-thousand gallons carrying passengers for compensation.

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

AMENDATORY SECTION (Amending WSR 92-23-007, filed 11/5/92)

WAC 318-04-030 Assessments Effective September 12, 1991 or upon approval by the Office of Marine Safety, whichever is later (except as provided below in this subsection), there is hereby levied by the Washington State Maritime Commission upon all non-exempt vessels, as defined by R.C.W. 88.44.010(15) and WAC 318-04-020, which transit upon the waters of this state and upon small tanker vessels, or the owners or operators thereof, an assessment in the following amounts:

(A) On Tanker Barges whose maximum capacity is:

	<u>Rate</u>
(1) 0 to 28,999 bbls	\$ 74.97
(2) 29,000 to 44,999 bbls	\$ 86.00
(3) 45,000 to 59,999 bbls	\$ 106.94
(4) 60,000 to 79,999 bbls	\$ 134.51
(5) 80,000 and over	\$ 167.58

(B) On Tanker Vessels Carrying Oil as Cargo

	<u>Rate</u>
(1) 0 to 300 Gross Registered Tons - On Small Tanker Vessels	\$ 27.56
(2) 301 to 9,999 Gross Reg. Tons	\$ 1,786.05
(3) 10,000 Gross Reg. Tons and Over	\$ 3,572.10

(C) On Tanker Vessels When Not Carrying Oil as Cargo, but While Carrying Other Liquid or Semi-liquid Cargoes

	<u>Rate</u>
(1) 301 - 500 Gross Reg. Tons	\$ 80.48
(2) 501 - 1,000 Gross Reg. Tons	\$ 106.94
(3) 1,001 - 4,999 Gross Reg. Tons	\$ 134.51
(4) 5,000 Gross Reg. Tons and over	\$ 178.61

~~(D) On Dry Cargo Barges (not Tanker Barges)~~

<u>Rate</u>
\$ 73.00

~~(E) (D) On Non-tanker Vessels Carrying Oil as Fuel for Propulsion Machinery~~

	<u>Rate</u>
(1) 301 - 500 Gross Reg. Tons	\$ 80.48
(2) 501 - 1,000 Gross Reg. Tons	\$ 106.94
(3) 1,001 - 4,999 Gross Reg. Tons	\$ 134.51
(4) 5,000 Gross Reg. Tons and over	\$ 178.61

(These rates set forth above reflect the 5% increase effective January 1, 1993 authorized by WAC 318-04-090)

~~(F) (E) On Passenger Vessels Engaged as International Ferry Boats Subsequent to Date of Filing of this Rule-~~

PERMANENT

~~Making Order With the Code Reviser's Office ferry routes traversing Washington waters subsequent to date of filing of the applicable Rule Making Order with the Code Reviser's Office.~~

Rate
\$75.00
Per Day

(F) Columbia River (ADDITION)

~~The assessment levied on all vessels, or the owners or operators thereof, which transit upon the portion of the Columbia River that runs between the states of Washington and Oregon, shall be effective on and after January 1, 1993.~~
(DELETION)

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

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

AMENDATORY SECTION (Amending WSR 91-02-004 [91-02-005], filed 12/21/90)

WAC 318-04-050 How assessed Vessels arriving in Washington waters will be assessed each time they enter the state's waters. International, intra-state and interstate ferry routes will be assessed for each day that a separate route is in operation. Tanker vessels and tanker barges home ported in Washington and transiting the waters of the state, but not arriving and departing frequently, shall be assessed each time they discharge or take on a cargo of oil in Washington waters, but there shall be no more than one assessment per day (24-hour period commencing at 12:01 a.m.).

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

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

WSR 93-14-115
PERMANENT RULES
HIGHER EDUCATION
PERSONNEL BOARD

[Filed July 2, 1993, 2:31 p.m., effective August 5, 1993]

Date of Adoption: June 29, 1993.

Purpose: WAC 251-22-116 reflects the Family and Medical Act of 1993 and grants eligible employees a total of 12 workweeks of leave during any 12 month period for one or more of the following reasons: Disability leave; parental leave; family medical leave - serious health condition; WAC 251-22-167 grants an employee disability leave when he/she is precluded from performing his/her job duties because of a disability; WAC 251-22-195 grants an employee parental leave because of the birth of a child of the employee and in order to provide care, or because of the placement of a child with the employee for adoption or foster care; WAC 251-22-197 grants an employee family medical leave - serious health

condition in order to care for his/her spouse, child, or parent if such person has a serious health condition; and WAC 251-22-200 sets forth the conditions in which an employee cannot take leave without pay.

Citation of Existing Rules Affected by this Order: Amending WAC 251-22-167, 251-22-195, and 251-22-200.

Statutory Authority for Adoption: RCW 28B.16.100.

Other Authority: Federal Family and Medical Leave Act of 1993.

Pursuant to notice filed as WSR 93-11-103 on May 19, 1993.

Changes Other than Editing from Proposed to Adopted Version: WAC 251-22-116 Family and medical leave, this section was a subsection of WAC 251-22-200 which implied that these leaves could be taken only as leave of absence without pay. To eliminate that confusion this new section was created. Subsection (1) reflects the Family and Medical Leave Act. We have changed the name of "serious health condition" to "family medical leave - serious health condition" to differentiate from an employee's serious health condition. Subsection (2) was added to reinforce the current discretion that institutions have to grant disability leave or parental leave up to four months and more; WAC 251-22-167 Disability leave, under subsection (1) a sentence has been added to clarify that serious health condition for an employee is included in the disability leave. We felt this was not clear. Subsection (2) is a cross reference and reminder that disability leave falls within the scope of the Family Medical and Leave Act of 1993 as provided in WAC 251-22-116 and there is a total of 12 weeks for the described leaves. The current rules allow for up to four months of health care coverage during a leave for disability or parental reasons. The Family Medical and Leave Act of 1993 provides for 12 workweeks. Changes to subsections (10) and (11) is an effort to clarify that the employee may request continued disability leave up to four months and the institution will provide for continuation of benefits. The four months includes the initial 12 workweeks that are provided by the Family Medical and Leave Act of 1993. The institutions have the discretion to approve additional leave. It also clarifies that the institution may recover the premiums paid to maintain coverage during unpaid leave when the employee does not return to work. The state employees insurance board will change its name to the public employees benefits board on July 1 and that change is also reflected here; WAC 251-22-195 Parental leave, the changes in subsection (2) are a cross reference and reminder of the total time allowed for these leaves. Under subsection (2)(a) and (b) deal with the current benefit which allows employees to take up to four months of parental leave. Subsection (a) restates that the four months includes the 12 workweeks provided in WAC 251-22-116 but more time may be granted. Subsection (b) continues the current rules which allow parental leave to be denied on the basis of operational necessity. Only the time between the 12 weeks allowed by the Family and Medical Leave Act and the four months allowed by the HEPB can be denied. Subsection (c) the Family and Medical Leave Act requires that parental leave must be taken only during the first year following the child's birth or placement. Additional wording has been added to clarify that placement refers to adoption or foster care for a child. The current rules allow for up to four months of

health care coverage during a parental leave. The Family Medical and Leave Act of 1993 provides for 12 workweeks. Changes to subsections (5) and (6) clarify that the employee may request continued parental leave up to four months and the institution will provide for continuation of benefits. The four months includes the initial 12 workweeks that are provided by the Family Medical and Leave Act of 1993. The institutions have the discretion to approve additional leave. It also clarifies that the institution may recover the premiums paid to maintain coverage during unpaid leave when the employee does not return to work. (On the proposal, subsection (4) which is now subsection (6) was deleted); WAC 251-22-197 Family medical leave-serious health condition, the name of this section was changed to reflect the fact that this leave is granted due to a serious health condition of a spouse, parent or child. Subsection (2) is the cross-reference to WAC 251-22-116 and a reminder that a total of 12 workweeks is available for disability, parental, and family medical leave-serious health condition. Subsection (3) specifically includes classified service as a requirement for eligibility. This is in response to the higher education institutions' concern the scope of the HEPB rules applies to classified staff. Each institution has responsibility for implementation of the act for other employees. Subsection (10) again the institutions' responsibility for maintaining health care coverage during a family medical leave-serious health condition is specified. The name of the state employees benefits board is changed to public employees benefits board; and WAC 251-22-200 Leave of absence without pay, due to the addition of the new WAC 251-22-116, there is only one change necessary to WAC 251-22-200. That is the addition of subsection (h) to the list of reasons for allowing leave of absence without pay.

Effective Date of Rule: August 5, 1993.

June 30, 1993
John A. Spitz
Director

NEW SECTION

WAC 251-22-116 Family and medical leave. (1) Pursuant to the federal Family and Medical Leave Act of 1993, eligible employees shall be entitled to a total of twelve workweeks of leave during any twelve-month period for one or more of the following:

- (a) Disability leave;
- (b) Parental leave;
- (c) Family medical leave-serious health condition.

(2) Institutions may grant to an employee additional disability leave or parental leave as provided in WAC 251-22-167(11) and 251-22-195 (2)(a).

AMENDATORY SECTION (Amending Order 161, filed 9/30/87)

WAC 251-22-167 Disability leave. (1) Disability leave shall be granted for a reasonable period to a permanent employee who is precluded from performing his/her job duties because of a disability (including those related to pregnancy or childbirth). ~~((The disability and recovery period shall be as defined and certified by a licensed health care provider, subject to a second opinion at the employer's expense.))~~ Disability leave includes a serious health condi-

tion of the employee as provided in the federal Family and Medical Leave Act of 1993.

(2) An employee is entitled to a total of twelve workweeks for disability leave, parental leave, and family medical leave-serious health condition during any twelve-month period as provided in WAC 251-22-116.

(3) In any case in which the necessity for leave is foreseeable based on planned medical treatment, the employee shall provide not less than thirty days' notice, except that if the treatment requires leave to begin in less than thirty days, the employee shall provide such notice as is practicable.

(4) The disability and recovery period shall be as defined and certified by the employee's licensed health care provider. The employee shall provide, in a timely manner, a copy of such certification to the employer.

(5) Certification provided under this section shall be sufficient if it states:

(a) The date on which the serious health condition commenced;

(b) The probable duration of the condition;

(c) The appropriate medical facts within the knowledge of the health care provider regarding the condition;

(d) A statement that the employee is unable to perform the essential functions of his/her position.

(6) The employer may require, at its expense, that the employee obtain the opinion of a second health care provider designated or approved by the employer. The health care provider shall not be employed on a regular basis by the employer.

(7) In any case in which the second opinion differs from the original certification, the employer may require, at its expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee. The opinion of the third health care provider shall be final and binding.

(8) The employer may require that the employee obtain subsequent recertifications on a reasonable basis.

(9) Disability leave may be a combination of sick leave, vacation leave, personal holiday, compensatory time, and leave of absence without pay and shall be granted at the written request of the employee. ~~((Except as described in subsection (3) of this section.))~~ The combination and use of paid and unpaid leave during a disability leave shall be per the choice of the employee.

~~((3) The employee shall be allowed to use eight hours of accrued paid leave per month for up to four months during a disability leave of absence without pay to provide for continuation of state employees insurance board benefits. The employer shall designate on which day of each month the eight hours paid leave will be used.))~~ (10) The institution shall maintain health care coverage during disability leave granted under the provisions of WAC 251-22-116, in accordance with the requirements of the public employees' benefits board. As specified in the federal Family and Medical Leave Act of 1993, the institution may recover the premium for maintaining coverage during the period of unpaid disability leave if the employee does not return to work.

(11) If necessary due to continued disability, the employee shall be allowed to use eight hours of accrued paid leave per month for up to four months, including the twelve

workweeks provided in WAC 251-22-116, to provide for continuation of benefits as provided by the public employees' benefits board. The employer shall designate on which day of each month the eight hours paid leave will be used.

AMENDATORY SECTION (Amending Order 161, filed 9/30/87)

WAC 251-22-195 Parental leave. (1) Parental leave ((may)) shall be granted to a permanent employee ((for the purpose of bonding with the employee's natural newborn or prekindergarten-age adoptive child.

(2)) because of the birth of a child of the employee and in order to provide care, or because of the placement of a child with the employee for adoption or foster care.

(2) An employee is entitled to a total of twelve workweeks for disability leave, parental leave, and family medical leave-serious health condition during any twelve-month period as provided in WAC 251-22-116.

(a) Parental leave shall not total more than four months, including the twelve workweeks provided in WAC 251-22-116, unless additional time is granted by the personnel officer.

(b) Requests for up to four months of parental leave that exceed the provisions of WAC 251-22-116 may be denied on the basis of operational necessity.

(c) Parental leave must be taken during the first year following the child's birth or placement of the child with the employee for adoption or foster care.

(3) The employee shall submit a written request for parental leave to the employing official or designee and must receive the approval of both the employing official and the personnel officer. ((Requests may be denied only on the basis of operational necessity.))

(a) The employee shall provide not less than thirty days' notice, except that if the child's birth or placement requires leave to begin in less than thirty days, the employee shall provide notice as is practicable.

(b) Within ten working days of the receipt of the request, the institution shall provide the employee with a written response and, if the leave is denied, rationale supporting the operational necessity and the notice of the employee's right to appeal per WAC 251-12-076.

((3)) (4) Parental leave may be a combination of vacation leave, personal holiday, compensatory time, and leave of absence without pay ((and must immediately follow disability leave if taken. Except as described in subsection (4) of this section.)). The combination and use of paid and unpaid leave during a parental leave shall be per choice of the employee. ((Parental leave shall not extend beyond four months after the child's birth or placement, unless additional time is granted by the personnel officer.

(4) The employee shall be allowed to use eight hours per month of the accrued paid leave identified in subsection (3) of this section for up to four months during a parental leave of absence without pay to provide for continuation of state employees insurance board benefits. The employer shall designate on which day of each month the eight hours paid leave will be used.))

(5) The institution shall maintain health care coverage during parental leave granted under the provisions of WAC

251-22-116, in accordance with the requirements of the public employees' benefits board. As specified in the federal Family and Medical Leave Act of 1993, the institution may recover the premium for maintaining coverage during the period of unpaid parental leave if the employee does not return to work.

(6) If necessary due to continued approved parental leave, the employee shall be allowed to use eight hours per month of the accrued paid leave identified in subsection (4) of this section for up to four months, including the twelve workweeks provided in WAC 251-22-116, during a parental leave of absence without pay to provide for continuation of benefits as provided by the public employees' benefits board. The employer shall designate on which day of each month the eight hours' paid leave will be used.

NEW SECTION

WAC 251-22-197 Family medical leave-serious health condition. (1) Family medical leave-serious health condition shall be granted to an eligible employee pursuant to the federal Family and Medical Leave Act of 1993 in order to care for his/her spouse, child, or parent, if such person has a serious health condition.

(2) An eligible employee is entitled to a total of twelve workweeks for disability leave, parental leave, and family medical leave-serious health condition during any twelve-month period as provided in WAC 251-22-116.

(3) For purposes of this section, an eligible employee is one who has worked in the state classified service for at least twelve months, and for at least one thousand two hundred fifty hours during the previous twelve-month period.

(4) In any case in which the necessity for leave is foreseeable, based on planned medical treatment of the spouse, child, or parent, the employee shall provide not less than thirty days' notice, except that if the treatment requires leave to begin in less than thirty days, the employee shall provide such notice as is practicable.

(5) An employer may require that a request for such leave be supported by a certification issued by the health care provider of the spouse, child, or parent. The employee shall provide, in a timely manner, a copy of such certification to the employer.

(6) Certification provided under this section shall be sufficient if it states:

(a) The date on which the serious health condition commenced;

(b) The probable duration of the condition;

(c) The appropriate medical facts within the knowledge of the health care provider regarding the condition;

(d) A statement that the eligible employee is needed to care for the spouse, child, or parent and an estimate of the amount of time that such employee is needed to provide care.

(7) In any case in which the employer has reason to doubt the validity of the certification provided, the employer may require, at its expense, that the eligible employee obtain the opinion of a second health care provider designated or approved by the employer. The health care provider shall not be employed on a regular basis by the employer.

(8) In any case in which the second opinion differs from the original certification, the employer may require, at its

expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee. The opinion of the third health care provider shall be final and binding.

(9) The employer may require that the employee obtain subsequent recertifications on a reasonable basis.

(10) The institution shall maintain health care coverage during family medical leave-serious health condition granted under the provisions of WAC 251-22-116, in accordance with the requirements of the public employees' benefits board. As specified in the federal Family and Medical Leave Act of 1993, the institution may recover the premium for maintaining coverage during the period of unpaid family medical leave-serious health condition if the employee does not return to work.

AMENDATORY SECTION (Amending Order 161, filed 9/30/87)

WAC 251-22-200 Leave of absence without pay. (1) Leave of absence without pay may be allowed for any of the following reasons:

- (a) Conditions applicable for leave with pay;
- (b) Disability leave;
- (c) Educational leave;
- (d) Leave for government service in the public interest;
- (e) Parental leave;
- (f) Child care emergencies;
- (g) To accommodate annual work schedules of employees occupying cyclic year positions as specified in WAC 251-19-130;
- (h) Family medical leave-serious health condition.

(2) Requests for leave of absence without pay must be submitted in writing to the employing official or designee and must receive the approval of both the employing official and the personnel officer.

(3) Leave of absence without pay extends from the time an employee's leave commences until he/she is scheduled to return to continuous service, unless at the employee's request the employing official and the personnel officer agree to an earlier date.

(4) Vacation leave and sick leave credits will not accrue during a leave of absence without pay which exceeds ten working days in any calendar month.

(5) A classified employee taking an appointment to an exempt position shall be granted a leave of absence without pay, with the right to return to his/her regular position, or to a like position at the conclusion of the exempt appointment; provided application for return to classified status must be made not more than thirty calendar days following the conclusion of the exempt appointment.

WSR 93-14-116
PERMANENT RULES
DEPARTMENT OF ECOLOGY
 [Order 92-54—Filed July 2, 1993, 4:15 p.m.]

Date of Adoption: July 2, 1993.

Purpose: To repeal chapters 173-250 and 173-164 WAC.

Citation of Existing Rules Affected by this Order:
 Repealing chapters 173-250 and 173-164 WAC.

Pursuant to notice filed as WSR 93-09-064 on April 20, 1993.

Effective Date of Rule: Thirty-one days after filing.
 July 2, 1993
 Mary Riveland
 Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 173-164-010	Purpose.
WAC 173-164-020	Authority.
WAC 173-164-030	Definitions.
WAC 173-164-040	Rates of charge.
WAC 173-164-050	Determination of rate.
WAC 173-164-060	Payment schedule.
WAC 173-164-070	Measurement of water.
WAC 173-164-080	Regulation review.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 173-250-010	Purpose and scope.
WAC 173-250-020	Definitions.
WAC 173-250-030	Development and approval of the system.
WAC 173-250-040	Development and approval of the state project priority list.

WSR 93-14-119
PERMANENT RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Order R-389, Docket No. UT-921192—Filed July 2, 1993, 4:30 p.m.]

In the matter of amending WAC 480-120-021 and 480-120-051; and adopting WAC 480-120-500, 480-120-510, 480-120-515, 480-120-520, 480-120-525, and 480-120-530, and adopting WAC 480-120-535 relating to telephone service quality; and repealing WAC 480-120-086.

The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 93-01-152, filed with the code reviser on December 23, 1992, and appearing in Register 93-01 on January 6, 1993.

The commission heard oral comment, and adopted the rules that were noticed, under Notice No. WSR 93-01-152, on January 27, 1993. It adopted the proposed WAC 480-120-535 as noticed, without change, in addition to its adoption of other proposed rules in the package as specified in General Order No. 384, published at WSR 93-06-055 on March 17, 1993.

In its order of adoption, the commission inadvertently excluded reference to the adoption of the proposed WAC 480-120-535. The purpose of this supplemental order is to amend General Order No. 384 and to effect the adoption of that proposed rule.

PERMANENT

At the time and place specified in Notice No. WSR 93-01-152, the commission adopted new section WAC 480-120-535 as proposed. The provisions of General Order No. 384 are included in this order by this reference, and that order is amended by this order. WAC 480-120-535 should be adopted.

ORDER

THE COMMISSION ORDERS: That General Order No. 384 is amended, and in doing so, WAC 480-120-535 is adopted to read as set forth in Appendix A, shown below in this order and made part of it by this reference, as a rule of the Washington Utilities and Transportation Commission; that new WAC 480-120-535 shall take effect pursuant to RCW 34.05.080(2); and that this order and the rule shown below, after being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

Dated at Olympia, Washington, this 2nd day of July, 1993.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard D. Casad, Commissioner

APPENDIX "A"

NEW SECTION

WAC 480-120-535 Service quality performance reports. Beginning June 1, 1993, each local exchange company shall submit the following reports as indicated:

(1) Each local exchange company shall demonstrate upon request by the commission that the performance of its central office switch(es) meets acceptable central office performance standards.

(2) Local exchange companies with less than fifty thousand access lines shall file appropriate reports according to subsection (3)(a) through (c) of this section, when deemed necessary by the commission, and shall file the report required by subsection 3(d) of this section on a monthly basis. Performance records for such companies shall be kept in a format suitable for each local exchange company's operation and in such condition that they can be forwarded to the commission upon request or as required by this section.

(3) Local exchange companies with over fifty thousand access lines shall report monthly the information required by (a) through (d) of this subsection.

(a) Installation appointments met.

This report measures the percentage of appointments for the connection of service met on the commitment date. The actual date on which installation was completed shall be compared to the applicable commitment date to determine the percentage of appointments met.

(b) Held orders.

For purposes of this section a held order is any request for primary exchange service that is not filled on or before the commitment date. This report measures the provisioning of primary exchange access lines in locations where there are presently no company services or facilities, and locations where service is presently being provided, but where the company is temporarily unable to provide service to new

subscribers because of a lack of facilities. The number of held orders shall be expressed as a ratio per one hundred new or reestablished lines ordered.

(c) Regrade orders held.

This report measures the number of requests for higher grades of service (e.g., a request to upgrade from multiparty to single party service) unfilled for more than thirty days. The number of regrade requests unfilled for more than thirty days shall be expressed as a ratio per one hundred requests for regrades (new requests plus unfilled requests from the previous months).

(d) Trouble reports.

This report measures the number of subscribers indicating improper functioning of service. The total number of initial trouble reports (including repeated reports) shall be expressed as a ratio per one hundred lines in service. Trouble reports related to customer premises equipment shall not be included. This measurement shall be reported on an exchange basis.

(4) When the commission believes it is necessary to investigate or address such problems as excessive levels of subscriber or consumer complaints, or otherwise to protect the public interest, the commission may request further detailed information from companies with more than fifty thousand access lines for subsection (3)(a) through (d) of this section, by geographic or service unit. Performance records for such companies shall be kept in a format suitable for each local exchange company's operation and in such condition that they can be forwarded to the commission upon request.

WSR 93-14-124

PERMANENT RULES

HORSE RACING COMMISSION

[Filed July 6, 1993, 11:33 a.m.]

Date of Adoption: July 1, 1993.

Purpose: Allow the uncoupling of a betting interest when the only common tie is in the trainer.

Citation of Existing Rules Affected by this Order:
Amending WAC 260-48-110.

Statutory Authority for Adoption: RCW 67.16.040.

Pursuant to notice filed as WSR 93-11-060 on May 13, 1993.

Effective Date of Rule: Thirty-one days after filing.

July 6, 1993

Bruce Batson

Executive Secretary

AMENDATORY SECTION (Amending Rules of Racing [Order 81-05], filed 4/21/61 [7/10/81])

WAC 260-48-110 "Entry"—Wager on one is wager on all. When two or more horses run in a race, and are coupled because of common ties they are called an "entry" and a wager on one of them shall be a wager on all of them. In cases where the only common tie is that the horses are trained by the same trainer, the horses shall be uncoupled for wagering purposes. ~~((except in quinella or exacta races. At nonprofit or sixty forty meets, when the only common tie is~~

~~that the horses are trained by the same trainer, the horses may be uncoupled for wagering purposes.))~~

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

WSR 93-14-125
PERMANENT RULES
HORSE RACING COMMISSION

[Filed July 6, 1993, 11:37 a.m.]

Date of Adoption: July 1, 1993.

Purpose: Amend this rule to become consistent with other exotic wagering rules.

Citation of Existing Rules Affected by this Order: Amending WAC 260-48-328.

Statutory Authority for Adoption: RCW 67.16.040.

Pursuant to notice filed as WSR 93-11-101 on May 19, 1993.

Changes Other than Editing from Proposed to Adopted Version: Subsection (8) was edited further to eliminate wording which states the same purpose as the amended section's wording. These revisions do not change the subject matter of the rule.

Effective Date of Rule: Thirty-one days after filing.

July 6, 1993

Bruce Batson

Executive Secretary

AMENDATORY SECTION (Amending Order 81-08, filed 8/25/81)

WAC 260-48-328 Trifecta rules. (1) Trifecta means a betting transaction in which the purchaser of a ticket undertakes to select in the exact order of finish the first three horses to finish a race on which the feature is operated.

(2) No trifecta feature pool shall be operated on any race when there is an entry or mutuel field.

(3) No association shall offer to sell trifecta tickets on any race when there are less than eight horses scheduled to start.

(4) Each association shall include in its printed program these trifecta rules and/or post copies of these rules in conspicuous areas accessible to the betting public.

~~((5) Subject to these regulations, a trifecta ticket is void when the purchaser of such ticket fails to select the exact order of finish of the first three horses.))~~

~~((6))~~ (5) The trifecta is not a parlay and has no connection with or relation to the win, place and show pools. All tickets on the trifecta will be calculated in an entirely separate pool.

~~((7))~~ (6) The pay-out price for a trifecta pool shall be calculated in the following manner:

(a) The legal percentages shall be deducted from the total amount bet in any such pool to determine a net pool;

(b) The net pool shall be divided by the value of tickets bet on the winning combination; and

(c) The quotient obtained pursuant to paragraph (b) of this subsection shall be multiplied by the purchase price of each ticket on the winning combination.

~~((8)(a) When there are no tickets sold in a trifecta feature pool coupling the horses finishing first, second, and~~

~~third in the exact order of the official result, the trifecta pool shall be calculated in accordance with subsection (7) of this section, except that the net pool shall be divided by the value of tickets sold in that pool on horses on which tickets have been sold, coupled in a combination finishing nearest the official order of finish.~~

~~(b) The following sequence based on the official order of finish shall be used to determine such combination:~~

~~(i) First, second, and fourth;~~

~~(ii) First, third, and fourth;~~

~~(iii) Second, third, and fourth;~~

~~(iv) First, second, and fifth;~~

~~(v) First, third, and fifth;~~

~~(vi) First, fourth, and fifth; and~~

~~(vii) Sequentially thereafter.))~~

(7) The net trifecta pool shall be distributed to the winning wagers in the following precedence, based upon the official order of finish:

(a) As a single price pool to those whose combination finished in the correct sequence as the first three betting interests; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

(c) As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

(d) The entire pool shall be refunded on trifecta wagers for that race.

~~((e) When only two horses finish in a race on which trifecta feature is operated, the pool shall be calculated in accordance with subsection (7) of this section, except that the net pool shall be divided by the value of tickets sold in the pool on horses selected to finish first and second in the exact order of the official result, coupled with any other horse that started in the race.~~

~~(d) When only one horse finishes in a race on which trifecta feature is operated, the pool shall be calculated in accordance with subsection (7) of this section, except that the net pool shall be divided by the value of tickets sold in the trifecta pool selecting that horse to finish first, coupled with any two other horses started in the race.))~~

~~((9))~~ (8) In the event of a dead heat, all trifecta tickets selecting the correct order of finish, counting a horse in a dead heat as finishing in either position dead heated, shall be winning tickets and distribution of the pool shall be made in accordance with established pari-mutuel practice relative to dead heats.

WSR 93-14-126
PERMANENT RULES
HORSE RACING COMMISSION

[Filed July 6, 1993, 11:40 a.m.]

Date of Adoption: July 1, 1993.

Purpose: To define rules concerning the twin trifecta wager.

Statutory Authority for Adoption: RCW 67.16.040.

Pursuant to notice filed as WSR 93-11-102 on May 19, 1993.

Changes Other than Editing from Proposed to Adopted Version: Subsection (3) was changed to allow the Washington Horse Racing Commission to approve percentage splits. Subsection (15) was added to define the number of interests that must start. Subsection (16) was added to define how a nonstarter is handled. Subsection (29) was added to allow a cap to be set by the association or commission. These additions make the rule consistent with other rules. These revisions do not change the subject matter of the rule.

Effective Date of Rule: Thirty-one days after filing.

July 6, 1993

Bruce Batson

Executive Secretary

NEW SECTION

WAC 260-48-331 Twin trifecta rules. (1) The twin trifecta requires selection of the first three finishers, in their exact order, in each of two designated races. Each winning ticket for the first twin trifecta race must be exchanged for a free ticket on the second twin trifecta race in order to remain eligible for the second-half twin trifecta pool. Such tickets may be exchanged only at specified ticket windows prior to the second twin trifecta race. Winning first-half wagers will receive both an exchange and a monetary payoff. Both of the designated twin trifecta races shall be included in only one twin trifecta pool.

(2) Twin Trifecta wagering may be conducted by Class A and B licensee's at the discretion of the commission upon written application by an association.

(3) After wagering closes for the first-half of the twin trifecta and commissions have been deducted from the pool, the net pool shall then be divided into two separate pools: the first-half twin trifecta pool and the second-half twin trifecta pool. The percentage allocated to each pool must be approved by the commission.

(4) In the first twin trifecta race only, winning wagers shall be determined using the following precedence, based upon the official order of finish for the first twin trifecta race:

(a) As a single price pool to those whose combination finished in the correct sequence as the first three betting interest; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

(c) As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

(d) The entire twin trifecta pool for that day shall be refunded on twin trifecta wagers for that race and the second-half shall be cancelled.

(5) If no first-half twin trifecta ticket selects the first three finishers of that race in exact order, winning ticket holders shall not receive any exchange tickets for the second-half twin trifecta pool. In such case, the second-half twin trifecta pool shall be retained and added to any existing twin trifecta carryover pool.

(6) Winning tickets from the first-half of the twin trifecta shall be exchanged for tickets selecting the first three finishers of the second-half of the twin trifecta. The second-half twin trifecta pool shall be distributed to winning wagers

in the following precedence, based upon the official order of finish for the second twin trifecta race:

(a) As a single price pool, including any existing carryover monies, to those whose combination finished in correct sequence as the first three betting interest; but if there are no such tickets, then

(b) The entire second-half twin trifecta pool for that race shall be added to any existing carryover monies and retained for the corresponding second-half twin trifecta pool of the next consecutive race card.

(7) If a winning first-half twin trifecta ticket is not presented for cashing and exchange prior to the second-half twin trifecta race, the ticket holder may still collect the monetary value associated with the first-half twin trifecta pool but forfeits all rights to any distribution of the second-half twin trifecta pool.

(8) Coupled entires and mutuel fields shall be prohibited in twin trifecta races.

(9) No association shall offer to sell twin trifecta tickets on any race when there are less than eight horses scheduled to start.

(10) Should a betting interest in the first-half of the twin trifecta be scratched, those twin trifecta wagers including the scratched betting interest shall be refunded.

(11) Should a betting interest in the second-half of the twin trifecta be scratched, an announcement concerning the scratch shall be made and a reasonable amount of time shall be provided for exchange of tickets that include the scratched betting interest. If tickets have not been exchanged prior to the close of betting for the second twin trifecta race, the ticket holder forfeits all rights to the second-half twin trifecta pool.

(12) If there is a dead heat or multiple dead heats in either the first- or second-half of the twin trifecta, all twin trifecta wagers selecting the correct order of finish, counting a betting interest involved in a dead heat as finishing in any dead-heated position, shall be a winner. In the case of dead heat occurring in:

(a) the first-half of the twin trifecta, the payoff shall be calculated as a profit split

(b) the second-half of the twin trifecta, the payoff shall be calculated as a single price pool.

(13) If either of the twin trifecta races are cancelled prior to the first twin trifecta race, or the first twin trifecta race is declared "no contest", the entire twin trifecta pool for that day shall be refunded on twin trifecta wagers for that race and the second-half shall be cancelled.

(14) If the second-half twin trifecta race is cancelled or declared "no contest", all exchange tickets and outstanding first-half winning twin trifecta tickets shall be entitled to the net twin trifecta pool for that race as a single price pool, but not the twin trifecta carryover. If there are no such tickets, the net twin trifecta pool shall be distributed as described in subsections (4) of the twin trifecta rules.

(15) If, due to a late scratch, the number of betting interests in the second-half of the twin trifecta is reduced to fewer than 6, all exchange tickets and outstanding first-half winning tickets shall be entitled to the second-half twin pool for that race as a single price pool, but not the twin trifecta carryover.

(16) If it be determined by the stewards that a horse has been prevented from racing because of the failure of the stall

door of the starting gate to open (non starter) in the second-half of the twin trifecta only, there will no refund or consolation payoff. The official order of finish as posted shall be used to determine payoffs. This will not affect other pools for this race.

(17) A written request for permission to distribute the twin trifecta carryover on a specific race card may be submitted to the commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date of race card for the distribution.

(18) Contrary to subsection (5) of the twin trifecta rules, during a race card designated to distribute the twin trifecta carryover, exchange tickets will be issued for those combinations selecting the greatest number of betting interests in their correct order of finish for the first-half of the twin trifecta. If there are no wagers correctly selecting the first-, second-, and third-place finishers, in their exact order, then exchange tickets shall be issued for combinations as described in subsection (4) of the twin trifecta rules.

(19) Should the twin trifecta carryover be designated for distribution on a specified date, the following precedence will be followed in determining winning tickets for the second-half of the twin trifecta after completion of the first-half of the twin trifecta:

(a) As a single price pool to those whose combination finished in correct sequence as the first three betting interests; but if there are no such wagers, then

(b) As a single price pool to those whose combination included, in correct sequence, the first two betting interests; but if there are no such wagers, then

(c) As a single price pool to those whose combination correctly selected the first-place betting interest only; but if there are no such wagers, then

(d) As a single price pool to holders of valid exchange tickets.

(20) The twin trifecta carryover shall be designated for distribution on a specified date and race card only under the following circumstances:

(a) Upon written approval from the commission as provided in subsection (16) of the twin trifecta rules.

(b) On the closing race card of the meet or split meet.

(21) If, for any reason, the twin trifecta carryover must be held over to the corresponding twin trifecta pool of the association's subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the commission. The twin trifecta carryover plus accrued interest shall then be added to the second-half twin trifecta pool of the association's following meet.

(22) If racing is cancelled prior to the first-half of the twin trifecta on the closing race card of the meet or split meet, the carryover will be held over in accordance with subsection (21) of the twin trifecta rules.

(23) If racing is cancelled after the running of the first-half but before the running of the second-half on the closing race card of the meet or split meet, the carryover pool will be paid as a single price to holders of exchange tickets or outstanding winning tickets from the first-half.

(24) Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of valid exchange tickets is prohibited. This shall not prohibit necessary

communications between totalisator and parimutuel department employees for processing of pool data.

(25) The acceptance of a twin trifecta ticket by taking an issued ticket away from the window of the terminal from which it was issued shall constitute an acknowledgment by the bettor that the ticket is correct. Exchange tickets may not be canceled and/or reissued except as provided by these rules. The association, totalisator company, and state may not be liable to any person for a twin trifecta ticket which is not:

(a) A winning ticket in accordance with the provisions of this rule; or

(b) Delivered for any reason, including but not limited to mechanical malfunction, electrical failure, machine locking, phone line failure, or other cause.

(26) An association may have the option to limit payoffs, at satellite locations, approved in accordance with Sec. 01. RCW 67.16.200, to \$10,000 in cash, with the balance delivered in the form of a check by the end of the next race day.

(27) For the second-half race the association shall clearly identify and designate an adequate number of parimutuel windows to be used exclusively as "Twin Trifecta Exchange" windows.

(28) Twin Trifecta tickets shall be sold and exchanged only by the association through parimutuel machines.

(29) The twin trifecta carryover may be capped at a designated level approved or set by the commission so that if, at the close of any race card, the amount in the twin trifecta carryover equals or exceeds the designated cap, the twin trifecta carryover will be frozen until it is won or distributed under other provisions of this rule. After the twin trifecta carryover is frozen, 100 percent of the net twin trifecta pool for each individual race shall be distributed to winners of the first-half of the twin trifecta pool.

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

WSR 93-14-130
PERMANENT RULES
UNIVERSITY OF WASHINGTON
[Filed July 7, 1993, 10:16 a.m.]

Date of Adoption: May 21, 1993.

Purpose: To change the current appeal process for traffic and parking violations, and impoundment regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 478-116-410, 478-116-420, 478-116-430, 478-116-470, 478-116-480, 478-116-490, 478-116-500, 478-116-510, 478-116-511, 478-116-530, and 478-116-560; and amending WAC 478-116-370, 478-116-400, 478-116-440, 478-116-450, 478-116-460, 478-116-520, 478-116-540, 478-116-550, 478-116-582, 478-116-586, 478-116-588, 478-116-589, and 478-116-601.

Statutory Authority for Adoption: RCW 28B.20.130.

Other Authority: RCW 28B.10.560.

Pursuant to notice filed as WSR 93-08-110 on April 7, 1993.

Changes Other than Editing from Proposed to Adopted Version: Revise WAC 478-116-450(6) to read in its entirety: "A person who files a petition under subsection (2) above may request the opportunity to provide an oral statement before the presiding officer. A request to make an oral statement must be included in the petition. If the request for an oral statement is made, the presiding officer shall provide reasonable notice of the time and place for receiving the oral statement. At the discretion of the reviewing officer, oral statements may also be considered in requests under subsection (3) above. A request to make an oral statement must be included in the request for review. If the request for an oral statement is granted by the reviewing officer, the reviewing officer shall provide reasonable notice of the time and place for receiving oral statements."; and add to WAC 478-116-460, last sentence: "Insofar as possible, students from the University of Washington school of law shall be given priority consideration for appointment as presiding officers."

Effective Date of Rule: Thirty-one days after filing.

June 30, 1993

Melody Tereski

Administrative Procedures Officer

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-370 Recall of permits. Permits are the property of the university, and may be recalled by the manager of the parking division for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists;

(2) When a permit, area designator or gate key card is used by or on an unregistered vehicle or by an unauthorized person;

(3) Falsification on a parking permit application;

(4) Nonpayment of parking fees;

(5) Counterfeiting or altering of permits, area designators or gate key cards;

(6) Failure to comply with a final (~~judgment of the university parking court~~) decision of the citation hearing office;

(7) Vehicles displaying recalled permits will be subject to impound on sight and the permit confiscated for return to the manager of the parking division.

AMENDATORY SECTION (Amending Order 75-2, filed 6/4/75)

WAC 478-116-400 Refund conditions. (1) Refunds will be made for unused portions of permits which were paid for in full at time of acquisition upon application and return of the permit to the parking division. The refund schedule will be established by the parking division and will be adjusted semimonthly on a declining scale with a zero balance for the final two weeks of the period.

(2) Upon termination of employment, or stopping of payroll deductions, the unexpired annual parking permit must be returned to the parking division. If the permit is being paid for by the payroll deduction plan, then a payroll deduction termination form must be completed.

(3) Any unpaid fine for a violation of these regulations will be deducted from any refund due, including refunds due to revocation of parking privileges.

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-440 ((~~Procedure—Summons and service thereof~~)) Citation for violation. ((~~Upon probable cause to believe that a violation of these regulations has occurred, an appropriate summons or parking/traffic violation notice may be issued by the university police department setting forth the date, the approximate time, the locality, and the nature of the violation. Such summons may be served by delivering or mailing a copy thereof to the alleged violator, by attaching or affixing a copy thereof to the vehicle or bicycle allegedly involved in such violation, or by placing a copy thereof in some prominent place within such vehicle. Service by mail shall be accomplished by placing a copy of the summons in the mail addressed to the alleged violator at the address shown on the records of the office of the registrar, the staff personnel office or academic personnel records, or the department of licensing in Olympia, Washington for that person or any other last known address of that person. Placing a copy of the summons in the mail with proper postage is prima facie evidence that the summons was served.~~)) The university police department may issue a citation for a violation of these regulations. The citation shall set forth the date, approximate time, locality, and nature of the violation and shall be served upon the person charged with the violation by delivery, mail, or placement upon the vehicle or bicycle involved.

AMENDATORY SECTION (Amending WSR 91-11-029 and 91-12-047, filed 5/8/91 and 6/5/91, effective 6/8/91 and 10/1/91)

WAC 478-116-450 Election to ((~~forfeit~~)) pay fine or contest citation. ((~~(1) The summons or parking violation notice issued pursuant to WAC 478-116-440 shall advise the alleged violator that he or she may elect, within fifteen calendar days of receipt of the violation notice, either to pay and forfeit the fine applicable to the violation(s) charged or to contest the matter(s) in the university parking court.~~

~~(2) If the alleged violator chooses to forfeit the fine(s) he or she may do so by mail, forwarding the appropriate amount by check or money order or bringing such amount in cash to the university parking violations division. Such forfeiture shall constitute a waiver of the right to a hearing.~~

~~(3) If the alleged violator chooses to contest, he or she may do so by contacting the parking violations division and requesting a date to appear in court. Such request may be made by telephone, mail or in person. If a person believes that a personal court appearance would represent an unreasonable hardship, he or she may request to contest a matter in writing. If such a request is approved, the person who received the violation may submit written materials to be considered by the parking court judge as testimony in lieu of a personal court appearance. The parking court judge will then issue a final decision, a copy of which will be mailed to the person who received the violation.~~

~~(4) If an alleged violator has received one or more parking violation notice(s) amounting to \$28.00 or more and~~

~~has neither paid the fines nor requested a court date, the parking violations division shall send a notice of election to forfeit or contest to the alleged violator not less than seven calendar days following service of the unanswered summons or parking violations notice. This notice shall direct the individual to either (a) pay the fine in the amount specified or, (b) request an appearance before the university parking court. Such action must be taken within fifteen calendar days of the date the notice of election to forfeit or contest was posted. Failure to comply with either (a) or (b) within the specified time limit will result in a default judgment, and the university parking judge may impose such penalty or fines appropriate under the schedule of fines established pursuant to WAC 478-116-520.~~

~~(5) Failure of an alleged violator to appear in the university parking court on the date set or to apply for a continuance of the hearing date or to pay and forfeit fines prior to the hearing date shall, unless lawful excuse is established before the university parking court, constitute a plea of guilty to the complaint or information and such penalty or fine may be imposed by the parking judge as is appropriate under the schedule of fines established pursuant to WAC 478-116-520.)~~ (1) A person who receives a citation shall, within twenty days of the date thereof, either pay the applicable fine or contest the issuance of the citation in the manner prescribed in this section. Payment of the fine shall constitute a waiver of the right to contest the citation. Failure to either pay the fine or contest the citation within twenty days of the date of the citation shall automatically result in a final decision of the citation hearing office.

(2) A person wishing to contest a citation may do so by completing and submitting a parking and traffic citation petition (hereinafter "petition") to the citation hearing office within twenty days of the date of the citation. The petition shall include a statement explaining the reasons for contesting the citation. The presiding officer shall review the petition and provide written notification of his/her decision to the person submitting the petition within ten days of taking action on the petition. If the petition is denied, the notification shall include a brief statement of the reasons for the decision and information about the opportunity for further review. Any fine owed on a written decision on a petition not contested as provided in subsection (3) of this section shall be paid within twenty-one days after service of the decision.

(3) A person wishing to contest the written decision on the petition may request a review by contacting the citation hearing office orally or in writing within twenty-one days after service of the decision. The request for review shall contain an explanation of the alleged violator's position and a statement of reasons why the decision on the petition was incorrect. The reviewing officer shall, within twenty days of the date of the request, conduct a review and render a final written decision, which shall include a brief statement of the reasons for the decision and information about the opportunity to appeal the decision to the Seattle district court. Any final decision of the reviewing officer not appealed as provided in subsection (5) of this section shall be paid within ten days after service of the decision.

(4) If neither party has requested a review of the written decision on the petition, the citation hearing office may, within twenty days after service of the written decision,

conduct a review and issue a final decision on its own motion and without notice to the parties, but it may not take any action on review less favorable to the alleged violator than the written decision on the petition without giving the alleged violator notice and opportunity to explain his or her view of the matter.

(5) A person wishing to appeal a final decision of the citation hearing office to the Seattle district court may, within ten days of service of the final decision, file a written notice with the university police department. Documents relating to the appeal shall immediately be forwarded to the Seattle district court, which shall have jurisdiction to hear the appeal de novo. No appeal to the Seattle district court may be taken unless the citation has been contested as provided in subsections (2) and (3) of this section.

(6) A person who files a petition under subsection (2) of this section may request the opportunity to provide an oral statement before the presiding officer. A request to make an oral statement must be included in the petition. If the request for an oral statement is made, the presiding officer shall provide reasonable notice of the time and place for receiving the oral statement. At the discretion of the reviewing officer, oral statements may also be considered in requests under subsection (3) of this section. A request to make an oral statement must be included in the request for review. If the request for an oral statement is granted by the reviewing officer, the reviewing officer shall provide reasonable notice of the time and place for receiving oral statements.

AMENDATORY SECTION (Amending Order 75-2, filed 6/4/75)

WAC 478-116-460 ((Procedure—Complaint and information)) Presiding and reviewing officer. (((1) A summons served in accordance with the provisions of WAC 478-116-440 shall constitute the complaint or information against the person to whom delivered or mailed, the person to whom a permit was issued for the vehicle in which it was placed or to which it was attached, or if no permit for the vehicle has been issued, the registered owner of the vehicle in which it was placed or to which it was attached. If such person or owner desires a more particular and detailed statement of the alleged offense, he or she may within seven days after being served with a summons or parking violation notice request such a statement from the university police department. If such a statement in writing is issued by the university police department, it together with the original summons shall constitute the complaint or information. If such request is denied because it was not timely made, the alleged violator may, at any time prior to the date of the hearing, apply in writing to the parking judge for an order requiring the university police department to furnish him or her a more particular and detailed statement of the alleged offense. If, for good cause shown, the parking judge grants such an application and the university police department fails to furnish such a statement in writing within the time set by the parking judge, the prosecution for the alleged offense shall be dismissed with prejudice.

(2) The complaint or information may be amended at any time, either in writing delivered or mailed to the alleged violator or upon motion at trial in his or her presence, to

~~include new charges of violations of these regulations. If such amendment prejudices or hampers the alleged violator in the presentation of his or her defenses, the parking judge shall grant a continuance of the hearing until such date as the alleged violator may present his or her defenses without undue prejudice.)~~ The presiding and reviewing officers shall be appointed in accordance with WAC 478-108-030 and shall have authority to hear and decide matters involving impoundment of vehicles and violations of these regulations including, but not limited to, the ability to issue warnings, dismiss citations, and reduce, suspend, or impose the fines set forth in WAC 478-116-601. Insofar as possible, students from the University of Washington school of law shall be given priority consideration for appointment as presiding officers.

AMENDATORY SECTION (Amending WSR 91-11-029 and 91-12-047, filed 5/8/91 and 6/5/91, effective 6/8/91 and 10/1/91)

WAC 478-116-520 Fines and penalties. (1) The fines ~~((or penalties which))~~ that may be assessed for violations of these regulations are those detailed in WAC 478-116-601. The applicable fine for a citation must be paid within twenty days of the date of the citation unless the person charged with the violation elects to contest the citation as provided in WAC 478-116-450.

(2) Fines must be delivered in person to the citation hearing office or postmarked on or before the due date specified in these regulations to avoid additional penalties. An additional fine of ten dollars per offense shall be imposed for each citation which is not responded to within the time limits set forth in these regulations.

~~((a) Persons cited for violation of these regulations may respond either by arranging for a university parking court date or by paying and forfeiting a fine within fifteen calendar days of service of the citation in accordance with WAC 478-116-450. Forfeitures submitted by mail must be postmarked within fifteen calendar days of the date of issue of the citation in order to avoid additional penalties.~~

~~(b) An additional fine of ten dollars per offense shall be assessed for each parking citation which is not responded to within the fifteen calendar day limit provided in (a) of this subsection.)~~

~~(3) The ((manager of the parking division shall cause these regulations or a reasonable summary thereof to)) regulations contained in this chapter shall be:~~

~~(a) Published at the direction of the manager of the parking division in the University of Washington Daily at least twice each calendar year((-)); and~~

~~(b) ((Prominently displayed in the offices of the university parking violations division)) Available in the citation hearing office, the university police department, and the parking division.~~

~~(4) The following information shall be printed on the parking citation:~~

~~(a) The fine schedule ((shall be printed on the parking violation notices served on alleged violators)) and instructions for payment;~~

~~(b) Instructions for contesting the citation, including where to obtain petitions; and~~

(c) Notice that failure to pay fines or contest the citation within the time specified in these regulations can result in the sanctions set forth in WAC 478-116-540.

AMENDATORY SECTION (Amending Order 76-3, filed 10/6/76)

WAC 478-116-540 Enforcement of ~~((judgments of the university parking court))~~ decisions of citation hearing office. In addition to the actions authorized pursuant to WAC 478-116-210(2), 478-116-370(6), and 478-116-520(2):

(1) Any parking fine which ~~((, without lawful excuse, is unpaid for a period of time in excess of the time specified for payment;))~~ remains unpaid after the due date set forth in these regulations constitutes a delinquent and unpaid debt due and owing the University of Washington and may be processed for collection in accordance with applicable statutes and university procedures((-); and

(2) ((If a parking permit holder refuses or fails without lawful excuse to comply with a final judgment in the parking court, the manager of the parking division may notify the individual concerned that his or her failure to comply with the judgment of the university parking court constitutes grounds for recall of his or her parking permit as provided in WAC 478-116-370(6) and/or may subject his or her vehicle to impoundment as provided in WAC 478-116-582. If there is no response to this notice, a parking permit holder's parking privileges shall be revoked by the manager of the parking division and the vehicle made subject to impoundment if found parked on university lands.

~~(3) Any unpaid fine adjudged by the university parking court will be deducted from any refund due to revocation of parking privileges.~~

~~(4) Refusal or failure without lawful excuse to comply with a final judgment of the university parking court is a misdemeanor over which Seattle district court has jurisdiction.)~~ Any vehicle if found parked on university lands may be impounded for outstanding parking fines.

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-550 Registered owner responsible for illegal parking. In any traffic infraction or case involving a violation of this title relating to the stopping, standing or parking of a vehicle, proof that the particular vehicle described in the ~~((notice of traffic infraction))~~ citation was stopping, standing, or parking in violation of any such provision of this title together with proof of registered ownership of the vehicle at the time of the violation, shall constitute ~~((in evidence))~~ a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-582 Impoundment for failure to pay fines. Any vehicle may be impounded for outstanding fines when, after ~~((fifteen))~~ ten calendar days after ~~((judgment of the university parking court))~~ service of a final decision of

~~the citation hearing office imposing liability for fines, ((the owner has neither paid such fines nor requested a hearing before the university parking court to contest the judgment. In no case shall failure to comply with a judgment of the parking court constitute grounds for impoundment unless notice is sent to the registered owner or alleged violator prior to the hearing informing him of the violations with which he/she was charged and of his/her right to elect between paying the fine prior to the date set for hearing before the parking court or appearing on that date to contest such fines. Such notice shall clearly indicate that failure to respond by either payment of the fines or appearance in court will result in a judgment against the owner and that failure to comply with an order of the parking court will subject the vehicle to impoundment if it is found parked on university lands)) the owner has neither paid such fines nor appealed the decision to the Seattle district court. The final decision of the citation hearing office shall include notice that failure to pay outstanding fines within ten days after service will subject the vehicle to impoundment if it is found on university lands.~~

AMENDATORY SECTION (Amending WSR 91-11-029 and 91-12-047, filed 5/8/91 and 6/5/91, effective 6/8/91 and 10/1/91)

WAC 478-116-586 Impoundment of abandoned vehicles. (1) A parking enforcement or law enforcement officer discovering an apparently abandoned vehicle shall attach to the vehicle a readily visible notification sticker. The sticker shall contain the following information:

- (a) The date and time the sticker was attached;
- (b) The identity of the officer;
- (c) A statement that if the vehicle is not removed within seventy-two hours from the time the sticker is attached, the vehicle will be impounded;
- (d) The address and telephone number where additional information may be obtained.

(2) If the vehicle has an annual or quarterly permit displayed, the officer or the parking violations ~~((office))~~ division shall check the records to learn the identity of the owner. The officer or the parking violations ~~((department))~~ division shall make a reasonable effort to contact the owner by telephone in order to give the owner the information on the notification sticker.

(3) If the vehicle is not removed within the seventy-two hours from the time the notification sticker is attached, the officer may impound the vehicle.

AMENDATORY SECTION (Amending WSR 91-11-029 and 91-12-047, filed 5/8/91 and 6/5/91, effective 6/8/91 and 10/1/91)

WAC 478-116-588 Notice and redemption of impounded vehicles. (1) Not more than twenty-four hours after impoundment of any vehicle, the University of Washington police department shall mail a notice to the registered owner of the vehicle, as may be disclosed by the vehicle license number, if such be obtainable, and to any other person who claims the right to possession of the vehicle, if such a claim is known to an officer, agent or employee of the University of Washington police department who has knowledge of the impoundment. The notice shall be mailed to the registered owner at the address provided by the

Washington state department of licensing or the corresponding agency of any other state or province. If a police officer who has knowledge of the impoundment has reason to believe that an owner, or one who claims to be an owner, is residing or in custody at some different address which is known to the officer, a copy of the notice shall be mailed or personally delivered to such owner or claimant in a manner designed, as nearly as may be practicable, to give actual notice to the owner. The notice shall contain the full particulars of the impoundment, redemption, and an opportunity ~~((for a hearing))~~ to contest the propriety of the impoundment as ~~((hereinafter))~~ provided in WAC 478-116-589.

Similar notice shall be given to each person who seeks to redeem an impounded vehicle. If a vehicle is redeemed prior to the mailing of notice, the notice need not be mailed.

(2) Vehicles impounded shall be redeemed only under the following circumstances:

(a) Only the registered owner who has a valid driver's license or person authorized by the registered owner who has a valid driver's license and who produces proof of authorization and signs a receipt therefor, may redeem an impounded vehicle.

(b) Any person so redeeming a vehicle impounded shall pay the cost of such impoundment (towing and storage), together with such fines as are outstanding against the vehicle if impoundment was made pursuant to WAC 478-116-582 prior to redemption, except as provided in (c) of this subsection.

(c) Any person seeking to redeem a vehicle impounded under WAC 478-116-582, 478-116-584 or 478-116-586 has a right ~~((to a hearing))~~ to contest the validity of impoundment or the amount of towing and storage charges and shall have the vehicle released upon ~~((making a written request for a hearing to the university parking court))~~ requesting a review as provided in WAC 478-116-589, paying any outstanding fines, and executing a promissory note, naming the University of Washington as payee, in an amount to include both the costs of towing and storage and a civil penalty of fifty dollars which promissory note shall immediately become due and owing in the event such person ~~((either:~~

- (i) ~~Fails to appear at the requested hearing; or~~
- (ii) ~~Fails to pay by 6:00 p.m. the next business day following the hearing)) fails to pay within ten business days after service of a final decision of the citation hearing office on the petition contesting impoundment any towing and storage charges for which such person may be found liable.~~

(3) In addition to any other penalty which may be imposed as a result of actions described in subsection (2)(c)(i) or (ii) of this section, campus parking privileges shall be suspended until all such debts are paid.

(4) The promissory note shall be automatically cancelled and discharged when a person either:

- (a) Pays the towing and storage charges and cancels the request for a ~~((hearing))~~ review; or
- (b) ~~Pay((s the towing and storage charges by 6:00 p.m. the next business day after having been found liable therefore at the hearing provided for in this section)),~~ within ten business days after service of a final decision of the citation hearing office on the petition contesting impoundment, towing and storage charges for which such person may be liable.

NEW SECTION

WAC 478-116-589 Election to contest impoundment.

(1) A person wishing to contest impoundment of his/her vehicle may do so by completing and submitting a petition to the citation hearing office within twenty days of the date of the notice of impoundment. The petition shall include a statement explaining the reasons for contesting the impoundment. The presiding officer shall review the petition and provide written notification of his/her decision to the person submitting the petition within ten days of taking action on the petition. If the petition is denied, the notification shall include a brief statement of the reasons for the decision and information about the opportunity for further review.

(2) A person wishing to contest the decision of the presiding officer on a petition contesting impoundment may request a review by contacting the citation hearing office orally or in writing within twenty-one days after service of the decision. The request for review shall contain an explanation of the petitioner's position and a statement of reasons why the decision on the petition was incorrect. The reviewing officer shall, within twenty days of the date of the request, conduct a review and render a final written decision, which shall include a brief statement of the reasons for the decision and information about the opportunity to appeal the decision to the Seattle district court in accordance with WAC 478-116-450(5).

(3) The presiding or reviewing officer shall automatically grant a request by any party to make an oral statement with respect to a petition contesting impoundment. Such a request may be included in the petition, request for review or any response thereto. The presiding or reviewing officer shall provide reasonable notice of the time and place for receiving oral statements.

AMENDATORY SECTION (Amending WSR 91-11-029 and 91-12-047, filed 5/8/91 and 6/5/91, effective 6/8/91 and 10/1/91)

WAC 478-116-601 Fines and penalties. The following schedule of fines for violations of the rules listed below is hereby established:

OFFENSE	MAXIMUM FINE
01 Obstructing traffic	\$ 25.00
WAC 478-116-190	
02 Enter/exit without paying	20.00
WAC 478-116-110	
03 Failure to lock ignition	5.00
WAC 478-116-200	
04 Failure to set brakes	5.00
WAC 478-116-200	
05 Improper display of vehicle permit	3.00
WAC 478-116-340	
06 Permit not registered to this vehicle	5.00
WAC 478-116-060	
07 Occupying more than one stall or space	10.00
WAC 478-116-140	
08 Parking in restricted parking area	25.00
WAC 478-116-110	
09 Parking in prohibited area	25.00
WAC 478-116-130	

10 Parking on planted areas	16.00
WAC 478-116-130	
11 Parking out of assigned area	5.00
WAC 478-116-130	
12 Parking over posted time limit	16.00
WAC 478-116-110	
13 Parking with no valid permit displayed	20.00
WAC 478-116-060	
14 Parking within 15 feet of fire hydrant	25.00
WAC 478-116-130	
15 Parking at expired meter	16.00
WAC 478-116-350	
16 Parking outside cycle area	5.00
WAC 478-116-070	
17 Parking in space/area not designated for parking	12.00
WAC 478-116-130	
18 Parking while privilege suspended	50.00
WAC ((478-116-540)) 478-116-370	
19 Use of forged/stolen vehicle permit	100.00
WAC 478-116-060 and 478-116-370	
20 Impound	At cost
WAC 478-116-580	
21 Other violations of the university parking and traffic regulations	25.00
22 Failure to transfer a valid permit (upon application to the parking violations division the fine may be waived for the first offense in a 12-month period.)	3.00
WAC 478-116-340	
23 Parking in space designated for wheelchair	50.00

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 478-116-410	Establishment of court and appointment of judges.
WAC 478-116-420	Compensation for judges not based on fines.
WAC 478-116-430	Jurisdiction of the university parking court.
WAC 478-116-470	Procedure—Pleas at hearing.
WAC 478-116-480	Procedure—Oath or solemn affirmation.
WAC 478-116-490	Procedure—Rules of evidence.
WAC 478-116-500	Procedure—Examination of witnesses.
WAC 478-116-510	Procedure—Judgment.
WAC 478-116-511	Procedure—Appeal of judgment.
WAC 478-116-530	Mitigation and suspension of penalties.
WAC 478-116-560	Certain violations—When complete.

WSR 93-14-007
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3578—Filed June 23, 1993, 4:55 p.m., effective June 24, 1993, 12:01 a.m.]

Date of Adoption: June 23, 1993.

Purpose: Establishes a new program of general assistance for children who live with court-appointed legal guardians who are not relatives of a specified degree, as defined for aid to families with dependent children. New chapter 388-233 WAC.

Statutory Authority for Adoption: RCW 74.08.090 and 74.12.330.

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

Reasons for this Finding: Implements a new general assistance program for children living with court-appointed legal guardians who are not relatives of a specified degree. The new program is required due to a recent court decision described under RCW 74.12.330.

Effective Date of Rule: June 24, 1993, 12:01 a.m.

June 23, 1993

Rosemary Carr
Acting Director

Administrative Services

Chapter 388-233 WAC
GENERAL ASSISTANCE FOR CHILDREN

NEW SECTION

WAC 388-233-0010 Purpose of program. General assistance for children is a state-funded program providing for the needs of dependent children, residing with court-appointed legal guardians, who are not eligible for the aid to families with dependent children program.

NEW SECTION

WAC 388-233-0020 Summary of eligibility conditions. Effective March 11, 1993, the department shall grant general assistance for children to a child who meets the eligibility conditions stated in this chapter and:

- (1) Who resides with and is in the home of a court-appointed legal guardian; and
- (2) Who is not eligible for or not receiving aid to families with dependent children or SSI; and
- (3) Who is not under sanction for failure to comply with aid to families with dependent children or SSI requirements; and
- (4) Whose court-appointed legal guardian is not a relative of a specified degree as defined under the aid to families with dependent children program; and
- (5) Who is not living with a relative of a specified degree, as defined under the aid to families with dependent children program, who is:

- (a) A parent; or
- (b) Exercising parental control over the child.

NEW SECTION

WAC 388-233-0030 Assistance units. The general assistance for children program assistance unit shall include only the eligible child.

NEW SECTION

WAC 388-233-0040 Eligibility conditions—Program criteria. The department shall base a child's eligibility on the current requirements of the aid to families with dependent children program except for the following requirements:

- (1) The requirement to live with a relative of a specified degree; and
- (2) The requirement of participation in the JOBS program if the child is not in school.

NEW SECTION

WAC 388-233-0050 Eligibility conditions—Assignment of rights to support. (1) The court-appointed legal guardian shall assign to the office of support enforcement any rights to support in behalf of the eligible child as required under chapters 388-13 and 388-14 WAC.

(2) The department shall require the court-appointed legal guardian to promptly remit to the office of support enforcement any support received directly after assignment is made, as required under chapters 388-13 and 388-14 WAC.

NEW SECTION

WAC 388-233-0060 Eligibility conditions—Support enforcement cooperation. (1) The department shall require the court-appointed legal guardian to cooperate with the office of support enforcement in the collection of child support.

(2) The department shall waive the requirement for cooperation if the guardian claims and the department establishes good cause as specified under WAC 388-24-111.

NEW SECTION

WAC 388-233-0070 Eligibility conditions—Financial criteria. In determining financial eligibility, the department shall follow aid to families with dependent children income and resource rules. The department shall consider only the income and resources of the eligible child.

NEW SECTION

WAC 388-233-0080 Need and payment standards. The department shall use the aid to families with dependent children program need and payment rules and standards in determining eligibility and amount of grant payment.

NEW SECTION

WAC 388-233-0090 Grant payee. The department shall establish the court-appointed legal guardian as the payee for the eligible child.

EMERGENCY

NEW SECTION**WAC 388-233-0100 Redetermination of eligibility.**

The department shall redetermine eligibility for the child every six months of continuous receipt of assistance.

**WSR 93-14-009
EMERGENCY RULES
STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

[Filed June 24, 1993, 11:40 a.m.]

Date of Adoption: Thursday, June 17, 1993.

Purpose: To formally transfer the authority from the Superintendent of Public Instruction's office to the State Board for Community and Technical College to administer the adult education program for the state of Washington.

Citation of Existing Rules Affected by this Order: The Superintendent of Public Instruction will repeal the rules that formerly gave them the authority to administer the adult basic education program in the state of Washington.

Statutory Authority for Adoption: RCW 28B.50.915.

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

Reasons for this Finding: The emergency rule adoption initiates and establishes chapter 180-72 WAC relating to the adult basic education program and its administration.

Effective Date of Rule: Immediately.

June 24, 1993

Claire C. Krueger

Executive Assistant

Rules Coordinator

**Chapter 180-72 WAC
ADULT EDUCATION PROGRAM**

AMENDATORY SECTION (Amending Order 5-70, filed 4/28/70)

WAC 180-72-040 Purpose—Cooperation policy. The major purpose of adult education in the state of Washington is to raise the educational level of adults in the state who have not obtained an education consistent with their ability to learn and to provide adults disadvantaged through lack of a high school diploma with the opportunity to complete their high school education and to obtain proper recognition for it.

The several statutes relating to adult education have vested authority and responsibility for conduct of adult education programs in the community and technical colleges (~~(and the common schools and)~~) for administration and promulgation of rules and regulations in the (~~(superintendent of public instruction, the state board of education and the)~~) state board for community and technical college education. (~~(In view of the interrelated responsibilities, cooperation in the development and conduct of adult education programs by the educational agencies concerned is essential to achievement of the major purpose herein stated. The provisions of~~

~~this chapter therefore are designed to reflect and facilitate such cooperation-))~~

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-72-045 Authority—Regulatory provisions recognize intent of specific acts. The policies, rules and regulations hereinafter in WAC 180-72-050 through 180-72-075 set forth recognize the intent of (1) chapter 28B.50 RCW to (a) place major responsibility for adult education in the community and technical colleges, (b) provide for the conduct of adult education programs by the community and technical colleges, community-based organizations, and common schools under arrangements between the appropriate community or technical college (~~(and common)~~) school district, (c) permit the issuance of high school diplomas by the community and technical colleges under rules and regulations promulgated by the superintendent of public instruction and the state board of education, and (d) provide for the administration of certain federally supported adult education programs by the (~~(superintendent of public instruction in cooperation with the state director of community)~~) executive director of the state board for community and technical colleges; (2) RCW a.225.220 to permit boards of directors of common school districts to make arrangements with adults wishing to attend school; and (3) chapter aH.305 RCW which provides that the state board of education in cooperation with the state board for community and technical colleges shall prescribe course requirements for high school completion.

AMENDATORY SECTION (Amending Order 5-70, filed 4/28/70)

WAC 180-72-050 Adult education defined. For the purpose of this chapter "adult education" shall be defined as set forth in RCW 28B.50.030(11) which provides as follows: "Adult education" shall mean all education or instruction, including academic, vocational education or training, and "occupational education" provided by public educational institutions(~~(, including common school districts)~~) and community-based organizations for persons who are eighteen years of age and over or who hold a high school diploma or certificate: *Provided*, That "adult education" shall not include basic skills instruction, English as a second language, academic education or instruction for persons under twenty-one years of age who do not hold a high school degree or diploma and who are attending a public high school for the sole purpose of obtaining a high school diploma or certificate: *Provided further*, That "adult education" shall not include education or instruction provided by any four year public institution of higher education(~~(: And provided further, That "adult education" shall not include education or instruction provided by a vocational technical institute).~~

AMENDATORY SECTION (Amending Order 5-70, filed 4/28/70)

WAC 180-72-060 Adult high school completion education—Community college and common school district participation. (1) **Program authorization.** A community or technical college district and a common

school district under provisions of RCW 28B.50.530 may enter into agreement for the conduct of an adult education program by the common school district ~~((#))~~ on behalf of the community or technical college district when such program will not conflict with an existing program of the same nature and in the same geographical area conducted by the community or technical college district: *Provided*, That such program shall be established, administered and operated in accordance with procedures and guidelines prescribed by the ~~((superintendent of public instruction in cooperation with the state))~~ executive director of community and technical colleges.

(2) **Cooperative study of needs.** Community and technical colleges, community-based organizations, and common school districts are encouraged to study cooperatively the needs in their own communities for educational services designed for adults to complete their high school training and, consistent with statutory provisions and requirements prescribed in this chapter, to provide appropriate programs to meet such needs.

AMENDATORY SECTION (Amending Order 14-84, filed 10/4/84)

WAC 180-72-065 Community college high school diploma programs. (1) **Minimum requirements for high school diploma.** The minimum requirements and procedures for the issuance of a high school diploma by or through a community or technical college district shall be as prescribed by the state board of education in this section and chapters 180-51 and 180-56 WAC.

(2) **Provisions governing program for persons eighteen years of age and over.**

(a) The appropriate school district ~~((#))~~ community college or technical college education official shall evaluate the previous educational records of the student and may provide an testing to determine the student's educational level and shall recommend an appropriate course or courses of study upon the successful completion of which the student will be eligible for the high school diploma.

(b) Satisfaction of minimum course requirements may be met by one or more of the following methods—actual completion of courses regularly conducted in high school, ~~((vocational-technical institute))~~ technical college and/or community college; approved correspondence or extension courses; supervised independent study; or testing in specific subject areas.

(c) The appropriate education official shall exercise reasonable judgment in appraising the educational experience of the student either in or out of a formal school program to determine the degree to which the student has satisfied the minimum credit requirements for completion of the high school program. Consideration may be given to work experience, vocational training, civic responsibilities discharged by the adult and other evidences of educational attainment.

(d) A high school diploma shall be granted to each individual who satisfactorily meets the requirements for high school completion herein and hereinbefore in subsection (1) set forth, the said diploma to be issued by the appropriate school district ~~((#))~~ community college or technical college: *Provided*, That in the event the school district and the

community college or technical college are unable to agree as to which educational agency shall issue the said diploma, the superintendent of public instruction shall make the decision and designate the issuing agency. Records of diplomas issued under the provisions of this subsection shall be maintained by the issuing agency.

(3) **Provisions governing program for persons under eighteen years of age.**

(a) The high school principal shall evaluate the previous educational record of the individual and prior to his enrollment in courses and in cooperation with the appropriate education official of a community college or ~~((vocational-technical institute))~~ technical college shall approve the program of studies leading to the high school diploma.

(b) The student must be assigned a program supervisor.

(c) Satisfaction of the minimum credit requirements may be met by one or more of the following methods—actual completion of courses regularly conducted in high school, ~~((vocational-technical institute))~~ technical college, and/or community college; approved correspondence or extension courses; or approved supervised independent study.

(d) The school district shall grant the regular high school diploma or certificate of graduation to each individual who satisfactorily meets the requirements for high school completion herein and hereinbefore in subsection (1) set forth: *Provided*, That the school district may delegate the responsibility for granting such a diploma or certificate to the appropriate community college or ~~((vocational-technical institute))~~ technical college. Records of diplomas issued under provisions of this subsection shall be maintained by the issuing agency.

(4) Each fiscal year each community or technical college district shall file a statistical report with the state board for community and technical colleges and the state board of education, and with the review committee established by the subsection. The statistical report shall consist of, but not be restricted to, the number of high school diplomas issued for that fiscal year with subdivisions indicating students under eighteen years of age, over eighteen years of age, and those diplomas issued through special authorities such as PREP. Additional reports may be filed by the committee established herein with the state board of education and with the local board of trustees of the community college district. The form and content of these additional reports shall be determined by the ~~((state superintendent of public instruction after consultation with the))~~ executive director of the office of the state board for community ~~((college education))~~ and technical colleges in consultation with the superintendent of public instruction.

A review committee shall be established in each community and technical college district composed of professional educators working within that district. The executive director of the state board for community and technical colleges and the superintendent of public instruction shall appoint one superintendent, one high school principal, one high school counselor, and one high school teacher to serve on such committee. The president of the community or technical college district may appoint one adult educator to serve on the committee.

This committee shall meet at the direction of the superintendent of public instruction for the purpose of reviewing not more than once each year the high school

diploma program at the community or technical college in relationship to its compliance with high school diploma requirements established in chapters 180-51, 180-56 and 180-72 WAC. After each review, the committee shall prepare and submit an oral and written report to the board of trustees of the college district and a written report to the state board of education which sets forth the committee's findings and suggestions for any improvements in the program deemed necessary or advisable.

The individual members of the review committee, who are employees of a school district may request from the community or technical college district reimbursement for travel and expenses at such rates and for such purposes as are allowed state employees by law and rules of the office of program planning and fiscal management. The superintendent of public instruction may reimburse for substitutes required in connection with teacher members of the committee as provided by law.

(5) Any high school graduation diploma issued by or through a community or technical college district shall certify that the diploma is issued in compliance with high school graduation requirements established by the state board of education and procedures established by the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 5-70, filed 4/28/70)

WAC 180-72-070 Federal programs for adult education. It is the responsibility of the ~~((superintendent of public instruction in cooperation with the state))~~ executive director of community and technical colleges to administer the programs of adult education supported in whole or in part by federal monies made available for such purpose to the state board of ~~((education and/or the superintendent of public instruction;))~~ community and technical colleges, and to authorize the operation of such programs by the common school districts of the state in accordance with procedures established by the ~~((superintendent of public instruction))~~ state board of community and technical colleges: *Provided*, That the administration and operation of such adult education programs shall be consistent with the policy hereinbefore in WAC 180-72-040 set forth.

**WSR 93-14-010
EMERGENCY RULES
STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

[Filed June 24, 1993, 11:42 a.m.]

Date of Adoption: Thursday, June 17, 1993.

Purpose: To transfer the authority from the Superintendent of Public Instruction's office to the State Board for Community and Technical Colleges to adopt rules governing the eligibility of people 16 years of age or older to take the GED test.

Citation of Existing Rules Affected by this Order: The Superintendent of Public Instruction will repeal the rules that formerly gave them the authority to administer the general education development (GED) program.

Statutory Authority for Adoption: RCW 28B.50.915.

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

Reasons for this Finding: The emergency rule adoption initiates and establishes chapter 131-48 WAC relating to certificate of educational competence and the administration of the GED program for people who have not graduated from high school and are not enrolled in a regular or alternative high school program.

Effective Date of Rule: Immediately.

June 24, 1993
Claire C. Krueger
Executive Assistant
Rules Coordinator

**Chapter 131-48 WAC
CERTIFICATE OF EDUCATIONAL COMPETENCE**

NEW SECTION

WAC 131-48-010 Authority. The authority for this chapter is RCW 28B.50.915 which authorizes the state board for community and technical colleges to adopt rules governing the eligibility of persons sixteen years of age or older to take the general educational development (GED) test subject to rules adopted by the state board of education.

NEW SECTION

WAC 131-48-020 Purpose. The purpose of this chapter is to set forth policies and procedures governing the administration of the GED test and the issuance of certificates of educational competence for persons who have not graduated from high school and are not enrolled in a regular or alternative high school program.

NEW SECTION

WAC 131-48-030 Certificate of educational competence. As used in this chapter, the term "certificate of educational competence" means a certificate issued jointly by the state board for community and technical colleges and the superintendent of public instruction which indicates that the holder thereof has attained standard scores at or above the minimum proficiency level prescribed by the state board for community and technical colleges on the general educational development (GED) test, which is a measure of high school equivalency in the areas of writing skills, social studies, science, reading skills, and mathematics.

NEW SECTION

WAC 131-48-040 General educational development test—Definition. As used in this chapter, the term "general educational development test" means the most recent general educational development test of the American Council on Education.

EMERGENCY

NEW SECTION**WAC 131-48-050 Minimum proficiency level—**

Definition. As used in this chapter, the term "minimum proficiency level" means a standard score of at least forty on each of the five portions of the general educational development test, and an average standard score of at least forty-five on the entire test.

NEW SECTION**WAC 131-48-060 Official GED testing center—**

Definition. As used in this chapter, the term "official GED testing center" means public or private agencies which have agreed to comply with the provisions of this chapter and with policies and regulations of the GED Testing Service, and which have been designated by the state board for community and technical colleges, administrator of the GED testing program to administer the general educational development test. Additional official GED testing centers and local GED examiners shall be approved by the state administrator of the GED testing program at the state board for community and technical colleges when the following have been documented:

- (1) Need for a new testing site in a specific region or location;
- (2) Need for new or replacement examiner at a testing center;
- (3) Commitment of the governing board or, if none, the chief official of the proposed new testing center to meet all testing center requirements described in the *GED Examiner's Manual* published by GED Testing Service of the American Council on Education; and
- (4) Availability of testing center personnel who meet the qualifications specified in the *GED Examiner's Manual* published by the GED Testing Service of the American Council on Education.

NEW SECTION

WAC 131-48-070 Restrictions on use of general educational development tests. GED tests are designed and validated to enable persons who did not graduate from high school to earn a GED credential. Permission to use the GED tests or test results for other purposes must be obtained from the Commission on Educational Credit or GED Testing Service staff. Misuses of the tests include, but are not limited to using a GED test:

- (1) For the purposes of grade placement or promotion;
- (2) As measures of student progress in instructional programs;
- (3) As means of awarding academic credit (e.g., Carnegie units);
- (4) As means for awarding alternative credentials to currently enrolled high school students; or
- (5) As means of awarding high school diplomas or credentials.

NEW SECTION

WAC 131-48-080 Compliance with rules. Testing centers shall comply with the requirements of the testing program, and administer GED tests only to those who have

reached the age of nineteen unless an applicant who is sixteen, seventeen, or eighteen years of age has been adjudged by a school district official in accordance with rules of the state board of education to have a substantial and warranted reason for leaving the regular high school program.

NEW SECTION

WAC 131-48-090 Annual contracts. The annual contract between official testing centers, SBCTC and the GED Testing Service shall provide assurances that all state and national requirements shall be met. Failure to meet any requirement may result in cancellation of the approval and authorization of a public or private agency to act as an official GED testing center.

NEW SECTION**WAC 131-48-100 Eligibility to take the GED test.**

The following individuals shall be eligible to take the general educational development test in official GED testing centers, provided that they are not enrolled in a public, private, or home-based instruction of high school or high school completion program at the time the test is administered:

- (1) Any person age nineteen or over who has not graduated from a public or private high school.
- (2) Any person between the ages of sixteen and nineteen who has not graduated from a public or private high school and who has been adjudged by a school district in accordance with rules of the state board of education to have a substantial and warranted reason for leaving the regular high school education program.
- (3) Any student age sixteen or over who has completed an education center individual student program in accordance with the provisions of chapter 392-185 WAC.
- (4) Any person between the ages of sixteen and nineteen who has not graduated from a public or private high school, and who has completed a program of home-based instruction in compliance with RCW 28A.225.010(4) as certified by the written and notarized statement of the parent(s) or legal guardian(s) who provided the home-based instruction.
- (5) Any person who is an active member of the military, national guard, or reserves.
- (6) Adjudicated youth under the director of prisons, jails, detention centers, parole and probation offices, and other corrections facilities while enrolled in school if so ordered by a court or officer of the court.

NEW SECTION

WAC 131-48-110 Eligibility for award of certificate of educational competence. The certificate of educational competence shall be awarded jointly by the state board for community and technical colleges and the superintendent of public instruction to persons who achieve the minimum proficiency level on the general educational development test and who meet the following:

- (1) Are residents of Washington state; and
- (2) Are nineteen years of age or older on the date of issuance; or

(3) Have been adjudged by a district as possessing a substantial and warranted reason for leaving the regular high school education program.

(4) Have completed a program of home-based instruction in compliance with RCW 28A.225.010(4) and chapter 28A.220 RCW.

(5) Are active members of the military, national guard, or reserves.

(6) Are adjudicated youth under the director of prisons, jails, detention centers, parole and probation offices, and other corrections facilities and so ordered by a court or officer of the court.

NEW SECTION

WAC 131-48-120 Identification necessary to take the GED test. All persons taking the GED test must provide picture identification utilizing one of the following:

(1) State-issued driver's license or a state-issued identification card with a photograph.

(2) United States passport.

(3) Certificate of United States citizenship.

(4) Certificate of naturalization.

(5) Unexpired foreign passport.

(6) Alien registration card with photograph.

(7) Armed forces identification card.

(8) Other forms of comparable identification which the GED examiner judges to be credible including, but not limited to, one or more of the following:

(a) Other forms of picture identification;

(b) Birth certificates in combination with other sources that confirm identity; and

(c) Confirmation of identity by a law enforcement, social service, or penal agency.

NEW SECTION

WAC 131-48-130 Application form for certificate of educational competence. The state board for community and technical colleges shall supply each official GED testing center with forms for applicants to request certificates of educational competence. Such forms shall request data necessary for processing of the application, including the applicant's scores on the GED test certified by an appropriate official of the GED testing center, the applicant's Social Security number and such additional information as the state board for community and technical colleges administrator for GED testing program deems necessary for any authorized research project associated with the implementation or administration of this chapter.

NEW SECTION

WAC 131-48-140 Effect of certificate of educational competence. The award by the state board for community and technical colleges and superintendent of public instruction of a certificate of educational competence shall not preclude such persons from returning to high school to obtain a regular high school diploma if changes in the person's personal situation allow completion of a regular high school education program. However, the GED certificate or test scores may not be used as a means of awarding

academic credit (e.g., Carnegie units) or as part or all of the requirements for completing the regular high school diploma.

Receipt of a certificate of educational competence also shall not preclude such persons from enrolling in an adult high school completion program at one of the state's community or technical colleges. However, the GED certificate or test scores may not be used as a means of awarding academic credit or as part or all of the requirements for completing the adult high school completion program and receiving the adult high school diploma.

WSR 93-14-012

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 93-53—Filed June 24, 1993, 4:50 p.m.]

Date of Adoption: June 24, 1993.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19000P; and amending WAC 220-56-190.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Quotas of chinook and coho are available for harvest in coastal waters. These regulations are adopted to concur with Pacific Fisheries Management Council recommendations.

Effective Date of Rule: Immediately.

June 24, 1993

Judith Freeman

Deputy

for Robert Turner

Director

NEW SECTION

WAC 220-56-19000Q Saltwater seasons and bag limits—Salmon. Notwithstanding the provisions of WAC 220-56-180 and WAC 220-56-190, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from Catch Record Card Areas 1, 2, 3, and 4, except as provided for in this section:

(1) Areas and times open to salmon angling are as follows:

(a) Catch Record Card Area 4 - July 12 through September 30 unless closed by emergency regulation upon attainment of the sub- or overall-area coho quota. Closed to salmon angling each Friday and Saturday. Bag limit F except that no more than six salmon may be retained in any seven consecutive days.

(b) Catch Record Card Area 3 - July 5 through September 30, unless closed by emergency regulation upon attainment of the sub- or overall-area coho quota. Closed to salmon angling each Friday and Saturday. Bag limit F

except that no more than six salmon may be retained in any seven consecutive days.

(c) Catch Record Card Area 2 - Rule 5 through September 30, unless closed by emergency regulation upon attainment of the sub- or overall-area coho quota. Closed to salmon angling each Friday and Saturday. Waters outside of the 25 fathom curve are closed. Bag limit F except that no more than four salmon may be retained in any seven consecutive days.

(d) Catch Record Card Area 1, excluding waters of Columbia River Mouth Conservation Zone 1 (as defined in WAC 220-56-195) - July 5 through September 9, unless closed by emergency regulation upon attainment of the sub- or overall-area coho quota. Closed to salmon angling each Friday and Saturday. Angling from the north jetty of the Columbia River is open seven days per week during the fishery provided for in this subsection. Bag limit F except that no more than four salmon may be retained in any seven consecutive days.

(e) For purposes of this section, all salmon retained from Catch Record Card Areas 1, 2, 3, and 4 during the entire coastal saltwater salmon season, and salmon retained from Grays Harbor and Willapa Bay Catch Record Card Areas 2-1 and 2-2 prior to August 16, count as part of the cumulative catch for each consecutive seven day period.

(2) Terminal gear is limited to single point barbless hooks only.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-19000P Saltwater seasons and bag limits—Salmon. (93-27)

**WSR 93-14-014
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 3579—Filed June 25, 1993, 11:47 a.m., effective July 1, 1993, 12:01 a.m.]

Date of Adoption: June 25, 1993.

Purpose: Implements the higher education amendments of 1992 requirements which exempt all Title IV educational assistance benefits from consideration as income and resources for the AFDC program, effective July 1, 1993.

Citation of Existing Rules Affected by this Order: Amending WAC 388-28-575 Disregard of income and resources.

Statutory Authority for Adoption: RCW 74.04.050.

Other Authority: P.L. 102-325 Section 479B.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Issue field instructions to implement the requirements of the higher education amendments of 1992 which are effective July 1, 1993.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 25, 1993
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3525, filed 3/10/93, effective 4/10/93)

WAC 388-28-575 Disregard of income and resources. ~~((1) For aid to families with dependent children (AFDC))~~ Unless otherwise stated, the department shall disregard as income and as a resource the following payments for aid to families with dependent children (AFDC) and general assistance (GA):

~~((a))~~ (1) For AFDC only, the income of a Supplemental Security Income (SSI) recipient;

~~((b))~~ (2) For AFDC only, the monthly child support incentive payment from the office of support enforcement (OSE);

~~((c))~~ (3) AFDC benefits resulting from a court order modifying a department policy;

~~((d))~~ (4) Title IV-E, state and/or local foster care maintenance payments; ~~(and~~

~~(e))~~ (5) Adoption support payments if the adopted child is excluded from the assistance unit(~~(-~~

~~(2) For AFDC and general assistance unemployable (GA-U), the department shall disregard as income and as a resource: (a));~~

(6) Bona fide loans as specified under WAC 388-28-480(4). The department shall consider loans bona fide when the loan is a debt the borrower has an obligation to repay;

~~((b))~~ (7) Educational assistance, in the form of grants, loans, or work study, issued to a student (~~(under))~~ from the following sources:

(a) Title IV(~~(-A))~~ of the Higher Education Amendments; or

(b) Bureau of Indian Affairs (~~((Public Law (P.L.) 99-498 amended by P.L. 100-50), or the Carl D. Perkins Vocational and Applied Technology Education Act (P.L. 101-391), for attendance costs as identified by the institution. For a student attending school:~~

(i) ~~At least half-time, attendance costs include tuition, fees, books, supplies, transportation, and miscellaneous personal expenses); or~~

(ii) ~~Less than half-time, attendance costs include tuition and fees student assistance programs.~~

~~((e))~~ (8) Grants or loans made or insured under any programs administered by the department of education to an undergraduate student (~~(insured by the commissioner of education))~~ for educational purposes;

(9) Educational assistance in the form of grants, loans, or work study, issued under the Carl D. Perkins Vocational and Applied Technology Education Act (P.L. 101-391), for attendance costs as identified by the institution. For a student attending school:

(a) At least half-time, attendance costs include tuition, fees, costs for purchase or rental of equipment, materials, or supplies required of all students in the same course of study, books, supplies, transportation, dependent care, and miscellaneous personal expenses; or

(b) Less than half-time, attendance costs include tuition, fees, and costs for purchase or rental of equipment, materi-

EMERGENCY

als, or supplies required of all students in the same course of study.

(10) Educational assistance in the form of grants, work study, scholarships, or fellowships, from sources other than those identified in subsections (7), (8), and (9) of this section for attendance costs as identified by the institution. Attendance costs include tuition, fees, costs for purchase or rental of equipment, materials, or supplies required of all students in the same course of study, books, supplies, transportation, dependent care, and miscellaneous personal expenses;

((d)) (11) Any remaining ((grants, work study, scholarships, or fellowships)) educational assistance, in the form of grants, work study, scholarships, or fellowships, not disregarded in subsections (7), (8), (9) or (10) of this section, as allowed under WAC 388-28-578;

((e)) (12) The earned income disregards in WAC 388-28-570(6) for AFDC and WAC 388-37-025 for GA-U to any work study earnings received and not ((excluded)) disregarded in ((subsection (2)(b), (e), and (d))) subsections (7), (8), (9), (10), and (11) of this section;

((f)) (13) Payment under Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646, section 216);

((g)) (14) The food coupon allotment under Food Stamp Act of 1977;

((h)) (15) Compensation to volunteers under the Domestic Volunteer Act of 1973 (P.L. 93-113, Titles I, II, and III);

((i)) (16) Benefits under women, infants, and children program (WIC);

((j)) (17) Food service program for children under the National School Lunch Act of 1966 (P.L. 92-433 and 93-150);

((k)) (18) Energy assistance payments;

((l)) (19) Indian trust funds or lands held in trust (including interest and investment income accrued while such funds are held in trust) by the Secretary of the Interior for an Indian Tribe, including but not limited to funds issued ((pursuant to) under the Maine Indian Claims Settlement Act of 1980 (P.L. 96-420);

((m)) (20) Per capita judgment funds under P.L. 97-408 to members of the:

((n)) (a) Blackfeet Tribe of the Blackfeet Indian Community, Montana;

((o)) (b) Gros Ventre Tribe of the Fort Belknap Reservation, Montana; and

((p)) (c) Assiniboine Tribe of the Fort Belknap Indian Community.

((q)) (21) Indian judgment funds or funds held in trust by the Secretary of the Interior distributed per capita under P.L. 93-134, 94-114, 97-458, or 98-64. In addition:

((r)) (a) "Initial investments" means real or personal property purchased directly with funds from the per capita payment up to the amount of the funds from the per capita payment((-);

((s)) (b) Income derived either from the per capita payment or the initial investments shall be treated as newly acquired income per WAC 388-28-482 and 388-28-484;

((t)) (c) When the initial investments are nonexempt resources, appreciation in value shall be applied to the resource ceiling valued as specified under WAC 388-28-435(1). When appreciation is in excess of the applicable

ceiling value, the department shall apply WAC 388-28-438(2). The department shall determine appreciation in value at the time of eligibility review; and

((u)) (d) The disregard does not apply to per capita payments or initial investments from per capita payments which are transferred or inherited.

((v)) (22) Two thousand dollars per person per calendar year received under the Alaska Native Claims Settlement Act (P.L. 92-203 and 100-241)((-);

((w)) (23) Veterans' Administration educational assistance for the student's educational expenses and child care necessary for school attendance;

((x)) (24) Housing and Urban Development (HUD) community development block grant funds that preclude use for current living costs;

((y)) (25) Restitution payments made under the Wartime Relocation of Civilians Act, P.L. 100-383. The department shall disregard income and resources derived from restitution payments;

((z)) (26) A previous underpayment of assistance under WAC 388-33-195;

((aa)) (27) Payment from the annuity fund established by the Puyallup Tribe of Indians Settlement Act of 1989 (P.L. 101-41), made to a Puyallup Tribe member upon reaching twenty-one years of age.

((ab)) (a) "Initial investments" means real or personal property purchased directly with funds from the annuity fund payment up to the amount of the funds from the annuity fund payment.

((ac)) (b) The department shall treat income derived either from the annuity fund payment or the initial investments as newly acquired income per WAC 388-28-482 and 388-28-484.

((ad)) (c) When the initial investments are nonexempt resources, the department shall apply appreciation in value to the resource ceiling value as specified under WAC 388-28-435(1). When appreciation is in excess of the applicable ceiling value, the department shall apply WAC 388-28-438(2). The department shall determine appreciation in value at the time of eligibility review.

((ae)) (d) The department shall treat proceeds from the transfer of the initial investments according to WAC 388-28-471. After sixty days, if funds are in excess of the applicable ceiling value, the department shall apply WAC 388-28-438(2) for AFDC and WAC 388-28-440 (3) and (4) for GA-U.

((af)) (28) Payments from the trust fund established by the P.L. 101-41 made to a Puyallup Tribe member;

((ag)) (29) Payments made from the Agent Orange Settlement Fund or any other funds established to settle Agent Orange liability claims (P.L. 101-201). The effective date of the disregard is retroactive to January 1, 1989;

((ah)) (30) Payments made under the Disaster Relief Act of 1974 (P.L. 93-288) as amended by Disaster Relief and Emergency Assistance amendments of 1988 (P.L. 100-707). This applies to assistance issued by federal, state, or local governments or by a disaster assistance organization;

((ai)) (31) Payments from the Radiation Exposure Compensation Act (P.L. 101-426) made to an injured person, surviving spouse, children, grandchildren, or grandparents; and

EMERGENCY

((+)) (32) Income specifically excluded by any other federal statute from consideration as income or resource.

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

WSR 93-14-015
EMERGENCY RULES
DEPARTMENT OF REVENUE

[Filed June 25, 1993, 1:50 p.m., effective July 1, 1993]

Date of Adoption: June 25, 1993.

Purpose: To implement chapter 25, Laws of 1993 1st ex. sess., by repealing, amending, and adding new sections to existing chapter 458-61 WAC.

Citation of Existing Rules Affected by this Order: See repealer section below; amending WAC 458-61-030 Definitions, 458-61-050 Payment of tax—County treasurer as agent for the state, 458-61-060 Disposition of proceeds, 458-61-070 Affidavit batch transmittal, 458-61-080 Affidavit requirements, 458-61-090 Interest and penalties—Date of sale (new title—formerly: Timing of payment—Late payment penalty), 458-61-100 Refunds of tax paid, 458-61-120 Evasion penalty (new title—formerly: Fraud), 458-61-130 Department audit responsibility, 48-61-150 Supplemental statements, 458-61-200 Apartments, 458-61-210 Assignments—Purchasers, 485-61-220 Assignments—Sellers, 458-61-230 Bankruptcy, 458-61-250 Cemetery lots or graves, 458-61-300 Contractor, 458-61-330 Foreclosure—Deeds in lieu of foreclosure (new title—formerly: Court order—Transfer pursuant to), 458-61-335 Easements, development rights, water rights and air rights (new title—formerly: Development rights and air rights), 458-61-340 Community property—Dissolution of marriage/divorce, 458-61-370 Exchanges—Trades, 458-61-400 Creation, assignment and release of security interests (new title—formerly: Fulfillment deed), 458-61-410 Gifts and inheritances (new title—formerly: Gifts), 458-61-420 Government transfers (new title—formerly: Improvements sold on leased land), 458-61-470 Irrigation equipment, 458-61-480 IRS "tax deferred" exchange, 458-61-510 Leases (new title—formerly: Lease with option to purchase), 458-61-520 Mineral rights and mining claims (new title—formerly: Mineral rights), 458-61-540 Mobile and floating home sales (new title—formerly: Mobile home sales), 458-61-550 Nominee, 458-61-555 Option to purchase, 458-61-590 Rescission of sale, 458-61-610 Rerecord, 458-61-640 Sheriff's sale, 458-61-650 Tenants in common and joint tenants (new title—formerly: Tenants in common), 458-61-660 Timber, standing and 458-61-670 Trade-in credit; and New sections WAC 458-61-015 General information, 458-61-025 Taxability of the transfer or acquisition of the controlling interest of an entity with an interest in real property located in this state, 458-61-235 Boundary line adjustments, 458-61-255 Clearing title, 458-61-375 Exemption—Mere change in identity or form—Family corporations and partnerships, 458-61-376 Exemption—Transfers where gain is not recognized under the Internal Revenue Code, 458-61-548 Native American, and 458-61-553 Nonprofit organizations.

Statutory Authority for Adoption: RCW 82.32.300.

Other Authority: Chapter 25, Laws of 1993 1st ex. sess. Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Effective date of new provisions of law regulating real estate excise tax are effective July 1, 1993. These rules govern the procedures required by taxpayers to comply and by department of revenue to administer this tax.

Effective Date of Rule: July 1, 1993.

June 25, 1993
 Gary K. O'Neil
 Assistant Director

Reviser's note: The material contained in this filing will appear in the 93-16 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

WSR 93-14-028
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Order 3580—Filed June 28, 1993, 4:53 p.m., effective July 1, 1993, 12:01 a.m.]

Date of Adoption: June 28, 1993.

Purpose: HB 2130 moves the administrative responsibility of the AIDS insurance program from Department of Health to the medical assistance administration within the Department of Social and Health Services. New chapter 388-539 WAC, Acquired human immunodeficiency syndrome insurance program.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: HB 2130.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: HB 2130 provides for the Department of Social and Health Services to pay health insurance coverage with funds appropriated on behalf of persons with AIDS.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 28, 1993
 Rosemary Carr
 Acting Director
 Administrative Services

Chapter 388-539 WAC
ACQUIRED HUMAN IMMUNODEFICIENCY SYN-
DROME INSURANCE PROGRAM

NEW SECTION

WAC 388-539-001 Purpose. The department shall administer state funds appropriated to ensure health insurance coverage for a person:

- (1) Incapacitated by acquired human immunodeficiency syndrome (AIDS), as defined under WAC 388-539-050; and
- (2) Who meets the department's eligibility requirements described under WAC 388-539-100.

NEW SECTION

WAC 388-539-050 Definitions. For the purpose of this chapter, "acquired human immunodeficiency syndrome" means the illness characterized by the diseases and conditions defined and described by the state board of health under WAC 246-100-011(1).

NEW SECTION

WAC 388-539-100 Eligibility. (1) The department shall pay health insurance premiums for a client with AIDS and who is liable for the health insurance premium, when the client meets the following conditions:

- (a) Is ineligible for Medicaid or state-funded medical programs operated by the department;
 - (b) Is eligible for continuation coverage insurance benefits as provided for by the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, group health insurance, or individual health insurance coverage if cost effective; and
 - (c) Has personal assets equal to or less than fifteen thousand dollars, excluding a home used as a primary residence, and a car.
- (2) A client's eligibility under the program shall cease when the person:
- (a) Dies;
 - (b) Is no longer eligible for insurance under subsection (1) of this section; or
 - (c) Moves out of state.

NEW SECTION

WAC 388-539-150 Premium payment. The department shall pay a maximum premium payment not to exceed fifty percent of the estimated average monthly expenditure for covered services for a comparable Medicaid client during the same fiscal year.

WSR 93-14-029
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3582—Filed June 28, 1993, 4:54 p.m., effective July 1, 1993, 12:01 a.m.]

Date of Adoption: June 28, 1993.

Purpose: SHB establishes medical care and payment for care for jail inmates. Law specifies who pays for jail inmate medical care and states that all jail inmates receive appropriate and cost-effective emergency and necessary medical care.

New WAC 388-87-200 Payment for jail inmates' medical care.

Statutory Authority for Adoption: RCW 74.08.090.
Other Authority: SHB 1469 and RCW 70.48.130.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: SHB 1469 establishes medical care and payment for care for jail inmates.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 28, 1993

Rosemary Carr

Acting Director

Administrative Services

NEW SECTION

WAC 388-87-200 Payment for jail inmates medical care. (1) The department shall directly reimburse the medical care provider in accordance with the rates and benefits set by the department, when a county or city jail inmate receives emergency or necessary medical care and meets the eligibility requirements for medical care programs authorized under Chapter 74.09 RCW.

(2) The medical care provider and the governing unit as described under RCW 70.48.130, shall be responsible for payment for any remaining balance, including unpaid client liabilities that are a condition of eligibility.

(3) Total payment from all sources to the medical care provider for covered medical services provided to jail inmates eligible for coverage under Chapter 74.09 RCW shall not exceed the amount the department pays for such services under the Medicaid program.

(4) The governing unit shall provide the department and medical care provider with information concerning the jail inmate's ability to pay for medical care.

(5) The governing unit or medical care provider may obtain reimbursement from the inmate for the cost of services not covered by the department, either directly or seek civil or criminal remedies. As part of a judgment and sentence, the courts may order a defendant to repay the medical costs incurred by the governing unit or medical care providers during confinement.

WSR 93-14-030
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3583—Filed June 28, 1993, 4:55 p.m., effective July 1, 1993, 12:01 a.m.]

Date of Adoption: June 28, 1993.

Purpose: In WAC 388-49-520, this amendment removes that portion of subsection (3)(a) having to do with budgeting student financial aid prospectively, and brings WAC 388-49-520 into conformance with 7 CFR 273.21 (f)(2)(iii) which requires student financial aid to be budgeted retrospectively over the period intended.

EMERGENCY

Citation of Existing Rules Affected by this Order:
Amending WAC 388-49-520 Prospective income budgeting
and 388-49-535 Special circumstances.

Statutory Authority for Adoption: RCW 74.04.510 and
74.04.570.

Other Authority: 7 CFR 273.21 (f)(2)(iii).

Pursuant to RCW 34.05.350 the agency for good cause
finds that state or federal law or federal rule or a federal
deadline for state receipt of federal funds requires immediate
adoption of a rule.

Reasons for this Finding: WAC 388-49-520 and 388-
49-535 amendments conform to 7 CFR 273.21 (f)(2)(iii)
which requires that student financial aid be prorated and
budgeted retrospectively over the period intended to cover.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 28, 1993

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3425, filed
7/23/92, effective 9/1/92)

WAC 388-49-520 Prospective income budgeting. (1)
The department shall budget income, income deductions, and
income exclusions prospectively for the first two beginning
months, except for student financial aid.

(2) The department shall budget income, income
deductions, and income exclusions prospectively for the
entire certification period for:

- (a) Households in which all adult members are elderly
or disabled and do not have earned income;
- (b) Migrant households;
- (c) Seasonal farmworker households; and
- (d) Households in which all members are homeless
individuals.

(3) The department shall budget the following income,
income deductions, and income exclusions prospectively,
except as provided under WAC 388-49-535(6):

(a) ~~((Monthly student financial aid, except for work
study;~~

~~((b)))~~ Public assistance as defined under WAC 388-22-
030 except for Supplemental Security Income (SSI); and

~~((c)))~~ (b) Income from a new household member for
the first two months of participation when the:

- (i) Household timely reports the new member; and
- (ii) New member has not received benefits within the
last calendar month.

AMENDATORY SECTION (Amending Order 3184, filed
5/31/91, effective 7/1/91)

**WAC 388-49-535 Special circumstances—Income
budgeting.** The department shall:

(1) Budget additional public assistance payments either
prospectively or retrospectively, using only the amount
authorized for the month the income is received.

(2) Budget countable student financial aid retrospectively.

(3) Annualize and then prorate the following income to
determine eligibility and benefit levels in the beginning
months if:

(a) Self-employment income is received other than
monthly; or

(b) Contract income is received in less than one year.

(c) After the first beginning months, the department
shall use actual income received in the corresponding budget
month.

~~((3))~~ (4) When a participating household member
establishes a new household:

(a) Remove that member from the prior household; and

(b) Use the method of income budgeting that was in
effect in the prior household.

~~((4))~~ (5) Consider either prospectively or retrospective-
ly over the period the expense is intended to cover, expenses
that have been averaged if the household:

(a) Has expenses that fluctuate or are billed less often
than monthly; and

(b) Chooses to have the expenses averaged.

~~((5))~~ (6) When adding or deleting a household mem-
ber, add or delete that person's income, following change of
circumstance rules in WAC 388-49-610.

~~((6))~~ (7) Consider income exclusions and deductions
retrospectively in households having income budgeted both
prospectively and retrospectively.

WSR 93-14-031

EMERGENCY RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3581—Filed June 28, 1993, 4:56 p.m., effective July 1, 1993,
12:01 a.m.]

Date of Adoption: June 28, 1993.

Purpose: Division of Alcohol and Substance Abuse
changed outpatient chemical treatment policies. The changes
involving medical assistance administration's medical
programs are reflected in these rules and provide references
to the DASA's rules. Adds new rule on chemical dependen-
cy outpatient services, named WAC 388-86-300.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-83-006 Medical care services, 388-86-
005 Services available to recipients of categorical needy
medical assistance, 388-86-024 Enhanced benefits for
pregnant women, 388-86-300 Chemical dependency outpa-
tient services, and 388-87-005 Payment—Eligible providers
defined.

Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: Changes in the Division of
Alcohol and Substance Abuse (DASA) program requires
changes in the MAA's medical programs.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 28, 1993
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 2539, filed 9/17/87)

WAC 388-83-006 Medical care services. (1) The department shall provide state-funded medical care services within the limitations set forth under these rules and regulations to any ~~((individual who has been))~~ client certified as eligible to receive:

- (a) Continuing general assistance~~((?))~~; or
- (b) Alcohol and drug addiction services provided under ~~((sections 1 through 8 of))~~ the Alcoholism and Drug Addiction Treatment and Support Act ~~((of 1987 (chapter 406, Laws of 1987)))~~ chapter 74.50 RCW.

(2) The ~~((recipient))~~ client shall ~~((be responsible for furnishing))~~ furnish the medical care provider ~~((of medical services))~~ with a medical identification ~~((coupon))~~ card or other adequate verification of eligibility ~~((provided by))~~ from the department.

AMENDATORY SECTION (Amending Order 3309, filed 1/15/92, effective 2/15/92)

WAC 388-86-005 Services available to recipients of categorical needy medical assistance. (1) The department shall provide the following Title XIX mandatory services:

- (a) Early and periodic screening diagnosis and treatment services to an eligible person twenty years of age or under;
- (b) Family planning services;
- (c) Federally qualified health center services;
- (d) Home health agency services;
- (e) Inpatient and outpatient hospital care;
- (f) Medicare certified rural health clinic services;
- (g) Other laboratory and x-ray services;
- (h) Skilled nursing home care;
- (i) Certified registered nurse practitioner services; and
- (j) Physicians' services in the office or away from the office as needed for necessary and essential medical care.

(2) The department shall provide the following Title XIX optional services:

- (a) Anesthesia services;
 - (b) Blood;
 - (c) Chiropractic services;
 - (d) Drugs and pharmaceutical supplies;
 - (e) Eyeglasses and examination;
 - (f) Hearing aids and examinations;
 - (g) Hospice services;
 - (h) Licensed midwife services;
 - (i) Maternity support services;
 - (j) Oxygen;
 - (k) Personal care services;
 - (l) Physical therapy services;
 - (m) Private duty nursing services;
 - (n) Surgical appliances;
 - (o) Prosthetic devices and certain other aids to mobility;
- and
- (p) Dental services.

(3) The department shall limit organ transplants to the cornea, heart, heart-lung, kidney, kidney-pancreas, liver, pancreas, single lung, and bone marrow.

(4) The department shall provide treatment, dialysis, equipment, and supplies for acute and chronic nonfunctioning kidneys when the ~~((recipient))~~ client is in the home, hospital, or kidney center as described under WAC 388-86-050~~((5))~~(12).

(5) The department shall provide detoxification and medical stabilization to chemically using pregnant women in a hospital.

(6) The department shall provide detoxification of acute alcohol or other drug intoxication only in a certified detoxification center or in a general hospital having a detoxification provider agreement with the department.

(7) The department shall provide outpatient chemical dependency treatment in programs qualified under chapter 275-25 WAC and certified under chapter 275-19 WAC or its successor.

(8) For services available under the:

(a) Limited casualty program-medically needy, see chapter 388-99 WAC; and

(b) Limited casualty program-medically indigent, see chapter 388-100 WAC.

(9) The department may require a second opinion and/or consultation before the approval of any elective surgical procedure.

(10) The department shall designate diagnoses that may require surgical intervention:

(a) Performed in other than a hospital in-patient setting; and

(b) Requiring prior approval by the department for a hospital admission.

(11) The department shall assure the availability of necessary transportation to and from medical services covered under a ~~((recipient's))~~ client's medical program.

AMENDATORY SECTION (Amending Order 3094, filed 11/20/90, effective 12/21/90)

WAC 388-86-024 Enhanced benefits for pregnant women. (1) The department shall provide enhanced benefits to a Medicaid ~~((recipient))~~ client during each pregnancy and through the end of the month containing the sixtieth day after the pregnancy ends.

(2) The enhanced benefits include:

(a) Maternity support services, by a provider approved by the division of parent-child health services, consisting of:

- (i) Nursing assessment and/or counseling visit;
- (ii) Psychosocial assessment and/or counseling visit;
- (iii) Nutrition assessment and/or counseling visit;
- (iv) Community health worker visit; and
- (v) Child birth/parenting education.

(b) Outpatient alcohol and drug treatment consisting of:

- (i) A chemical dependency assessment by an Alcohol and Drug Abuse Treatment and Service Act assessment center or the outpatient treatment provider as defined under chapter 275-19 WAC or its successor; and
- (ii) Chemical dependency treatment.

(c) Vitamins and nonprescription drugs as listed in the department's formulary; and

(d) Transportation as provided under WAC 388-86-085.

(3) The ~~((recipient))~~ client ~~((has))~~ shall have the freedom of choice:

- (a) To receive maternity support services;
- (b) Of qualified maternity support services providers; and
- (c) To be referred for outpatient alcohol and drug treatment, unless ordered by the court.

(4) The department shall pay per ~~((recipient))~~ client a maximum of:

- (a) Ten contacts for assessment/counseling and community health worker visits under subsection (2)(a) of this section. The department shall pay for additional contacts when the maternity support services provider documents the need for additional contacts;
- (b) One contact for child birth/parenting education; and
- (c) One contact for an alcohol and drug treatment assessment under subsection (2)(b) of this section~~((; and~~
- ~~(d) Two hundred hours of outpatient chemical dependency treatment)).~~

NEW SECTION

WAC 388-86-300 Chemical dependency outpatient services. (1) The department shall provide chemical dependency outpatient treatment services to a Medicaid client.

(2) The department shall provide a maximum of one hundred and fifteen hours of outpatient chemical dependency services per client in a twenty-four-month period. The department shall exclude from this limitation a client who is:

- (a) Participating in a youth chemical dependency treatment program;
- (b) Participating in a methadone chemical dependency treatment program; or
- (c) Pregnant or up to twelve months post pregnancy.

(3) The department shall provide exceptions to the service limitations under subsection (2) of this section for chemical dependency outpatient treatment services to a Medicaid client based on medical and clinical necessity.

AMENDATORY SECTION (Amending Order 3545, filed 5/12/93, effective 6/12/93)

WAC 388-87-005 Payment—Eligible providers defined. (1) The following providers shall be eligible for enrollment to provide medical care to eligible clients:

- (a) Persons currently licensed by the state of Washington to practice medicine, osteopathy, dentistry, optometry, podiatry, midwifery, nursing, dental hygiene, chiropractic, or physical, occupational, speech, or respiratory therapy;
- (b) A hospital currently licensed by the department of health;
- (c) A facility currently licensed and classified by the department as a nursing facility or an intermediate care facility for the mentally retarded (ICF-MR);
- (d) A licensed pharmacy;
- (e) A home health services agency licensed under chapter 70.127 RCW;
- (f) A hospice care agency licensed under chapter 70.127 RCW;
- (g) An independent (outside) laboratory certified to participate under Title XVIII or determined currently to meet the Medicare requirements for such participation;

(h) A company or person, not excluded in subsection (3) of this section, supplying items vital to the provision of medical services such as ambulance service, oxygen, eyeglasses, other appliances, or approved services~~((;))~~ not otherwise covered under this section;

(i) A provider of screening services having a signed agreement with the department to provide such services to eligible persons in the early and periodic screening and diagnosis and treatment (EPSDT) program;

(j) A qualified and approved center for the detoxification of acute alcohol or other drug intoxication conditions;

(k) A qualified and approved outpatient clinical community mental health center, an approved inpatient psychiatric facility, ~~((a qualified and approved chemical dependency treatment facility,))~~ or Indian health service clinic;

(l) A chemical dependency facility:

(i) Certified by the division of alcohol and substance abuse under chapter 275-19 WAC, or its successor; and

(ii) Included in a coordinated continuum of chemical dependency services per a county plan under Chapter 275-25 WAC or its successor.

(m) A Medicare-certified rural health clinic;

~~((m))~~ (n) A federally qualified health care center;

~~((n))~~ (o) Licensed or certified agencies or persons having a signed agreement with the department to provide coordinated community AIDS service alternatives program services:

(i) Home care agency personal care providers or self-employed independent contractors providing hourly attendant or respite care;

(ii) Facilities or agencies providing therapeutic-home-delivered meals;

(iii) Dietitians or nutritionists; and

(iv) Social workers, mental health counselors, or psychologists who are self-employed independent contractors or employed by various licensed or certified agencies.

~~((o))~~ (p) Approved prepaid health maintenance, prepaid health plans, or health insuring organizations;

~~((p))~~ (q) An out-of-state provider of services listed under subsection (1)(a) through ~~((m))~~ (l) of this section subject to conditions specified under WAC 388-87-105;

~~((q))~~ (r) A Washington state school district or educational service district;

~~((r))~~ (s) A licensed birthing center; and

~~((s))~~ (t) A Medicare-certified ambulatory surgical center.

(2) The department shall not pay for services performed by the following practitioners:

- (a) Acupuncturists;
- (b) Sanipractors;
- (c) Naturopaths;
- (d) Homeopaths;
- (e) Herbalists;
- (f) Masseurs or manipulators;
- (g) Christian Science practitioners or theological healers;

and

(h) Any other licensed or unlicensed practitioners not otherwise specifically provided for under the rules of this chapter.

(3) Conditions of provider enrollment.

(a) Nothing in this section shall bind the department to enroll all eligible providers capable of delivering covered

EMERGENCY

services. The department shall demonstrate the department's plan for service delivery creates adequate access to covered services.

(b) When a provider has a restricted professional license or has been terminated, excluded, or suspended from the Medicare/Medicaid programs, the department shall not enroll the provider unless the department determines the violations leading to the sanction or license restriction are not likely to be repeated. In the department's determination, the department shall consider whether the provider has been convicted of offenses related to the delivery of professional or other medical services not considered during the development of the previous sanction.

(c) The department shall not reinstate in the medical assistance program, a provider suspended from Medicare or suspended by the United States Department of Health and Human Services (DHHS) until DHHS notifies the department that the provider may be reinstated.

(d) Nothing in this subsection shall preclude the department from denying provider enrollment if, in the opinion of the medical director, medical assistance administration, the provider constitutes a danger to the health and safety of clients.

**WSR 93-14-034
EMERGENCY RULES
DEPARTMENT OF HEALTH**

[Order 374—Filed June 29, 1993, 3:58 p.m.]

Date of Adoption: June 28, 1993.

Purpose: To repeal chapter 246-340 WAC, Second trimester abortion facilities, in accordance with the passage of Initiative 120 that eliminated the department's statutory authority to regulate.

Citation of Existing Rules Affected by this Order: Repealing chapter 246-340 WAC.

Statutory Authority for Adoption: RCW 43.70.040.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Amendments to chapter 9.02 RCW eliminated the department's authority to regulate abortion facilities.

Effective Date of Rule: Immediately.

June 28, 1993
Bruce Miyahara
Secretary

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 246-340-001 Purpose.
- WAC 246-340-010 Definitions.
- WAC 246-340-020 Facilities approved for termination of pregnancy.
- WAC 246-340-030 Certificate of approval required.
- WAC 246-340-040 Application for certificate of approval.

- WAC 246-340-050 Issuance, duration, and assignment of certificate of approval.
- WAC 246-340-060 Form of application for certificate of approval and inspection.
- WAC 246-340-070 Notice of decision—Adjudicative proceeding.
- WAC 246-340-080 Nonhospital facilities approved for termination of pregnancy during the second trimester.
- WAC 246-340-090 HIV/AIDS education and training.
- WAC 246-340-100 Reporting of pregnancy terminations.
- WAC 246-340-110 Disclosure of information.
- WAC 246-340-990 Fees.

**WSR 93-14-040
EMERGENCY RULES
DEPARTMENT OF FISHERIES**

[Order 93-57—Filed June 29, 1993, 4:16 p.m., effective July 1, 1993]

Date of Adoption: June 25, 1993.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-57-140.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: There are harvestable numbers of chinook and coho in the Chehalis system. This rule is being proposed as a permanent rule and this interim measure is needed during promulgation and adoption.

Effective Date of Rule: July 1, 1993.

June 25, 1993
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-57-14000N Chehalis River. Notwithstanding the provisions of WAC 220-57-140, effective July 1, 1993 until further notice those waters of the Chehalis River downstream from the Mellon Street Bridge in Centralia are open under Bag Limit A.

**WSR 93-14-047
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Public Assistance)

[Order 3584—Filed June 29, 1993, 4:30 p.m., effective July 1, 1993, 12:01 a.m.]

Date of Adoption: June 29, 1993.

EMERGENCY

Purpose: Expands managed care mandatory enrollment and allows for a new health delivery model called primary care case management to provide coordinated care to clients. Establishes a new chapter of managed care for contracts with the department effective July 1, 1993. New chapter 388-538 WAC, Managed care.

Citation of Existing Rules Affected by this Order: Amending WAC 388-86-00902 Mandatory prepaid health care plans.

Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: Expands managed care mandatory enrollment. Allows for a new health delivery model called primary care case management. Establishes a new chapter of managed care for contracts effective after July 1, 1993.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 29, 1993

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3401, filed 6/9/92, effective 7/10/92)

WAC 388-86-00902 Mandatory prepaid health care plans. (1) The department shall enroll designated program category clients residing in the service area of a mandatory enrollment prepaid health care plan, except as provided in subsections (5) and (6) of this section.

(2) For the purposes of this section, "mandatory prepaid health care plan" shall be referred to as "a plan." A plan means the department shall:

(a) Require a client in a specified service area who is eligible for a designated program category to join a health care plan; and

(b) Pay a premium to a health care plan for contracted health care provided to the client.

(3) The department may offer optional enrollment to additional program category eligible groups with the agreement of a plan.

(4) Timely provision of services means a client shall have the right to receive medically necessary health care without unreasonable delay.

(5) Before enrolling in a plan, a client may request an exemption from enrolling. The department may exempt the client, for whom medically necessary care is required, and a contracted plan is unable to provide the medically necessary care. In making the exemption determination, the department's consideration shall include, but not be limited to whether:

(a) Distance makes it unreasonably difficult for the client to obtain medical care; or

(b) The absence of services accessible to disabled persons makes it unreasonably difficult for the client to obtain medical care.

(6) Tribal Indians eligible under subsection (1) of this section may choose to enroll in a plan. Once enrolled in a plan, the Tribal Indian can only be disenrolled according to subsection (12) of this section.

(7) Emergencies and emergency transportation services are exempt from a plan's routine medical care authorization procedures. Emergency service means a situation in which a person requires immediate medical services to avoid placing a person's health in serious jeopardy or alleviate a condition manifesting itself by acute symptoms, including severe pain, discomfort, or emergency active labor and delivery.

(a) The client shall not be responsible for determining, or for the cost of determining, if an emergency exists.

(b) If an emergency exists, the client shall not be financially responsible for any services rendered.

(c) If an emergency does not exist, and a plan will not authorize further services, the client shall be financially responsible for further services received only if the client is informed and agrees, in writing, to the responsibility before receiving the services as described under WAC 388-87-010(7).

(8) A client aggrieved by a decision of a plan or the department has the right to a fair hearing as required under chapter 388-08 WAC:

(a) Except as provided in subdivision (b) and (c) of this subsection, a client shall exhaust a plan's grievance procedure before requesting a fair hearing. A plan's grievance procedure shall result in a written decision stating the basis for the decision. The client has the right to request a fair hearing if the decision is adverse or the written decision is not received within thirty days from the date a plan received the grievance. A plan may be a party to the fair hearing.

(b) In any case where a plan denies a client urgently needed medical care, a client need only provide a written grievance to a plan before or when requesting a fair hearing.

(c) A client requesting exemption from enrolling in a plan shall file a written request with the department. If not satisfied with the department's decision, the client may request a fair hearing. A plan may be a party to the fair hearing.

(9) Each client enrolled in a plan shall have a primary care provider (PCP):

(a) Clients shall have an opportunity to choose a PCP from current plan providers;

(b) A plan shall assign a client not choosing a participating provider to a PCP;

(c) Clients shall have the right to change their PCP:

(i) One time during a twelve-month period for any reason; and

(ii) For subsequent changes during the twelve-month period the client shall first show good cause.

(d) When requesting a change of PCP the client shall notify a plan of the:

(i) Desired change including the name of the new PCP; and

(ii) Reason for the desired change.

(10) The client shall have the right to a second opinion by another participating physician or specialist of a plan:

(a) When the client needs more information as to the medical necessity of medical treatment recommended by the PCP; or

(b) If the client believes the PCP is not authorizing medically necessary care.

(11) When medically necessary, the PCP shall make a prompt referral to another participating physician or specialist of a plan.

(12) The department may terminate enrollment of a client in a plan when a:

(a) Client loses eligibility for a plan; or

(b) Client requests disenrollment under the same considerations as subsection (5) of this section; or

(c) Plan requests disenrollment of the client, in writing, and a:

(i) Plan establishes the client's behavior is:

(A) Inconsistent with a plan's rules and regulations, such as intentional misconduct; or

(B) Such that it becomes medically nonfeasible to safely or prudently provide medical care; and

(ii) Plan's requested disenrollment is approved by the medical assistance administration. The medical assistance administration shall:

(A) Make a decision on the requested disenrollment within fifteen days of the receipt of the request; and

(B) Notify the client ten days in advance of the effective date of disenrollment for any approved disenrollment.

(13) A plan shall not request disenrollment of a client solely due to an adverse change in the client's health.

(14) The department shall require a plan to appoint a medical director or designee who:

(a) Shall be responsible for the plan's quality assurance program and shall review all plan grievances; and

(b) Furnishes the medical assistance administration with a copy of all written grievances and a plan's response to such grievances.

(15) On at least an annual basis, the department shall arrange for and a plan shall permit an independent, external review of the quality of client services provided or arranged by a plan.

(16) This section shall apply to contracts in effect before July 1, 1993. See chapter 388-538 WAC for contracts effective July 1, 1993.

Chapter 388-538 WAC MANAGED CARE

NEW SECTION

WAC 388-538-001 Purpose. For contracts effective on or after July 1, 1993, the department may contract with health care plans or primary care case managers to provide medical services directly to a client or arrange for a client to receive medical care according to the contract between the department and a plan or primary care case managers.

NEW SECTION

WAC 388-538-050 Definitions. For the purpose of this chapter:

(1) "Coordinated care" means a comprehensive system of medical and health care delivery including preventative, primary, specialty, and ancillary services. Coordinated care involves having clients enrolled with or assigned to a primary care provider, in a plan or with an independent

provider, responsible for arranging or delivering all contracted medical care.

(2) "Enrolled client" means a client eligible for Medicaid and receiving services from a health care plan or primary care case management provider who has a contract with the department.

(3) "Emergency services" shall mean medical or other health services which are rendered for a medical condition (including emergency labor and delivery) manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:

(a) Placing the patient's health in serious jeopardy;

(b) Serious impairment to bodily functions; or

(c) Serious dysfunction of any bodily organ or part.

(4) "Health care plan" means an organization contracting with the department, offering a health care plan that provides and/or pays for medical services provided to an eligible enrolled client in exchange for a department prepaid monthly set rate. A health care plan shall be referred to in this chapter as "a plan."

(5) "Persons with special health care needs" means persons having ongoing health conditions that:

(a) Have a biologic, psychologic, or cognitive basis;

(b) Have lasted or are virtually certain to last for at least one year; and

(c) Produce one or more of the following sequelae:

(i) Significant limitation in areas of physical, cognitive, or emotional function;

(ii) Dependency on medical or assistive devices to minimize limitation of function or activities;

(iii) In addition for children:

(A) Significant limitation in social growth or developmental function;

(B) Need for psychologic, educational, medical or related services over and above the usual for the child's age; or

(C) Special ongoing treatments such as medications, special diets, interventions or accommodations at home or at school.

(6) "Primary care provider" means a provider who has responsibility for supervising, coordinating, and providing initial and primary care to clients, initiating referrals for specialist care, and maintaining the continuity of patient care. A primary care provider shall be either:

(a) A physician, who meets the criteria under WAC 388-87-007;

(b) Advanced registered nurse practitioner, who meets the criteria under WAC 388-87-007; or

(c) Licensed physician assistants.

(7) "Primary care case management" means a model of health care where a physician, ARNP, physician assistant, community/migrant health center, health department, or clinic agrees to provide primary health care services and coordinate other preventative, specialty, and ancillary health care in exchange for a monthly case management fee for each client managed. Primary care case management shall be referred to in this section as "PCCM."

(8) "Timely provision of services" means a client has the right to receive medically necessary health care without unreasonable delay.

NEW SECTION

WAC 388-538-060 Eligible client. (1) The department shall require a client, eligible for certain designated medical program categories, to enroll in a plan or under PCCM when the client resides in the contracted service area of a plan or PCCM, except as provided in WAC 388-538-080.

(2) The department shall assign a client to a plan or a PCCM provider when the client does not choose a plan or PCCM.

NEW SECTION

WAC 388-538-070 Managed care payment. The department shall pay a:

(1) Set rate to a plan for contracted health care provided to the client; and

(2) Monthly management fee under PCCM in addition to a fee for covered services provided to the client.

NEW SECTION

WAC 388-538-080 Managed care exemptions. (1) The department shall not require a client to enroll or to continue enrollment in a contracted plan or PCCM when medically necessary care is not reasonably available and accessible to the client under any of the plans offered.

(2) In making the exemption determination, the department shall consider medically necessary services not reasonably available and accessible when:

(a) The limited English-speaking or hearing-impaired client can communicate in the client's primary language with a health provider not participating in a plan or under PCCM;

(b) The nature of the client's health care needs is specialized and/or complex, such that available plans or PCCM are unable to adequately meet those needs, including but not limited to persons with special health care needs as defined in WAC 388-358-020;

(c) The distance is over twenty-five miles, travel time greater than forty-five minutes, or other transportation difficulties make it unreasonably difficult for a client to obtain medical care from a plan or under PCCM;

(d) The client is homeless or is expected to reside in temporary housing or a shelter for less than sixty days from date the client requests the exemption;

(e) The client's treating provider is not a member of a plan, or a PCCM provider and the treating provider has determined that the established treatment plan or plan of care is essential to the client's physical or mental health; or

(f) Before enrollment, a pregnant woman has started prenatal care with an obstetrical provider who is not a member of a plan or under PCCM.

(3) A client requesting an exemption from enrolling in a plan or under PCCM shall file a request with the department. The department shall timely notify the client of the exemption decision. The client may file a fair hearing when the client is not satisfied with the department's decision as described under WAC 388-81-040.

NEW SECTION

WAC 388-538-090 Client's choice of primary care provider. (1) Each client enrolled in managed care shall have a primary care provider (PCP).

(2) A client shall have an opportunity to choose a PCP from available providers.

(3) A plan shall assign a client to a PCP when the client enrolls in a plan and does not choose PCP in the plan.

(4) A client in a plan shall have the right to change a PCP:

(a) One time during a twelve-month period for any reason; and

(b) For subsequent changes during the twelve-month period, only for documented good cause. The client shall notify a plan of the:

(i) Desired change including the name of the new PCP; and

(ii) Reason for the desired change.

(5) A client enrolled with a PCCM shall have the right to change PCCM for any reason.

NEW SECTION

WAC 388-538-095 Medical services The department shall pay separately, on a fee-for-service basis, only for medical services covered under the department's medical care programs that a managed care contract does not cover. Such services include transportation as described under WAC 388-86-085.

NEW SECTION

WAC 388-538-100 Managed care emergency services (1) Emergencies and emergency transportation services shall be exempted from routine medical care authorization procedures of a plan or under PCCM.

(2) A client shall not be responsible for determining if an emergency exists or for the cost of such determination.

(3) In a medical emergency, the client shall not be financially responsible for covered managed care services provided.

(4) When an emergency does not exist, and the client's plan PCP does not authorize services, the client shall be financially responsible for further services received only when the client is informed and agrees, in writing, to the responsibility before receiving the services as described under WAC 388-87-010.

NEW SECTION

WAC 388-538-110 Client grievances (1) A client aggrieved by a decision of a plan, PCCM, or the department shall have the right to a fair hearing as required under WAC 388-81-040.

(2) A client enrolled in a plan:

(a) Shall exhaust a plan's grievance procedure before requesting a fair hearing, except in subsection (2)(c)(iii) of this section;

(b) Shall receive a written decision stating the basis for the grievance decision;

(c) May request a fair hearing when a:

(i) Grievance decision is adverse;

- (ii) Plan does not respond in writing within thirty days from the date the client requests the grievance; or
- (iii) Plan denies a client urgently needed medical care and the client requests a grievance in writing.

NEW SECTION

WAC 388-538-120 Client request for a second medical opinion (1) The client enrolled in a plan shall have the right to a second opinion by another physician or specialist participating in the client's assigned plan:

(a) When the client needs more information as to the medical necessity of medical treatment recommended by the PCP; or

(b) If the client believes the PCP is not authorizing medically necessary care.

(2) The client enrolled with a PCCM shall have the right to a second opinion by another provider or specialist the same as in (1)(a) or (b) of this section.

(3) When medically necessary, the client shall be promptly referred to:

(a) Another participating physician or specialist of a plan, when enrolled in a plan; or

(b) Another provider or specialist when enrolled under PCCM.

NEW SECTION

WAC 388-538-130 Enrollment termination. The department may terminate enrollment of a client when a:

(1) Client loses eligibility for a medical eligibility category which requires enrollment;

(2) Client requests and medical assistance administration (MAA) approves disenrollment under the same considerations as under WAC 388-538-080; or

(3) Plan or PCCM requests in writing to MAA disenrollment of the client and:

(a) A plan or PCCM establishes that the client's behavior is:

(i) Inconsistent with a plan's or PCCM's rules and regulations, such as intentional misconduct; or

(ii) Such that it become medically infeasible to safely or prudently provide medical care; and

(b) MAA approves a plan's or PCCM's request:

(i) Within fifteen days from the day of receipt of the request; and

(ii) Notifies the client ten days in advance of the effective date of disenrollment.

NEW SECTION

WAC 388-538-140 Quality of care. The department shall require:

(1) A plan to appoint a medical director or designee who:

(a) Shall be responsible for the plan's quality assurance program and shall review all plan grievances; and

(b) Furnishes MAA with a copy of all written grievances and a plan's response to such grievances.

(2) A PCCM to provide adequate documentation for quality assurance review.

NEW SECTION

WAC 388-538-150 Managed care medical audit (1) At least once a year, the department shall conduct a medical audit of a plan or PCCM to ensure the quality and accessibility of health care services provided or arranged by a plan or PCCM for enrolled clients.

(2) A plan or PCCM shall permit such medical audit.

(3) The department may conduct or contract independently for such medical audit.

**WSR 93-14-048
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 3585—Filed June 29, 1993, 4:31 p.m., effective July 1, 1993, 12:01 a.m.]

Date of Adoption: June 29, 1993.

Purpose: Management of the private duty nursing program for the exceptional care program is shifted to the aging and adult services administration within the Department of Social and Health Services. Management of the private duty nursing program for the medically intensive home care program for children is shifted to the division of developmental disabilities within the Department of Social and Health Services effective July 1, 1993.

Citation of Existing Rules Affected by this Order: Amending WAC 388-86-071 Private duty nursing services. Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: Program management moved to a different administration within the Department of Social and Health Services.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 29, 1993

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3281, filed 11/19/91, effective 12/20/91)

WAC 388-86-071 Private duty nursing services. (1) The department shall ~~((approve))~~ provide private duty nursing services when:

(a) The ~~((recipient))~~ client would otherwise be institutionalized;

(b) The care is provided in a noninstitutional setting;

(c) The services are medically necessary;

(d) ~~((The cost of the services will not exceed the cost of:~~

~~((i) Available skilled nursing facility care as determined by the exceptional rate review; or~~

EMERGENCY

~~(ii) Hospital care if skilled nursing facility care is not available;~~

~~(e))~~ The ~~((recipient))~~ client requires more nursing care than is available through ~~((intermittent))~~ home health nursing services;

~~((f))~~ (e) A registered or licensed practical nurse provides the care under the direction of a physician; and

~~((g) The medical assistance administration gives prior approval to the overall plan of care.)~~

(f) The client meets the requirement of the:

(i) Medically intensive home care program;

(ii) Exceptional care program; or

(iii) End-stage HIV/AIDS program.

(2) For the purpose of this section:

(a) "Medically eligible" means a client having a complex medical need that requires continuous skilled nursing care which can be provided safely outside an institution; and

(b) "Private duty nursing" means four hours or more of continuous skilled nursing services in the home to eligible clients with complex medical needs which cannot be managed within the scope of intermittent home health services.

(3) The division of development disabilities' medically intensive home care program (MIHCP) shall provide private duty nursing services to medically eligible children seventeen years of age and under when:

(a) Services meet the criteria for private duty nursing in subsection (1) of this section;

(b) The cost of private duty nursing does not exceed the cost of institutional care;

(c) Division of development disabilities gives prior approval to the overall plan of care; and

(d) Division of development disabilities may require a family member or other caregiver, who is trained, available, and reliable to participate in the nursing care for at least eight or more hours to supplement the overall plan of care.

(4) Aging and adult services administration may authorize up to sixteen hours per day of private duty nursing services under the exceptional care program (ECP) to a client eighteen years of age and over when:

(a) The services meet the criteria for private duty nursing in subsection (1) of this section;

(b) The cost of care does not exceed the cost of nursing facility care as determined by the exceptional rate review;

(c) Aging and adult administration requires a family member or other caregiver, who is trained, available, and reliable to participate in the nursing care for at least eight or more hours to supplement the overall plan of care; and

(d) Aging and adult services administration gives prior approval to the overall plan of care.

(5) The department may authorize private duty nursing services to medically eligible end-stage HIV/AIDS clients when:

(a) The private duty nursing services meet the criteria under subsection (1) of this section;

(b) The cost of private duty nursing does not exceed the cost of institutional care;

(c) Infusion therapy lasting for a continuous four hours requires continuous monitoring by a licensed nurse and the:

(i) Caregiver is unable to assume the care of the client or the client is unable to do self care; and

(ii) Client is homebound.

(d) Medical assistance administration gives prior approval to the overall plan of care.

(e) There is coordination with other agencies providing care to end-stage HIV/AIDS clients. The clients requiring over four hours of private duty nursing shall be referred to the appropriate agency.

(6) The ((recipient)) client and/or family may pay for supplemental services, not covered in the approved plan of care, as provided in WAC 388-83-010(3). A division or administration shall not authorize supplemental funding of other division or administration program.

~~((3))~~ (7) The department shall contract only with Washington state licensed home health agencies as providers for ~~((special))~~ private duty nursing services.

~~((a) Current providers, as of October 1, 1991, shall be Washington state licensed as home health agencies by April 1, 1992.~~

~~(b) New providers shall be Washington state licensed before the department will contract with them as providers for special duty nursing services.)~~

WSR 93-14-049
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3586—Filed June 29, 1993, 4:32 p.m., effective July 1, 1993, 12:01 a.m.]

Date of Adoption: June 29, 1993.

Purpose: Implements the higher education amendments of 1992 which exclude Title IV educational assistance as income when determining food stamp benefits.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-450 Income—Earned and 388-49-470 Income—Exclusions.

Statutory Authority for Adoption: RCW 74.04.510.

Other Authority: 479B of 1992 higher education amendments.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Higher education amendments of 1992 exclude all Title IV funded student educational assistance, including work study.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 29, 1993
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 2800, filed 5/24/89)

WAC 388-49-450 Income—Earned. (1) The department shall consider the following as earned income:

(a) Wages and salaries;

(b) Gross income from self-employment, including total gain from the sale of any capital goods or equipment related

to the business, and excluding the cost of doing business. Self-employment income includes:

(i) Income from rental property if a household member is managing the property an average of twenty hours or more a week; and

(ii) Payments from a roomer; and

(iii) Payments from a boarder except for child foster care payments.

(c) Training allowances from vocational and rehabilitative programs:

(i) Recognized by federal, state, or local governments; and

(ii) Are not a reimbursement.

(d) Payments under Title I of the Domestic Volunteer Service Act;

(e) Advance on wages;

(f) Earnings by persons nineteen years of age and older from on-the-job training programs under JTPA;

(g) ~~((State and federal work study funds;~~

~~((h)))~~ Money from the sale of blood or blood plasma; and

~~((i)))~~ ~~((h))~~ Military basic allowance for quarters and basic allowance for subsistence in lieu of provided housing and/or food.

(2) The department shall verify gross nonexempt earned income except for expedited service households:

(a) Prior to initial certification;

(b) At reapplication if amount has changed more than twenty-five dollars; and

(c) On a monthly basis for households subject to monthly reporting.

AMENDATORY SECTION (Amending Order 3475, filed 10/28/92, effective 12/1/92)

WAC 388-49-470 Income—Exclusions. (1) The department shall exclude the following income:

(a) Money withheld from an income source to repay a prior overpayment from that same income source except for money withheld to recoup an intentional public assistance program overpayment;

(b) Income specifically excluded by any federal statute from consideration as income in the food stamp program;

(c) The earned income of household members who are:

(i) Seventeen years of age or under; and

(ii) Attending school at least half time.

(d) Infrequent or irregular income, received during a three-month period by a prospectively budgeted household, that:

(i) Cannot be reasonably anticipated as available; and

(ii) Shall not exceed thirty dollars for all household members.

(e) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred;

(f) Nonrecurring lump sum payments;

(g) The cost of producing self-employment income;

(h) ~~((The portion of))~~ Educational assistance financed in whole or in part with Title IV funds;

(i) Educational ~~((assistance))~~ expenses earmarked by the school or actually ~~((used))~~ paid by the student for:

(i) Tuition;

(ii) Mandatory fees, including rental or purchase of equipment, materials, and supplies related to pursuing the course of study;

(iii) Books;

(iv) Supplies;

(v) Transportation; and

(vi) Miscellaneous personal expenses.

~~((h)))~~ ~~((j))~~ Reimbursements for past or future expenses to the extent the reimbursements do not:

(i) Exceed the actual expense; and

(ii) Represent a gain or benefit to the household.

~~((h)))~~ ~~((k))~~ Any gain or benefit not in money;

~~((h)))~~ ~~((l))~~ Vendor payments as defined in WAC 388-49-020;

~~((h)))~~ ~~((m))~~ Money received and used for the care and maintenance of a third-party beneficiary who is not a household member;

~~((h)))~~ ~~((n))~~ Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs;

~~((h)))~~ ~~((o))~~ Energy allowances included in AFDC, continuing general assistance, and refugee assistance grants.

Number in Grant Assistance Unit	Energy Exclusion
1	\$ 55
2	71
3	86
4	102
5	117
6	133
7	154
8 or more	170

~~((h)))~~ ~~((p))~~ Support payments owed to a household member, but specified by the support court order or other legally binding written support or alimony agreement to go directly to a third-party beneficiary rather than to the household;

~~((h)))~~ ~~((q))~~ Support payments on behalf of a household member, not required by the support court order or other legally binding written support or alimony agreement and paid directly to a third party rather than to the household;

~~((h)))~~ ~~((r))~~ Payments from the individual and family grant program;

~~((h)))~~ ~~((s))~~ Public assistance payments:

(i) Over and above the regular warrant amount;

(ii) Not normally a part of the regular warrant; and

(iii) Paid directly to a third party on behalf of the household.

~~((h)))~~ ~~((t))~~ From Jobs Training Partnership Act programs:

(i) Allowances; and

(ii) Earnings from on-the-job training by household members under parental control and eighteen years of age and younger.

~~((h)))~~ ~~((u))~~ Cash donations based on need:

(i) Received directly by the household;

(ii) From one or more private, nonprofit, charitable organizations; and

(iii) Not exceeding three hundred dollars in any federal fiscal year quarter.

~~((h)))~~ ~~((v))~~ Earned income credit.

EMERGENCY

(2) When earnings or amount of work performed by a household member described in subsection (1)(c) of this section, cannot be differentiated from the earnings or work performed by other household members, the department shall:

(a) Prorate the earnings equally among the working members; and

(b) Exclude the household member's pro rata share.

(3) When the intended beneficiaries of a single payment for care and maintenance of a third-party beneficiary include both household members and persons not in the household, the department shall exclude:

(a) Any identifiable portion intended and used for the care and maintenance of the person out of the household; or

(b) The lessor of:

(i) The actual amount used from a single payment for the care of a person outside the household; or

(ii) A prorata share of the single payment when the single payment does not identify the portion intended for the care of the person outside the household.

WSR 93-14-053

EMERGENCY RULES

STATE BOARD FOR

COMMUNITY AND TECHNICAL COLLEGES

[Filed June 30, 1993, 10:02 a.m.]

Date of Adoption: June 17, 1993.

Purpose: Readoption of emergency rules for project even start until September 1993 when the State Board for Community and Technical Colleges will adopt permanently.

Citation of Existing Rules Affected by this Order: The Superintendent of Public Instruction will repeal chapter 392-315 WAC after we adopt emergency rules.

Statutory Authority for Adoption: Chapters 28A.610 and 28B.50 RCW.

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

Reasons for this Finding: The state's five vocational technical institutes merged with our system in 1991. At that same time, project even start administration transferred from the Superintendent of Public Instruction to our agency. The emergency rule adoption will formalize that transfer and allow for any final language to be considered prior to permanent rule adoption by the State Board for Community and Technical Colleges in September 1993.

Effective Date of Rule: Immediately.

June 30, 1993

Claire C. Krueger

Executive Assistant

Agency Rules Coordinator

**Chapter 131-47 WAC
PROJECT EVEN START**

NEW SECTION

WAC 131-47-010 Authority. The authority for this chapter is chapter 28A.610 RCW which authorizes the state board for community and technical colleges to promulgate rules for the establishment and administration of project even start.

NEW SECTION

WAC 131-47-015 Purpose. The purpose of this chapter is to set forth policies and procedures for the administration of project even start, including the establishment of eligibility criteria for the award of grants to eligible grantees.

NEW SECTION

WAC 131-47-020 Public policy goals of project even start. The public policy goals of project even start are to:

(1) Recognize that parents can be the most effective teachers for their children.

(2) Provide illiterate or semiliterate parents with opportunities to acquire basic skills and child development knowledge that will enhance their ability to assist and support their children in the learning process.

(3) Enhance children's learning experiences in the formal education environment by providing children with the motivation and positive home environment which contributes to enhanced academic performance.

NEW SECTION

WAC 131-47-025 Project even start—Definition. As used in this chapter, the term "project even start" means a program primarily designed to provide illiterate or semiliterate parents with basic skills instruction and which may include instruction in child development knowledge and other eligible program components as provided in WAC 392-315-030.

NEW SECTION

WAC 131-47-030 Child development knowledge—Definition. As used in this chapter, the term "child development knowledge" means information about characteristics of child growth, including differences in development, and the role of child-parent interaction in supporting the developmental process.

NEW SECTION

WAC 131-47-035 Other eligible program components—Definition. As used in this chapter, the term "other eligible program components" means one or more of the following:

(1) Transportation.

(2) Child care.

(3) Other activities and/or resources determined by the state board for community and technical colleges to be

EMERGENCY

directly necessary activities to accomplish the purpose of project even start.

NEW SECTION

WAC 131-47-040 Eligible grantee—Definition. As used in this chapter, the term "eligible grantee" means any public agency or private nonsectarian program or organization.

NEW SECTION

WAC 131-47-045 Eligible parents—Definition. As used in this chapter, the term "eligible parents" means one or more parents, which may be a biological or foster parent, a guardian, or a person with whom a child resides, and who meets the following two part test:

(1) Is illiterate or semilliterate, i.e., has less than an eighth grade ability in one or more basic skill areas: Provided, That in the case of parents whose primary language is other than English, eighth grade ability shall be determined on the basis of performing basic skill activities in their native language.

(2) Has a child enrolled in one of the following programs:

(a) State early childhood education and assistance program.

(b) Federal head start program.

(c) State or federally funded elementary school—i.e., grades K-8—basic skills program serving students who have scored below the national average of the basic skill areas of reading, language arts, or mathematics.

(d) A cooperative nursery—e.g., preschool or day care—at a community or technical college.

(e) A bilingual education/ESL program which includes children who are eligible for programs listed in (a) through (d) of this subsection.

(f) A program that serves children with special needs who are eligible for programs listed in (a) through (d) of this subsection.

NEW SECTION

WAC 131-47-050 Basic skills—Definition. As used in this chapter, the term "basic skills" means reading, language arts, and mathematics, including the readiness skills associated with such skills.

NEW SECTION

WAC 131-47-055 Standardized test—Definition. As used in this chapter, the term "standardized test" means any recognized test of adult basic skills and/or ESL that has received the prior approval of the state board for community and technical colleges.

NEW SECTION

WAC 131-47-060 Transportation—Definition. As used in this chapter, the term "transportation" means transport of the eligible parents or children thereof provided directly by the eligible grantee or reimbursed by such eligible grantee pursuant to the allowances provided in WAC 392-141-190(2).

NEW SECTION

WAC 131-47-065 Child care—Definition. As used in this chapter, the term "child care" means adult supervision of children of eligible parents provided directly by the eligible grantee or reimbursed by such eligible grantee pursuant to a written contract either with the provider of the day care or with the eligible parent.

NEW SECTION

WAC 131-47-070 Directly necessary activities—Definition. As used in this chapter, the term "directly necessary activities" means reasonable services and activities that are needed to remove barriers that inhibit participation of eligible parents in the even start project.

NEW SECTION

WAC 131-47-075 Indirect expenditures—Definition. As used in this chapter, "indirect expenditures" means those expenditures for administration of the organization as well as support service, fiscal support, and maintenance of facilities.

NEW SECTION

WAC 131-47-080 Assurance of nonsupplanting—Program standard. No application for an even start project grant shall be approved by the state board for community and technical colleges unless the authorized agent of the eligible grantee provides assurance to the state board for community and technical colleges of compliance with RCW 28A.610.030(4)—i.e., "State funds . . . shall be used solely to expand and complement, but not supplant, federal funds for adult literary programs."

NEW SECTION

WAC 131-47-085 Assurance of cooperation with the department of social and health services regarding public assistance reports—Program standard. No application for an even start project grant shall be approved by the state board for community and technical colleges unless the authorized agent of the eligible grantee agrees to assist eligible parents in any reporting requirement of the department of social and health services related to compliance with RCW 28A.610.030(3)—i.e., "fulfillment of . . . work and training obligation for the receipt of public assistance."

NEW SECTION

WAC 131-47-090 Assurance to submit annual evaluation report to the state board for community and technical colleges. No application for an even start project grant shall be approved by the superintendent of public instruction unless the authorized agent of the eligible grantee agrees to submit to the state board for community and technical colleges on a date established by the state board for community and technical colleges an annual evaluation report which shall contain the following:

(1) Progress made by adult enrolled as evidence by:

(a) Grade equivalent or standardized test scores by basic skills at beginning and end of enrollment in even start programs.

(b) Total number of instructional hours offered.

(c) Total number of instructional hours actually received by participants.

(2) Effect of parents' participation in even start on children of enrollees as evidenced by:

(a) Preinterviews and post interviews of parents; and/or

(b) Other independent verifications of the parent's effect on the child's education.

(3) Summary impressions on the most effective methods and materials for serving specific populations.

(4) Observations regarding the effect of support services on program participation.

(5) Recommendations for program improvements.

(6) Estimated need for even start programs in service area versus number of participants enrolled.

(7) Such additional information as the state board for community and technical colleges shall request related to the effectiveness of the funded project even start.

NEW SECTION

WAC 131-47-095 Reporting requirements. Successful applicants for project even start will be required to report fiscal, program, and client data to state board for community and technical colleges upon request.

At a minimum, applicants are required to ensure that:

(1) Financial systems allow for effective control and accountability for all program funds, property, and other assets, including use for authorized purposes only.

(2) Accounting systems will meet and comply with generally accepted accounting principles. Transactions will be supported by source documentation which identifies the source and use of the contract funds.

(3) The agency records management system provides for systematic accumulation; filing; retention of appropriate records; all contract documentation of accountability and an inventory of nonexpendable items. Included are vouchers; receipts; materials and equipment cost; facilities usage; and, general indirect costs.

(4) Program and client data are available at a minimum on a quarterly basis. Monthly attendance records are kept on all participants.

NEW SECTION

WAC 131-47-100 Request for even start project grants to the state board for community and technical colleges. Any eligible grantee may submit a request to the state board for community and technical colleges for an even start project grant. Such request must be reviewed and approved by the governing board of the requesting public or private agency and shall include the assurances required by WAC 392-315-075, 392-315-080, and 392-315-085.

NEW SECTION

WAC 131-47-105 Assurance of cooperation with state auditor. No application for an even start project grant shall be approved by the state board for community and technical colleges unless the authorized agent or eligible grantee agrees to provide written assurance that an audit will be permitted if deemed appropriate by the state auditor.

NEW SECTION

WAC 131-47-110 Assurance of service to targeted groups. No application for an even start project grant shall be approved by the state board of community and technical colleges unless the authorized agent or eligible grantee agrees to provide written assurance that even start programs will serve one or more of the following groups:

(1) Single heads of household.

(2) Parents of early childhood education assistance program (ECEAP) participants.

(3) Parents of federal head start program participants.

(4) Public assistance recipients.

(5) Ethnic minorities.

(6) Limited English-proficient parents who are below the eighth grade literacy level in their own language.

(7) Parents of children with special needs.

NEW SECTION

WAC 131-47-115 Priority groups. Programs funded under project even start shall give priority to serving parents with children who have not yet enrolled in kindergarten or are in grades kindergarten through three.

NEW SECTION

WAC 131-47-120 Date of receipt of even start project proposals. In order to be considered for possible funding, an even start project proposal must be received in the office of the state board for community and technical colleges by 5:00 p.m. of the date set forth in the bulletin of the state board for community and technical colleges requesting the submission of even start project proposals.

NEW SECTION

WAC 131-47-125 Even start advisory committee. An advisory committee composed of at least one representative from among the following agencies/groups shall make recommendations to the state board for community and technical colleges regarding the implementation and operation of project even start and the proposal selection process:

Office of superintendent of public instruction, department of social and health services, department of community development, community-based agencies, adult basic education directors, local literacy councils, parent-education specialists, state university colleges of education, common school districts, education service districts, ethnic minority commissions, a local board of education, a business or industry with a commitment to education, and professional organizations devoted to early childhood education, reading instruction, and English as a second language (ESL) instruction, and department of social and health services or common school programs serving children with special needs in grades P-3. A selection committee approved by the advisory committee shall evaluate the proposals submitted under project even start. Members of the selection committee will not be from commissions, agencies, organizations, or schools which have submitted proposals, and, must not personally benefit from the outcome of the selection process.

NEW SECTION

WAC 131-47-130 Duties of even start advisory committee. The even start advisory committee shall select subcommittees of not more than seven members of the committee, or individuals approved by the committee to:

(1) Evaluate requests for proposals and make recommendations for funding to the state board for community and technical colleges, including the need for the state board for community and technical colleges to negotiate the terms, conditions, or funding of any grant proposal. Members of the selection subcommittee will not be from commissions, agencies, organizations, or schools which have submitted even start proposals and must not personally benefit from the outcome of the selection process.

(2) Make recommendations to the state board for community and technical colleges on the administration and operation of project even start, including the need to change any statute or rule affecting project even start.

(3) Develop the bylaws that govern the activities of the advisory committee.

NEW SECTION

WAC 131-47-135 Priority projects. In accordance with RCW 28A.610.040, "before developing and funding new adult literacy programs to carry out the purposes of project even start.", the state board for community and technical colleges shall fund the existing adult literacy programs and parent related programs which meet the conditions established in this chapter and are offered by the following agencies:

- (1) Common schools.
- (2) Community and technical colleges.
- (3) Community-based, nonprofit organizations.

NEW SECTION

WAC 131-47-140 Coordination of programs. Even start programs shall coordinate their services with programs that enroll the participants' children. Such coordination is essential for several reasons:

(1) Parent participation opportunities in the children's programs enable parents to become involved in their children's learning and development.

(2) Resources available to children and parents through state funded early childhood education and assistance programs and federally funded head start programs and other programs serving at risk children complement those available to parents through even start.

(3) The support network of parents and instructional personnel offered through the children's programs will complement, extend, and continue the parent education component beyond participants' period of active involvement in the even start program.

NEW SECTION

WAC 131-47-145 Evaluation criteria for project even start. Proposals for even start funds shall be evaluated according to the following criteria:

(1) The applicant's likely success in meeting the goals of this program;

(2) The need for literacy, basic skills, and child development instruction for illiterate and semiliterate parents of young children in the geographical area served by the applicant. All proposals must contain data which identify the estimated number of males and females to be served, the estimate of limited English-speaking adults and ethnic minorities to be enrolled, the number of anticipated public assistance recipients to be served, and the number of anticipated percentage of participants with children enrolled in early childhood education and assistance programs (ECEAP) and head start programs;

(3) The applicant's ability to design a unique program of instruction for parents which integrates instruction in literacy, basic skills, and child development knowledge;

(4) The linkages between the applicant's program and the instructional programs serving the children of the parents being served: Head start programs, early childhood education assistance program (ECEAP), state or federally funded elementary school basic skills programs serving students who have scored below the national average on basic skills tests, and cooperative preschools at community or technical colleges;

(5) The applicant's plan for evaluating the effect of the program on both the parent participants and their preschool or school aged children;

(6) The cost-effectiveness of the program; and the reasonableness of the budget;

(7) The applicant's administrative capability; and

(8) The applicant's ability to cooperate and coordinate between a variety of relevant service providers in all phases of the program and the ability and willingness to leverage other resources to support the participants and the program.

NEW SECTION

WAC 131-47-150 Performance standards for project even start. Programs proposed under project even start shall:

(1) Reflect instructional methods, staffing patterns, curricula, and utilization of resources which reflect current research in adult learning theory, first and second language literacy acquisition, the role of parents in the child's acquisition of language, and effective parenting skills;

(2) Be sensitive to the social, cultural, and ethnic differences of the participants, and shall respond to those differences in the program design;

(3) Offer adult services at least ten hours per week for a minimum of ten weeks and for at least thirty weeks within a fifty-two week period.

NEW SECTION

WAC 131-47-155 Administrative expenditures. Administration expenditures (i.e., direct and indirect) for programs funded under project even start may not exceed ten percent of the total grant awarded.

NEW SECTION

WAC 131-47-160 Liability insurance. The state board for community and technical colleges assumes no liability with respect to bodily injury, illness, accident, theft, or any other damages or losses concerning persons or

property, or involving the applicant's equipment or vehicles. Successful applicants who are nonpublic entities shall have the responsibility of providing adequate insurance coverage to protect against legal liability arising out of activities.

NEW SECTION

WAC 131-47-165 Bonding. Every officer, director, or employee of a nonpublic entity who is authorized to act on behalf of the applicant or any subcontractor for the purpose of receiving or depositing funds into program accounts or issuing financial documents, checks, or other instruments of payment for program costs will be bonded to provide protection against loss.

**WSR 93-14-061
EMERGENCY RULES
PERSONNEL RESOURCES BOARD**

[Order 424—Filed June 30, 1993, 11:31 a.m., effective July 1, 1993]

Date of Adoption: June 25, 1993.

Purpose: This chapter of Title 356 WAC establishes the career executive program which provides for career development of recognized managers and to provide mobility of such employees among agencies.

Citation of Existing Rules Affected by this Order: Repealing chapter 356-47 WAC, Career executive program.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

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

Reasons for this Finding: This emergency adoption is to comply with the adoption of the civil service bill (ESHB 2054) which becomes effective July 1, 1993.

Effective Date of Rule: July 1, 1993.

June 25, 1993
Dennis Karras
Secretary

REPEALER

The following chapter of the Washington Administrative Code is repealed:

356-47 Career executive program.

**WSR 93-14-066
EMERGENCY RULES
PERSONNEL BOARD**

[Order 423—Filed June 30, 1993, 11:37 a.m., effective August 5, 1993]

Date of Adoption: June 25, 1993.

Purpose: All the rules proposed for amendment shown below apply to different kinds of leave usage.

Citation of Existing Rules Affected by this Order: New WAC 356-05-171 and 356-18-145; and amending WAC 356-

18-150, 356-18-060, 356-18-110, 356-14-260, and 356-15-030.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: This emergency adoption is required to comply with the Federal Family and Medical Leave Act.

Effective Date of Rule: August 5, 1993.

June 25, 1993
Dennis Karras
Secretary

NEW SECTION

WAC 356-05-171 Family and medical leave. For compliance with the federal family and medical leave act of 1993, the first 12 workweeks of leave will be considered family and medical leave for purposes of WAC 356-18-145, Leave without pay—Serious health conditions, and WAC 356-18-150, Leave—Newborn, adoptive, or foster child care—Provision.

NEW SECTION

WAC 356-18-145 Leave without pay—Serious health condition. (1) Pursuant to the federal family and medical leave act of 1993, a total of 12 workweeks, during any 12-month period, shall be allowed under the following circumstances:

(a) The eligible employee's own serious health condition that prevents the employee from performing the functions of the job; or

(b) Serious health conditions of a parent, spouse or child.

(2) A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

(a) in-patient care in a hospital, hospice, or residential medical care facility; or

(b) continuing treatment by a health care provider.

(i) A health care provider is a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the state in which the doctor practices; or

(ii) any other person determined by the Secretary of the department of labor to be capable of providing health care services.

(3) For purposes of this section, the following definitions will apply:

(a) Eligible employee: An employee who has worked for the state for at least 12 months and for at least 1,250 hours during the previous 12-month period.

(b) Parent: Biological parent or non-biological person that acted as a parent to an employee.

(c) Spouse: Husband or wife.

(d) Child: A biological, adopted, or foster child, a step child, a legal ward, or a child of a person acting as a parent who is:

(i) Under 18 years of age; or

EMERGENCY

(ii) Eighteen years of age or older and incapable of self care because of a mental or physical disability.

AMENDATORY SECTION (Amending Order 314, filed 2/24/89, effective 4/1/89)

WAC 356-18-150 Leave—Newborn ~~((or))~~, adoptive, or foster child care—Provision. (1) Child care leave without pay ~~((may))~~ shall be authorized to an eligible employee. An eligible employee is a permanent employee or an employee who has worked for the state for 12 months for at least 1,250 hours who is the parent of a newborn child ~~((or is))~~, the adoptive parent, or foster parent of a child ~~((if the leave is requested in advance by the employee))~~. The duration of such leave without pay shall be no more than six months and must be utilized within the first 12 months of birth, adoption or foster child care. ~~((Leave must be requested within sixty days of adoption.))~~

(2) The employee shall make the request for child care leave without pay in writing and indicate the duration of the leave. The employee shall make every attempt to give the employer at least 30 days' notice, if possible. Employees shall be allowed to use their accrued vacation leave, or any portion thereof, in conjunction with child care leave without pay authorized in accordance with this section.

(3) ~~((An agency may deny the child care leave request on the basis of operational necessity.))~~ Eligible employees are entitled to a minimum of 12 weeks of leave without pay. However, agencies may deny requests beyond 12 weeks on the basis of operational necessity. If both spouses are state employees and both have requested leave under this section, an agency(ies) may limit them to a total of 12 weeks of leave without pay which they may share. Denials shall be in writing to the employee and shall inform the employee of the right to petition the director of personnel for review.

(4) The director shall review the petition and may require the agency to authorize the child care leave request.

(5) When an agency denies child care leave under this section, and the director of personnel does not require it, an employee who vacates his/her position for the purpose of child care leave may request to return to state service. Such employee must notify the department of personnel, within six months of vacating the position, of their desire to return to work. The department of personnel shall direct the former employing agency to offer the employee the first vacancy in the employee's former class and geographic work location. This offer shall take precedence over all registers except for reduction-in-force registers.

AMENDATORY SECTION (Amending Order 398, filed 1/17/92, effective 3/1/92)

WAC 356-18-060 Paid sick leave—Use. (1) Personal illness: Accumulated sick leave shall be granted when an employee is required to be absent from work for any of the following reasons:

(a) Illness or injury of the employee or for preventative health care.

(b) Exposure of the employee to contagious disease when attendance at work would jeopardize the health of others.

(c) Disability of the employee due to pregnancy or childbirth.

(2) Illness of children: Accumulated sick leave shall be granted when an employee is required to be absent from work to provide care to a child under the age of eighteen with a health condition requiring treatment or supervision. For the purpose of this subsection, "children" shall be limited to the son or daughter of the employee or the employee's spouse.

(3) Illness of relatives or household members: Up to five days of accumulated sick leave shall be granted for each occurrence or as extended by the agency when an employee is required to be absent from work to provide care to members of the employee's household or relatives of the employee or the employee's spouse who experience an illness or injury. For purposes of this subsection, "relatives" shall be limited to:

(a) Spouse.

(b) Son or daughter, eighteen years of age or over, grandchild, or foster child.

(c) Grandparent or parent.

(4) Accumulated sick leave shall be approved for the purpose of WAC 356-18-145, Leave without pay—Serious health condition.

~~((4))~~ (5) Preventative health care of relatives or household members: Up to one day of sick leave shall be granted for each occurrence or as extended by the agency when an employee is required to be absent to provide care or transportation for a relative of the employee or the employee's spouse or for a member of the employee's household obtaining preventative health care. For the purposes of this subsection "relatives" shall be limited to:

(a) Spouse.

(b) Son, daughter, grandchild, or foster child.

(c) Grandparent or parent.

~~((5))~~ (6) For purposes of the provisions of subsections (3), ~~((4))~~ (5), and ~~((6))~~ (7)(a) of this section:

Members of household means "persons who reside in same home, who have reciprocal and natural and/or moral duties to and do provide support for one another. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune."

~~((6))~~ (7) Bereavement: Accumulated sick leave shall be granted up to three days for each occurrence or as extended by the agency for reasons of travel when an employee is required to be absent from work for any of the following reasons:

(a) Death of members of the employee's household or relatives of the employee or the employee's spouse.

(b) For purposes of the provisions of subsection ~~((6))~~ (7)(a) of this section, "relatives" shall be limited to:

(i) Spouse.

(ii) Son, daughter, grandchild, foster child, son-in-law, or daughter-in-law.

(iii) Grandparent, parent, brother, sister, niece, nephew, aunt, uncle, first cousin, brother-in-law, or sister-in-law.

~~((7))~~ (8) Inclement weather: Up to three days of accumulated sick leave shall be granted when the employee is unable to report for scheduled work because of severe inclement weather. (Such use of sick leave shall be limited to three days in any calendar year and shall be used only as specified in WAC 356-18-115.)

~~((8))~~ (9) Unforeseen family care requirements: Such use of sick leave shall normally be limited to a maximum of one day per incident, and to three days in any calendar year, unless extended by the appointing authority, and shall be used only as specified in WAC 356-18-116.

~~((9))~~ (10) When a condition listed under subsection (1)(a) or (c) of this section arises while the employee is on vacation leave, the employee shall be granted accrued sick leave as provided above for the condition (in lieu of the approved vacation leave) provided that the employee requests such sick leave within fourteen days after return to work. Such conversion rights shall not extend to vacation leave taken prior to an employee's separation as provided in WAC 356-18-100(2).

AMENDATORY SECTION (Amending Order 389, filed 9/23/91, effective 11/1/91)

WAC 356-18-110 Vacation leave—Allowance. (1) Full-time employees shall not use or be compensated for vacation leave credits until completion of six months continuous state service. Employees whose payroll hours are usually less than 40 hours a week shall not use nor be compensated for vacation leave credits until completion of twelve continuous months of state service.

(2) All requests for vacation leave shall be in writing and must be approved in advance of the effective date unless used in lieu of sick leave or to respond to unforeseen child care requirements, or the supervisor chooses to approve the vacation leave on a retrospective basis.

(3) Accumulated vacation leave shall be approved for the purposes of WAC 356-18-145, Leave without pay—Serious health condition, or WAC 356-18-150, Leave—Newborn, adoptive, or foster child care—Provision.

~~((3))~~ (4) Vacation leave shall be charged in half-hour increments or in smaller increments as set by the employing agency.

~~((4))~~ (5) When considering requests for vacation leave the employing agency shall give due regard to the needs of the employee but may require that leave be taken when it will least interfere with the work of the agency.

~~((5))~~ (6) Vacation leave for religious observances should be granted to the extent agency or program requirements permit.

AMENDATORY SECTION (Amending Order 288, filed 11/24/87, effective 1/1/88)

WAC 356-14-260 Compensatory time—Liquidation. Agencies may require that compensatory time off shall be scheduled as soon as possible after accrual and with due regard for the employee's needs, insofar as this can be accomplished without detracting from sound and orderly administration. Accumulated compensatory time shall be granted for purposes of WAC 356-18-145, Leave without pay—Serious health condition, or WAC 356-18-150, Leave—Newborn, adoptive, or foster child care—Provision.

Agencies may require that accumulated compensatory time be liquidated before vacation leave is granted except in those instances where this procedure would result in loss of accumulated vacation leave.

AMENDATORY SECTION (Amending Order 285, filed 11/24/87, effective 1/1/88)

WAC 356-15-030 Overtime provisions and compensation. (1) The following conditions constitute overtime:

(a) For full-time employees, work in excess of the workshift within the work day.

(b) Work in excess of forty nonovertime hours in one workweek or eighty nonovertime hours in a scheduled fourteen consecutive day period as authorized under WAC 356-15-020 (2)(a)(ii).

(c) Work on a holiday (except Sunday when it is within the scheduled workshift). Scheduled work performed on a Sunday which is coincidental with some other state holiday is overtime work.

(d) Work on a scheduled day off.

(e) Time worked in excess of the 28-day work period by law enforcement positions.

(2) Scheduled work period employees shall receive overtime compensation for work which meets subsection (1)(a) through (d) of this section.

(3) Nonscheduled work period employees shall receive overtime compensation for work which meets subsection (1)(b) through (d) of this section and may be paid overtime compensation for work which meets subsection (1)(a) of this section.

(4) Law enforcement positions have a one hundred sixty-hour, twenty-eight-day work period, rather than a forty-hour workweek.

(a) When the combination of credited work hours (vacation, sick leave, holidays, or compensatory time) and actual work hours exceeds one hundred sixty hours, the employee shall be compensated at time and one-half rates in cash or compensatory time at the option of the agency.

(b) Overtime compensation for actual work in excess of one hundred seventy-one hours in a work period may be in the form of compensatory time off if the employee and the agency agree.

(c) Assigned, actual work on a holiday shall be considered as work in excess of one hundred sixty hours.

(d) For the positions receiving assignment pay for an extended work period, the following special provisions apply:

(i) These law enforcement classes or positions have a one hundred seventy-one-hour, twenty-eight-day work period, for which they receive four ranges (approximately ten percent) above the base salary range.

(ii) When the combination of credited work hours and actual work hours exceeds one hundred seventy-one hours, the employee shall be compensated at time and one-half rates. Compensation may be in the form of compensatory time off if the employee and the agency agree.

(iii) Assigned, actual work on a holiday shall be considered as work in excess of one hundred seventy-one hours.

(5) Exceptions work period employees are not required to be ~~((compensated) [compensation])~~ compensated beyond their regular monthly rate of pay for work which meets subsection (1)(a) through (d) of this section. However, they may be compensated or granted exchange time for any of those conditions if their appointing authority deems it appropriate.

(a) If overtime compensation is authorized, the appointing authority may fix the rate, not to exceed the overtime rate (WAC 356-05-231). As indicated in subsection (5) of this section, the agency and the employee may agree to use compensatory time off in lieu of cash; in that event, the rules covering liquidation of compensatory time apply.

(b) Exchange time may be authorized for any number of hours worked beyond the exceptions work period employee's normal hours of work. For those hours authorized, the rate shall be equal hours off for those worked. Exchange time can be accrued to a limit determined by each agency, not to exceed one hundred seventy-four hours. The exchange time accrual for incumbents in the class of youth development and conservation corps camp supervisor only may be increased to four hundred eighty hours by the employing agency.

(c) Employees must be allowed, and may be required, to use all exchange time in excess of eighty hours prior to each April 1 and October 1, or other semiannual dates fixed by an agency and made known to its employees and the director of personnel by that agency's director. As an exception to the above, the director of personnel may establish a single annual date based on the special needs of the requesting agency. Employees must exhaust their exchange time before using compensatory time or vacation leave unless this would result in a loss of accumulated leave.

(d) Accumulated exchange time shall be granted for the purposes of WAC 356-18-145, Leave without pay—Serious health condition, or WAC 356-18-150, Leave—Newborn, adoptive, or foster child care—Provision.

~~((d))~~ (e) Employee absence on approved exchange time shall be considered as time worked for payroll purposes.

~~((e))~~ (f) Exchange time has no cash liquidation value. However, employees voluntarily terminating from state service or transferring to another agency must be offered the opportunity to postpone their cessation of employment by the granting agency until their accumulated, authorized exchange time has been used. Employees who were separated due to a reduction in force or disability separation are entitled to reinstatement of accumulated exchange time if they are rehired on a permanent basis by the granting agency within three years of separation.

(6) Overtime shall be compensated in accord with the provisions of WAC 356-14-230 through 356-14-265.

(7)(a) Part-time employees whose positions are in job classes designated as scheduled, nonscheduled, or law enforcement shall receive overtime compensation for work which meets subsection (1)(b) or (c) of this section.

(b) Hourly paid employees whose positions are in job classes designated as exceptions are not exempt from the overtime provisions of the Fair Labor Standards Act. For these employees, an agency must determine and notify the employee of the beginning of the workweek, must maintain the wage and hour records identified in WAC 356-14-220, and must pay overtime compensation for actual hours worked in excess of 40 nonovertime hours in a workweek.

WSR 93-14-068
RESCISSION OF EMERGENCY RULES
PARKS AND RECREATION
COMMISSION

[Filed June 30, 1993, 11:44 a.m.]

Date of Adoption: June 11, 1993.

Purpose: Rescinding WSR 93-10-060 filed on April 30, 1993, to return to WAC language filed on March 30, 1993. Subsequent adoption of the 1993-95 Operating budget made the emergency adoption of WAC 352-12-020, 352-12-030, 352-32-252 as filed April 30, 1993, no longer necessary.

Citation of Existing Rules Affected by this Order: Rescinding WAC 352-12-020, 352-12-030, and 352-32-252.

Effective Date of Rule: Immediately.

June 30, 1993

Robert C. Petersen
 Chair

WSR 93-14-069
EMERGENCY RULES
PARKS AND RECREATION
COMMISSION

[Filed June 30, 1993, 11:46 a.m., effective July 1, 1993]

Date of Adoption: June 11, 1993.

Purpose: Establish new state park fees and increase selected fees.

Citation of Existing Rules Affected by this Order: Amending WAC 352-32-250.

Statutory Authority for Adoption: RCW 43.51.040.

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

Reasons for this Finding: It is the policy of the state that certain lands be set aside and managed for recreational purposes. Providing recreational opportunities for the public serves the public welfare by providing necessary diversions from the pressures of our daily lives. On January 29, 1993, the Washington State Parks and Recreation Commission adopted a package of new and increased user fees for state park patrons, to be effective May 1, 1993. The purpose of these fees was to avoid multiple park closures and service level reductions as a consequence of projected decreased agency funding levels in the 1993-95 operating budget. At the April 23, 1993, meeting, in reaction to budget uncertainties and the possibility that service reductions and park closures might be required even with the new fee schedule, the commission rescinded the new fees and fee increases adopted at its January 29 meeting. The 1993-95 biennial operating budget approved by the legislature requires that the commission adopt and implement a fee schedule that provides \$7.7 million in revenue over and above the revenue forecast to be generated from fees in place on January 1, 1993. To meet this revenue obligation, the commission, by emergency rule, adopted the fee schedule shown below to ensure that the increased revenues required by the legislature can be generated beginning on July 1, 1993. The commis-

sion finds that observation of the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest, as generation of the required additional revenues would be delayed and potentially result in further service level reductions and park closures.

Effective Date of Rule: July 1, 1993.

June 30, 1993

Robert C. Petersen
Chair

AMENDATORY SECTION (Amending WSR 93-08-025, filed 3/30/93, effective 5/1/93)

WAC 352-32-250 Standard fees charged. The following fees shall be charged in all parks operated by the Washington state parks and recreation commission:

(1) Overnight camping - standard campsite: \$10.00 per night;

(2) Overnight camping - utility campsite: \$14.00 per night. Payment for utility campsite will be collected whether utility hookups are actually used or not, except when otherwise specified by a ranger. The electrical hookup surcharge reference in WAC 352-32-252(3) shall be \$2.00 per night;

(3) Overnight camping - primitive campsite: \$5.00 per night for nonmotorized vehicle and \$7.00 per night for motorized vehicle;

(4) Overnight camping - reservation fee: As specified in WAC 352-32-035;

(5) Overnight camping - multiple campsites: Where campsites are designated and posted as a "multiple campsite," an individual may rent the multiple campsite by paying the multiple campsite fee. The multiple campsite fee will be calculated by multiplying the standard utility or primitive campsite fee, as applicable, by the number of individual campsites to be used in the designated multiple campsite;

(6) Group camping area - certain parks: \$1.00 per person per day and/or night; nonrefundable reservation fee - \$10.00. Recreational vehicle campers must pay the primitive campsite fee or other appropriate fee based on facilities available;

(7) Environmental learning center - overnight camping: \$4.45 per camper per night;

(a) Camp Wooten and Cornet Bay environmental learning centers during the season the swimming pools are operational: \$5.45 per camper per night;

(b) Environmental learning center - day use only: \$1.00 multiplied by the minimum capacity established for each environmental learning center or \$1.00 for each member of the group - whichever is higher;

(8) Hot showers: \$.25 for a minimum of six minutes shower time;

(9) Electric stoves: \$.25 for thirty minutes cooking time;

(10) Adirondacks - not to include those located in ELC areas: Same as fee charged for full utility campsite. Occupancy shall be limited to the number of built-in bunks provided;

(11) Extra vehicle overnight parking fee: \$4.00 per night for each additional unhitched vehicle in excess of the one recreational vehicle allowed at each campsite: *Provided,*

An extra vehicle overnight parking fee shall not be imposed when the recreational vehicle and the towed vehicle arrive at the park hitched together, and after the camper has registered for and occupied the assigned campsite either the recreational vehicle or the towed vehicle remain parked at the campsite for the duration of the camper's stay;

(12) Marine park moorage facilities - see WAC 352-12-020 and 352-12-030;

(13) Overnight camping - emergency camp area: The fee shall be the standard campsite fee.

These fees do not apply in those circumstances set forth in WAC 352-32-280 and 352-32-285 as now or hereafter amended.

(14) Unattended vehicle overnight parking permit: Unoccupied vehicles parked overnight in designated areas must obtain a permit by registering and paying the \$4.00 per night permit fee. The permit must be prominently displayed in the vehicle;

(15) Campsite reservations - see WAC 352-32-035(6);

(16) Boat launch permit fee - (~~(\$5.00)~~) \$4.00 per day for one or more launches per watercraft per day at those boat launches where bathrooms, parking areas, and docking facilities are provided and maintained on a regular basis; and \$3.00 per day at other boat launches as designated by the commission: *Provided,* said fees shall not be imposed on vehicles of persons camping within the state park area containing such boat (~~launch~~) launches; and, *Provided,* said fee shall not be imposed on vehicles of persons using any recreational housing or conference facilities at Fort Worden State Park; and, *Provided,* said fee shall not be imposed on vehicles of persons using any environmental learning center; and, *Provided,* said fee shall not apply to vehicles of persons holding limited income senior citizen, disability, or veteran disability passes; and, *Provided,* said fee shall not apply where prohibited by lease or deed restrictions, or by applicable federal or state law; and, *Provided,* said fee shall not be imposed on vehicles properly displaying a valid annual boat launch permit;

(17) Annual boat launch permit fee - (~~(\$50.00 per calendar year)~~) \$20.00 per boat launching vehicle for issuance of an annual boat launch permit for the period of July 1, 1993, through December 31, 1993; and \$40.00 per boat launching vehicle for issuance of an annual boat launch permit effective January 1, 1994. Such permits may be obtained by submitting an application therefor to Washington state parks and recreation commission (~~(regional offices, or by writing to the Washington State Parks and Recreation Commission)~~) headquarters, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, Washington, 98504-2650. Permits must be displayed in conformance with instructions set forth thereon(~~(-)~~);

(18) Trailer dump station fee - \$3.00 per use: *Provided,* such fee shall not be imposed on recreational vehicles using the dump station while camping within the state park area containing the dump station;

(19) Popular destination park fee - \$1.00 surcharge for use of standard or utility campsite located in a popular destination park during the period of May 21 through September 14;

(20) (~~Day area parking fee - \$3.00 per vehicle per day for use of any designated day area parking space during the period of May 21 through September 14: *Provided,* said fee~~

~~shall not be imposed on vehicles used for boat launching which are subject to a boat launch fee as set forth in subsection (16) of this section; and, Provided, said fee shall not be imposed on vehicles of persons camping within the state park area containing such day area parking space; and, Provided, said fee shall not be imposed on vehicles of persons using any recreational housing or conference facilities at Fort Worden State Park; and, Provided, said fee shall not be imposed on vehicles of persons using any environmental learning center; and, Provided, said fee shall not apply to vehicles of persons holding limited income senior citizen, disability or veteran disability passes; and, Provided, said fee shall not apply where prohibited by lease or deed restrictions, or by applicable federal or state law;~~

~~(21))~~ Marine trail camping area fee - certain parks: \$1.00 per person per day and/or night.

WSR 93-14-071
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 93-58—Filed June 30, 1993, 1:40 p.m.]

Date of Adoption: June 30, 1993.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-56-195.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: This regulation is necessary to complete a biological study intended to evaluate catch rates and proportions of sublegal chinook inside and outside the control zone, evaluate the occurrence of Columbia River upriver bright chinook, which also contain Endangered Species Act listed Snake River fall chinook as part of the complex stocks, through the collection of tissue samples for genetic stock identification analysis and to determine if chinook can be assessed in higher proportion to coho inside versus outside the control zone.

Effective Date of Rule: Immediately.

June 30, 1993
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-56-19500J Closed areas—Saltwater salmon angling. Notwithstanding the provisions of WAC 220-56-195, effective immediately until further notice, it shall be unlawful to fish for or possess salmon taken from the Columbia River Mouth Conservation Zone 1, except by those vessels listed below possessing and operating under strict compliance of the provisions set forth by the permit and study plan established for the Columbia River Area

Ocean Salmon Control Zone 1 Test Fishery. All vessels participating in this test fishery must have a copy of the permit and study plan aboard.

Participating vessels and operators:

- | | |
|--------------------|---------------|
| 1. F/V Sarah Kay | Milt Gudell |
| 2. F/V Ghost River | Chuck Elliott |
| 3. F/V Thunderbird | Mark Charlton |
| 4. F/V Surfscooter | Ron Lethin |

Alternate vessels and operators:

- | | |
|--------------------|-------------|
| 1. F/V Coho | Butch Smith |
| 2. F/V Hobo | Jack McNeil |
| 3. F/V Sea Venture | David March |

WSR 93-14-072
EMERGENCY RULES
OFFICE OF
INSURANCE COMMISSIONER

[Order R 93-2—Filed June 30, 1993, 2:19 p.m., effective July 1, 1993, 12:01 a.m.]

Date of Adoption: June 10, 1993.

Purpose: This rule is intended to promote a strong and healthy maritime industry through the establishment of a plan ensuring the continued availability of USL&H coverage for those employers unable to purchase this essential coverage in the normal insurance market. This plan will replace a voluntary plan that expired on June 30, 1992.

Citation of Existing Rules Affected by this Order:
Amending WAC 284-22-010, 284-22-020, 284-22-030, 284-22-050, and 284-22-060.

Statutory Authority for Adoption: RCW 48.02.060 and 48.22.070.

Other Authority: Chapter 177, Laws of 1993.

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

Reasons for this Finding: Chapter 177, Laws of 1993, requires that this regulation must become effective at 12:01 a.m., July 1, 1993.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 10, 1993
Deborah Senn
Insurance Commissioner

AMENDATORY SECTION (Amending Order R 92-12, filed 9/16/92, effective 10/17/92)

WAC 284-22-010 Title. These rules and regulations, adopted under the authority of chapter ((209)) 177, Laws of ((1992)) 1993, shall be entitled the Washington United States Longshore and Harbor Workers' Compensation Act assigned risk plan (hereinafter referred to as "the assigned risk plan").

EMERGENCY

AMENDATORY SECTION (Amending Order R 92-12, filed 9/16/92, effective 10/17/92)

WAC 284-22-020 Purpose. The purposes of the assigned risk plan are:

(1) To promote a strong and healthy maritime industry, within Washington state, by ensuring the continued availability of workers' compensation coverage required by the United States Longshore and Harbor Workers' Act and maritime employers' liability coverage incidental to such workers' compensation coverage for employers who are unable to purchase it through the normal insurance market.

(2) To provide a mechanism through which the underwriting results of the assigned risk plan are shared by authorized insurers writing (~~workers' compensation~~) primary or excess United States Longshore and Harbor Workers' insurance within Washington state and the Washington state industrial insurance fund.

AMENDATORY SECTION (Amending Order R 92-12, filed 9/16/92, effective 10/17/92)

WAC 284-22-030 Effective date. (1) The assigned risk plan shall become effective at 12:01 a.m. July 1, 1992.

(2) The assigned risk plan shall cease accepting new applicants at 12:01 a.m. July 1, (~~1993~~) 1995. However, it shall not terminate until all policies issued under the plan have expired and outstanding obligations incurred under such policies have been satisfied.

AMENDATORY SECTION (Amending Order R 92-12, filed 9/16/92, effective 10/17/92)

WAC 284-22-050 Definitions. (1) "Administrator" means any organization designated by the assigned risk plan and approved by the commissioner to provide administrative support for the plan. Such support shall be defined by the governing committee in its operating plan. It may include, but is not limited to, acceptance, processing, and distribution of incoming applications to the servicing carrier(s), collection of and accounting for premium income, determination of assigned risk plan reserves, investment of assigned risk plan assets, collection of statistical data, actuarial assistance for rate making, development of policy contracts, and auditing the activities of servicing carrier(s) to ensure that the assigned risk plan's rules are being applied properly.

(2) "Applicant" means an employer, seeking coverage from the assigned risk plan, who has, in good faith, sought United States longshore and harbor workers' coverage from at least two of the authorized insurers writing such coverage in Washington and has been declined such coverage by all insurers from which it has sought coverage. "Applicant" does not include employers seeking coverage through the plan solely because of the lack of availability of maritime employers' liability coverage.

(3) "Authorized insurer" means any insurance company licensed to write workers' compensation insurance on a direct basis in this state.

(4) "Commissioner" means the commissioner of insurance of the state of Washington.

(5) "Governing committee" means the committee responsible for administering the assigned risk plan. It shall consist of thirteen members, who shall be appointed by the

commissioner. The director of the department of labor and industries shall be one member. The remaining members shall be selected to insure equal representation of each of the following interest groups; authorized insurers writing primary or excess workers' compensation insurance, insurance producers, organized labor, and maritime employers.

(6) "Maritime employers' liability" means that liability imposed by 46 U.S.C. 688 (the Jones Act) and general maritime law for bodily injury including death of a master or member of the crew of any vessel.

(7) "Servicing carrier" means any authorized insurer designated by the assigned risk plan and approved by the commissioner and the United States Department of Labor to issue workers' compensation policies. It shall issue policies on behalf of the assigned risk plan, provide safety engineering, handle claims incurred by those covered by the assigned risk plan, provide premium audits, perform underwriting functions, and perform other duties as defined by the governing committee in its operating procedures.

(8) "State industrial insurance fund" means that entity defined in RCW 51.08.175 which provides primary workers' compensation insurance on a direct basis in this state.

(9) "Underwriting results" means the assigned risk plan's revenues less incurred claims plus net operating expenses, net of reinsurance, during its period of operation.

(10) "United States longshore and harbor workers' compensation coverage" means that workers' compensation coverage required of employers by the United States Longshore and Harbor Workers' Compensation Act, 33 U.S.C. Secs. 901 through 950. It is hereinafter referred to as USL&H coverage.

(11) "Written premium" means gross direct premiums (excluding premiums on risks written ceded to the assigned risk plan), within the state of Washington, charged during the first preceding calendar year with respect to (~~workers' compensation~~) United States Longshore and Harbor Workers' insurance, less return premiums, dividends paid or credited to policyholders, or the unused or unabsorbed portions of premium deposits.

AMENDATORY SECTION (Amending Order R 92-12, filed 9/16/92, effective 10/17/92)

WAC 284-22-060 Participation. (1) Participation in the assigned risk plan is mandatory for all authorized insurers writing (~~workers' compensation~~) primary or excess United States Longshore and Harbor Workers' insurance in Washington state and the state industrial insurance fund. Underwriting results shall be shared by the participants in accordance with the following ratio: The state industrial insurance fund, fifty percent; authorized insurers writing (~~(USL&H)~~) such United States Longshore and Harbor Workers' coverage, (~~(forty-eight)~~) fifty percent(~~(; and authorized insurers writing excess workers' compensation insurance, two percent)~~).

(2) The amount of participation of each authorized insurer shall be based on the proportional share of its (~~(USL&H or excess)~~) United States Longshore and Harbor Workers' compensation premium written within Washington to all such premium written within the appropriate category during the first preceding calendar year. However, the governing committee, subject to the commissioner's approv-

al, and subject to the requirement that the amount assumed by all insurers within each category must be as stated in subsection (1) of this section, has the authority to allocate assessments in such a fashion that no authorized insurer shall be required to participate in the plan if the amount of an assessment shall be less than fifty dollars.

(3) Each authorized insurer writing ~~((workers' compensation))~~ United States Longshore and Harbor Workers' insurance shall by September 1 ~~((, 1992,))~~ of each calendar year make a report to the governing committee identifying the amount of its ~~((1991))~~ written premium in the preceding year applying to ~~((USL&H))~~ United States Longshore and Harbor Workers' coverage and the amount applying to excess workers' compensation coverage.

**WSR 93-14-076
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Institutions)

[Order 3589—Filed June 30, 1993, 3:00 p.m., effective July 1, 1993,
12:01 a.m.]

Date of Adoption: June 30, 1993.

Purpose: Describes methodology used in ICF/MR rate setting effective July 1, 1993.

Citation of Existing Rules Affected by this Order: Amending WAC 275-38-860 Resident care and habilitation cost center rate and 275-38-906 Adjustments to prospective rates.

Statutory Authority for Adoption: RCW 74.09.120.

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

Reasons for this Finding: Change in reimbursement methodology deleting use of benchmark compensation rate in conflict with WAC 275-38-860.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 30, 1993
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3037, filed 7/12/90, effective 8/12/90)

WAC 275-38-860 Resident care and habilitation cost center rate. (1) For C and D level facilities, the resident care and habilitation cost center ~~((with))~~ shall reimburse for resident living services, habilitative and training services, recreation services, and nursing services in accordance with applicable federal and state regulation.

(2) For E level facilities, the resident care and habilitation cost center ~~((with))~~ shall reimburse for resident living services, habilitative and training services, recreation services, and nursing services in accordance with applicable federal and state regulation. The cost center ~~((will also))~~

shall reimburse for resident care and training staff performing administration and operations functions specified in WAC 275-38-870.

(3) A facility's resident care and habilitation cost center rate shall be ~~((determined as follows:~~

~~((a) The facility's most recent desk reviewed costs per resident day shall be adjusted for inflation except the costs for resident care and training (RCT) and recreation staff and purchased services;~~

~~((b) RCT and recreation reimbursement shall be determined by multiplying the number of reimbursed RCT and recreation staff and purchased services hours reported in the facility's most recent cost report by the greater of ten dollars and seventy nine cents or the most recent reported cost for RCT and recreation staff and purchased services per reported hour; and~~

~~((c) The amounts determined under subsection (3)(a) and (b) of this section shall be summed to establish the facility's rate))~~ the facility's most recent desk-reviewed costs per resident day adjusted for inflation.

AMENDATORY SECTION (Amending Order 3037, filed 7/12/90, effective 8/12/90)

WAC 275-38-906 Adjustments to prospective rates.

(1) Prospective rates shall be maximum payment rates for contractors for the periods to which they apply, except as otherwise provided in WAC 275-38-906. The department shall not grant rate adjustments for cost increases which are or were subject to management control or negotiation including, but not limited to, all lease cost increases, or for cost increases not expressly authorized in subsections (2) and (3) of this section.

(2) The department shall adjust rates for any capitalized additions or replacements made as a condition for licensure or certification.

(3) The department shall adjust rates for increased costs that must be incurred and which cannot be otherwise met through the contractor's prospective rate, for the following:

(a) Program changes required by the department;

(b) Changes in staffing levels or consultants at a facility required by the department; and

(c) Changes required by survey; and

(d) Changes in assessments related to revenue as required by the state legislature.

(4) Contractors requesting an adjustment shall submit:

(a) A financial analysis showing the increased cost and an estimate of the rate increase, computed according to allowable methods, necessary to fund the cost;

(b) A written justification for granting the rate increase; and

(c) A certification and supporting documentation which shows the changes in staffing, or other improvements, have been commenced or completed.

(5) Contractors receiving prospective rate increases under WAC 275-38-906 shall submit quarterly reports, beginning the first day of the month following the date the increase is granted, showing how the additional rate funds were spent. If the funds were not spent for change or improvements approved by the department in granting the adjustment, they may be subject to immediate recovery by

EMERGENCY

the department unless the department finds the facility gave written notice of its intent to close by a date certain and recovery jeopardizes the facility's ability to provide for resident health, safety, and welfare.

(6) A contractor requesting an adjustment under subsection (3)(c) of this section shall submit a written plan specifying additional staff to be added and the resident needs the facility has been unable to meet due to lack of sufficient staff.

(7) In reviewing a request made under subsection (3) of this section, the department shall consider:

- (a) Whether additional staff requested by a contractor is appropriate in meeting resident needs;
- (b) Comparisons of staffing levels of facilities having similar characteristics;
- (c) The physical layout of the facility;
- (d) Supervision and management of current staff;
- (e) Historic trends in under-spending of a facility's resident care and habilitation;
- (f) Numbers and positions of existing staff; and
- (g) Other resources available to the contractor under subsection (3) of this section.

WSR 93-14-077
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Order 3587—Filed June 30, 1993, 3:01 p.m., effective July 1, 1993, 12:01 a.m.]

Date of Adoption: June 30, 1993.

Purpose: Eliminates the 85th percentile limits on accounting and legal costs. Amends the method by which a new contractor's rate is adjusted July 1 of the first year or second year of the state's fiscal biennium in order to be compatible with ESSB 5724. Clarifies that current funding will not be granted in a cost center when that cost center is at or above the median cost limit for the facility's peer group.

Citation of Existing Rules Affected by this Order: Amending WAC 388-96-585 Unallowable costs, 388-96-710 Prospective reimbursement rate for new contractors, and 388-96-774 Prospective rate revisions.

Statutory Authority for Adoption: RCW 74.46.800.

Other Authority: ESSB 5724.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: To implement ESSB 5724.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 30, 1993
 Rosemary Carr
 Acting Director
 Administrative Services

AMENDATORY SECTION (Amending Order 3555, filed 5/26/93, effective 6/26/93)

WAC 388-96-585 Unallowable costs. (1) The department shall not allow costs if not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) The department shall include, but not limit unallowable costs to the following:

(a) Costs of items or services not covered by the medical care program. Costs of nonprogram items or services even if indirectly reimbursed by the department as the result of an authorized reduction in patient contribution;

(b) Costs of services and items provided to SNF or ICF recipients covered by the department's medical care program but not included in SNF or ICF services respectively. Items and services covered by the medical care program are listed in chapters 388-86 and 388-88 WAC;

(c) Costs associated with a capital expenditure subject to Section 1122 approval (Part 100, Title 42 C.F.R.) if the department found the capital expenditure inconsistent with applicable standards, criteria, or plans. If the contractor did not give the department timely notice of a proposed capital expenditure, all associated costs shall be nonallowable as of the date the costs are determined not to be reimbursable under applicable federal regulations;

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained;

(e) Costs of outside activities (e.g., costs allocable to the use of a vehicle for personal purposes or related to the part of a facility leased out for office space);

(f) Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care;

(g) Costs in excess of limits or violating principles set forth in this chapter;

(h) Costs resulting from transactions or the application of accounting methods circumventing the principles of the prospective cost-related reimbursement system;

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere;

(j) Bad debts. Beginning July 1, 1983, the department shall allow bad debts of Title XIX recipients only if:

- (i) The debt is related to covered services;
- (ii) It arises from the recipient's required contribution toward the cost of care;
- (iii) The provider can establish reasonable collection efforts were made;
- (iv) The debt was actually uncollectible when claimed as worthless; and
- (v) Sound business judgment established there was no likelihood of recovery at any time in the future.

Reasonable collection efforts shall consist of three documented attempts by the contractor to obtain payment. Such documentation shall demonstrate the effort devoted to collect the bad debts of Title XIX recipients is at the same level as the effort normally devoted by the contractor to collect the bad debts of non-Title XIX patients. Should a

contractor collect on a bad debt, in whole or in part, after filing a cost report, reimbursement for the debt by the department shall be refunded to the department to the extent of recovery. The department shall compensate a contractor for bad debts of Title XIX recipients at final settlement through the final settlement process only.

(k) Charity and courtesy allowances;

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations. Any portion of trade association dues attributable to legal and consultant fees and costs in connection with lawsuits or other legal action against the department shall be unallowable;

(m) Vending machine expenses;

(n) Expenses for barber or beautician services not included in routine care;

(o) Funeral and burial expenses;

(p) Costs of gift shop operations and inventory;

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except items used in patient activity programs where clothing is a part of routine care;

(r) Fund-raising expenses, except expenses directly related to the patient activity program;

(s) Penalties and fines;

(t) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations;

(u) Federal, state, and other income taxes;

(v) Costs of special care services except where authorized by the department;

(w) Expenses of key-man insurance and other insurance or retirement plans not in fact made available to all employees on an equal or fair basis in terms of costs to employees and benefits commensurate to such costs;

(x) Expenses of profit-sharing plans;

(y) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to patient care;

(z) Personal expenses and allowances of owners or relatives;

(aa) All expenses of maintaining professional licenses or membership in professional organizations;

(bb) Costs related to agreements not to compete;

(cc) Goodwill and amortization of goodwill;

(dd) Expense related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care;

(ee) Legal and consultant fees in connection with a fair hearing against the department relating to those issues where:

(i) A final administrative decision is rendered in favor of the department or where otherwise the determination of the department stands at the termination of administrative review; or

(ii) In connection with a fair hearing, a final administrative decision has not been rendered; or

(iii) In connection with a fair hearing, related costs are not reported as unallowable and identified by fair hearing docket number in the period they are incurred if no final

administrative decision has been rendered at the end of the report period; or

(iv) In connection with a fair hearing, related costs are not reported as allowable, identified by docket number, and prorated by the number of issues decided favorably to a contractor in the period a final administrative decision is rendered.

(ff) Legal and consultant fees in connection with a lawsuit against the department, including suits which are appeals of administrative decisions;

(gg) Lease acquisition costs and other intangibles not related to patient care;

(hh) Interest charges assessed by the state of Washington for failure to make timely refund of overpayments and interest expenses incurred for loans obtained to make such refunds;

(ii) Beginning January 1, 1985, lease costs, including operating and capital leases, except for office equipment operating lease costs;

(jj) Beginning January 1, 1985, interest costs;

(kk) Travel expenses outside the states of Idaho, Oregon, and Washington, and the Province of British Columbia. However, travel to or from the home or central office of a chain organization operating a nursing home will be allowed whether inside or outside these areas if such travel is necessary, ordinary, and related to patient care;

(ll) Board of director fees for services in excess of one hundred dollars per board member, per meeting, not to exceed twelve meetings per year;

(mm) Moving expenses of employees in the absence of a demonstrated, good-faith effort to recruit within the states of Idaho, Oregon, and Washington, and the Province of British Columbia;

(nn) For rates effective after June 30, 1993, depreciation expense in excess of four thousand dollars per year for each passenger car or other vehicles primarily used for the administrator, facility staff, or central office staff;

(oo) Any costs associated with the use of temporary health care personnel from any nursing pool not registered with the director of the department of health at the time of such pool personnel use;

(pp) Costs of payroll taxes associated with compensation in excess of allowable compensation for owners, relatives, and administrative personnel;

(qq) Department-imposed postsurvey charges incurred by the facility as a result of subsequent inspections which occur beyond the first postsurvey visit during the certification survey calendar year;

(rr) ~~((Costs and fees otherwise allowable for legal services, whether purchased, allocated by a home office, regional office or management company, or performed by the contractor or employees of the contractor, in excess of the eighty-fifth percentile of such costs, measured on a total cost basis, reported by all contractors for the most recent cost report period: *Provided*, That this limit shall not apply to a contractor unless the contractor has exceeded this percentile for each of the three years preceding the most recent cost report year;~~

~~(ss) Costs and fees otherwise allowable for accounting and bookkeeping services, whether purchased, allocated by a home office, regional office or management company, or performed by the contractor or employees of the contractor;~~

~~in excess of the eighty-fifth percentile of such costs, measured on a per patient day cost basis, reported by all contractors for the most recent cost report period, provided this limit shall not apply to a contractor unless the contractor has exceeded this percentile for each of the three years preceding the most recent cost report year;~~

~~((tt))~~ For all partial or whole rate periods after July 17, 1984, costs of assets, including all depreciable assets and land, which cannot be reimbursed under the provisions of the Deficit Reduction Act of 1984 (DEFRA) and state statutes and regulations implementing DEFRA;

~~((ttt))~~ (ss) Effective for July 1, 1991, and all following rates, compensation paid for any purchased nursing care services, including registered nurse, licensed practical nurse, and nurse assistant services, obtained through service contract arrangement in excess of the amount of compensations which would have been paid for such hours of nursing care services had they been paid at the combined regular and overtime average hourly wage, including related taxes and benefits, for in-house nursing care staff of like classification of registered nurse, licensed practical nurse, or nursing assistant at the same nursing facility, as reported on the facility's filed cost report for the most recent cost report period;

~~((ttt))~~ (tt) Outside consultation expenses required pursuant to WAC 388-88-135;

~~((ttt))~~ (uu) Fees associated with filing a bankruptcy petition under chapters VII, XI, and XIII, pursuant to the Bankruptcy Reform Act of 1978, Public Law 95-598.

AMENDATORY SECTION (Amending Order 3555, filed 5/26/93, effective 6/26/93)

WAC 388-96-710 Prospective reimbursement rate for new contractors. (1) The department shall establish an initial prospective reimbursement rate for a new contractor as defined under WAC 388-96-026 (1)(a) or (b) within sixty days following receipt by the department of a properly completed projected budget (see WAC 388-96-026). The rate shall take effect as of the effective date of the contract and shall comply with all the provisions of rate setting contained in this chapter including all lids and maximums set forth in this chapter.

(2) To set the initial prospective reimbursement rate for a new contractor as defined in WAC 388-96-026 (1)(a) and (b), the department shall:

(a) Determine whether the new contractor belongs to the metropolitan statistical area (MSA) peer group or the non-MSA peer group using the latest information received from the office of management and budget or the appropriate federal agency;

(b) Select all nursing facilities from the department's records of all the current Medicaid nursing facilities in the new contractor's peer group with the same bed capacity plus or minus ten beds. If the selection does not result in at least seven facilities, then the department will increase the bed capacity by plus or minus five bed increments until a sample of at least seven nursing facilities is obtained; and

(c) Based upon the most recent information available to the department for the nursing facilities selected under subsection (2)(b) of this section, rank from the lowest to the

highest the rates in nursing services, food, administrative, and operational cost centers and based on this ranking:

(i) Determine the rate in the middle of the ranking, above and below which lie an equal number of rates (median) and then identify the rate immediately above the median for each cost center identified in subsection (2)(c) of this section. The rate immediately above the median will be known as the "selected rate" for each cost center; and

(ii) Set the new contractor's rates for each cost center identified in subsection (2)(c) at the lower of the "selected rate" or the budget rate; and

(iii) Set the property rate in accordance with the provisions of this chapter; and

(iv) Set the return on investment rate in accordance with the provisions of this chapter. In computing the financing allowance, the department shall use for the nursing services, food, administrative, and operational cost centers the rates set pursuant to subsection (2)(c)(i) and (ii) of this section.

(3) If the department has not received a properly completed projected budget from the new contractor as defined under WAC 388-96-026 (1)(a) or (b) at least sixty days prior to the effective date of the new contract, the department shall establish rates for:

(a) Nursing services, food, administrative and operational cost centers based on the "selected rates" as determined under subsection (2)(c) of this section; and

(b) Property in accordance with the provisions of this chapter using for the new contractor:

(i) As defined under ~~((subsection))~~ WAC 388-96-026 1(a) ~~((of this section))~~, information from the certificate of need; or

(ii) As defined under ~~((subsection))~~ WAC 388-96-026 (1)(b) ~~((of this section))~~, information provided by the new contractor within ten days of the date the department requests the information in writing. If the contractor as defined under ~~((subsection))~~ WAC 388-96-026 (1)(b) ~~((of this section))~~, has not provided the requested information ~~((timely))~~ within ten days of the date requested, then the property rate will be zero. The property rate will remain zero until the information is received.

(c) Return on investment rate in accordance with the provisions of this chapter using the "selected rates" established under subsection (2)(c) of this section, to compute the working capital provision and variable return for the new contractor:

(i) As defined under ~~((subsection))~~ WAC 388-96-026 (1)(a) ~~((of this section))~~, information from the certificate of need; or

(ii) As defined under ~~((subsection))~~ WAC 388-96-026 (1)(b) ~~((of this section))~~, information provided by the new contractor within ten days of the date the department requests the information in writing. If the contractor as defined under ~~((subsection))~~ WAC 388-96-026 (1)(b) ~~((of this section))~~, has not provided ~~((timely))~~ the requested information within ten days of the date requested, then the net book value of allowable assets will be zero. The financing allowance rate component will remain zero until the information is received.

(4) The initial prospective reimbursement rate for a new contractor as defined under WAC 388-96-026 (1)(c), shall be the last prospective reimbursement rate paid by the department to the Medicaid contractor operating the nursing

facility immediately prior to the effective date of the new contract.

(5) ~~(For)~~ If the new contractor as defined under WAC 388-96-026 (1)(a), (b), or (c)(~~±~~) began participating in the program beginning in the first year of a state fiscal biennium or had its first year of a state fiscal biennium rate set under WAC 388-96-710(6), its July 1 prospective reimbursement rate for the second year of that state fiscal biennium shall:

(a) Be the initial prospective rate set in accordance with WAC 388-96-710 inflated in accordance with WAC 388-96-719; and

(b) Remain in effect until a prospective rate can be set under WAC 388-96-713.

~~((a) The initial prospective rate shall remain in effect until a prospective rate can be set according to WAC 388-96-713; or~~

~~((b)) (6) If the new contractor (~~has participated~~) began participating in the program (~~for less than six months of the prior calendar year~~) beginning in the second year of a state fiscal biennium, its July 1 prospective reimbursement rate for the first year of the next state fiscal biennium will be (~~the one~~) set (~~pursuant to WAC 388-96-710 inflated in accordance with WAC 388-96-719(3).~~) for the new contractor defined under:~~

(a) WAC 388-96-026 (1)(a) and (b), by applying WAC 388-96-710 (2) and (3) using the July 1 rate components established for the first year of the state's fiscal biennium following the second year of the state's fiscal biennium in which the new contractor began participating in the program; or

(b) WAC 388-96-026 (1)(c), by using twelve months of cost report data derived from the old contractor's data and the new contractor's data for the cost report year prior to the first year of the state fiscal biennium for which the rate is being set and applying WAC 388-96-719 through WAC 388-96-754 to set the component rates.

(7) For July 1, 1993 rate setting only, if a new contractor as defined under WAC 388-96-026(1) is impacted by the peer group median cost plus twenty-five percent limit in its nursing services cost, such contractor shall not receive a per patient day prospective rate in nursing services for July 1, 1993 lower than the same contractor's prospective rate in nursing services as of June 30, 1993, as reflected in departmental records as of that date, inflated by any increase in the IPD Index authorized by WAC 388-96-719.

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

AMENDATORY SECTION (Amending Order 3555, filed 5/26/93, effective 6/26/93)

WAC 388-96-774 Prospective rate revisions. (1) The department shall determine each contractor's reimbursement rates prospectively at least once each calendar year, to be effective July 1st. The department shall determine all prospective reimbursement rates for 1984 and thereafter using the prior year's desk-reviewed cost reports. Prospective rates shall be maximum payment rates for contractors for the periods to which they apply.

(a) The department may grant revisions for:

(i) Inflation only as authorized under WAC 388-96-719(3); and

(ii) Other revisions for cost increases only as authorized in this section.

(b) The department shall not grant and the contractor shall not use rate adjustments for:

(i) Wage increases for existing, newly hired or promoted staff except as authorized in WAC 388-96-756; and

(ii) The use of temporary employment services providing direct patient care.

(c) The department shall not grant a rate adjustment to a cost center if that cost center is at or above the median cost for the facility's peer group plus the applicable percentage, reduced or increased under WAC 388-96-719.

(2) The department shall adjust rates for any capitalized additions or replacements made as a condition for licensure or certification.

(3) The department may adjust rates for any of the following:

(a) Variations in the distribution of patient classifications or changes in patient characteristics from:

(i) The prior reporting year; or

(ii) Those used to set the rate for a new contractor; or

(iii) Corresponding to the nursing staff funded for a new contractor.

(b) Program changes required by the department as evidenced by a written directive from the director of nursing home services, aging and adult services administration; and

(c) Changes in staffing levels at a facility required by the department as evidenced by a written directive from the director of nursing home services, aging and adult services administration.

(4) Contractors requesting an adjustment shall submit a written request to the department separate from all other requests and inquires of the department, e.g., WAC 388-96-904 (1) and (5). The written request shall include the following:

(a) A financial analysis showing:

(i) The increased cost; and

(ii) An estimate of the rate increase, computed according to allowable methods, necessary to fund the cost.

(b) A written justification for granting the rate increase; and

(c) A certification and supporting documentation showing the changes in staffing have commenced, or other commenced or completed improvements.

(5) Contractors receiving prospective rate increases per this section shall submit quarterly reports. The quarterly reports shall cover the first day the rate increase is effective and show how the additional rate funds and hours were utilized. If the funds and/or hours were not utilized for the changes and/or improvements approved by the department in granting the adjustment, they shall be subject to immediate recovery by the department.

(6) A contractor requesting an adjustment pursuant to subsection (3)(a) of this section shall submit a written plan specifying:

(a) Additional staff to be added;

(b) Changes in all patient characteristics requiring the additional staff; and

(c) The predicted improvements in patient care services which will result. The department shall respond to such

requests within sixty days following the receipt of a properly completed request.

(7) In reviewing a request made under subsection (3) of this section, the department shall consider one or more of the following:

- (a) Whether additional staff requested by a contractor is necessary to meet patient care needs;
- (b) Comparisons of staffing patterns of nursing facilities from either the latest statewide metropolitan statistical area (MSA) peer group or non-MSA peer group to which the nursing facility belongs and calculated on a per patient day basis. The department shall use the latest MSA and non-MSA received from the office of management and budget or the appropriate federal agency;
- (c) The physical layout of the facility;
- (d) Nursing service planning and management for maximum efficiency;
- (e) Historic trends in underspending of a facility's nursing services component rate;
- (f) Numbers, positions, and scheduling of existing staff;
- (g) Increases in acuity (debility) levels of contractors' residents;
- (h) Survey, inspection of care, and department consultation results; and
- (i) The facility's ability to fund its staffing request through the facility's existing total Medicaid reimbursement rate.

(8) If a request made under subsection (3) of this section is approved by the department, the cost of funding the additional staff may be reduced for rate revision purposes by amounts shifted out of nursing services in 1986 or 1987, as reflected in the preliminary or final settlement reports for 1986 and 1987.

(9) The department may also adjust rates to cover costs associated with placing a nursing home in receivership for costs not covered by the rate of the former contractor, including:

- (a) Compensation of the receiver;
- (b) Reasonable expenses of receivership and transition of control; and
- (c) Costs incurred by the receiver in carrying out court instructions or rectifying deficiencies found.

(10) The department shall not grant a rate adjustment effective earlier than sixty days prior to receipt of the written request for such adjustment accompanied by all related documentation and information required by this section.

WSR 93-14-079
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Order 3588—Filed June 30, 1993, 3:05 p.m., effective July 1, 1993, 12:01 a.m.]

Date of Adoption: June 30, 1993.

Purpose: To implement changes to the Medicaid payment system for nursing facilities adopted by the 1993 state legislature, effective July 1, 1993.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-96-756 Enhancement cost area rate and

388-96-775 Public review of rate-setting methods and standards; and amending chapter 388-96 WAC, Nursing home accounting and reimbursement system.

Statutory Authority for Adoption: RCW 74.09.120 and 74.46.800.

Other Authority: ESSB 5724 and ESSB 5966.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Amendments to the Medicaid payment system for nursing facilities comply with ESSB 5724 (chapter 13, Laws of 1993) and ESSB 5966 (chapter 3, Laws of 1993) making amendments to the Medicaid payment system, effective July 1, 1993.

Effective Date of Rule: July 1, 1993, 12:01 a.m.

June 30, 1993
 Rosemary Carr
 Acting Director
 Administrative Services

Reviser's note: The material contained in this filing will appear in the 93-16 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

WSR 93-14-080
EMERGENCY RULES
SECRETARY OF STATE

[Filed June 30, 1993, 3:31 p.m., effective July 1, 1993]

Date of Adoption: June 30, 1993.

Purpose: To replace statutory fee schedule repealed on June 30, 1993. Chapter 269, Laws of 1993 grants the Secretary of State the authority to set certain fees. In these emergency WACs, all existing fees are continued at the current statutory rate.

Citation of Existing Rules Affected by this Order: Amending chapter 434-50 WAC.

Statutory Authority for Adoption: Chapters 269, 471, and 356, Laws of 1993, chapters 19.09 and 11.110 RCW, and Titles 23, 23B, 24, 33, and 46 RCW.

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

Reasons for this Finding: Immediate adoption is necessary in order for the corporations division of the Office of the Secretary of State to do business and for Washington corporations and proposed corporations to file and maintain their rights to do business as legal corporations.

Effective Date of Rule: July 1, 1993.

June 30, 1993
 Barbara E. Brown
 Corporations Division
 Secretary of State

EMERGENCY

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-010 Purpose. These rules are adopted to establish certain procedures and fee schedules applicable to filings made at the corporations, trademarks and limited partnerships division of the office of the secretary of state, and to provide general information concerning that division. These rules are adopted pursuant to the corporations laws of Washington, including sections ((67, 114, 159 and 187, chapter 35, Laws of 1982)) 1 through 9, 12, and 13, chapter 269, Laws of 1993.

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-015 Office address. (1) Mailing address for the corporations division is: Corporations Division, Office of the Secretary of State, Post Office Box 40234, Olympia, Washington 98504. Use of any other address may delay mail delivery.

(2) The offices of the corporations division are located ~~((at 500 A State Modular Office Building, Airdustrial Way and Armstrong Street SW, Tumwater))~~ on the second floor of the Republic Building at 505 Union Avenue SE, Olympia, Washington. ~~((To reach the division's offices, take Exit 102, Interstate 5 (Trosper Road exit), go east two blocks to Capitol Boulevard, turn south on Capitol Boulevard, drive one mile to Airdustrial Way, turn on Airdustrial Way, go one half mile. The state modular office building is on the south side of Airdustrial Way; the division is located in the northwest corner of the building.))~~

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-020 Office hours. (1) Customary hours of operation for personnel in the division are from 8:00 a.m. to ~~((12:00 noon and 1:00 to 4:30))~~ 5:00 p.m. daily, Monday through Friday excluding legal holidays.

(2) Over-the-counter or walk-in, same-day processing of documents, or inspection of public records is available ~~((between))~~ during customary business hours 8:30 a.m. to ((11:30 a.m. and 1:00 to 3:30)) 4:30 p.m. each day. Counter service at other times is available only under exigent circumstances or by approval of the supervisor of corporations.

(3) Certain expedited or over-the-counter services are subject to the special service fees established elsewhere in these regulations.

(4) Documents, including substitute service-of-process on the secretary of state, which are delivered after normal working hours will be deemed to have been received on the next working day. As used in this section, "received after normal working hours" includes delivery by posting/taping/tacking documents to the office's doors, placing documents on doormats or in office mailboxes, or other forms of delivery not physically received by an employee of the office of the secretary of state during working hours.

NEW SECTION

WAC 434-50-031 Regular fees. Corporation and partnership filing fees provided either in-person or by mail are as follows:

(1) For profit making domestic Washington entities: Articles of incorporation, including first year license fee, one hundred seventy-five dollars; articles of amendment or reinstatement, twenty-five dollars; articles of merger or exchange, twenty-five dollars; articles of correction, twenty-five dollars; articles of dissolution, no fee; revocation of dissolution, twenty-five dollars; annual license renewal, including annual report, sixty dollars; initial or amended annual report, ten dollars; reinstatement, fifty dollars, plus all back license fees and penalties; reservation of name (valid for one hundred eighty days), twenty dollars; transfer of reservation of name, twenty dollars; resignation, appointment, or change of registered agent and/or registered office address, ten dollars; resignation of officer and/or director, ten dollars; any other statement or report, ten dollars.

(2) For profit making foreign out-of-state entities: Certificate of authority, including first year license fee, one hundred seventy-five dollars; amended certificate of authority, twenty-five dollars; articles of merger or exchange, twenty-five dollars; articles of correction, twenty-five dollars; certificate of withdrawal, no fee; annual license renewal, including annual report, sixty dollars; initial or amended annual report, ten dollars; reservation of name (valid for one hundred eighty days), twenty dollars; transfer of reservation of name, twenty dollars; resignation, appointment, or change of registered agent and/or registered office address, ten dollars; Resignation of officer and/or director, ten dollars; any other statement or report, ten dollars.

(3) For domestic Washington nonprofit entities: Articles of incorporation, ten dollars; articles of amendment and/or reinstatement, twenty dollars; articles of merger or consolidation, twenty dollars; articles of dissolution, no fee; yearly annual report, ten dollars; amended annual report, ten dollars; reinstatement (corporations formed under chapter 24.03 RCW), thirty dollars, plus all annual reports and fees; reservation of name (valid for one hundred eighty days), twenty dollars; resignation, appointment, or change of registered agent and/or registered office address, ten dollars; resignation of officer and/or director, ten dollars; any other statement or report, ten dollars.

(4) For foreign out-of-state nonprofit entities: Certificate of authority, thirty dollars; amended certificate of authority, twenty dollars; articles of merger or consolidation, twenty dollars; certificate of withdrawal, no fee; yearly annual report, ten dollars; amended annual report, ten dollars; reinstatement, plus all annual report(s) and fees, thirty dollars; reservation of name (valid for one hundred eighty days), twenty dollars; registration of name, twenty dollars; registration, appointment, or change of registered agent and/or registered office address, ten dollars; resignation of officer and/or director, ten dollars; any other statement or report, ten dollars.

(5) For foreign out-of-state limited partnerships: Application for registration, one hundred seventy-five dollars; amendment to registration, twenty-five dollars; cancellation or withdrawal, no fee; reservation of name (valid for one hundred eighty days), ten dollars; resignation

of registered agent, ten dollars; any other statement or report, ten dollars.

NEW SECTION

WAC 434-50-032 Trademarks. The fees for registering trademarks are as follows:

- (1) For original filing, fifty dollars;
- (2) For renewal of registry valid for ten years, fifty dollars;
- (3) For assignment, ten dollars; and
- (4) For a new certificate, five dollars.

NEW SECTION

WAC 434-50-033 Service of process. The fee for summons and complaint per individual, marital community or entity served is twenty-five dollars.

NEW SECTION

WAC 434-50-034 Miscellaneous fees. Fees for photocopies, certified copies, or certificates are as follows:

(1) For photocopies: Corporation document (other than annual report(s)), one dollar, plus twenty cents per page; most recent annual report (initial, annual, or amended), one dollar; any other annual report, five dollars; limited partnership document, one dollar, plus twenty cents per page; trademark document, fifty cents per page.

(2) For certified copies per document: Profit corporation document, ten dollars, plus twenty cents per page; nonprofit corporation document, five dollars, plus twenty cents per page; limited partnership document, ten dollars, plus twenty cents per page; trademark document, five dollars, plus twenty cents per page.

(3) For certificates of existence, authorization, or record: Profit corporation, ten dollars; nonprofit corporation, five dollars; limited partnership, ten dollars; trademark, five dollars.

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-035 In-person or expedited counter service—Special fees. (1) Same-day processing of corporate documents is available during counter-service hours (~~((8:30-11:30 a.m., 1:00-3:30))~~ 8:00 a.m. to 5:00 p.m.) for documents or requests received prior to 4:30 p.m. that day, at the offices of the corporations division. Expedited services available include charter document review and filing, name reservation review and filing, document certification, document copying, processing of service-of-process filings, trademark filings and other services related to corporation records and filings. Special service fees apply to same-day services.

(2) Fees for same-day services provided in-person, over-the-counter at the corporations division are as follows:

(a) A copy of corporate or other records: Five dollars expedited service fee plus ~~((statutory fees-))~~ one dollar for first page copied, twenty cents per page thereafter~~((+))~~;

(b) Certificate or certified copies: Five dollars expedited service fee, plus ~~((statutory fee-))~~ \$5.00 each certificate, plus twenty cents per page copied~~((+))~~;

(c) Same-day processing of corporate charter documents, such as articles of incorporation, amendments, mergers, dissolutions, qualification of foreign corporation: Ten dollars expedited service fee per document, plus ~~((statutory))~~ the following fees for the form of the filing~~((+))~~;

(d) Same-day processing of name reservation or registration requests: Ten dollars expedited service fee, plus regular ~~((statutory))~~ filing fee for each action or document processed;

(e) Processing of trademark filing, same-day basis: Ten dollars expedited service fee, plus ~~((statutory))~~ regular fee for the form of the filing, for each action or document processed;

(f) Processing of service-of-process on the secretary of state under Title 23A RCW or RCW 46.64.040, on a same-day basis: Ten dollars expedited service fee, plus ~~((statutory))~~ \$25.00 service-of-process fee, for each action or document filed;

(g) Same-day processing of any other documents or materials submitted for filing under the corporations, trademarks or limited partnership laws: Ten dollars expedited service fee, plus any other applicable ~~((statutory))~~ regular fee, for each action or document processed;

(h) Search of nonactive corporation or trademark archival files (corporations dissolved, merged out of existence or otherwise defunct): Ten dollars expedited search fee, for each request.

(3)(a) Special service fees, as established above, will be charged when same-day, over-the-counter service is requested. (Allow four-hour turn-around time for same-day service.) If the office of the secretary of state is unable to complete the requested action, by approval, denial or other definite disposition of the matter, by 4:30 p.m. of the day of receipt, the documents or other work will be processed first on the following business day.

(b) If special emergency services beyond same-day or over-the-counter services are provided by the division, including but not limited to delivery of documents, employee overtime, special copying, certifying or approval of materials, special research, or making long-distance phone calls related to the emergency situation, a special emergency fee of \$75.00 per hour will be charged, in addition to regular fees which may be due for the form of the filing. When a request qualifying as an emergency is received by the agency, the agency will notify the requestor of the emergency service fee. The requestor must agree to the fee and any other reasonable conditions set by the agency before emergency services will be provided. Emergency requests require intensive amounts of agency effort for a short period, and will not be accepted by the agency except under exigent and compelling circumstances.

(4) Because of limited staff, the corporations division reserves the right to limit the availability of counter service or to limit the number of service requests submitted by one person during one day. Generally, the agency will limit to three the separate service requests which may be submitted by one person in one day. In the case of documents submitted by courier services or document-handling companies, no more than five separate service requests may be submitted per day for handling the same day unless alternate arrangements have been made with the agency or unless agency workload permits.

(5) There are no special fees or other expedited service charges for:

(a) In-person inspection or review of corporate or other public records located at the corporation division offices;

(b) Documents or other service requests left at the corporations division for regular, nonexpedited processing. Such documents will be receipt-stamped only, and reviewed and processed as if otherwise received in the mail.

NEW SECTION

WAC 434-50-036 Charitable solicitations fees. (1) Fees for registering as a fundraiser under the charitable solicitations act are as follows:

(a) Charitable organizations shall pay ten dollars at the time of registration and ten dollars for each annual renewal;

(b) Commercial fundraisers shall pay fifty dollars at the time of registration and fifty dollars for each annual renewal.

(2) The late fee for failure to register is five dollars for each day the organization is unregistered after the secretary notifies the organization of the registration requirement.

(3) The fee for registering a contract between a charitable organization and a commercial fundraiser is five dollars.

NEW SECTION

WAC 434-50-037 Charitable trusts fees. Persons requesting a directory of charitable trusts shall pay ten dollars for the directory.

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-040 Miscellaneous charges—Special service fees. (1) Dishonored checks. If a person, corporation or other submitting entity has attempted to pay any fee due to the secretary of state by means of a check, and the check is dishonored by the financial institution when presented, the secretary of state will impose a (~~seven-dollar~~) twenty-five dollar reprocessing fee, payable to the secretary of state.

In the event a valid replacement check and dishonor charge is not received in the office of the secretary of state within the time prescribed by its accounting division, the transaction covered by the dishonored check will be cancelled and all other late filing fees and penalties will be instituted.

(2) Error in document—Resubmission fees. If a person, corporation or other entity submits a document for filing to the office of the secretary of state and the document contains one or more of the errors listed below, subsections (a)-(e), a three-dollar resubmittal fee to cover postage and handling will be charged each time the office of the secretary of state must return the documents to sender for correction or completion and the corrected documents are subsequently resubmitted to the office of the secretary of state for action. Reasons for document rejection which will trigger a resubmission fee are:

(a) Submission corporate charter document(s) lacking required signature(s) on any copy of the document, or not accompanied by supportive documents, such as certificate of good standing, second set of charter documents;

(b) Submission of corporate charter document(s) without required filing or license fees;

(c) Submission of corporate charter documents which fail to state a registered office address or to appoint a registered agent, if the document filing is of a type which requires such designation (i.e., articles of incorporation), or if agent's signed consent to serve is not included;

(d) Submission of articles of incorporation wherein the name of the corporation is not consistently spelled in the same manner throughout the articles (i.e., where page one refers to the "ABC Company," but page six refers to "ABCD Company").

(e) Submission of documents wherein the capital value is inconsistent or which fail to set an aggregate value for nonpar shares.

(3) The office of the secretary of state may provide certain photocopies or services free of charge as a cost-effective measure and convenience of office administration.

(4) A corporation seeking reinstatement during its inactive status prior to a final administrative dissolution shall pay a surcharge of twenty-five percent plus the full amount of required statutory fees.

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-045 Fee prepayment, when required.

(1) The following fees due to the office of the secretary of state must be prepaid (check or money submitted concurrently with the document(s)) before action can be taken:

(a) Filing fees, under Titles 23A, 18, 25, 23, and 24 RCW;

(b) Corporate annual license fees;

(c) Trademark filing fees;

(d) Special service fees for expedited document processing;

(e) Service-of-process fees;

(f) Copy or copying charges;

(g) Certificate or certified copy charges;

(h) Special archival search service fees;

(i) Document resubmission fees or dishonored check fees;

(j) Purchase of publications, such as the corporate laws or microfiche subscription.

(2) Anyone desiring a certificate, certified copies or photocopies or other service for which (~~the statutes have set~~) there is a variable rate may send in his request accompanied by a check made payable to the "secretary of state," with the phrase "not to exceed (specified dollar amount)" above the space intended for the written dollar amount. The clerk who processes the request will fill in the exact fee amount, and a memo indicating the exact amount filled in on the check will accompany the returned certificate or other document.

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-050 Original signature requirement—Original retained. RCW (~~(23A.04.010(16))~~) 23B.01.200 and related sections in the Washington profit and nonprofit corporation statutes permit documents which are to be submitted to the office of the secretary of state in duplicate

original form to be submitted as "one original with original signatures and one copy thereof." In the case of documents submitted with only one original-signature version and one copy thereof, the office of the secretary of state will retain as its official file copy the document version bearing the original signature(s), and will return to the submitter that document version bearing the copy of the signature(s).

June 30, 1993
Barbara E. Brown
Corporations Division
Secretary of State

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-055 Registered office address—Requirements. ~~((By law,))~~ The registered office address for a corporation registered in Washington state must be at a geographic location in this state. ~~((However,))~~ A post office box address may be used in conjunction with the registered office address ~~((—A post office address may be used))~~ when:

(1) The U.S. Postal Service cannot or will not deliver to the "street address," and the agent will therefore not receive mail communications from the office of the secretary of state, including the annual license fee billing; and

(2) The post office box address the agent desires to use is in the same Washington city or town as the registered office address; and

(3) The agent notifies the office of the secretary of state and the corporation of any changes in address, whether of the official registered office address or of the mail (post office box) address.

WSR 93-14-081
EMERGENCY RULES
SECRETARY OF STATE

[Filed June 30, 1993, 3:32 p.m., effective July 1, 1993]

Date of Adoption: June 30, 1993.

Purpose: To transfer the functions of the attorney general's charitable trusts division to the Secretary of State's office, and to redefine independent fundraiser as a commercial fundraiser under the authority of chapter 471, Laws of 1993, which becomes effective on July 1, 1993.

Citation of Existing Rules Affected by this Order: Repealing WAC 434-19-102; and amending chapters 434-01 [44-01] and 434-19 WAC.

Statutory Authority for Adoption: Chapter 471, Laws of 1993.

Other Authority: Chapters 19.09 and 11.110 RCW.

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

Reasons for this Finding: Regulations of charitable trusts is moved by chapter 471, Laws of 1993, and immediate notice needs to be given in WAC so registrants know where to file. The "independent fundraiser" ceases to exist as of July 1, 1993, and entities must meet the definition of "commercial fundraiser" for future registrations. This WAC serves notice to charitable solicitation organizations.

Effective Date of Rule: July 1, 1993.

AMENDATORY SECTION (Amending Order 101, Promulgation, filed 12/8/67, effective 1/8/68)

WAC 44-01-010 Promulgation. Under the provisions of chapter 53, Laws of 1967 ex. sess., hereinafter designated as the Washington Charitable Trust Act or Charitable Trust Act, the ~~((attorney general))~~ secretary of state of the state of Washington hereby promulgates the following regulations to provide for the creation of the division of charitable trusts in the ~~((office of the attorney general))~~ corporations division in the office of the secretary of state of the state of Washington, to provide a register for the registration of all charitable trusts and trustees subject to ~~((said))~~ the Charitable Trust Act, and to provide for the administration of that act.

AMENDATORY SECTION (Amending Order 103, filed 12/8/71)

WAC 44-01-020 General duties of the ~~((attorney general))~~ secretary of state and of charitable trustees. It is the duty of the ~~((attorney general))~~ secretary of state to enforce the provisions of all charitable trusts in this state and to enforce the proper application of funds held in trust in this state for public, charitable purposes. Except as otherwise provided, the trustees of all charitable trusts and similar relationships, as defined in chapter 19.10 RCW and these regulations, are required to report the existence of their trust or other relationship and to report its administration on an annual or other basis thereafter, at the time and in the manner prescribed by said act and by these regulations.

AMENDATORY SECTION (Amending Order 101, filed 12/8/67, effective 1/8/68)

WAC 44-01-030 Creation of charitable trust division—Register of trustees. There is established in the office of the ~~((attorney general))~~ secretary of state, corporations division of the state of Washington, a ~~((division))~~ section of charitable trusts. The division of corporations, charitable trusts section shall establish and maintain in the Office of the ~~((Attorney General, Charitable Trust))~~ Secretary of State, Corporations Division, Olympia, Washington, a register of charitable trusts which shall contain a listing of all trustees subject to the provisions of the Washington Charitable Trust Act, and of the particular trust, foundation, or other relationship under which they hold property for charitable purposes.

AMENDATORY SECTION (Amending Order 103, filed 12/8/71)

WAC 44-01-100 Annual reports—Substance—Form. The annual reports shall contain the information required by the United States Internal Revenue Service in its Form 990 or Form 1041-A if no Form 990 is filed; and such further information as may be required by these regulations as amended from time to time. The report shall specifically contain a statement of the current market value of assets of the charitable corporation or trust. Such report insofar as it

EMERGENCY

contains the required information, may be submitted in the form of either:

(1) The Form 990, RETURN OF ORGANIZATION EXEMPT FROM INCOME TAX, filed with the United States Internal Revenue Service and Form 990-AR when required; or Form 1041-A or other tax return required to be filed under United States tax law and by these regulations; or

(2) A copy of the annual account filed by the trustee in any court having jurisdiction of the trust; or

(3) A copy of an audit certified as being true and correct and in accordance with generally accepted accounting principles by any certified public accountant and containing substantially the information required as an annual report by the ~~((attorney general))~~ secretary of state; or

(4) A tax exempt organization required to file annual reports under chapter 19.10 RCW and not required to file federal tax returns because their gross receipts are not normally more than \$5,000 and which organizations are not annually audited by a certified public accountant shall submit under oath a statement showing that information required by IRS Form 990.

If any such alternative form is utilized and does not contain substantially all the information required by these rules, the form shall have attached to it one or more supplementary sheets providing such information.

AMENDATORY SECTION (Amending Order 103, filed 12/8/71)

WAC 44-01-110 Annual or periodic reports—Time for filing. The first annual report shall cover the first calendar or other fiscal year (as determined for federal tax reporting purposes) of the trust ending after the trust becomes subject to the act, whether or not such report covers a full twelve-month period. The report shall be filed on or before the fifteenth day of the sixth month after the close of said first calendar or other fiscal year.

Every trustee of a charitable trust subject to the reporting provisions of the Charitable Trust Act shall, subsequent to the filing of the first annual report, file an annual report for each subsequent year during the existence of the trust except as herein provided. All such subsequent annual reports shall cover the twelve-month period ending with the calendar or other fiscal year of the trust, and they shall be due on or before the fifteenth day of the sixth month after the close of such calendar or other fiscal year. A trust or other organization which commences reporting on either a calendar or fiscal year basis shall continue such method of reporting unless the ~~((attorney general))~~ secretary of state permits a different method of reporting as provided in these regulations.

If any part of the income or principal of the charitable trust or corporation previously established was authorized or required to be applied to a charitable purpose on or before July 30, 1967, the first annual report shall be filed on or before January 31, 1968, unless filing of such report is suspended for any reason under the provisions of section 7, chapter 53, Laws of 1967 ex. sess.

If any part of the income or principal of a charitable trust or corporation previously exempted was authorized or required to be applied to a charitable purpose on or before August 9, 1971, the first annual report shall be filed on or

before the fifteenth day of the sixth month after the close of the trust or corporation's first calendar or fiscal year ending after August 9, 1971.

The ~~((attorney general))~~ secretary of state may suspend the filing of reports as to a particular trust for a reasonable, specifically designated time upon written application of the trustee filed with the ~~((attorney general))~~ secretary of state, and after the ~~((attorney general))~~ secretary of state has filed in the register of charitable trusts a written statement that the interests of the beneficiaries will not be prejudiced thereby and periodic reports are not required for proper supervision by ~~((his))~~ the secretary's office.

AMENDATORY SECTION (Amending Order 101, filed 12/8/67, effective 1/8/68)

WAC 44-01-120 Registration and reports—Executing and filing. All registration and annual reports and other reports required by the Charitable Trust Act, or by these regulations, shall be executed on affidavit by one or more trustees of the charitable trust, or by the chairman or secretary of the board submitting them. All such registration and annual reports and other reports and information shall be submitted to the ~~((Attorney General, Charitable Trust))~~ Secretary of State, Corporations Division, ((Temple of Justice)) Republic Building, 505 East Union, Olympia, Washington, unless otherwise directed by the ((attorney general)) secretary of state.

AMENDATORY SECTION (Amending Order 101, filed 12/8/67, effective 1/8/68)

WAC 44-01-130 Notice of application for tax exemption. The trustee of a charitable trust shall file with the ~~((attorney general))~~ secretary of state a copy of any application for federal income tax exemption and also a copy of any application for exemption from real or personal property tax exemptions in the state of Washington.

AMENDATORY SECTION (Amending Order 101, filed 12/8/67, effective 1/8/68)

WAC 44-01-140 Notification of litigation. As provided in section 12, chapter 53, Laws of 1967 ex. sess., the Charitable Trust Act, the ~~((attorney general))~~ secretary of state shall be notified of all judicial proceedings involving or affecting the charitable trust or its administration in which, at common law, ~~((he))~~ the secretary is a necessary or proper party as representative of the public beneficiaries. Notification shall be given by the trustee or the attorney for the trustee in the manner provided by the Charitable Trust Act. Cases of which the ~~((attorney general))~~ secretary of state shall be notified shall include, but are not necessarily limited to, the following:

- (1) An action to dissolve a charitable trust or trustee;
- (2) An action alleging mismanagement or breach of trust on the part of a trustee;
- (3) An action by trustees or others requesting directions from the court as to management of the trust;
- (4) Any action involving an application or request for application of the doctrine of cy pres;
- (5) An action to approve the disposition of assets wherein, if the trust were a private trust, one or more

beneficiaries of such trust would have the right to be represented and to be heard.

AMENDATORY SECTION (Amending Order 101, filed 12/8/67, effective 1/8/68)

WAC 44-01-150 Duty to furnish information—In general. The trustees of all trusts subject to the Charitable Trust Act, and all other persons to whom the provisions of the act apply, shall furnish such further information and copies of records or other documents as and in the manner required from time to time by the ~~((attorney general))~~ secretary of state in order to establish, maintain and keep current his register of trustees as provided by law, or for any other lawful purpose contemplated by the Charitable Trust Act. A request for information shall be in writing, signed by the ~~((attorney general))~~ secretary of state or his or her representative, specifying as precisely as practicable the nature of the information desired and the nature of the instruments, reports, records, or other documents copies of which are requested for that purpose. Every person to whom such written request is directed, having such information or documents, shall comply with said written request within thirty days after its receipt, unless the time is extended in writing.

The procedures specified in this regulation for the gathering of information are intended to supplement and not limit the powers of the ~~((attorney general))~~ secretary of state expressly granted in sections 10, 11 and 12, chapter 53, Laws of 1967 ex. sess., or any other law.

AMENDATORY SECTION (Amending Order 101, filed 12/8/67, effective 1/8/68)

WAC 44-01-160 Register—Inspection. The ~~((attorney general))~~ secretary of state will maintain the register of trustees in book or other suitable form, in which each trust or other relationship subject to the Washington Charitable Trust Act shall be recorded, together with all information pertinent thereto which the ~~((attorney general))~~ secretary of state deems necessary in the public interest.

The register and records of any charitable trust registered in the office of ~~((attorney general))~~ the secretary of state are matters of public record and shall be subject to reasonable inspection between the hours of 9:00 a.m. and 4:00 p.m. on any day on which the ~~((attorney general's))~~ secretary of state's office is open for business.

When any trust instrument contains a trust for mixed purposes, and any one or more of such purposes is a private charity rather than a public charity, such document shall be withheld from public inspection.

AMENDATORY SECTION (Amending Order 103, filed 12/8/71)

WAC 44-01-170 When trust becomes subject to act—Vested remainders. A trust is not exclusively for charitable purposes, within the meaning of RCW ~~((49-10-040))~~ 11.110.040, when the instrument creating it contains a trust for several or mixed purposes, and any one or more of such purposes is not charitable within the meaning of RCW ~~((49-10-020))~~ 11.110.020, as enacted or hereafter amended. Such instrument shall be withheld from

public inspection by the ~~((attorney general))~~ secretary of state and no information as to such noncharitable purposes shall be made public.

Annual reporting of such trusts to the ~~((attorney general))~~ secretary of state, as now required by RCW ~~((49-10-060 or 49-10-070))~~ 11.110.060 or 11.110.070, or as hereafter amended, and by these regulations shall commence within one year after trust income or principal is authorized or required to be used for a charitable purpose.

When a trust consists of a vested charitable remainder preceded by a term or life estate, a copy of the instrument only shall be filed by the trustee or by the term or life tenant, within two months after commencement of the term or life estate. Registration and annual reporting as required by RCW ~~((49-10-060 or 49-10-070))~~ 11.110.060 or 11.110.070 (as the same may be hereafter amended) and by these regulations shall be required only upon the termination of such term or life estate or when trust income or principal is authorized or required to be used for a charitable purpose, whichever occurs first.

If the trust instrument contains only contingent gifts or remainders to charitable purposes, no charitable trust shall be deemed created until a charitable gift or remainder is legally vested. The first registration or report of such trust shall be filed within two months after trust income or principal is authorized or required to be used for a charitable purpose.

AMENDATORY SECTION (Amending WSR 90-22-021 and 90-23-040, filed 10/30/90 and 11/15/90, effective 11/30/90 and 12/16/90)

WAC 434-19-012 Official address. The address to be used for delivery and receipt of all mail, information, registration applications, amendments, fees and other material required by the act is:

Office of the Secretary of State
Charitable Solicitations Division
505 East Union, ~~((Mailstop: PM 21))~~
P.O. Box 40234
Olympia, WA 98504-~~((0419))~~ 0234

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-014 Office hours. Customary hours of operation of the charitable solicitations division are 8:00 a.m. to ~~((12:00 noon and 1:00 p.m. to))~~ 5:00 p.m., Monday through Friday, except holidays.

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-020 Definitions. Terms defined in RCW 19.09.020 shall apply in these regulations. When used in these regulations:

(1) "Bona fide officer or employee" of a charitable organization shall include any individual volunteering his or her time without compensation.

(2) "Compensation" shall not include:

(a) Reimbursement to an individual employee or volunteer for actual costs incurred and paid by the employee or volunteer acting on behalf of the charitable organization; and

(b) A premium, prize or other noncash item awarded to an otherwise unpaid person under the age of eighteen as a result of exceeding a specified campaign goal.

(3) "General public" or "public" shall include any defined or identifiable subset of the population of the state. This term shall also include any entity located in this state.

(4) (~~("Independent contractor")~~) "Commercial fundraiser" shall mean an entity, retained in the performance of fundraising services which:

(a) Is not retained as an employee by the charitable organization or independent fundraiser and has authority to employ others without the direct approval of a charitable organization or independent fundraiser; or

(b) Is required to have an independent business identity, separate from the charitable organization or independent fundraiser, under applicable statutes or regulations of a political subdivision of the state, the state department of revenue, or employment security department, or the federal Internal Revenue Service or Social Security Administration(~~(-~~

~~(5) "Independent fundraiser":~~

~~(a)); and shall not include any:~~

~~((+)) (c) Employee retained by an independent fundraiser, provided the bond required by RCW 19.09.190 covers the actions of such employees;~~

~~((+)) (d) Accountant, attorney, banker, financial advisor or similar professional, who, in the regular course of his or her profession, advises a charitable organization regarding fundraising activities, provided the professional is not otherwise engaged in the business of or is held out to persons in this state as engaged in the business of soliciting contributions for charitable or religious purposes;~~

~~((+)) (e) Supplier of goods or services not otherwise engaged in the business of or held out to persons in this state as engaged in the business of soliciting contributions for charitable or religious purposes;~~

~~((+)) (f) Retail establishment, not otherwise deemed an independent fundraiser, in which the retail establishment promises to contribute a portion of the regular sales price of a product or service to a named charitable organization, provided:~~

~~((A)) (i) The price of the product or service is no more than the price thirty days before and thirty days after the promotion; and~~

~~((B)) (ii) The charitable organization's has given its written permission to use its name in connection with the promotion; and~~

~~((C)) (iii) The agreement governing the retail establishment's contribution is in writing(~~(-~~~~

~~(b)); and shall include any:~~

~~((i) Independent contractor;~~

~~((+)) (g) For-profit entity, not otherwise deemed a charitable organization, which is substantially engaged in a trade or commerce in this state which is intended to or results in the raising of funds for charitable or religious purposes or a charitable or religious organization. An organization is considered to be substantially engaged in a trade or commerce in this state which is intended to or results in the raising of funds for such purposes if twenty-five percent or more of the for-profit entity's gross receipts in any accounting period are associated with any contract or other arrangement which results in payments to a charitable or religious organization;~~

~~((+)) (h) Product fundraiser, as defined in subsection ((7)) (6) of this section;~~

~~((+)) (i) Professional fundraising counsel, as defined in subsection ((8)) (7) of this section.~~

~~((6)) (5) "Official relationship," as used in the definition of "general public" or "public," shall mean a status conferred by a charitable organization which is obtained as a result of a voluntary and affirmative action by an entity, on at least an annual basis, which demonstrates a continuing association with, support of, or knowledge of the activities of, the charitable organization.~~

~~((7)) (6) "Product fundraiser" shall mean ((an independent)) a commercial fundraiser:~~

(a) Whose fundraising services are limited to providing product at wholesale for resale by only employees and volunteers of the charitable organization; and

(b) Which does not engage in any of the activities described in RCW 19.09.190 (1), (2), or (3).

~~((8)) (7) "Professional fundraising counsel" shall mean an ((independent)) commercial fundraiser:~~

(a) Whose fundraising services are limited to providing planning advice or consultation; and

(b) Which does not engage in, nor is contractually associated with any entity which engages in, the activities described in RCW 19.09.190 (1), (2), or (3).

~~((9)) (8) "Publicly supported educational facility" shall mean a public school or school district as defined by Title 28A RCW, or a public college, university, or community college as defined by Title 28B RCW.~~

~~((+)) (9) "Solicitation" shall not include any:~~

(a) Application or request for application for a grant, contract, or similar funding from any foundation, corporation, governmental agency or similar entity which has an established application and review procedure for reviewing such requests.

(b) Attempt to sell a service or good which constitutes the basis of the charitable organization's federal tax exemption or primary purpose for the existence of the charitable organization; including but not limited to: admission to a theatrical or other performance by a drama, musical, dance or similar group; and fees for services or use of the charitable organization's facilities.

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-056 Charitable organization registration—Combined program and paid fundraising effort. A charitable organization which:

(1) Compensates a temporary employee, (~~independent contractor, independent~~) commercial fundraiser or an entity other than a bona fide employee for fundraising services; and

(2) Allocates any portion of such compensation as part of the charitable organization's amount disbursed for charitable purpose shall file a statement to that effect, in a form prescribed by the secretary, as part of its annual registration.

EMERGENCY

SECTION IV—~~(INDEPENDENT)~~ COMMERCIAL FUNDRAISER REGISTRATION

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-080 (~~(Independent)~~) Commercial fundraiser registration—Identification of other (~~(independent)~~) commercial fundraisers retained. In addition to identifying (~~(independent)~~) commercial fundraisers retained by the registrant in the performance of fundraising services, the registrant shall indicate whether the retained fundraiser is, or is not, included in the registrant's surety bond. For those retained fundraisers that are reported as being covered by the registrant's bond, the registrant shall submit documentary evidence from the surety or sureties to verify bonding.

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-081 (~~(Independent)~~) Commercial fundraiser registration—Single business name required. No (~~(independent)~~) commercial fundraiser registered as required by RCW 19.09.079 under one name shall engage in the business or act in the capacity of (~~(an independent)~~) a commercial fundraiser under any other name unless such other name is also separately registered and bonded.

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-082 (~~(Independent)~~) Commercial fundraiser registration—Physical address required. (~~(An independent)~~) A commercial fundraiser shall provide the secretary with the physical street address of the fundraiser's principal business location. An application to register as required by RCW 19.09.079 which does not contain the true physical street address of the fundraiser's principal business location shall be considered incomplete and shall not be accepted by the secretary.

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-083 (~~(Independent)~~) Commercial fundraiser registration—Registration fee. (1) Unless notified pursuant to RCW 19.09.271, (~~(an independent)~~) a commercial fundraiser which submits an application to register or reregister which is not accepted by the secretary shall not be required to pay an additional filing fee if the organization submits an acceptable application to register within 28 days of the date of the notice of nonacceptance. A corrected application to register received after 28 days shall be required to include a \$50 filing fee plus any applicable late filing fees as required by RCW 19.09.271.

(2) Registration application updates or amendments which are not required to be filed by the act or these rules, if accepted by the secretary, shall be accepted without fee.

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-084 (~~(Independent)~~) Commercial fundraiser registration—Calculation of percentage waived. (~~(An independent)~~) A commercial fundraiser, product fundraiser, or professional fundraising counsel which:

(1) Is not involved in the conduct of a solicitation campaign, as defined in WAC 434-19-114; and

(2) Does not receive contributions on behalf of a charitable organization, as defined in WAC 434-19-195(1); shall not be required to provide financial information or a list of clients as part of the (~~(independent)~~) commercial fundraisers annual registration, as required by RCW 19.09.079 (7)(b) and (c).

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-085 (~~(Independent)~~) Commercial fundraiser registration—Responsibility for reporting finances. (~~(An independent)~~) A commercial fundraiser which, under WAC 434-19-114, is deemed to conduct a solicitation, shall determine and report all expenses and contributions associated with the solicitation, regardless of whether such expenses were incurred and/or contributions handled by another entity which was contractually associated with the (~~(independent)~~) commercial fundraiser.

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-086 (~~(Independent)~~) Commercial fundraiser registration—Newly formed organization. (1) (~~(An independent)~~) A commercial fundraiser which has yet to complete its first accounting year shall complete the registration required by RCW 19.09.079 based upon the average guaranteed minimum contractual return of gross receipts under the contract or contracts for fundraising services in existence at the time of the registration. The (~~(independent)~~) commercial fundraiser shall clearly identify that the reported figures are not based upon actual funds received.

(2) If a newly formed (~~(independent)~~) commercial fundraiser conducts a solicitation and is unable to calculate the average guaranteed minimum contractual return of gross receipts, the (~~(independent)~~) commercial fundraiser shall report on the registration application required under RCW 19.09.079 that it is currently unable to comply with WAC 434-19-086.

(3) Before the end of the seventh month of operation, (~~(an independent)~~) a commercial fundraiser conducting a solicitation shall submit, without additional fee, a revised solicitation report as required under RCW 19.09.079(7) representing the fundraising services performed during the first six months of operation.

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-087 (~~(Independent)~~) Commercial fundraiser reregistration—Change in business structure. (~~(An independent)~~) A commercial fundraiser which changes

its (a) business structure, (b) business name, or (c) ownership shall file a new application to register, including a separate filing fee and evidence of bonding as required by RCW 19.09.190.

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-088 ((Independent)) Commercial fundraiser reregistration—Evidence of continuation of bonding required. ((An independent)) A commercial fundraiser required to submit a reregistration under RCW 19.09.085(3) or WAC 434-19-086 shall include with such reregistration evidence of continuation of bonding, if any, as required under RCW 19.09.190.

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-097 Charitable organizations and ((independent)) commercial fundraisers—Contract registration form—Timing. No fundraising service or activity shall commence until after the registration form required under RCW 19.09.097 shall have been filed with the charitable solicitations division at the address stipulated in WAC 434-19-012.

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-098 Charitable organizations and ((independent)) commercial fundraisers—Contract registration form—Fee waived. The secretary shall accept, without fee, a registration form required under RCW 19.09.097 if the ((independent)) commercial fundraiser is either a registered product fundraiser or professional fundraising counsel.

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-101 Conditions applicable to solicitations—Multiple contacts deemed single solicitation. A person making more than one ((contact to solicit)) solicitation for a contribution from an entity shall be considered to have complied with RCW 19.09.100 if:

(1) All disclosures required by RCW 19.09.100(1) are ((physically)) provided in written form to the entity solicited during the first ((contact when a)) solicitation ((is made)); and

(2) All disclosures required by RCW 19.09.100 are ((physically)) provided in written form to the entity solicited at least once every six months; and

(3) The entity solicited affirmatively consents to additional ((contacts to solicit a)) contribution solicitations.

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-114 Conditions applicable to solicitations—Solicitation conducted. A solicitation is considered conducted by the entity which is responsible for:

(1) The manner in which the message is communicated, or the individuals who communicate the solicitation message; and

(2) The receipt of contributions from the public. Where a charitable organization is not responsible for both functions, the solicitation shall be considered conducted by the ((independent)) commercial fundraiser if the ((independent)) commercial fundraiser or any entity contractually associated with the ((independent)) commercial fundraiser engages in any of the activities described in RCW 19.09.190 (1), (2), or (3).

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-118 Conditions applicable to solicitations—Solicitation conducted via electronic media. (1) The disclosures required under RCW 19.09.100 (1) or (4) shall apply to solicitations conducted via television or radio, except (a) announcements of one minute duration or less which are provided by the station at no charge to the charitable organization or its agent, including but not limited to public service announcements; and (b) news reports of any duration.

(2) A solicitation, such as a telethon or similar event, conducted via television or radio over a period exceeding thirty minutes of on-air time originating within the state during any twenty-four hour period shall contain the disclosures required under RCW 19.09.100 (1) or (4) at least once during each thirty minutes of on-air time originating within the state.

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-190 Surety bond—Bond extended to other ((independent)) commercial fundraiser. (1) ((An independent)) A commercial fundraiser may, subject to approval by the surety, extend its bond coverage to include another ((independent)) commercial fundraiser retained in the performance of fundraising services, provided; that such other ((independent)) commercial fundraisers shall (a) have registered with the secretary and shall have executed a surety bond as principal with one or more sureties whose liability in the aggregate as such sureties will equal at least five thousand dollars; and (b) for the remainder of its registration period, not be engaged in the business of providing fundraising services outside the arrangement with the ((independent)) commercial fundraiser which extends its bond coverage.

(2) Evidence of the extension of bond coverage to another ((independent)) commercial fundraiser shall be filed with the secretary prior to the commencement of any fundraising activities by the other ((independent)) commercial fundraiser. Such evidence must be submitted on the letterhead or other official document of the surety.

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-191 Surety bond—Notice of exemption from bond requirement. (1) To be eligible to be deemed exempt from the bonding requirement of RCW 19.09.190,

EMERGENCY

~~((an independent))~~ a commercial fundraiser shall not have had a registration as ~~((an independent))~~ a commercial fundraiser suspended under WAC 434-19-193; and

(a) Shall have been registered with the secretary as ~~((an independent))~~ a commercial fundraiser for at least the most recently completed accounting year, during which shall not have engaged in any of the activities described in RCW 19.09.190 (1), (2), and (3); or

(b) Shall be currently registered as either a product fundraiser or professional fundraising counsel, as defined in WAC 434-19-020 (7) or (8), respectively.

(2) To be deemed exempt from the bonding requirement of RCW 19.09.190, ~~((an independent))~~ a commercial fundraiser shall:

(a) Be eligible to be deemed exempt, as described in WAC 434-19-191(1); and

(b) Provide notice to the secretary that the ~~((independent))~~ commercial fundraiser claims exemption from the bond required under RCW 19.09.190.

(3) The notice required under WAC 434-19-191 (2)(b) shall be submitted by the ~~((independent))~~ commercial fundraiser in writing, on the letterhead of the ~~((independent))~~ commercial fundraiser, and shall contain a statement, under penalty of perjury that:

(a) The fundraiser has reviewed the requirements to be eligible for being deemed exempt from the bonding requirement of RCW 19.09.190; and

(b) The fundraiser has not, during the most recently completed accounting year, engaged in any of the activities described in RCW 19.09.190 (1), (2), and (3); and

(c) The fundraiser shall not engage in any of the activities described in RCW 19.09.190 (1), (2), and (3), unless the fundraiser shall first (i) notify the secretary, in writing, of the intent to begin engaging in such activities; and (ii) obtain and submit evidence of obtaining the bonding required by RCW 19.09.190 and these regulations.

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-192 Surety bond—Reduction in bond amount. (1) To be eligible to request a reduction of the bonding requirement of RCW 19.09.190, ~~((an independent))~~ a commercial fundraiser shall not have had a registration as ~~((an independent))~~ a commercial fundraiser suspended under WAC 434-19-193.

(2) To request a reduction of the bonding requirement of RCW 19.09.190, ~~((an independent))~~ a commercial fundraiser shall:

(a) Be eligible to request a reduction of the bonding requirement, as described in WAC 434-19-192(1); and

(b) Provide notice to the secretary that the ~~((independent))~~ commercial fundraiser desires to reduce the bond required under RCW 19.09.190 from fifteen thousand dollars to five thousand dollars.

(3) The notice required under WAC 434-19-192 (2)(b) shall be submitted by the ~~((independent))~~ commercial fundraiser in writing, on the letterhead of the ~~((independent))~~ commercial fundraiser, and shall contain a statement, under penalty of perjury that:

(a) The fundraiser has reviewed the requirements to be eligible for requesting the bonding requirement of RCW

19.09.190; and asserts that the fundraiser is eligible to request a reduction in the bonding requirement; and

(b) The fundraiser has not, during the most recently completed accounting year, engaged in more than one of any of the activities described in RCW 19.09.190 (1), (2), and (3); and

(c) The fundraiser shall not engage in more than one of any of the activities described in RCW 19.09.190 (1), (2), and (3), unless the fundraiser shall first (i) notify the secretary, in writing, of the intent to begin engaging in such activities; and (ii) obtain and submit evidence of obtaining the bonding required by RCW 19.09.190 and these regulations.

AMENDATORY SECTION (Amending WSR 90-22-021, filed 10/30/90, effective 11/30/90)

WAC 434-19-193 Surety bond—Reinstatement of bond amount. (1) ~~((An independent))~~ A commercial fundraiser which:

(a) Has received approval from the secretary to reduce the bond requirement of RCW 19.09.190 to five thousand dollars under the provisions of WAC 434-19-190 or 434-19-192; or

(b) Notified the secretary that the fundraiser claims exemption from the bond requirement of RCW 19.09.190 under the provisions of WAC 434-19-191; and fails to refrain from engaging in any activity which qualified the ~~((independent))~~ commercial fundraiser for such reduced or waived bond; shall immediately execute a bond as principal with one of more sureties whose liability in the aggregate of such sureties will equal at least fifteen thousand dollars.

(2) Failure to provide evidence of proper bonding shall result in the secretary suspending the registration of the ~~((independent))~~ commercial fundraiser until evidence of sufficient bonding is received.

(3) ~~((An independent))~~ A commercial fundraiser which has been required to increase or reinstate a bond under the provisions of WAC 434-19-193(1) or has had the bond impaired by any final judgment, shall not again be eligible to receive a reduction in bond amount nor qualify for exemption from the bond required by RCW 19.09.190.

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-194 Surety bond—Impairment of bond. In the event that any final ~~((judgement))~~ judgment shall impair the liability of a surety upon the bond furnished under RCW 19.09.190 that there shall not be in effect a bond undertaking in the full amount required, the secretary shall suspend the registration of such ~~((independent))~~ commercial fundraiser until the bond liability the full amount required, unimpaired by unsatisfied judgement claims shall have been furnished.

AMENDATORY SECTION (Amending Order 88-02, filed 4/14/88)

WAC 434-19-195 Surety bond—Conditions defined. As used in the act and these rules:

(1) ~~((An independent))~~ A commercial fundraiser shall be considered to "directly or indirectly receive contributions

from the public on behalf of a charitable organization" when (a) the ~~((independent))~~ commercial fundraiser has authority over, retains control of, or has any claim to contributions received as a result of a solicitation; or (b) an entity other than the charitable organization shall receive or have access or claim to contributions received as a result of the solicitation.

(2)(a) ~~((An independent))~~ A commercial fundraiser shall be considered to be "compensated based upon funds raised or to be raised, number of solicitations made or to be made, or any other similar method" when (i) the amount of the ~~((independent))~~ commercial fundraiser's compensation cannot be determined prior to the commencement of the fundraising service; or (ii) any part of the arrangement between the charitable organization and the ~~((independent))~~ commercial fundraiser is contingent upon funds to be raised, solicitations to be made or any other similar method.

(b) ~~((An independent))~~ A commercial fundraiser shall not be considered to be "compensated based upon funds raised or to be raised, number of solicitations made or to be made, or any similar method" if (i) the fundraiser's compensation is based solely on the number of products supplied by the fundraiser to the charitable organization for resale by the charitable organization; and (ii) the charitable organization is free to establish the sales price of the product.

(3) ~~((An independent))~~ A commercial fundraiser shall be considered to "incur or be authorized to incur expenses on behalf of the charitable organization" when any expense relating to the solicitation may become the liability of the charitable organization and such expense is not paid by the ~~((independent))~~ commercial fundraiser at the time the expense is authorized, committed to or delivered, whichever occurs earliest.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 434-19-102 Conditions applicable to solicitations—Name of solicitor.

WSR 93-14-088
EMERGENCY RULES
SECRETARY OF STATE
[Filed July 1, 1993, 10:26 a.m.]

Date of Adoption: July 1, 1993.

Purpose: To conform rules governing verification of petition signatures on initiatives and referendums with amendments to RCW 29.79.200.

Citation of Existing Rules Affected by this Order: Amending WAC 434-79-010.

Statutory Authority for Adoption: RCW 29.79.200 and 29.04.080.

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

Reasons for this Finding: The effective date of chapter 368, Laws of 1993, which amends RCW 29.79.200, is July 1, 1993. Initiative petitions have been filed and verification of signatures is required within sixty days under Article 2, section 1, of the state constitution.

Effective Date of Rule: Immediately.

July 1, 1993

Donald F. Whiting
Assistant Secretary of State

AMENDATORY SECTION (Amending Order 78-2, filed 7/17/78)

WAC 434-79-010 Random sampling procedure. In the verification of signatures on initiative and referendum petitions ~~((, pursuant to))~~ under RCW 29.79.200 and 29.79.220, ~~((when the number of signatures submitted is more than 110 percent of the number of signatures required by Article II, Section 1A of the Washington State Constitution;))~~ the following statistical test may be employed:

(1) Take an unrestricted random sample of the signatures submitted;

(2) Check each signature sampled to determine the number of valid signatures in the sample, the number of signatures in the sample which are invalid because the individual signing is not registered or the signature is improper in form, and the number of signatures which are duplicated in the sample;

(3) Calculate an allowance for the chance error of sampling by multiplying the square root of the number of invalid signatures in the sample by 1.5;

(4) Estimate the upper limit of the number of signatures in the population which are invalid by dividing the sum of the invalid signatures in the sample and the allowance for the chance error of sampling by the sampling ratio, i.e. the number of signatures sampled divided by the number of signatures submitted;

(5) Determine the maximum allowable number of pairs of signatures in the population by subtracting the sum of ~~((110 percent of))~~ the number of signatures required by Article II, Section 1A of the Washington state constitution and the estimate of the upper limit of the number of invalid signatures in the population from the number of signatures submitted;

(6) Determine the expected number of pairs of signatures in the sample by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures in the population;

(7) Determine the acceptable number of pairs of signatures in the sample by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample;

(8) If the number of pairs of signatures in the sample is greater than the acceptable number of pairs of signatures in the sample, each signature shall be canvassed to determine the exact number of valid signatures;

(9) If the number of pairs of signatures in the sample is less than the acceptable number of pairs of signatures in the sample, the petition shall be deemed to contain sufficient signatures and the serial number and ballot title shall be certified to the state legislature ~~((as provided in))~~ under

RCW 29.79.200 or to the county auditors ((as provided in) under RCW 29.79.230.

**WSR 93-14-089
EMERGENCY RULES
HEALTH CARE AUTHORITY**

(Basic Health Plan)
[Filed July 1, 1993, 10:48 a.m.]

Date of Adoption: July 1, 1993.

Purpose: Rule is designed to carry out the purposes of chapter 70.47 RCW, the Health Care Access Act.

Citation of Existing Rules Affected by this Order: Amending WAC 55-01-010, 55-01-020, 55-01-030, 55-01-040, 55-01-050, 55-01-060, and 55-01-070.

Statutory Authority for Adoption: RCW 70.47.050.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Changes were made to accommodate revisions as stated in E2SSB 5304.

Effective Date of Rule: Immediately.

July 1, 1993
Gary L. Christenson
Director

**Chapter 55-01 WAC
WASHINGTON BASIC HEALTH PLAN**

- WAC 55-01-001 Authority.
- 55-01-010 Definitions.
- 55-01-020 Schedule of benefits.
- 55-01-030 Premiums and copayments.
- 55-01-040 Eligibility.
- 55-01-050 Enrollment in the plan.
- 55-01-060 Disenrollment from the plan.
- 55-01-070 Hearings and grievances.
- 55-01-080 Contracts with managed health care systems.

[AMENDATORY SECTION (Amending Order 88-001, filed 12/2/88)]

WAC 55-01-001 Authority. The administrator's authority to promulgate and adopt rules is contained in RCW 70.47.050.

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

Reviser's note: The above section was filed as an amendatory section; however, there were no amendments made. Pursuant to the requirements of RCW 34.08.040 it is published in the same form as filed by the agency.

[AMENDATORY SECTION (Amending WSR 92-14-088, filed 6/30/92)]

WAC 55-01-010 Definitions. The following definitions apply throughout these rules.

(1) "Administrator" means the ~~(Washington basic health plan administrator)~~ administrator of the Washington Health Care Authority or designee.

(2) "Certificate of coverage" means a written document issued by the plan to a subscriber which describes the covered services, premiums, grievance procedures and other rights and responsibilities of enrollees. The certificate of coverage issued to a subscriber shall pertain to the subscriber and family dependents.

(3) "Co-payment" means a payment indicated in the schedule of benefits which is made by an enrollee to a managed health care system or health care provider, or to the plan, when specifically instructed to do so by the plan, for covered services provided to the enrollee.

(4) "Covered services" means those services and benefits to which an enrollee is entitled, under the certificate of coverage issued by the plan to the enrollee (or to a subscriber on behalf of the enrollee), in exchange for payment of premium and applicable copayments.

(5) "Dependent child" means an individual's unmarried natural child, stepchild, or legally adopted child, who is either (a) younger than age nineteen, or (b) younger than age twenty-three and (i) is a full-time student at an educational organization which normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on, or (ii) is pursuing a full-time course of institutional on-farm training under the supervision of an educational organization described in WAC 55-01-010 (5)(b)(i).

(6) "Effective date of enrollment" means the first date, as established by the plan, on which an enrollee is entitled to receive covered services from the enrollee's respective participating managed health care system.

(7) "Employee" means one who is in the employment of an employer, as defined by RCW 50.04.080.

~~((7))~~ (8) "Enrollee" means a person who meets all eligibility requirements, who is enrolled in the plan, and for whom applicable premium payments have been made.

~~((8))~~ (9) "Family" means an individual or an individual and the individual's spouse, if not legally separated, and the individual's dependent children. For purposes of eligibility determination and enrollment in the plan, an individual cannot be a member of more than one family.

~~((9))~~ (10) "Family dependent" means a subscriber's legal spouse, if not legally separated, or the subscriber's dependent child, who meets all eligibility requirements, is enrolled in the plan, and for whom the applicable premium has been paid.

(11) "Financial Sponsor" means a person, employer or other entity that is responsible for payment of all or a designated portion of the monthly premiums on behalf of a subscriber and any family dependents.

~~((10))~~ (12) "Grievance procedure" means the formal process for resolution of problems or concerns raised by enrollees which cannot be resolved in an informal manner to the enrollee's satisfaction. "Grievance" means a problem or concern presented for resolution through a grievance procedure.

~~((11))~~ (13) "Gross family income" means the total income of all members of an enrollee's family, regardless of whether those family members enroll in the plan. (a) For

EMERGENCY

purposes of this definition, for applications for enrollment which are received by the plan on or before March 31, 1989, "income" includes but is not limited to wages and salaries, net income from rentals or self-employment, tips, interest income, dividends, royalties, public or private pensions, and Social Security benefits. (b) For purposes of this definition, for applications for enrollment which are received by the plan on or after April 1, 1989 and for premium payments which are made for coverage on or after June 1, 1989, "income" means total cash receipts before taxes from all sources, with the exceptions noted below. (i) Income includes money wages and salaries before any deductions; net receipts from nonfarm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expenses); net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses); regular payments from social security, railroad retirement, unemployment compensation, strike benefits from union funds, workers' compensation, veterans' payments, public assistance (including military retirement pay), and regular insurance or annuity payments; college or university scholarships, grants, fellowships and assistantships, if received as or convertible by the recipient into cash; and dividend, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings. (ii) Income does not include the following types of money received: capital gains; any assets drawn down as withdrawals from a bank, the sale of property, a house or a car; tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury (except workers' compensation). Also excluded are noncash benefits, such as the employer-paid or union-paid portion of health insurance or other employee fringe benefits, food ~~(or)~~ or housing received in lieu of wages, the value of food and fuel produced and consumed on farms, the imputed value of rent from owner-occupied nonfarm or farm housing, and such Federal noncash benefit programs as Medicare, Medicaid, food stamps, school lunches, and housing assistance. (c) "Income" shall not include income earned by dependent children, nor shall it include income of a family member who resides in another household when such income is not available to those family members seeking enrollment in the plan. (d) In the event that an item of income is received periodically, but less frequently than once per month, the latest amount received will be divided by the number of months in the period (i.e., between payments) in order to calculate an average amount per month. That monthly average will be combined with other monthly items of income to derive a monthly total, which will be used in the calculation of income as a percentage of federal poverty level. (For example, if an applicant receives quarterly interest payments in January, April, July, and October, and applies for coverage by the plan in September, the July payment will be divided by three to obtain a monthly income amount.)

~~(12)~~ (14) "Managed health care system" (or "MHCS") means any health care organization, including health care providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof, that provides directly or by contract basic health care services, as

defined by the administrator and rendered by duly licensed providers, on a prepaid capitated basis to a defined patient population enrolled in the plan and in the managed health care system.

~~(13)~~ (15) "Medicare" means programs established by Title XVIII of public law 89-97, as amended, "Health Insurance for the Aged and Disabled."

(16) "Nonsubsidized Enrollee" means an enrollee who pays, or on whose behalf is paid, the full costs for participation in the plan, including administrative costs, without any subsidy from the plan.

~~(14)~~ (17) "Open enrollment" means a time period designated by the administrator during which enrollees may apply to transfer their membership from one participating managed health care system to another. There shall be at least one open enrollment period of at least twenty consecutive days, at least once annually, in each site served by the plan.

~~(15)~~ (18) "Participating," when referring to a managed health care system, means one that has entered into a contract with the plan to provide covered services to enrollees. When referring to a health care provider, "participating" means one who is employed by or has entered into a contract with a participating managed health care system to provide covered services to enrollees.

~~(16)~~ (19) "Premium" means a periodic payment, based upon gross family income and determined under RCW 70.47.060(2), which a subscriber or financial sponsor makes to the plan on behalf of the subscriber and family dependents in consideration for enrollment in the plan.

~~(17)~~ (20) "Provider" or "health care provider" means a health care professional or institution duly licensed and accredited to provide covered services in the State of Washington.

~~(18)~~ (21) "Rate" means the per capita amount, negotiated by the administrator with and paid to a participating managed health care system, that is based upon the enrollment of enrollees in the plan and in that MHCS.

~~(19)~~ (22) "Schedule of benefits" means the basic health care services adopted and from time to time amended by the administrator, which enrollees shall be entitled to receive from participating managed health care systems.

~~(20)~~ (23) "Service area" means the geographic area served by a participating managed health care system as defined in its contract with the plan.

~~(21)~~ (24) "Site" means a geographic area designated by the plan in which one or more participating managed health care systems are offered to enrollees for selection.

~~(22)~~ (25) "Subscriber" means an enrollee, or the parent or legal guardian of an enrolled dependent child, who has been designated by the plan as the individual to whom the plan and the managed health care system will issue all notices, information requests and premium bills on behalf of all enrolled family members. For purposes of Chapter 55-01 WAC, notice to a subscriber shall be considered notice to all enrolled members of the subscriber's family as well.

(26) "Subsidized enrollee" means an enrollee whose gross family income does not exceed twice the federal poverty level as adjusted for family size and determined annually by the Federal Department of Health and Human Services, and for whom funds are available to provide a

partial subsidy of the premium according to a premium schedule adopted by the administrator.

~~((23)) (27)~~ "Subsidy" means the difference between the premium responsibility of a subsidized enrollee and the costs incurred by the plan in providing the plan to that subsidized enrollee. The costs incurred include both the rate paid by the administrator to a managed health care system on behalf of the enrollee and that portion of the administrative cost of providing the plan allocated by the administrator to that enrollee. (rate paid by the administrator to a managed health care system on behalf of an enrollee, and the enrollee's premium responsibility.)

~~((24)) (28)~~ "Washington Basic Health Plan" or "plan" means the system of enrollment and payment on a prepaid capitated basis for basic health care services, administered by the plan administrator through participating managed health care systems, created by chapter 70.47 RCW. The Washington Basic Health Plan is a program within the Washington Health Care Authority.

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

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

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

[AMENDATORY SECTION (Amending WSR 92-14-097, filed 6/30/92)]

WAC 55-01-020 Schedule of benefits. (1) The administrator shall design and from time to time may revise a schedule of benefits which shall include such physician services, inpatient and outpatient hospital services, prescription drugs and medications, proven preventive and primary care services, all services necessary for prenatal, postnatal and well-child care, and other services as determined by the administrator to be necessary for basic health care and which enrollees shall receive in return for premium payments to the plan and payment of required copayments. However, ~~(for the period beginning July 1, 1992 and ending June 30, 1993,~~) the schedule of benefits shall not include prenatal or postnatal services for enrollees who are eligible for coverage under the medical assistance program under chapter 74.09 RCW, except to the extent that such services are necessary over not more than a one-month period in order to maintain continuity of care after diagnosis of pregnancy by the managed care provider ~~(, or except to provided any such services associated with pregnancies diagnosed by the managed care provider before July 1, 1992).~~ The schedule of benefits may include copayments, limitations and exclusions which the administrator determines are appropriate and consistent with the goals and objectives of the plan.

(2) In designing and revising the schedule of benefits, the administrator will consider the effects of particular benefits, copayments, limitations and exclusions on access to necessary basic health care services, as well as the cost to the enrollees and to the state, and will also consider general-

ly accepted practices of the health insurance and managed health care industries.

(3) Prior to enrolling in the plan, each applicant will be given a complete written description of covered benefits, including all copayments, limitations and exclusions. Enrollees will also be given information on the services, providers, facilities, hours of operation, and other information descriptive of the managed health care system(s) available to enrollees in a given site.

(4) Subscribers will be given written notice by the plan of any planned revisions to the benefit package ~~and the accompanying premiums~~, such notice to be mailed at least thirty days prior to the due date of the premium payment for the month in which such revisions are to take effect. For purposes of this provision, notice shall be deemed complete upon depositing the written revisions in the United States mail, first class postage paid, directed to the enrollee at the enrollee's last mailing address on file with the plan. The administrator will make available a separate schedule of benefits for children, eighteen years of age and younger, for those who choose to enroll only their dependent children in the plan.

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

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

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

[AMENDATORY SECTION (Amending WSR 92-14-088, filed 6/30/92)]

WAC 55-01-030 Premiums and copayments. (1) ~~(Each subscriber)~~ Subscribers shall be responsible for paying a monthly premium to the plan, on behalf of the subscriber and all enrolled family dependents. A third party may, with the approval of the administrator, become a financial sponsor and pay all or a designated portion of the premium on behalf of any enrollee through a mechanism acceptable to the administrator. (, according to a premium schedule to be provided by the plan at the time the subscriber is enrolled by the plan.)

(2) For subsidized enrollees, ~~(F)the~~ amount of premium ~~(payable by any subscriber)~~ due will be based upon the subscriber's gross family income and rates payable to participating managed health care systems, and may vary with the number and ages of individuals enrolled from a given family.

~~((2)) (3)~~ For nonsubsidized enrollees, the amount of premium due will be equal to the cost charged by the managed health care system for that enrollee, plus that portion of the administrative cost of providing the plan allocated by the administrator to that enrollee. Nonsubsidized enrollees will also pay the appropriate premium tax as provided by law. A nonsubsidized enrollee who documents a change in income that causes the gross family income to fall below twice the federal poverty level will be eligible to become a subsidized enrollee if funding is

EMERGENCY

available, and will pay a monthly premium as provided by WAC 55-01-030(1). ~~(A third party may, with the approval of the administrator and through a mechanism acceptable to the administrator, pay the premium on behalf of any enrollee. Premium amounts payable shall be a monthly dollar payment or a percentage of the total rate payable by the plan.)~~ A statement of the monthly amount due will be mailed to the subscriber upon determination of eligibility for the plan.

~~(2)~~ (4) Based on the information provided by an enrollee on the application for enrollment, and any other information obtained by the plan, the enrollee will be informed of the premium amount due. The plan will notify subscribers in writing of any revisions to the premium schedule or to the premium amounts payable to the plan, such notice to be mailed at least thirty days prior to the due date of the premium payment for the month in which such revisions are to take effect, except that retroactive enrollment of a newborn or newly adopted child (as provided in WAC 55-01-050(6)) may result in a corresponding retroactive increase in premium payable to the plan. For purposes of this provision, notice shall be deemed complete upon depositing the written revisions in the United States mail, first class postage paid, directed to the enrollee at the enrollee's last mailing address on file with the plan.

~~(3)~~ (5) Once the plan has determined that a subscriber and members of the subscriber's family (if any) are eligible for enrollment, the plan will bill the subscriber, and financial sponsor if applicable, for the family's first month's premium. The subscriber and family members will not be eligible to receive covered services on the effective date of enrollment specified by the plan unless the premium bill is paid in full by the due date specified on the bill. ~~(Thereafter, the plan will bill each subscriber monthly, and the subscriber shall be responsible for payment of the billed amount in full by the date specified on the bill.)~~

~~(4)~~ (6) Premium bills must be paid in full by the date specified on the bill. Payment may be made in person at the plan's administrative office in Olympia, Washington, or by mail to the address specified on the bill. If the plan does not receive payment in full of a premium bill by 5:00 p.m. on the date specified on the bill, the plan shall issue a notice of delinquency to the subscriber, or to the financial sponsor, at the ~~(subscriber's)~~ last address on file with the plan, requiring payment in full by a date not less than ten days from the date of the notice. If full payment is not received by the date specified in the delinquency notice, the subscriber and enrolled family members will be disenrolled effective the first day of the month following the last month for which full premium payment was received by the plan. Partial payment of premiums due will be regarded as non-payment. The plan may disenroll a subscriber and enrolled family members in the event that ~~(the subscriber receives)~~ more than two delinquency notices are issued for that family in a twelve-month period.

~~(5)~~ (7) Enrollees shall be responsible for paying any required copayment directly to the provider of a covered service, unless the enrollee has been instructed by his or her managed health care system or the plan to make payment to another party. Copayments must be paid in full by the enrollee at the time of service. Failure to pay a required copayment in full at the time of service may result in the

denial or rescheduling of that service by the managed health care system. Repeated failure to pay copayments in full on a timely basis may result in disenrollment, as provided in WAC 55-01-060(2).

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 in the Register pursuant to the requirements of RCW 34.08.040.

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

[AMENDATORY SECTION (Amending Order 88-001, filed 12/2/88)]

WAC 55-01-040 Eligibility. (1) To be eligible for enrollment in the plan, an individual must:

(a) ~~(Be under age sixty five)~~ Not be eligible for medicare;

(b) ~~(Not be eligible for medicare;)~~ At the time of application, not have health insurance more comprehensive than that offered by the plan; and

(c) Reside within the service area of a participating managed health care system ~~(; and~~

~~(d) Have a gross family income at the time of enrollment that does not exceed two hundred percent of the federal poverty level as adjusted for family size and determined annually by the Federal Department of Health and Human Services).~~

Persons not meeting all of these criteria, at the time of initial application, as evidenced by information submitted on the application for enrollment or otherwise obtained by the plan, will not be enrolled. An enrollee who subsequently fails to meet all of the criteria, or is later determined to have failed to meet all of the criteria at the time of enrollment, will be disenrolled from the plan as provided in WAC 55-01-060 ~~(—except that an enrollee whose gross family income exceeds twice the federal poverty level may continue as an enrollee for up to six months, provided all other criteria are met and provided that the enrollee pays a monthly premium equal to the rate stated in the contract between the plan and the participating managed health care system selected by the enrollee.)~~

(2) To be eligible for subsidized enrollment in the plan, an individual must have a gross family income that does not exceed two hundred percent of the federal poverty level as adjusted for family size and determined annually by the Federal Department of Health and Human Services.

~~(2)~~ (3) An individual otherwise eligible for enrollment in the plan may be denied enrollment if the administrator has determined that acceptance of additional enrollment in a given service area would exceed limits established by the legislature, would jeopardize the orderly development of the plan in that service area, or would result in an overexpenditure of plan funds. In the event that the administrator closes enrollment in a given service area, the plan will continue to accept applications for enrollment, but will not process those applications for determination of eligibility. The plan will place the names of applicants on a waiting list

in the order in which applications are received, and will so notify the applicants. In the event that enrollment is reopened by the administrator, applicants whose names appear on the waiting list will be notified by the plan of the opportunity to enroll; provided that the plan may require new application forms and documentation from applicants on the waiting list, or may contact applicants to verify continued interest in applying, prior to determining their eligibility.

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 in the Register pursuant to the requirements of RCW 34.08.040.

[AMENDATORY SECTION (Amending WSR 92-14-097, filed 6/30/92)]

WAC 55-01-050 Enrollment in the plan. (1) Any individual applying for enrollment in the plan must complete and submit the plan's application for enrollment. Applications for enrollment of children under the age of eighteen must be signed by the child's parent or legal guardian, who shall also be held responsible by the plan for payment of premiums due on behalf of the child.

(2) Each applicant shall complete and sign the application for enrollment, listing family members to be enrolled and supplying such other information as required by the plan. (a) Documentation will be required, showing the amount and sources of applicants' income for the most recent complete calendar month as of the date of application. Applicants will also be required to submit a copy of their most recent federal income tax form. Income documentation shall be required for all income-earning family members, including those not applying for enrollment, except for family members who reside in another household and whose income is not available to the family seeking enrollment, and dependent children. (b) Documentation of residence shall also be required, displaying the applicant's name and address. (c) The plan may request additional information from applicants for purposes of establishing or verifying eligibility, premium responsibility or managed health care system selection. (d) Submission of incomplete or inaccurate information may delay or prevent an applicant's enrollment in the plan. Intentional submission of false information may result in disenrollment of the applicant and all enrolled family members, retroactive to the date upon which coverage began.

(3) Each family applying for enrollment must designate a participating managed health care system from which all enrolled family members will receive covered services. All applicants from the same family must receive covered services from the same managed health care system. No applicant will be enrolled for whom designation of a participating managed health care system has not been made as part of the application for enrollment. The administrator will establish procedures for the selection of managed health care systems, which will include conditions under which an enrollee may change from one managed health care system to another. Such procedures will allow enrollees to change from one managed health care system to another during open

enrollment, or otherwise upon showing of good cause for the transfer.

(4) Except as provided in WAC 55-01-040(2), applications for enrollment will be reviewed by the plan within thirty days of receipt and those applicants satisfying the eligibility criteria and who have provided all required information, documentation and premium payments will be notified of their effective date of enrollment.

(5) Eligible applicants will be enrolled in the plan in the order in which their completed applications, including all required documentation, have been received by the plan, provided that the applicant also remits full payment of the first premium bill to the plan by the due date specified by the plan.

(6) Not all family members are required to apply for enrollment in the plan; however, any family member for whom application for enrollment is not made at the same time that other family members apply may not subsequently enroll as a family dependent until the next open enrollment period available to that family member. Eligible newborn and newly adopted children may be enrolled effective from the date of birth or physical placement with the adoptive parents for adoption, provided that application for enrollment is submitted to the plan within sixty days of the date of birth or such placement for adoption. A newly acquired spouse of an enrollee may apply for enrollment within thirty days of the date of marriage and, if found eligible by the plan, will be enrolled on the first of a month following completion of the enrollment process by the plan, provided that the addition of the spouse does not otherwise render the family ineligible for coverage by the plan.

(7) Any enrollee who disenrolls from the plan for reasons other than ~~((a) ineligibility due to an increase in gross family income or (b))~~ coverage by another health care benefits program may not re-enroll in the plan for a period of twelve months from the effective date of disenrollment. ~~(An enrollee who disenrolls because of ineligibility due to an increase in gross family income may re-enroll in the event that gross family income subsequently falls to a level which qualifies the enrollee for eligibility.)~~ An enrollee who disenrolls because of coverage by another health care benefits program may re-enroll in the event that the enrollee becomes ineligible for such other coverage, provided that the enrollee has been continuously covered since the date of disenrollment from the plan, and provides documentation of such continuous coverage to the plan. Before any person shall be re-enrolled in the plan, that person must complete a new application for enrollment and must be determined by the plan to be otherwise eligible for enrollment as of the date of application.

(8) The plan may require any enrollee or applicant for enrollment in the plan who appears to meet eligibility requirements for medical care under chapter 74.09 RCW to complete the eligibility determination process under chapter 74.09 RCW prior to enrollment or continued participation in the plan.

(9) Once every six months, the plan will request verification of information from enrollees ("recertification"), which may include a request to complete a new application form and submit required documentation. At recertification, enrollees will be required to report their gross family income for the preceding most recent complete calendar month as of

the recertification date specified by the plan, and to provide the same documentation of such income as required of applicants. The plan may request information more frequently from an enrollee for the purpose of verifying eligibility if the plan has good cause to believe that the enrollee's income, residence, family size or other eligibility criteria may have changed since the date on which information was last received by the plan. Enrollees shall be given at least twenty days from the date of any such information request to respond to the request. Failure to respond within the time designated in any information request shall result in a second request from the plan. Failure to respond within the time designated in any second request for information may result in disenrollment of the enrollee. Each enrollee is responsible for notifying the plan within thirty days of any changes which could affect the enrollee's eligibility or premium responsibility.

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

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

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

[AMENDATORY SECTION (Amending WSR 92-14-097, filed 6/30/92)]

WAC 55-01-060 Disenrollment from the plan. (1) An enrollee may disenroll effective the first day of any month by giving the plan at least ten days prior written notice of the intention to disenroll. Re-enrollment in the plan shall be subject to the provisions of WAC 55-01-050(7). The administrator shall also establish procedures for notice by an enrollee of a disenrollment decision, including the date upon which disenrollment shall become effective. Nonpayment of premium by an enrollee shall be considered an indication of the enrollee's intention to disenroll from the plan.

(2) The plan may disenroll any enrollee from the plan for good cause, which shall include: failure to meet the eligibility requirements set forth in WAC 55-01-040; loss of eligibility; nonpayment of premium; repeated failure to pay copayments in full on a timely basis; failure to provide eligibility information necessary to determine whether the enrollee may be eligible for medical care under chapter 74.09 RCW within 30 days of the date of request by the plan; failure to apply when such application is required by the plan to the Department of Social and Health Services for determination of eligibility for medical care under chapter 74.09 RCW within 30 days of the date of request by the plan; providing false information; fraud or abuse (~~including but not limited to serious misconduct~~); intentional misconduct; and refusal to accept or follow procedures or treatment determined by a participating provider to be essential to the health of the enrollee, where the managed health care system demonstrates to the satisfaction of the plan that no professionally acceptable alternative form of treatment is available from the managed health care system, and the enrollee has

been so advised by the managed health care system. The plan shall provide the enrollee with advance written notice of its intent to disenroll the enrollee. Such notice shall specify an effective date of disenrollment, which shall be at least ten days from the date of the notice, and shall describe the procedures for disenrollment, including the enrollee's right to appeal the disenrollment decision as set forth in WAC 55-01-070. Prior to the effective date specified, if the enrollee submits a grievance to the plan contesting the disenrollment decision, as provided in WAC 55-01-070(3), disenrollment shall not become effective until the date, if any, established as a result of the plan's grievance procedure, provided that the enrollee otherwise remains eligible and continues to make all premium payments when due; and further provided that the enrollee does not pose a threat of nonconsensual violent, aggressive or sexually aggressive behavior, assault or battery or purposeful damage to or theft of managed health care system property, or the property of staff or providers, patients or visitors while on the property of the managed health care system or one of its participating providers.

(3) Any enrollee (~~applicant for enrollment~~) in the plan who knowingly provides false information to the plan or to a participating managed health care system (~~may be disenrolled by the plan and~~) may be held financially responsible for any covered services obtained from the plan. The administrator may apply other available remedies as well.

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 in the Register pursuant to the requirements of RCW 34.08.040.

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

[AMENDATORY SECTION (Amending Order 88-001, filed 12/2/88)]

WAC 55-01-070 Hearings and grievances. The plan will develop procedures for the expeditious resolution of enrollees' grievances, and will require participating managed health care systems to do the same.

(1) If an enrollee has a grievance pertaining to a managed health care system, the enrollee shall exhaust the managed health care system's grievance procedure prior to requesting consideration of the grievance by the plan. The managed health care system's grievance procedure shall provide for expeditious resolution by managed health care system personnel with authority to require corrective action. There shall be a written reply from the managed health care system stating either the decision and its basis, or the reasons for failure to reach a decision, within thirty days of receipt of the written grievance. An enrollee has the right to request consideration of the grievance by the administrator if the final decision is adverse or if the written reply is not received within thirty days from the date the managed health care system received the written grievance.

(2) If an enrollee has a grievance pertaining to actions of the plan, the enrollee may submit the grievance to the

plan for resolution by the plan's grievance procedure. A written description of the plan's grievance procedure will be provided to the enrollee upon enrollment, or at any time upon request. The plan's grievance procedure shall provide for resolution of the grievance within thirty days of receipt of complete information describing the grievance and its basis.

(3) An enrollee who is involuntarily disenrolled by the plan may contest the disenrollment by submitting a grievance to the plan, within ten days of the notice of disenrollment, for resolution by the plan's grievance procedure. The plan shall issue and mail a written decision within thirty days of receiving the grievance.

(4) An individual whose application for enrollment in the plan is denied may contest the denial of enrollment by submitting a grievance to the plan, within ten days of the notice by the plan of such denial, for resolution by the plan's grievance procedure. The plan shall issue and mail a written decision within thirty days of receiving the grievance.

(5) If the plan's decision resulting from its grievance procedure is adverse to an enrollee or applicant, he or she may, within fifteen days of receiving notice of the grievance decision, request a hearing under ~~(chapters)~~ RCW 34.05 (34.04 and 34.12 RCW) in order to contest the plan's decision.

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 in the Register pursuant to the requirements of RCW 34.08.040.

[AMENDATORY SECTION (Amending Order 88-001, filed 12/2/88)]

WAC 55-01-080 Contracts with managed health care systems. (1) The administrator may enter into a contract with any managed health care system which, in the opinion of the administrator, qualifies for participation in the plan. The administrator shall establish, and may from time to time revise, minimum standards to be satisfied by participating managed health care systems.

(2) No managed health care system may participate in the plan without entering into a written contract with the plan.

(3) The administrator shall develop procedures for the resolution of disputes between the plan and a managed health care system which will be set forth in the contract between the plan and the managed health care system.

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

Reviser's note: The above section was filed as an amendatory section; however, there were no amendments made. Pursuant to the requirements of RCW 34.08.040 it is published in the same form as filed by the agency.

WSR 93-14-091

EMERGENCY RULES

DEPARTMENT OF PERSONNEL

[Order 425—Filed July 1, 1993, 1:55 p.m.]

Date of Adoption: July 1, 1993.

Citation of Existing Rules Affected by this Order: New sections WAC 356-56-020 and 356-56-021.

Statutory Authority for Adoption: Chapter 41.06 RCW and RCW 41.06.070.

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

Reasons for this Finding: These rules are being adopted on an emergency basis to comply with the adoption of the Civil Service Bill (ESHB 2054) which becomes effective July 1, 1993.

Effective Date of Rule: Immediately.

July 1, 1993
Dennis Karras
Secretary
Personnel Resources Board

NEW SECTION

WAC 356-56-020 Washington management service—Definition of manager. For purposes of this chapter, "manager" or "managerial employee" means the incumbent of a position that is assigned as follows:

(1) Formulates statewide policy or directs the work of an agency or agency subdivision;

(2) Administers one or more statewide policies or programs of an agency or agency subdivision;

(3) Manages, administers, and controls a local branch office of an agency or an agency subdivision, including the physical, financial, or personnel resources;

(4) Has substantial responsibility in personnel administration, legislative relations, public information, or the preparation and administration of budgets; or,

(5) Functionally is above the first level of supervision and exercises authority that is not merely routine or clerical in nature and requires the consistent use of independent judgment.

NEW SECTION

WAC 356-56-021 Washington management service—Transition of career executive program. (1) The provisions of this section apply only to managerial employees appointed to career executive program positions in probationary, trial service or permanent status as of June 30, 1993.

(2) Individuals who leave the above positions, all other managerial employees, and all vacant managerial positions are subject to the provisions of the remaining chapters of WAC 356, until such time as the director adopts rules in WAC 356-56 which pertain to those employees and positions.

(3) Managerial employees referenced in sub-section (1) who successfully complete a twelve-month probationary or

EMERGENCY

trial service period shall attain permanent status in the classification to which their position is allocated.

(4) Permanent managerial employees referenced in sub-section (1) shall retain permanent status in the classification to which their position is allocated.

(5) Managerial employees referenced in sub-section (1) who have been in the same job class and position for four consecutive years from career executive appointment date shall be removed from coverage of the provisions of this section, UNLESS an extension is approved by the director or designee.

(6) An agency director may remove a managerial employee from coverage of the provisions of this section, provided that the employee was informed of a limitation of less than four consecutive years on career executive program participation upon appointment to the program.

(7) Permanent managerial employees who voluntarily leave career executive transition status or leave in accordance with sub-sections (5) and (6), shall remain in their position and retain permanent status. Agencies shall notify the director of personnel, or designee of these vacancies.

(8) Managerial employees who have not successfully completed a probationary or trial service period into positions referred in sub-section (1), or where the position is subsequently abolished, shall be entitled to return to the position or class previously held with permanent status. If such position is not available, the managerial employee shall return to a position similar in nature and salary to the position previously held. Employees appointed into these positions via the open competitive process shall not have return rights under the provisions of this section.

(9) Employees shall not be offered reduction-in-force options or trial service reversion rights to filled positions that were in the career executive program on June 30, 1993. Agencies may elect to return entitled exempt employees to these positions.

(10) This section providing for career executive transition into the Washington management service shall be in effect until the director adopts rules in WAC 356-56 replacing this section and encompassing all classified managerial employees subject to the provisions of RCW 41.06.

WSR 93-14-092
EMERGENCY RULES
PERSONNEL RESOURCES BOARD

[Order 426—Filed July 1, 1993, 1:56 p.m.]

Date of Adoption: July 1, 1993.

Purpose: These rules govern the duties of the Personnel Resources Board, as well as the referral process and periodic increment dates.

Citation of Existing Rules Affected by this Order: Amending WAC 251-04-030, 251-04-040, 251-04-050, 251-06-020, 251-08-005, 251-08-090, 251-18-240, 251-18-260, 251-18-280, 356-06-080, 356-10-020, 356-14-110, 356-26-060 and 356-26-100; and new section WAC 356-06-003.

Statutory Authority for Adoption: Chapter 41.06 RCW and RCW 41.06.150.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health,

safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These rules are being adopted on an emergency basis to comply with the Civil Service Bill (ESHB 2054) which becomes effective July 1, 1993.

Effective Date of Rule: Immediately.

July 1, 1993
Dennis Karras
Secretary

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-04-030 Scope. The provisions of these rules shall apply to all personnel of the higher education institutions/related boards except those exempted under the provisions of WAC 251-04-040. These rules and the compensation and classification plans adopted hereunder shall continue to apply as before and shall not be used interchangeably with those adopted by the former state personnel board. Further, these rules and compensation and classification plans shall continue to apply as before until such time as the Washington personnel resources board has had adequate time to review and consider changes to the existing rules and plans.

AMENDATORY SECTION (Amending WSR 90-17-037, filed 8/10/90, effective 10/1/90)

WAC 251-04-040 Exemptions. The following classifications, positions, and employees of higher education institutions/related boards are hereby exempted from coverage of this chapter.

(1) Members of the governing board of each institution/related board; all presidents, vice-presidents and their confidential secretaries, administrative and personal assistants; deans, directors, and chair((men)); academic personnel; executive heads of major administrative or academic divisions employed by institutions of higher education; principal assistants to executive heads of major administrative or academic divisions; other managerial or professional employees in an institution or related board having substantial responsibility for directing or controlling program operations and accountable for allocation of resources and program results, or for the formulation of institutional policy, or for carrying out personnel administration or labor relations functions, legislative relations, public information, development, senior computer systems and network programming, or internal audits and investigations; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside the state of Washington.

(2) Students employed by the institution at which they are enrolled (or related board) and who either:

(a) Work five hundred sixteen hours or less in any six consecutive months, exclusive of hours worked in a temporary position(s) during the summer and other breaks in the academic year, provided such employment does not:

(i) Take the place of a classified employee laid off due to lack of funds or lack of work; or

(ii) Fill a position currently or formerly occupied by a classified employee during the current or prior calendar or fiscal year, whichever is longer;

(b) Are employed in a position directly related to their major field of study to provide training opportunity; or

(c) Are elected or appointed to a student body office or student organization position such as student officers or student news staff members.

(3) Students participating in a documented and approved programmed internship which consists of an academic component and work experience.

(4) Students employed through the state or federal work/study programs.

(5) Persons employed to work one thousand fifty hours or less in any twelve consecutive month period from the original date of hire or October 1, 1989, whichever is later. Such an appointment may be subject to remedial action in accordance with WAC 251-12-600, if the number of hours worked exceeds one thousand fifty hours in any twelve consecutive month period from the original date of hire or October 1, 1989, whichever is later, exclusive of overtime or work time as described in subsection (2) of this section.

(6) Part-time professional consultants retained on an independent part-time or temporary basis such as physicians, architects, or other professional consultants employed on an independent contractual relationship for advisory purposes and who do not perform administrative or supervisory duties.

(7) The director, his confidential secretary, assistant directors, and professional education employees of the state board for community college education.

(8) The personnel director of the higher education personnel board and his confidential secretary.

(9) The governing board of each institution/related board may also exempt from this chapter, subject to the employee's right of appeal to the higher education personnel board, classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, ~~((and principal assistants to executive heads of major administrative or academic divisions,))~~ as determined by the higher education personnel board: *Provided*, That no nonacademic employee engaged in office, clerical, maintenance, or food and trades services may be exempted by the higher education personnel board under this provision.

(10) Any employee who believes that any classification should or should not be exempt, or any employee because of academic qualifications which would enable such employee to teach and thus be exempt, may appeal to the board in the same manner as provided in WAC 251-12-080, et seq.

(11) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary. Application for return to classified service must be made not later than thirty calendar days following the conclusion of the exempt appointment. A person occupying an exempt position who is terminated from the position for gross misconduct or malfeasance does not

have the right of reversion to a classified position as provided for in this section.

(12) When action is taken to convert an exempt position to classified status, the effect upon the incumbent of such position shall be as provided in WAC 251-19-160.

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

AMENDATORY SECTION (Amending Order 149, filed 4/22/86, effective 6/1/86)

WAC 251-04-050 Higher education personnel board.

(1) The higher education personnel board is composed of three members appointed by the governor, subject to confirmation by the senate. Each odd-numbered year the governor shall appoint a member for a six-year term. Persons so appointed shall have clearly demonstrated an interest and belief in the merit principle, shall not hold any other employment with the state, shall not have been an officer of a political party for a period of one year immediately prior to such appointment, and shall not be or become a candidate for partisan elective public office during the term to which they are appointed.

(2) Each member of the board is eligible to receive compensation in an amount not to exceed one hundred dollars for each day during which the member attends an official meeting of the board or performs statutorily prescribed duties approved by the chairperson of the board. The members of the board may receive any number of daily payments for official meetings of the board actually attended. Members of the board shall also be reimbursed for necessary travel and other expenses incurred in the discharge of their official duties on the same basis as is provided for state officers and employees generally, in accordance with RCW 43.03.050 and 43.03.060.

(3) At its first meeting following the appointment of all its members, and annually thereafter, the board shall elect a chairman and vice chairman from among its members to serve one year. The presence of at least two members of the board shall constitute a quorum to transact business. A written public record shall be kept by the board of all actions of the board.

(4) In the necessary conduct of its work, the board shall meet monthly unless there is no pending business requiring board action. Meetings shall be held on campuses of the various state institutions of higher education. Meetings may be called by the chairman of the board, or a majority of the members of the board. Hearings may be conducted by a hearing officer duly appointed by the board. An official notice of the calling of a hearing shall be filed with the director and all members of the board shall be notified.

(5) No release of material, or statement of findings shall be made except with the approval of a majority of the board.

(6) In the conduct of hearings or investigations, a member of the board, or the director, or the hearing officer appointed to conduct the hearing, may administer oaths.

(7) It shall be the duty of the board to promulgate rules and regulations providing for employee participation in the development and administration of personnel policies. To assure this right, personnel policies, rules, classification and

pay plans, and amendments thereto, shall be acted on only after the board has given twenty calendar days' notice to, and considered proposals from employee representatives and institutions/related boards affected. In matters involving the various state community colleges, notice shall also be given to the state board for community college education. Complete and current compilations of all rules and regulations of the board in printed, mimeographed, or multigraphed form shall be available from the board without charge.

(8) The higher education personnel board shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for the dismissal, suspension, or demotion of an employee, and appeals therefrom; certification of names for vacancies, including promotions, with the number of names equal to ~~((four))~~ six more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists; examination for all positions in the competitive and noncompetitive service; appointments; probationary periods of six to twelve months and rejections therein depending on the job requirements of the class; transfers; sick leaves and vacations; hours of work; layoffs when necessary and subsequent reemployment according to seniority; determination of appropriate bargaining units within any institution or related board: *Provided*, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees and the desires of the employees; certification and decertification of exclusive bargaining representatives; agreements between institutions or related boards and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the institution/related board may lawfully exercise discretion; written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the appointing authority and the employee organization: *Provided*, That nothing contained herein permits or grants to any employee the right to strike or refuse to perform his/her official duties; adoption and revision of comprehensive classification plans for all positions in the classified service, based on investigations and analysis of the duties and responsibilities of each such position: Provided, however that beginning July 1, 1993 through June 30, 1995, the board shall not adopt classification revisions or class studies unless the implementation of the proposed revision or study will result in net cost savings, increased efficiencies, or improved management of personnel services, and the proposed revision or study has been approved by the director of financial management in accordance with 43.88 RCW; allocation and reallocation of positions within the classification plans; adoption and revision of salary schedules and compensation plans as provided in chapter 251-08 WAC; training programs including in-service, promotional, and supervisory; increment increases within the series of steps for each pay grade: Provided, however, that beginning July 1, 1993 through June 30, 1995, increment increases shall not be provided to any

classified or exempt employees under the jurisdiction of the board whose monthly salary on or after July 1, 1993 exceed \$3,750; and veteran's preference as provided by existing statutes.

(9) After consultation with institution heads, employee organizations, and other interested parties, the board shall develop standardized employee performance evaluation procedures and forms which shall be used by institutions of higher education for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual institutions may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. This evaluation procedure shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling institution and job objectives.

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

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-06-020 Classification plan—Adoption.

The proposed classification plan and any subsequent proposed revisions thereto shall be submitted to the board by the director for adoption, revision or rejection. After twenty calendar days' notice to and consideration of proposals from employee representatives, institutions, and related boards, the board shall hold open hearings on the plan. The plan shall become effective as determined by the board. However, beginning July 1, 1993 through June 30, 1995, the board shall not adopt job classification revisions or class studies unless the implementation of the proposed revision or study will result in net cost savings, increased efficiencies, or improved management of personnel or services, and the proposed revision or study has been approved by the director of financial management in accordance with 43.88 RCW. Thereafter, class titles so established shall be used in all personnel and financial records of an institution and in all recruitment and examination procedures.

AMENDATORY SECTION (Amending Order 155, filed 4/1/87, effective 5/1/87)

WAC 251-08-005 Compensation plans—General.

The director shall prepare, and subject to board approval shall periodically revise in a manner consistent with the development of the original plan, compensation plans for all classes. The plans shall provide for:

(1) Full compensation to each employee for all work assigned and performed.

(2) Regular salary increment increases based upon length of service for all employees whose performance is such as to permit them to retain job status in the classified service: Provided, however, that beginning July 1, 1993 through June 30, 1995, increment increases shall not be provided to any classified or exempt employees under the jurisdiction of the board whose monthly salary on or after July 1, 1993 exceeds \$3,750.

(3) Assignment of each class to a salary range reflecting prevailing rates in other public employment and in private employment in this state or in the locality in which the institution is located, provided funds are available as defined in WAC 251-08-051.

(4) The rates in the salary schedules or plans to be increased if necessary to attain comparable worth.

(5) Equal pay for similar duties, responsibilities, and qualifications among classes as determined by the salary survey process.

(6) Such other provisions as are appropriate in the establishment and maintenance of compensation equity in relation to prevailing practices found in Washington state private industries and other governmental units.

AMENDATORY SECTION (Amending WSR 91-16-054, filed 8/1/91, effective 9/1/91)

WAC 251-08-090 Salary—Periodic increment. (1) Employees whose performance permits them to retain job status in the classified service shall receive periodic increments within the steps of the salary range. The salary of each employee shall be increased two steps on the periodic increment date and annually thereafter on the periodic increment date, not to exceed the maximum step of the range. An exception to the two step movement on the periodic increment date are those employees who occupy classes included in the higher education personnel board locality special pay plan per WAC 251-09-090 which applies only to University of Washington hospitals. The salary of each employee under this plan shall be increased as specified in the higher education personnel board hospital special pay plan.

(2) When the periodic increment date falls on the same effective date as another salary action, the periodic increment shall be applied prior to, and in addition to, any other action resulting in a salary increase or decrease.

(3) However, beginning July 1, 1993 through June 30, 1995, increment increases shall not be provided to any classified employees under the jurisdiction of the board whose monthly salary on or after July 1, 1993 exceeds \$3,750.

AMENDATORY SECTION (Amending WSR 90-17-037, filed 8/10/90, effective 10/1/90)

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))~~ six more names than there are vacancies to be filled by the certification, provided that:

(i) When other applicants on the eligible list in use have scores equal to the lowest score among the names certified, their names shall be certified; and

(ii) Up to three additional names of eligibles who meet the applicable affirmative action criteria shall be certified as provided in WAC 251-23-060.

(2) Names shall be certified in strict order of standing on the eligible list(s) as established in WAC 251-18-180.

(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.

(4) Permanent employees certified from an eligible list for consideration of appointment shall be notified by the institution at the time of referral. Upon appointment, the institution shall advise those employees certified but not appointed of the action taken.

AMENDATORY SECTION (Amending Order 115, filed 5/2/84)

WAC 251-18-260 Certification—Incomplete. When the number of names available for certification for a given vacancy is fewer than ~~((five))~~ seven, the employing official may make an appointment from the certification or decline to do so.

AMENDATORY SECTION (Amending WSR 90-17-037, filed 8/10/90, effective 10/1/90)

WAC 251-18-280 Certification—Selection—Actions required. (1) The employing official shall consider all eligibles certified.

(2) Following certification and consideration of eligibles, the personnel officer shall record one of the following dispositions of the employing official for each name certified:

- (a) Eligible was considered but not appointed;
- (b) Eligible waived consideration for the position;
- (c) Eligible could not be contacted or failed to appear for an interview; or
- (d) Eligible was appointed to the position.

~~((2))~~ (3) When the number of certified eligibles available is reduced to less than ~~((four))~~ six more than there are positions to be filled, upon request from the employing official the personnel officer may provide a replacement name for each eligible who has waived consideration, been determined to be unavailable, or did not appear for the scheduled interview.

NEW SECTION

WAC 356-06-003 Scope. The provisions of these rules shall apply to all personnel under the jurisdiction of RCW 41.06 except those exempted under the provisions of WAC 356-06-020. These rules and the compensation and classification plans adopted hereunder shall continue to apply as before and shall not be used interchangeably with those adopted under the former higher education civil service law (RCW 28B.16). Further, these rules and compensation and classification plans shall continue to apply as before until such time as the Washington personnel resources board has had adequate time to review and consider changes to the existing rules and plans.

AMENDATORY SECTION (Amending Order 348, filed 5/30/90, effective 6/30/90)

WAC 356-06-080 Personnel board—Powers—Duties. It shall be the responsibility of the personnel board to:

(1) Establish general policies for the administration of merit system examinations and the hearing of personnel appeals.

(2) Make rules and regulations providing for employee participation in the development and administration of personnel policies.

(3) Hear personnel appeals.

(4) Promote public understanding of the purposes, policies, and practices of the merit system.

(5) Adopt and promulgate rules and regulations consistent with the purposes and provisions of the state civil service law and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

(a) The demotion, suspension, reduction in salary or dismissal of an employee and appeals therefrom.

(b) Certification of names for vacancies including departmental promotions.

(c) Examinations for all positions in the competitive and noncompetitive service.

(d) Appointments.

(e) Probationary periods of six to twelve months and rejections therein.

(f) Transfers.

(g) Sick and vacation leaves.

(h) Hours of work.

(i) Layoffs, when necessary, and subsequent reemployment.

(j) Agreements between agencies and certified exclusive representatives providing for grievance procedures and collective negotiations on personnel matters.

(k) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of duties and responsibilities of each position. However, beginning July 1, 1993 through June 30, 1995, the board shall not adopt job classification revisions or class studies unless implementation of the proposed revision or study will result in net cost savings, increased efficiencies, or improved management of personnel or services, and the proposed revision or study has been approved in accordance with 43.88 RCW.

(l) Allocation and reallocation of positions within the classification plan.

(m) Adoption and revision of a state salary schedule to reflect not less than the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature, with adoption and revision subject to approval by the director of the office of financial management in accordance with the provisions of chapter 43.88 RCW.

(n) Training programs, including in-service, promotional and supervisory.

(o) Regular increments within the series of steps for each pay range, based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service. However, beginning July 1, 1993 through June 30, 1995, increment increases shall not be provided to any classified or exempt employees under the jurisdiction of the board whose monthly salary on or after July 1, 1993 exceeds \$3,750.

(p) Compliance with existing veterans preference statutes.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71, effective 8/1/71)

WAC 356-10-020 Classification plan—Revision. The director shall submit proposed revisions to the classification plan to the board for review and approval.

(1) The board shall hold open hearings on the proposals after 20 days' notice to employee organizations and agencies. The board may modify the proposals.

(2) Beginning July 1, 1993 through June 30, 1995, the board shall not adopt job classification revisions or class studies unless implementation of the proposed revisions or study will result in net cost savings, increased efficiencies, or improved management of personnel or services, and the proposed revision or study has been approved by the director of financial management in accordance with 43.88 RCW.

AMENDATORY SECTION (Amending Order 230, filed 9/18/85)

WAC 356-14-110 Salary—Periodic increment dates—Original—Subsequent. (1) The periodic increment date (PID) is the date on which an employee automatically advances to a higher dollar amount in the range to which the employee's position is classified; provided

(a) The employee's basic salary is not already at or above the maximum step of the assigned range, or

(b) The employee's standards of performance are such as to permit retention in a job status, or ((-))

(c) Beginning July 1, 1993 through June 30, 1995, increment increases shall not be provided to any classified or exempt employees under the jurisdiction of the board whose monthly salary on or after July 1, 1993 exceeds \$3,750.

(2) The dollar amount of the increase will be two salary schedule increments; except

(a) The amount shall be one salary schedule increment if a two-increment increase would place the employee's basic salary above the maximum of the range of the employee's classification, or

(b) A fractional part of an increment amount shall be regarded as a full increment advance, if the employee's basic salary was between salary schedule steps immediately prior to the increase, or

(c) The dollar amount increase is stated otherwise in the compensation plan appendix or chapter 15.

(3) The original periodic increment date for an employee is:

(a) Six continuous months from the date the employee began work at the first step of a salary range, or

(b) One calendar year from the date on which the employee began work at an intervening salary step; provided that in either (a) or (b):

(i) Any work period starting before the 16th of the month will count as a full month.

(ii) Any work period starting after the 15th of the month will not be counted.

(iii) An employee at or above the maximum step of a salary range does not have a periodic increment date.

(4) The periodic increment date shall be recomputed following leaves of absence without pay, in accordance with WAC 356-18-220, breaks in service due to reduction in force or reversion action. In such adjustments, calendar months of pay status already spent at a step will be credited toward the time required to advance to the next available increase in that range.

(5) An employee's periodic increment date shall be set and remain the same unless subsequently changed in accordance with the provisions of the merit system rules.

AMENDATORY SECTION (Amending Order 416, filed 4/2/93, effective 5/3/93)

WAC 356-26-060 Certification—General methods.

Upon receipt of a request for certification, the director of personnel shall normally certify to the appointing authority a list of names equal in number to ~~((four))~~ six more than there are vacancies to be filled from the ranked registers except:

(1) One name will constitute a complete certification when referrals are made from the agency reduction in force register, the service-wide reduction in force register, or the dual agency reversion register. When an appointing authority requests a selective certification for specialized qualifications, the eligible candidate must meet the selective criteria in order to be referred to the position, provided:

(a) The criteria were approved when the position was established, reallocated, or last filled; or

(b) The specialized qualifications were previously required for a classification that was later merged with other classifications that did not require them; or

(c) It has been determined that the position involves new duties that would warrant future selective certification. Such selective criteria shall not be applied for certification purposes until six months after the department of personnel approves the selective criteria for the position.

(d) In the case of (a), (b), or (c) of this subsection, the director of personnel or designee must determine that the specialized qualifications are still required for successful job performance and cannot be learned within a reasonable length of time.

(2) Where all names are certified exclusively from an open competitive register, the director of personnel may certify in ranked order up to all of the names from the open competitive register: PROVIDED, That the appointing authority shall select from those eligibles available from the

highest ranking names which constitute ~~((five))~~ seven names per vacancy to be filled.

(3) The names of candidates from the same register who have the same score as the lowest score to be certified will also be certified.

(4) An unranked register may be used to complete a certification. An agency may request the transfer, reemployment, and/or voluntary demotion register(s) to complete a certification. In such cases, all names appearing on the specified register shall be certified. Subsequent unranked registers shall not be used until the certification is again incomplete.

(5) When the vacancy to be filled is identified as part of an agency's affirmative action goals as established by their approved affirmative action plan, the director of personnel may, except where there are employees on the reduction in force register, refer up to three additional names per vacancy of individuals who are on existing registers and who are members of the protected groups. More than three additional names per vacancy will be certified if there are protected group candidates with the same score as the lowest score to be certified. This action may be taken when necessary to comply with the best standards of personnel administration as contemplated by chapter 41.06 RCW.

Prior to the utilization of this subsection, the agency shall determine if there are protected group members on the existing registers. If there are fewer than three protected group members on the register, the agency shall:

(a) Appoint one of the eligibles from the register; or

(b) Request assistance from the department of personnel in completing the certification. The department of personnel and the agency will then initiate targeted recruitment.

(6) When one or more of the following conditions exist, the director of personnel or designee may certify a sufficient number of names to assure that the requesting agency has not less than ~~((five))~~ seven names available for consideration:

(a) The position is in an isolated or undesirable location.

(b) The position has undesirable working conditions.

(c) The agency needs to fill several positions in the class.

(d) One or more agencies have had difficulty filling positions in the class.

(e) The director of personnel or designee determines that such certification is necessary to provide the requesting agency with efficient service.

If such certification contains ~~((five))~~ seven or more available promotional candidates, agencies shall appoint from the promotional candidates.

(7) Permanent employees certified from a ranked register for consideration of appointment shall be notified by the agency at the time of the referral. Upon appointment the agency shall advise those employees certified but not appointed of the action taken.

AMENDATORY SECTION (Amending Order 181, filed 3/25/83)

WAC 356-26-100 Certification—Local areas—Conditions. The appointing authority may request and the director of personnel may designate, by agency, classes of positions for which only persons living in the area of a

vacancy will be considered available for employment. Such classes shall be only those for which there is evidence to show that certification on a statewide basis constitutes a hindrance to efficient and economical hiring by the agency. If certification of at least five names from the register for that class is not possible, certification shall be from eligibles who have indicated willingness for consideration in that geographic area.

Reviser's note: The above section was filed as an amendatory section; however, there were no amendments made. Pursuant to the requirements of RCW 34.08.040 it is published in the same form as filed by the agency.

WSR 93-14-093
EMERGENCY RULES
DEPARTMENT OF HEALTH
[Filed July 1, 1993, 1:59 p.m.]

Date of Adoption: July 1, 1993.

Purpose: To implement SSB 5386 which requires a reduction in fees and change in period of licensure from one-year to two-years.

Citation of Existing Rules Affected by this Order: Amending WAC 246-327-990, 246-331-990, and 246-336-990.

Statutory Authority for Adoption: RCW 70.127.120 and 70.127.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: To implement SSB 5386 and meet the July 1, 1993, effective date set by legislature.

Effective Date of Rule: Immediately.

July 1, 1993
Bruce Miyahara
Secretary

AMENDATORY SECTION (Amending Order 288, filed 7/16/92, effective 8/16/92)

WAC 246-327-990 Fees. (1) Home health (~~((agencies licensed under chapter 70.127 RCW))~~) agency operators shall submit to the department: (~~((an annual license fee as follows:~~

~~(a) Agencies with fifty or more employees, one thousand three hundred dollars;~~

~~(b) Agencies with less than fifty but more than fifteen employees, one thousand one hundred dollars; and~~

~~(c) Agencies with fifteen or less employees, eight hundred eighty dollars.))~~ (a) A biennial renewal fee based on the number of full-time equivalents (FTEs), which is a measurement based on a forty-hour week and is applicable to paid agency employees or contractors, as follows:

(i) A base fee of 360 dollars; and

(ii) For agencies with:

(A) Fifteen or less FTEs, 750 dollars;

(B) Sixteen through fifty FTEs, 900 dollars;

(C) Fifty-one or more FTEs, 1230 dollars;

(b) A fee of one-half the renewal fee specified in subsection (1)(a) for an initial twelve-month license for:

(i) New firms;

(ii) Businesses not currently licensed to provide health care in Washington state; and

(iii) Currently licensed businesses which have had statement of charges filed against them;

(c) A transfer of ownership fee of fifty dollars. Transferred license will be valid for the remainder of the current license period.

(2) ((An agency)) A home health agency operator may deduct one half the base fee for each ((applying for)) additional ((home health,)) hospice((;)) and/or home care license((s shall receive a fee reduction of two hundred fifty dollars for each additional license in accordance with the provisions of RCW 70.127.110)).

(3) The department may charge and collect from a licensee a fee of one-half the base fee specified in subsection (1)(a) of this section for:

(a) A second on-site visit resulting from a licensee's failure to adequately respond to a statement of deficiencies;

(b) A complete on-site inspection resulting from a complaint investigation; or

(c) A follow-up compliance survey.

AMENDATORY SECTION (Amending Order 288, filed 7/16/92, effective 8/16/92)

WAC 246-331-990 Fees. (1) Hospice (~~((agencies licensed under chapter 70.127 RCW))~~) agency operators shall submit to the department: (~~((an annual license fee as follows:~~

~~(a) Agencies with fifty or more employees, one thousand two hundred dollars;~~

~~(b) Agencies with less than fifty but more than fifteen employees, one thousand dollars; and~~

~~(c) Agencies with fifteen or less employees, eight hundred dollars.))~~ (a) A biennial renewal fee based on the number of full-time equivalents (FTEs), which is a measurement based on a forty-hour week and is applicable to paid agency employees or contractors, as follows:

(i) A base fee of 360 dollars; and

(ii) For agencies with:

(A) Fifteen or less FTEs, 190 dollars;

(B) Sixteen through fifty FTEs, 460 dollars;

(C) Fifty-one or more FTEs, 950 dollars;

(b) A fee of one-half the renewal fee specified in subsection (1)(a) for an initial twelve-month license for:

(i) New firms;

(ii) Businesses not currently licensed to provide health care in Washington state; and

(iii) Currently licensed businesses which have had statement of charges filed against them;

(c) A transfer of ownership fee of fifty dollars. Transferred license will be valid for the remainder of the current license period.

(2) ((An agency)) A hospice agency operator may deduct one half the base fee for each ((applying for)) additional home health((; hospice,)) and/or home care license((s shall receive a fee reduction of two hundred fifty dollars for each additional license in accordance with the provisions of RCW 70.127.110)).

(3) The department may charge and collect from a licensee a fee of one-half the base fee specified in subsection (1)(a) of this section for:

EMERGENCY

- (a) A second on-site visit resulting from a licensee's failure to adequately respond to a statement of deficiencies;
- (b) A complete on-site inspection resulting from a complaint investigation; or
- (c) A follow-up compliance survey.

AMENDATORY SECTION (Amending Order 288, filed 7/16/92, effective 8/16/92)

WAC 246-336-990 Fees. (1) Home care (~~agencies licensed under chapter 70.127 RCW~~) agency operators shall submit to the department: (~~an annual license fee as follows:~~

- ~~(a) Agencies with fifty or more employees, one thousand twenty-five dollars;~~
- ~~(b) Agencies with less than fifty but more than fifteen employees, eight hundred twenty-five dollars; and~~
- ~~(c) Agencies with fifteen or less employees, six hundred sixty dollars.)~~ (a) A biennial renewal fee based on the number of full-time equivalents (FTEs), which is a measurement based on a forty-hour week and is applicable to paid agency employees or contractors, as follows:

(i) A base fee of 360 dollars; and

(ii) For agencies with:

(A) Fifteen or less FTEs, 190 dollars;

(B) Sixteen through fifty FTEs, 230 dollars;

(C) Fifty-one or more FTEs, 330 dollars;

(b) A fee of one-half the renewal fee specified in subsection (1)(a) for an initial twelve-month license for:

(i) New firms;

(ii) Businesses not currently licensed to provide health care in Washington state; and

(iii) Currently licensed businesses which have had statement of charges filed against them;

(c) A transfer of ownership fee of fifty dollars. Transferred license will be valid for the remainder of the current license period.

(2) (~~An agency~~) A home care agency operator may deduct one half the base fee for each (~~applying for~~) additional home health(~~s~~) and/or hospice(~~s~~ or home care) license(~~s shall receive a fee reduction of two hundred fifty dollars for each additional license in accordance with the provisions of RCW 70.127.110~~).

(3) The department may charge and collect from a licensee a fee of one-half the base fee specified in subsection (1)(a) of this section for:

(a) A second on-site visit resulting from a licensee's failure to adequately respond to a statement of deficiencies;

(b) A complete on-site inspection resulting from a complaint investigation; or

(c) A follow-up compliance survey.

WSR 93-14-106
EMERGENCY RULES
MARITIME COMMISSION
[Filed July 1, 1993, 4:10 p.m.]

Date of Adoption: July 1, 1993.

Purpose: To set rates for those vessels entering the Columbia River not otherwise covered by an oil spill first response system.

Citation of Existing Rules Affected by this Order:
Amending WAC 318-04-030.

Statutory Authority for Adoption: RCW 88.44.100.

Other Authority: RCW 34.05.350(1).

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

Reasons for this Finding: Chapter 88.44 RCW is unclear as to whether the legislature has mandated establishment of an "oil spill first response system" for the boundary waters of the Columbia River by the Washington State Maritime Commission, on or before July 1, 1993, or whether establishment of such a system is discretionary. Pending receipt of an attorney general's opinion, this rule is being adopted to fund such a system on a temporary basis.

Effective Date of Rule: Immediately on filing.

July 1, 1993

Richard W. Buchanan

Rules Coordinator

AMENDATORY SECTION (Amending WSR 92-23-007, filed 11/5/92)

WAC 318-04-030 Assessments Effective September 12, 1991 or upon approval by the Office of Marine Safety, whichever is later (except as provided below in this subsection), there is hereby levied by the Washington State Maritime Commission upon all non-exempt vessels, as defined by R.C.W. 88.44.010(15) and WAC 318-04-020, which transit upon the waters of this state and upon small tanker vessels, or the owners or operators thereof, an assessment in the following amounts:

(A) On Tanker Barges whose maximum capacity is:

	<u>Rate</u>
(1) 0 to 28,999 bbls	\$ 74.97
(2) 29,000 to 44,999 bbls	\$ 86.00
(3) 45,000 to 59,999 bbls	\$ 106.94
(4) 60,000 to 79,999 bbls	\$ 134.51
(5) 80,000 and over	\$ 167.58

(B) On Tanker Vessels Carrying Oil as Cargo

	<u>Rate</u>
(1) 0 to 300 Gross Registered Tons - On Small Tanker Vessels	\$ 27.56
(2) 301 to 9,999 Gross Reg. Tons	\$ 1,786.05
(3) 10,000 Gross Reg. Tons and Over	\$ 3,572.10

EMERGENCY

(C) On Tanker Vessels When Not Carrying Oil as Cargo, but While Carrying Other Liquid or Semi-liquid Cargoes

			Rate
(1)	301 - 500	Gross Reg. Tons	\$ 80.48
(2)	501 - 1,000	Gross Reg. Tons	\$ 106.94
(3)	1,001 - 4,999	Gross Reg. Tons	\$ 134.51
(4)	5,000	Gross Reg. Tons and over	\$ 178.61

~~(D) On Dry Cargo Barges (not Tanker Barges)~~

Rate
\$ 72.00

~~(E) (D) On Non-tanker Vessels Carrying Oil as Fuel for Propulsion Machinery~~

			Rate
(1)	301 - 500	Gross Reg. Tons	\$ 80.48
(2)	501 - 1,000	Gross Reg. Tons	\$ 106.94
(3)	1,001 - 4,999	Gross Reg. Tons	\$ 134.51
(4)	5,000	Gross Reg. Tons and over	\$ 178.61

(These rates set forth above reflect the 5% increase effective January 1, 1993 authorized by WAC 318-04-090)

~~(F) (E) On Passenger Vessels Engaged as International Ferry Boats Subsequent to Date of Filing of this Rule-Making Order With the Code Reviser's Office ferry routes traversing Washington waters subsequent to date of filing of the applicable Rule Making Order with the Code Reviser's Office.~~

Rate
\$75.00 Per Day

(F) Columbia River (ADDITION)

~~The assessment levied on all vessels, or the owners or operators thereof, which transit upon the portion of the Columbia River that runs between the states of Washington and Oregon, shall be effective on and after January 1, 1993. (DELETION)~~

Rate

(1) All vessels, which prior to entry into the waters of the State of Washington off the mouth of the Columbia River or of the river itself, have executed an individual enrollment agreement or a blanket enrollment agreement promulgated by an association approved by the State of Oregon. \$ -0-

(2) Any vessel of over 300 gross tons which prior to entry into waters delineated in paragraph (1) above has not executed an individual contingency plan enrollment agreement or a blanket enrollment agreement promulgated by an association approved by the State of Oregon or which has not previously filed an oil spill contingency plan with both the Department of Environmental Quality of the State of Oregon and the Office of Marine Safety of the State of Washington.

See Below:

(A) Tankers with cargo \$1,000/per trip

- (B) Cargo vessels, Passenger vessels and tankers without cargo \$ 200/per trip
- (C) Tank barges with petroleum cargo coming across the bar \$ 300/per trip
- (D) Tank barges under 24,999 barrels with petroleum cargo \$ 35/per trip

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

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

WSR 93-14-107
EMERGENCY RULES
SECRETARY OF STATE
 [Filed July 1, 1993, 4:15 p.m.]

Date of Adoption: July 1, 1993.

Purpose: To transfer the authority to collect fees on certain corporation filings, requests for information, and other services from state law to the administrative code as authorized by chapters 269 and 471, Laws of 1993.

Citation of Existing Rules Affected by this Order: Amending chapter 434-50 WAC.

Statutory Authority for Adoption: Chapters 269 and 471, Laws of 1993.

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

Reasons for this Finding: Chapters 269 and 471, Laws of 1993, both of which require the Secretary of State to establish fees for certain filings and other transactions, become effective on July 1, 1993. All of the fees provided for in these emergency regulations are continued at the previous (statutory) level. Adoption is necessary for existing and proposed corporations to file and maintain their rights to do business in this state.

Effective Date of Rule: Immediately.

July 1, 1993

Donald F. Whiting
Assistant Secretary of State

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-010 Purpose. These rules are adopted to establish certain procedures and fee schedules applicable to filings made at the corporations, trademarks and limited partnerships division of the office of the secretary of state, and to provide general information concerning that division. These rules are adopted pursuant to the corporations laws of Washington, including sections ((67, 114, 159 and 187, chapter 35, Laws of 1982)) 1 through 9, 12, and 13, chapter 269, Laws of 1993.

EMERGENCY

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-015 Office address. (1) Mailing address for the corporations division is: Corporations Division, Office of the Secretary of State, Post Office Box 40234, Olympia, Washington 98504. Use of any other address may delay mail delivery.

(2) The offices of the corporations division are located ~~((at 500 A State Modular Office Building, Airdustrial Way and Armstrong Street SW, Tumwater))~~ on the second floor of the Republic Building at 505 Union Avenue SE, Olympia, Washington. ~~((To reach the division's offices, take Exit 102, Interstate 5 (Troster Road exit), go east two blocks to Capitol Boulevard, turn south on Capitol Boulevard, drive one mile to Airdustrial Way, turn on Airdustrial Way, go one half mile. The state modular office building is on the south side of Airdustrial Way; the division is located in the northwest corner of the building.))~~

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-020 Office hours. (1) Customary hours of operation for personnel in the division are from 8:00 a.m. to ~~((12:00 noon and 1:00 to 4:30))~~ 5:00 p.m. daily, Monday through Friday excluding legal holidays.

(2) Over-the-counter or walk-in, same-day processing of documents, or inspection of public records is available ~~((between))~~ during customary business hours 8:30 a.m. to ~~((11:30 a.m. and 1:00 to 3:30))~~ 4:30 p.m. each day. Counter service at other times is available only under exigent circumstances or by approval of the supervisor of corporations.

(3) Certain expedited or over-the-counter services are subject to the special service fees established elsewhere in these regulations.

(4) Documents, including substitute service-of-process on the secretary of state, which are delivered after normal working hours will be deemed to have been received on the next working day. As used in this section, "received after normal working hours" includes delivery by posting/taping/tacking documents to the office's doors, placing documents on doormats or in office mailboxes, or other forms of delivery not physically received by an employee of the office of the secretary of state during working hours.

NEW SECTION

WAC 434-50-031 Regular fees. Corporation and partnership filing fees provided either in-person or by mail are as follows:

(1) For profit making domestic Washington entities: Articles of incorporation, including first year license fee, one hundred seventy-five dollars; articles of amendment or reinstatement, twenty-five dollars; articles of merger or exchange, twenty-five dollars; articles of correction, twenty-five dollars; articles of dissolution, no fee; revocation of dissolution, twenty-five dollars; annual license renewal, including annual report, sixty dollars; initial or amended annual report, ten dollars; reinstatement, fifty dollars, plus all back license fees and penalties; reservation of name (valid for one hundred eighty days), twenty dollars; transfer of

reservation of name, twenty dollars; resignation, appointment, or change of registered agent and/or registered office address, ten dollars; resignation of officer and/or director, ten dollars; any other statement or report, ten dollars.

(2) For profit making foreign out-of-state entities: Certificate of authority, including first year license fee, one hundred seventy-five dollars; amended certificate of authority, twenty-five dollars; articles of merger or exchange, twenty-five dollars; articles of correction, twenty-five dollars; certificate of withdrawal, no fee; annual license renewal, including annual report, sixty dollars; initial or amended annual report, ten dollars; reservation of name (valid for one hundred eighty days), twenty dollars; transfer of reservation of name, twenty dollars; resignation, appointment, or change of registered agent and/or registered office address, ten dollars; Resignation of officer and/or director, ten dollars; any other statement or report, ten dollars.

(3) For domestic Washington nonprofit entities: Articles of incorporation, ten dollars; articles of amendment and/or reinstatement, twenty dollars; articles of merger or consolidation, twenty dollars; articles of dissolution, no fee; yearly annual report, ten dollars; amended annual report, ten dollars; reinstatement (corporations formed under chapter 24.03 RCW), thirty dollars, plus all annual reports and fees; reservation of name (valid for one hundred eighty days), twenty dollars; resignation, appointment, or change of registered agent and/or registered office address, ten dollars; resignation of officer and/or director, ten dollars; any other statement or report, ten dollars.

(4) For foreign out-of-state nonprofit entities: Certificate of authority, thirty dollars; amended certificate of authority, twenty dollars; articles of merger or consolidation, twenty dollars; certificate of withdrawal, no fee; yearly annual report, ten dollars; amended annual report, ten dollars; reinstatement, plus all annual report(s) and fees, thirty dollars; reservation of name (valid for one hundred eighty days), twenty dollars; registration of name, twenty dollars; registration, appointment, or change of registered agent and/or registered office address, ten dollars; resignation of officer and/or director, ten dollars; any other statement or report, ten dollars.

(5) For foreign out-of-state limited partnerships: Application for registration, one hundred seventy-five dollars; amendment to registration, twenty-five dollars; cancellation or withdrawal, no fee; reservation of name (valid for one hundred eighty days), ten dollars; resignation of registered agent, ten dollars; any other statement or report, ten dollars.

NEW SECTION

WAC 434-50-032 Trademarks. The fees for registering trademarks are as follows:

- (1) For original filing, fifty dollars;
- (2) For renewal of registry valid for ten years, fifty dollars;
- (3) For assignment, ten dollars; and
- (4) For a new certificate, five dollars.

NEW SECTION

WAC 434-50-033 Service of process. The fee for summons and complaint per individual, marital community or entity served is twenty-five dollars.

NEW SECTION

WAC 434-50-034 Miscellaneous fees. Fees for photocopies, certified copies, or certificates are as follows:

(1) For photocopies: Corporation document (other than annual report(s)), one dollar, plus twenty cents per page; most recent annual report (initial, annual, or amended), one dollar; any other annual report, five dollars; limited partnership document, one dollar, plus twenty cents per page; trademark document, fifty cents per page.

(2) For certified copies per document: Profit corporation document, ten dollars, plus twenty cents per page; nonprofit corporation document, five dollars, plus twenty cents per page; limited partnership document, ten dollars, plus twenty cents per page; trademark document, five dollars, plus twenty cents per page.

(3) For certificates of existence, authorization, or record: Profit corporation, ten dollars; nonprofit corporation, five dollars; limited partnership, ten dollars; trademark, five dollars.

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-035 In-person or expedited counter service—Special fees. (1) Same-day processing of corporate documents is available during counter-service hours (~~((8:30-11:30 a.m., 1:00-3:30))~~ 8:00 a.m. to 5:00 p.m.) for documents or requests received prior to 4:30 p.m. that day, at the offices of the corporations division. Expedited services available include charter document review and filing, name reservation review and filing, document certification, document copying, processing of service-of-process filings, trademark filings and other services related to corporation records and filings. Special service fees apply to same-day services.

(2) Fees for same-day services provided in-person, over-the-counter at the corporations division are as follows:

(a) A copy of corporate or other records: Five dollars expedited service fee plus (~~(statutory fee -)~~) one dollar for first page copied, twenty cents per page thereafter(~~(+)~~);

(b) Certificate or certified copies: Five dollars expedited service fee, plus (~~(statutory fee -)~~) \$5.00 each certificate, plus twenty cents per page copied(~~(+)~~);

(c) Same-day processing of corporate charter documents, such as articles of incorporation, amendments, mergers, dissolutions, qualification of foreign corporation: Ten dollars expedited service fee per document, plus (~~(statutory)~~) the following fees for the form of the filing(~~(+)~~);

(d) Same-day processing of name reservation or registration requests: Ten dollars expedited service fee, plus regular (~~(statutory)~~) filing fee for each action or document processed;

(e) Processing of trademark filing, same-day basis: Ten dollars expedited service fee, plus (~~(statutory)~~) regular fee for the form of the filing, for each action or document processed;

(f) Processing of service-of-process on the secretary of state under Title 23A RCW or RCW 46.64.040, on a same-day basis: Ten dollars expedited service fee, plus (~~(statutory fee)~~) \$25.00 service-of-process fee, for each action or document filed;

(g) Same-day processing of any other documents or materials submitted for filing under the corporations, trademarks or limited partnership laws: Ten dollars expedited service fee, plus any other applicable (~~(statutory)~~) regular fee, for each action or document processed;

(h) Search of nonactive corporation or trademark archival files (corporations dissolved, merged out of existence or otherwise defunct): Ten dollars expedited search fee, for each request.

(3)(a) Special service fees, as established above, will be charged when same-day, over-the-counter service is requested. (Allow four-hour turn-around time for same-day service.) If the office of the secretary of state is unable to complete the requested action, by approval, denial or other definite disposition of the matter, by 4:30 p.m. of the day of receipt, the documents or other work will be processed first on the following business day.

(b) If special emergency services beyond same-day or over-the-counter services are provided by the division, including but not limited to delivery of documents, employee overtime, special copying, certifying or approval of materials, special research, or making long-distance phone calls related to the emergency situation, a special emergency fee of \$75.00 per hour will be charged, in addition to regular fees which may be due for the form of the filing. When a request qualifying as an emergency is received by the agency, the agency will notify the requestor of the emergency service fee. The requestor must agree to the fee and any other reasonable conditions set by the agency before emergency services will be provided. Emergency requests require intensive amounts of agency effort for a short period, and will not be accepted by the agency except under exigent and compelling circumstances.

(4) Because of limited staff, the corporations division reserves the right to limit the availability of counter service or to limit the number of service requests submitted by one person during one day. Generally, the agency will limit to three the separate service requests which may be submitted by one person in one day. In the case of documents submitted by courier services or document-handling companies, no more than five separate service requests may be submitted per day for handling the same day unless alternate arrangements have been made with the agency or unless agency workload permits.

(5) There are no special fees or other expedited service charges for:

(a) In-person inspection or review of corporate or other public records located at the corporation division offices;

(b) Documents or other service requests left at the corporations division for regular, nonexpedited processing. Such documents will be receipt-stamped only, and reviewed and processed as if otherwise received in the mail.

NEW SECTION

WAC 434-50-036 Charitable solicitations fees. (1) Fees for registering as a fundraiser under the charitable solicitations act are as follows:

- (a) Charitable organizations shall pay ten dollars at the time of registration and ten dollars for each annual renewal;
 - (b) Commercial fundraisers shall pay fifty dollars at the time of registration and fifty dollars for each annual renewal.
- (2) The late fee for failure to register is five dollars for each day the organization is unregistered after the secretary notifies the organization of the registration requirement.
- (3) The fee for registering a contract between a charitable organization and a commercial fundraiser is five dollars.

NEW SECTION

WAC 434-50-037 Charitable trusts fees. Persons requesting a directory of charitable trusts shall pay ten dollars for the directory.

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-040 Miscellaneous charges—Special service fees. (1) Dishonored checks. If a person, corporation or other submitting entity has attempted to pay any fee due to the secretary of state by means of a check, and the check is dishonored by the financial institution when presented, the secretary of state will impose a (~~seven-dollar~~) twenty-five dollar reprocessing fee, payable to the secretary of state.

In the event a valid replacement check and dishonor charge is not received in the office of the secretary of state within the time prescribed by its accounting division, the transaction covered by the dishonored check will be cancelled and all other late filing fees and penalties will be instituted.

(2) Error in document—Resubmission fees. If a person, corporation or other entity submits a document for filing to the office of the secretary of state and the document contains one or more of the errors listed below, subsections (a)-(e), a three-dollar resubmittal fee to cover postage and handling will be charged each time the office of the secretary of state must return the documents to sender for correction or completion and the corrected documents are subsequently resubmitted to the office of the secretary of state for action. Reasons for document rejection which will trigger a resubmission fee are:

- (a) Submission corporate charter document(s) lacking required signature(s) on any copy of the document, or not accompanied by supportive documents, such as certificate of good standing, second set of charter documents;
- (b) Submission of corporate charter document(s) without required filing or license fees;
- (c) Submission of corporate charter documents which fail to state a registered office address or to appoint a registered agent, if the document filing is of a type which requires such designation (i.e., articles of incorporation), or if agent's signed consent to serve is not included;
- (d) Submission of articles of incorporation wherein the name of the corporation is not consistently spelled in the same manner throughout the articles (i.e., where page one

refers to the "ABC Company," but page six refers to "ABCD Company").

(e) Submission of documents wherein the capital value is inconsistent or which fail to set an aggregate value for nonpar shares.

(3) The office of the secretary of state may provide certain photocopies or services free of charge as a cost-effective measure and convenience of office administration.

(4) A corporation seeking reinstatement during its inactive status prior to a final administrative dissolution shall pay a surcharge of twenty-five percent plus the full amount of required statutory fees.

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)**WAC 434-50-045 Fee prepayment, when required.**

(1) The following fees due to the office of the secretary of state must be prepaid (check or money submitted concurrently with the document(s)) before action can be taken:

- (a) Filing fees, under Titles 23A, 18, 25, 23, and 24 RCW;
- (b) Corporate annual license fees;
- (c) Trademark filing fees;
- (d) Special service fees for expedited document processing;
- (e) Service-of-process fees;
- (f) Copy or copying charges;
- (g) Certificate or certified copy charges;
- (h) Special archival search service fees;
- (i) Document resubmission fees or dishonored check fees;
- (j) Purchase of publications, such as the corporate laws or microfiche subscription.

(2) Anyone desiring a certificate, certified copies or photocopies or other service for which (~~the statutes have set~~) there is a variable rate may send in his request accompanied by a check made payable to the "secretary of state," with the phrase "not to exceed (specified dollar amount)" above the space intended for the written dollar amount. The clerk who processes the request will fill in the exact fee amount, and a memo indicating the exact amount filled in on the check will accompany the returned certificate or other document.

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-050 Original signature requirement—Original retained. RCW (~~(23A.04.010(16))~~) 23B.01.200 and related sections in the Washington profit and nonprofit corporation statutes permit documents which are to be submitted to the office of the secretary of state in duplicate original form to be submitted as "one original with original signatures and one copy thereof." In the case of documents submitted with only one original-signature version and one copy thereof, the office of the secretary of state will retain as its official file copy the document version bearing the original signature(s), and will return to the submitter that document version bearing the copy of the signature(s).

AMENDATORY SECTION (Amending Order 82-1, filed 7/30/82)

WAC 434-50-055 Registered office address—Requirements. ~~((By law,))~~ The registered office address for a corporation registered in Washington state must be at a geographic location in this state. ~~((However,))~~ A post office box address may be used in conjunction with the registered office address~~((—A post office address may be used))~~ when:

(1) The U.S. Postal Service cannot or will not deliver to the "street address," and the agent will therefore not receive mail communications from the office of the secretary of state, including the annual license fee billing; and

(2) The post office box address the agent desires to use is in the same Washington city or town as the registered office address; and

(3) The agent notifies the office of the secretary of state and the corporation of any changes in address, whether of the official registered office address or of the mail (post office box) address.

**WSR 93-14-108
EMERGENCY RULES
DEPARTMENT OF FISHERIES**
[Order 93-59—Filed July 1, 1993, 4:26 p.m.]

Date of Adoption: July 1, 1993.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 220-36-021 and 220-40-021.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: This regulation is needed because the biological opinion and incidental take permit that are part of the ESA process for marbled murrelet is not available. Since marbled murrelets are found around Grays Harbor and Willapa Bay we cannot allow the fishery open without review and permit.

Effective Date of Rule: Immediately.

July 1, 1993
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-36-02100L Salmon—Grays Harbor—Summer fishery. Notwithstanding the provisions of WAC 220-36-021, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes from those waters of Grays Harbor.

NEW SECTION

WAC 220-40-02100U Salmon—Willapa Bay—Summer fishery. Notwithstanding the provisions of WAC 220-40-021, effective immediately until further notice, it is unlawful to fish for or possess salmon taken for commercial purposes from those waters of Willapa Bay.

**WSR 93-14-109
EMERGENCY RULES
SECRETARY OF STATE**
[Filed July 1, 1993, 4:46 p.m.]

Date of Adoption: July 1, 1993.

Purpose: To provide fees for authenticating signatures of notaries or public officials or documents which are certified under seal.

Statutory Authority for Adoption: RCW 43.07.130 and chapter 269, Laws of 1993.

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

Reasons for this Finding: Chapter 269, Laws of 1993, which authorizes the Secretary of State to adopt fees for certified documents takes effect on July 1, 1993. Immediate adoption is necessary to continue the administration of this function pending the adoption of permanent rules.

Effective Date of Rule: Immediately.

July 1, 1993
Donald F. Whiting
Assistant Secretary of State

NEW SECTION

WAC 434-50-038 Fees for the authentication of signatures and the certification of documents. (1) The fee for the certification of a document under RCW 43.07.120 (1)b shall be five dollars. The fees collected under this subsection shall be deposited in the general fund.

(2) Beginning on August 1, 1993, the secretary of state shall charge a fee to offset the cost of verifying the signature of a notary public or public official on any document to be certified under seal or for which an apostille is to be provided under the protocols for authenticating documents adopted at the Convention of the Hague on October 5, 1961. The fee for this verification shall be ten dollars for each certificate or apostille which is provided under RCW 43.07.120 (1)b. The fees collected under this subsection are expressly designated for and shall be deposited into the revolving fund established under RCW 43.07.130.

EMERGENCY

WSR 93-13-096
RULES OF COURT
STATE SUPREME COURT
[June 10, 1993]

IN THE MATTER OF THE ADOPTION
OF THE AMENDMENTS TO RPC 1.8(e),
CAR 16 (c)(8), RAP 9.2(b), RAP
10.4(a), RAP 18.3, RAP 18.4, CR 4,
CR 28, CR 30 (c), (e), AND (h),
CR 32(a), CR 37, CR 44, CR 45
(d)(1), CR 56, CR 69, MAR 6.2
and MAR 7.3

ORDER
NO. 25700-A-526

The Washington State Bar Association having recom-
mended the adoption of the amendments to RPC 1.8(e),
CAR 16 (c)(8), RAP 9.2(b), RAP 10.4(a), RAP 18.3, RAP
18.4, CR 4, CR 28, CR 30 (c), (e), and (h), CR 32(a), CR
37, CR 44, CR 45 (d)(1), CR 56, CR 69, MAR 6.2 and
MAR 7.3, and the Court having considered the proposed
amendments and comments submitted thereto, and having
determined that the proposed amendments will aid in the
prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as attached hereto are adopted.

(b) That the amendments will be published in the
special rules edition of the Washington Reports in July,
1993, and will become effective September 1, 1993.

DATED at Olympia, Washington this 10th day of June,
1993.

Andersen, C.J.

Utter, J.

Guy, J.

Brachtenbach, J.

Smith, J.

Durham, J.

Johnson, J.

Dolliver, J.

Madsen, J.

RPC 1.8(e)

(e) Shall not, while representing a client in connection
with contemplated or pending litigation, advance or guaran-
tee financial assistance to his or her client, except that:

(1) ~~A~~ A lawyer may advance or guarantee the expenses
of litigation, including court costs, expenses of investigation,
expenses of medical examination, and costs of obtaining and
presenting evidence, provided the client remains ultimately
liable for such expenses; and

(2) In matters maintained as class actions only, repay-
ment of expenses of litigation may be contingent on the
outcome of the matter.

CAR 16 (c)(8)

(8) Qualifications. The commissioners must be ~~gradu-
ates of an accredited law school and~~ members in good
standing of the Washington State Bar Association and, prior
to appointment, have at least 5 years of experience in the
practice of law or in a judicially related field.

RAP 9.2(b)

(b) Content. A party should arrange for the transcrip-
tion of only those portions of the verbatim report of proceed-
ings necessary to present the issues raised on review. A
verbatim report of proceedings provided at public expense
will not include the voir dire examination or opening
statement unless so ordered by the trial court. If the party
seeking review intends to urge that a verdict or finding of
fact is not supported by the evidence, the party should
include in the record all evidence relevant to the disputed
verdict or finding. If the party seeking review intends to
urge that the court erred in giving or failing to give an
instruction, the party should include in the record all of the
instructions given, the relevant instructions proposed, the
party's objections to the instructions given, and the court's
ruling on the objections.

RAP 10.4(a)

(a) Typing and Filing or Printing Brief. Briefs shall
conform to the following requirements:

(1) One legible, clean, and reproducible copy of the
brief must be filed with the appellate court. The brief
should be printed or typed in black on 20-pound substance
8 1/2- by 11-inch white paper. Type must be pica type or
its equivalent, with no more than 10 characters an inch.
Lines should not generally exceed 5 inches in length.
Margins should be at least 2 inches on the left side and 1 1/2
inches on the right side and on the top and bottom of each
page are preferred. Lines should be double spaced. Quota-
tions may be single spaced and footnotes should be single
spaced.

(2) The text of any brief typed or printed in a propor-
tionally spaced typeface must appear in print as 12 point or
larger type with 3 points or more leading between lines.
The same typeface and print size should be standard
throughout the brief, except that footnotes may appear in
print as 10 point or larger type with 2 points or more leading
between lines and quotations may be the equivalent of single
spaced. Except for material in an appendix, the typewritten
or printed material in the brief shall not be reduced or
condensed by photographic or other means.

(3) The text of any brief typed or printed in a
monospaced typeface shall be done in pica type or the
equivalent at no more than 10 characters per inch. The lines
must be double spaced, that is, there may be at most 3 lines
of type per inch. Quotations and footnotes may be single
spaced. Except for material in an appendix, the typewritten
or printed material in the brief shall not be reduced or
condensed by photographic or other means.

RAP 18.3

~~WITHDRAWAL BY COUNSEL IN CRIMINAL CASE~~

(a) Criminal Cases.

(1) ~~Except for indigent appointments and withdrawals as
provided in rule 15.2(f), counsel~~ Counsel for a defendant in
a criminal case may withdraw only with the permission of
the appellate court on a showing of good cause. The
appellate court will not ordinarily grant permission ~~to
counsel~~ to withdraw after the opening brief has been filed.
A motion to withdraw must be served on all parties and on

MISCELLANEOUS

the defendant personally. An affidavit of service must be filed with the motion to withdraw.

(2) If counsel appointed to represent an indigent defendant can find no basis for a good faith argument on review, the motion to withdraw must be accompanied by a brief referring to anything in the record that might arguably support review, identifying any arguable issues and citing applicable authority. Counsel should file and serve the motion together with the brief as provided in rule 10.2.

(3) If the matter is heard on the motion calendar and decided by a commissioner, counsel appointed to represent an indigent defendant must file an affidavit denoting:

(A) that the defendant has been advised on the action of the commissioner and that the defendant has been advised of the right to file a motion to modify with the Court of Appeals, or

(B) in the event counsel is unable to notify the defendant of the court action, counsel shall specify the efforts that have been made.

(4) Once the Court of Appeals has taken final action, counsel appointed to represent an indigent defendant must file an affidavit denoting:

(A) that the defendant has been advised of the action of the appellate court, and that the defendant has been advised of the right to petition pro se for review to the Supreme Court, or

(B) in the event counsel is unable to notify the defendant of the court's action, counsel shall specify the efforts that have been made.

(b) Civil Cases. Except as otherwise provided in this section, withdrawal by counsel in a civil case shall be governed by CR 71. If a notice of intent to withdraw is given before oral argument, the notice should include the date set for oral argument. Any reference in the notice to the clerk of the court shall mean the clerk of the appellate court. A motion to withdraw should be filed in the appellate court, which will decide such motion.

RAP 18.4 (b), (c), and (d)

~~(b) Exhibits Requested by Interested Person.~~ If a case is not returned to the trial court for further proceedings, the clerk of the appellate court will dispose of exhibits in a civil case as stipulated by the parties, at the expense of the parties designated in the stipulation. In all other circumstances where an interested person requests an exhibit in a civil or criminal case, the exhibit will be returned to the trial court for disposition.

(b) When a case is mandated, pursuant to rule 12.5, all exhibits will be returned to the trial court.

~~(c) Exhibits Not Requested by Interested Person.~~ Exhibits which are not requested by an interested person will be disposed of in the following manner:

~~(1) Cumbersome Exhibits.~~ If an exhibit cannot reasonably be retained in the appellate court case pouch, the clerk will notify the parties that the exhibit will be disposed of in accordance with section (d) unless requested by an interested person in accordance with section (b) within 6 months of the date of the clerk's notice.

~~(2) Other Exhibits.~~ Exhibits will be retained in the appellate court case pouch for 30 years after a case is final if it is reasonably practical to do so. After that time if the exhibit appears to the clerk to have material or sentimental

~~value, the clerk will make a reasonable attempt to notify the parties that the exhibit will be disposed of in accordance with section (d) unless the exhibit is requested by an interested person in accordance with section (b) within 3 months of the date of the clerk's notice.~~

~~(d) Disposition of Exhibits by Clerk.~~ Exhibits not requested by an interested person within the time provided in section (e) will be destroyed by the clerk unless: (1) the exhibit is of historical value, in which case it will be transferred to the custody of the Washington State Museum; or (2) the exhibit is of material value, in which case it will be transferred to the Surplus Property Section of the Washington State Department of General Administration for sale; or (3) the transfer or destruction of the exhibit is regulated, in which case the exhibit will be disposed of in accordance with applicable law.

CR 4(d)

(d) Service.

(1) *Of Summons and Complaint.* The summons and complaint shall be served together.

(2) *Personal in State.* Personal service of summons and other process shall be as provided in RCW 4.28.080-.090, ~~23A.08.110, 23A.32.100~~ 23B.05.040, 23B.15.100, 46.64.040, and 48.05.200 and .210, and other statutes which provide for personal service.

(3) *By Publication.* Service of summons and other process by publication shall be as provided in RCW 4.28.100 and .110, 13.34.080, ~~and 26.32.080~~ 26.33.240 and .310, and other statutes which provide for service by publication.

(4) *Alternative to Service by Publication.* In circumstances justifying service by publication, if the serving party files an affidavit stating facts from which the court determines that service by mail is just as likely to give actual notice as service by publication, the court may order that service be made by any person over 18 years of age, who is competent to be a witness, other than a party, by mailing copies of the summons and other process to the party to be served at his last known address or any other address determined by the court to be appropriate. Two copies shall be mailed, postage prepaid, one by ordinary first class mail and the other by a form of mail requiring a signed receipt showing when and to whom it was delivered. The envelopes must bear the return address of the sender. The summons shall contain the date it was deposited in the mail and shall require the defendant to appear and answer the complaint within 90 days from the date of mailing. Service under this subsection has the same jurisdictional effect as service by publication.

(5) *Appearance.* A voluntary appearance of a defendant does not preclude his right to challenge lack of jurisdiction over his person, insufficiency of process, or insufficiency of service of process pursuant to rule 12(b).

CR 28(-)

(-) Within the State. Depositions within the state may be taken before the following officers:

(1) *Court Commissioners.* [Reserved. See RCW 2.24.040 (9) and (10).]

(2) *Superior Courts.* [Reserved. See RCW 2.28.010(7).]

(3) *Judicial Officers.* [Reserved. See RCW 2.28.060.]

(4) *Judges of Supreme and Superior Courts.* [Reserved. See RCW 2.28.080(3).]

(5) *Inferior Judicial Officers.* [Reserved. See RCW 2.28.090.]

(6) *Notaries Public.* [Reserved. See RCW ~~42.28.040(3)~~ 5.28.010 and 42.44.010.]

(7) *Special Commissions.* [Reserved. See RCW 11.20.030.]

CR 30 (c), (e), and (h)

(c) Examination and Cross Examination; Record of Examination; Oath; Objections. Examination and cross examination of witnesses may proceed as permitted at the trial under the provisions of the Washington Rules of Evidence (ER). The officer before whom the deposition is to be taken shall put the witness on oath and shall personally, or by someone acting under ~~his~~ the officer's direction and in ~~his~~ the officer's presence, record the testimony of the witness. The testimony shall be taken stenographically or recorded by any other means ordered in accordance with subsection (b)(4) of this rule. If requested by one of the parties, the testimony shall be transcribed.

All objections made at the time of the examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evidence objected to shall be taken subject to the objections. A judge of the superior court, or a special master if one is appointed pursuant to rule 53.3, may make telephone rulings on objections made during depositions. In lieu of participating in the oral examination, parties may serve written questions in a sealed envelope on the party taking the deposition and he shall transmit them to the officer, who shall propound them to the witness and record the answers verbatim.

.....

(e) Submission to Witness; Changes; Signing. When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by ~~him~~ the witness, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within ~~15~~ 30 days of its submission to ~~him~~ the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion to suppress under rule 32 (d)(4) the court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

.....

(h) Conduct of Depositions. The following shall govern deposition practice:

(1) Conduct of Examining Counsel. Examining counsel will refrain from asking questions he or she knows to be beyond the legitimate scope of discovery, and from undue repetition.

(2) Objections. Only objections which are not reserved for time of trial by these rules or which are based on privileges or raised to questions seeking information beyond the scope of discovery may be made during the course of the deposition. All objections shall be concise and must not suggest or coach answers from the deponent. Argumentative interruptions by counsel shall not be permitted.

(3) Instructions Not To Answer. Instructions to the deponent not to answer questions are improper, except when based upon privilege or pursuant to rule 30(d). When a privilege is claimed the deponent shall nevertheless answer questions related to the existence, extent, or waiver of the privilege, such as the date of communication, identity of the declarant, and in whose presence the statement was made.

(4) Responsiveness. Witnesses shall be instructed to answer all questions directly and without evasion to the extent of their testimonial knowledge, unless properly instructed by counsel not to answer.

(5) Private Consultation. Except where agreed to, attorneys shall not privately confer with deponents during the deposition between a question and an answer except for the purpose of determining the existence of privilege. Conferences with attorneys during normal recesses and at adjournment are permissible unless prohibited by the court.

(6) Courtroom Standard. All counsel and parties shall conduct themselves in depositions with the same courtesy and respect for the rules that are required in the courtroom during trial.

CR 32(a)

(a) Use of Depositions. At the trial or upon the hearing of a motion or an interlocutory proceeding, any part or all of a deposition, so far as admissible under the Rules of Evidence applied as though the witness were then present and testifying, may be used against any party who was present or represented at the taking of the deposition or who had reasonable notice thereof, in accordance with any of the following provisions:

(1) Any deposition may be used by any party for the purpose of contradicting or impeaching the testimony of deponent as a witness or for any purpose permitted by the Rules of Evidence.

(2) The deposition of a party or of anyone who at the time of taking the deposition was an officer, director, or managing agent, or a person designated under rule 30 (b)(6) or 31(a) to testify on behalf of a public or private corporation, partnership or association or governmental agency which is a party may be used by an adverse party for any purpose.

(3) The deposition of a witness, whether or not a party, may be used by any party for any purpose if the court finds: (A) that the witness is dead; or (B) that the witness resides out of the county and more than 20 miles from the place of trial, unless it appears that the absence of the witness was procured by the party offering the deposition or unless the witness is an out-of-state expert subject to subsection (a)(5)(A) of this rule; or (C) that the witness is unable to attend or testify because of age, illness, infirmity, or impris-

MISCELLANEOUS

onment; or (D) that the party offering the deposition has been unable to procure the attendance of the witness by subpoena; or (E) upon application and notice, that such exceptional circumstances exist as to make it desirable, in the interest of justice and with due regard to the importance of presenting the testimony of witnesses orally in open court, to allow the deposition to be used.

(4) If only part of a deposition is offered in evidence by a party, an adverse party may require him to introduce any other part which ought in fairness to be considered with the part introduced, and any party may introduce any other parts.

(5) The deposition of an expert witness may be used as follows:

(A) The discovery deposition of an opposing party's rule 26 (b)(5) expert witness, who resides outside the state of Washington, may be used if reasonable notice before the trial date is provided to all parties and any party against whom the deposition is intended to be used is given a reasonable opportunity to depose the expert again.

(B) The deposition of a health care professional, even though available to testify at trial, taken with the expressly stated purpose of preserving the deponent's testimony for trial, may be used if, before the taking of the deposition, there has been compliance with discovery requests made pursuant to rules 26 (b)(5)(A)(i), 33, 34, and 35 (as applicable) and if the opposing party is afforded an adequate opportunity to prepare, by discovery deposition of the deponent or other means, for cross examination of the deponent.

Substitution of parties pursuant to rule 25 does not affect the right to use depositions previously taken; and, when an action has been brought in any court of the United States or of any state and another action involving the same issues and subject matter is afterward brought between the same parties or their representatives or successors in interest, all depositions lawfully taken and duly filed in the former action may be used in the latter as if originally taken therefor. A deposition previously taken may also be used as permitted by the Rules of Evidence.

CR 37(d)

(d) Failure of Party To Attend at Own Deposition or Serve Answers to Interrogatories or Respond to Request for Production or Inspection. If a party or an officer, director, or managing agent of a party or a person designated under rule 30 (b)(6) or 31(a) to testify on behalf of a party fails (1) to appear before the officer who is to take his or her deposition, after being served with a proper notice, or (2) to serve answers or objections to interrogatories submitted under rule 33, after proper service of the interrogatories, or (3) to serve a written response to a request for production of documents or inspection submitted under rule 34, after proper service of the request, the court in which the action is pending on motion may make such orders in regard to the failure as are just, and among others it may take any action authorized under sections (A), (B), and (C) of subsection (b)(2) of this rule. In lieu of any order or in addition thereto, the court shall require the party failing to act or the attorney advising him the party or both to pay the reasonable expenses, including attorney fees, caused by the failure, unless the court finds that the failure was substantially

justified or that other circumstances make an award of expenses unjust.

The failure to act described in this subsection may not be excused on the ground that the discovery sought is objectionable unless the party failing to act has applied for a protective order as provided by rule 26(c). For purposes of this section, an evasive or misleading answer is to be treated as a failure to answer.

CR 44(a)

(a) Authentication.

(1) Domestic. An official record kept within the United States, or any state, district, or commonwealth, territory, ~~trust territory or insular possession thereof, or within any state of free association with the United States or within a territory subject to the administrative or judicial jurisdiction of the United States~~, or an entry therein, when admissible for any purpose, may be evidenced by an official publication thereof or by a copy attested by the officer having the legal custody of the record, or by his the officer's deputy, and accompanied by a certificate that such officer has the custody. The certificate may be made by a judge of a court of record of the district or political subdivision in which the record is kept, authenticated by the seal of the court, or may be made by any public officer having a seal of office or official custody of the seal of the political subdivision and having official duties in the district or political subdivision in which the record is kept, authenticated by the seal of his the officer's office or the seal of the political subdivision.

(2) Foreign. A foreign official record, or an entry therein, when admissible for any purpose, may be evidenced by an official publication thereof; or a copy thereof, attested by a person authorized to make the attestation, and accompanied by a final certification as to the genuineness of the signature and official position (A) of the attesting person, or (B) of any foreign official whose certificate of genuineness of signature and official position relates to the attestation or is in a chain of certificates of genuineness of signature and official position relating to the attestation. A final certification may be made by a secretary of embassy or legation, consul general, consul, vice-consul, or consular agent of the United States, or a diplomatic or consular official of the foreign country assigned or accredited to the United States. If reasonable opportunity has been given to all parties to investigate the authenticity and accuracy of the documents, the court may, for good cause shown, either admit an attested copy without final certification or permit the foreign official record to be evidenced by an attested summary with or without a final certification. ~~The final certification shall be dispensed with whenever both the United States and the foreign country in which the official record is located are parties to a treaty or convention that abolishes or displaces such requirement, in which case the record and the attestation shall be certified by the means provided in the treaty or convention is unnecessary if the record and the attestation are certified as provided in a treaty or convention to which the United States and the foreign country in which the official record is located are parties.~~

CR 45 (d)(1)

(d) Subpoena for Taking Depositions; Place of Examination.

(1) Authorization. Proof of service of a notice to take a deposition as provided in rules 30(b) and 31(a) constitutes a sufficient authorization for the issuance by the attorney of record or the officer taking the deposition of subpoenas for the persons named or described therein. The subpoena may command the person to whom it is directed to produce and permit inspection and copying of designated books, papers, documents, or tangible things which constitute or contain matters within the scope of the examination permitted by rule 26(b), but in that event the subpoena will be subject to the provisions of rule 26(c) and section (b) of this rule.

The person to whom the subpoena is directed may, within 10 days after the service thereof or on or before the time specified in the subpoena for compliance if such time is less than 10 days after service, serve upon the attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials except pursuant to an order of the court from which the subpoena was issued. The party serving the subpoena may, if objection has been made, move upon notice to the deponent for an order at any time before or during the taking of the deposition.

CR 56(c)

(c) Motion and Proceedings. The motion and any supporting affidavits, memoranda of law, or other documentation shall be filed and served not later than ~~21~~ 28 calendar days before the hearing. The adverse party may file and serve opposing affidavits, memoranda of law or other documentation not later than ~~10~~ 11 calendar days before the hearing. The moving party may file and serve any rebuttal documents not later than 5 calendar days prior to the hearing. If the date for filing either the response or rebuttal falls on a Saturday, Sunday, or legal holiday, then it shall be filed and served not later than the next day nearer the hearing which is neither a Saturday, Sunday, or legal holiday. Summary judgment motions shall be heard more than 14 calendar days before the date set for trial unless leave of court is granted to allow otherwise. Confirmation of the hearing may be required by local rules. The judgment sought shall be rendered forthwith if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. A summary judgment, interlocutory in character, may be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.

CR 69(a)

(a) Procedure. The procedure on execution, in proceedings supplementary to and in aid of a judgment, and in proceedings on and in aid of execution shall be in accordance with the practice and procedure of the State as authorized in RCW 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, 6.13, 6.15, 6.17, 6.19, 6.21, 6.23, 6.32, 6.36, and any other applicable statutes.

MAR 6.2

FILING OF AWARD

Within 14 days after the conclusion of the arbitration hearing, the arbitrator shall file the award with the clerk of the superior court, with proof of service of a copy on each party. On the arbitrator's application in cases of unusual length or complexity, the arbitrator may apply for and the court may allow up to 14 additional days for the filing and service of the award. Late filing shall not invalidate the award. The arbitrator may file with the court and serve upon the parties an amended award to correct an obvious error made in stating the award if done within the time for filing an award or upon application to the superior court to amend.

MAR 7.3

COSTS AND ATTORNEY FEES

The court shall assess costs and reasonable attorney fees against a party who appeals the award and fails to improve the party's position on the trial de novo. The court may assess costs and reasonable attorney fees against a party who voluntarily withdraws a request for a trial de novo. "Costs" means those costs provided for by statute or court rule. Only those costs and reasonable attorney fees incurred after a request for a trial de novo is filed may be assessed under this rule.

WSR 93-14-018
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
TRADE AND ECONOMIC DEVELOPMENT
[Memorandum—June 25, 1993]

BJRP ADVISORY COMMITTEE MEETING SCHEDULE

July 2, 1993	Call
August 27, 1993	Call
September 24, 1993	Meeting
October 22, 1993	Call
December 3, 1993*	Call
January 7, 1994*	Meeting
February 25, 1994	Call
March 25, 1994	Meeting
April 22, 1994	Call
June 3, 1994*	Meeting

No meetings scheduled in November or May

*Not normal fourth Friday

WSR 93-14-019
NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON UNIVERSITY
[Memorandum—June 28, 1993]

The requirements of WAC 516-04-010 and the board of trustees rules of operation require that regular meetings of the board of trustees of Western Washington University be held on the first Thursday each month a meeting is held unless such date is changed by board resolution at a meeting regularly scheduled or called for that purpose; and

MISCELLANEOUS

The board of trustees desires to cancel the meeting scheduled for June 3, 1993, and hold a regular meeting on July 8, 1993;

The board of trustees of Western Washington University hereby cancels the regular meeting of June 3, 1993, and schedules a regular meeting of the board for Thursday, July 8, 1993, at 10:00 a.m. in Old Main on Western's Campus.

Passed and approved by the board of trustees of Western Washington University at the special meeting thereof duly held this 25th day of May, 1993.

WSR 93-14-020
ATTORNEY GENERAL OPINION
Cite as: AGO 1993 No. 12
 [June 15, 1993]

OFFICES AND OFFICERS—ELECTIONS—CAMPAIGN CONTRIBUTIONS—PUBLIC DISCLOSURE LAW—PUBLIC DISCLOSURE COMMISSION—Applicability of Initiative 134 to nonreimbursed public office related expenses

1. RCW 42.17.125, which governs the personal use of campaign contributions, does not authorize the use of such contributions for nonreimbursed public office related expenses.
2. Prior to Initiative 134, RCW 42.17.095 authorized a public officer to use surplus campaign contributions for nonreimbursed public office related expenses. Initiative 134 repealed this authority such that surplus campaign contributions can no longer be used for this purpose.
3. Although campaign contributions and surplus campaign contributions may not be used for nonreimbursed public office related expenses, a public officer may solicit gifts for the specific purpose of defraying nonreimbursed public office related expenses.
4. If a public officer solicits gifts to defray nonreimbursed public office related expenses, such gifts must be reported to the Public Disclosure Commission pursuant to RCW 42.17.240 and .2415.

Requested by:
 Honorable Tim Erwin
 State Senator, District 44
 109-A Institutions Building
 P.O. Box 40444
 Olympia, WA 98504-0444

WSR 93-14-020A
ATTORNEY GENERAL OPINION
Cite as: AGO 1993 No. 13
 [June 21, 1993]

STATE INVESTMENT BOARD—EMPLOYERS AND EMPLOYEES—OFFICES AND OFFICERS—TREASURER—LEGISLATORS—CONFLICT OF INTEREST—Applicability of Executive Conflict of Interest Act to elected officials who are members of the State Investment Board

Membership in the State Investment Board includes the State Treasurer and one member each of the House of Representatives and the Senate. Members of the Board are subject to the Executive Conflict of Interest Act, chapter 42.18 RCW. Although the Act does not apply to elected state officers and legislators when they are acting in their capacity as elected officials, these elected officials are subject to the Act when they are acting in their capacity as a member of the Board.

Requested by:
 Honorable Brian Sonntag
 State Auditor
 Legislative Building, MS 40021
 Olympia, WA 98504-0021

WSR 93-14-033
NOTICE OF PUBLIC MEETINGS
WHATCOM COMMUNITY COLLEGE
 [Memorandum—June 25, 1993]

The board of trustees of Whatcom Community College, District Number Twenty-One, has cancelled its regularly scheduled meeting on July 13, 1993. It has been rescheduled to August 10, 1993.

WSR 93-14-039
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Board of Chiropractic Examiners)
 [Memorandum—June 29, 1993]

Board meetings for 1993 are as follows:
 There will be no meetings in July, August, October, and December 1993.
 The September 9, 1993, meeting has been changed to September 23, 1993.
 The November 11, 1993, meeting date will not change.

Board meetings for 1994 are as follows:
 January 13, 1994
 March 10, 1994
 June 16, 1994
 September 15, 1994
 November 10, 1994

WSR 93-14-054
NOTICE OF PUBLIC MEETINGS
CENTRAL WASHINGTON UNIVERSITY
 [Memorandum—June 23, 1993]

A special meeting (teleconference) of Central Washington University board of trustees will occur September 3, 1993, at 9 a.m. in Room 412, Barge Hall, on the Central Washington University campus in Ellensburg.

Regular meetings of Central Washington University board of trustees will be held in Room 412, Barge Hall, on the Central Washington University campus in Ellensburg at 11:00 a.m. on the following dates:

MISCELLANEOUS

October 1, 1993
November 19, 1993
February 11, 1994
April 8, 1994
June 10, 1994

7:30 p.m. in the Board Room at Olympic College, District No. 3, Bremerton, Washington.

WSR 93-14-104
NOTICE OF PUBLIC MEETINGS
MARITIME COMMISSION
[Memorandum—July 1, 1993]

Annually, in advance, we advise you of the date, time and place of the Washington State Maritime Commission monthly meetings, scheduled for the first Thursday of each month for the coming calendar year.

This is to notify you that by official action taken today, the commission has rescheduled its August meeting to be held on Thursday, August 5, 1993, in the Board Room of the Port of Vancouver Facility, 3103 Lower River Road, Vancouver, WA 98660, for 1:00 p.m. on that date.

So far as is presently known, subsequent monthly meetings will be held in accordance with our regular published schedule.

WSR 93-14-114
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY
[Memorandum—June 28, 1993]

The July 23, 1993, board of trustees meeting has been cancelled. The next regularly scheduled meeting will be September 24, 1993, at 9:00 a.m. on the Second Floor Mall of the Spokane Center. If you have any questions, please contact Leslie Mowatt in the Office of the President at 359-6598.

WSR 93-14-121
NOTICE OF PUBLIC MEETINGS
HIGHLINE COMMUNITY COLLEGE
[Memorandum—June 29, 1993]

NOTICE OF MEETING DATE CHANGE

The date of the Highline Community College, Community College District 9, July 1993, board of trustees meeting, has been changed from July 8, 1993, to July 15, 1993. The study session will begin at 8:00 a.m. in Room 411, Building 25, and the regular meeting at 10:00 a.m. in the Fifth Floor Board Room, Building 25, Highline Community College.

WSR 93-14-122
NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE
[Memorandum—July 1, 1993]

The board of trustees has cancelled the regular board meeting that was scheduled to be held on July 27, 1993, at

WSR 93-14-123
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD
[Memorandum—July 2, 1993]

MEETING NOTICE FOR JULY 1993
TRANSPORTATION IMPROVEMENT BOARD
OLYMPIA, WASHINGTON 98504-0901

RJT subcommittee, time to be announced, Thursday, July 22, 1993, in Yakima at the Yakima Valley Red Lion Inn, 1507 North 1st.

Increase subcommittee, time to be announced, Thursday, July 22, 1993, in Yakima at the Yakima Valley Red Lion Inn.

Work session, 2:00 p.m., Thursday, July 22, 1993, at the Red Lion Inn.

Board meeting, 9:00 a.m., Friday, July 23, 1993, at the Red Lion Inn.

No TIB meeting in August. The next scheduled meeting is September 17, 1993, in Pasco, Washington. A notice with further detail of the September meeting will be mailed August 27, 1993.

WSR 93-14-128
NOTICE OF PUBLIC MEETINGS
COUNTY ROAD
ADMINISTRATION BOARD
[Memorandum—July 1, 1993]

Meeting Notice

County Road Administration Board, Public Meeting, August 5-6, 1993, Best Western, Ellensburg.

WSR 93-14-129
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION COMMISSION
[Memorandum—July 4, 1993]

The Washington State Transportation Commission will meet on Wednesday, July 28, 1993, for the purposes of conducting a workshop to discuss the mission, goals, and responsibilities of the commission. The workshop will begin at 8:30 a.m. and be held in Conference Room A, Puget Sound Regional Council, 216 First Avenue South, Seattle, WA.

WSR 93-14-131
NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD
[Memorandum—July 7, 1993]

MISCELLANEOUS

REGULAR MEETINGS

This notice is given pursuant to provisions of RCW 42.30.075 and WAC 222-08-040.

The Washington Forest Practices Board will hold its regular quarterly meeting on Wednesday, August 11, 1993. The meeting will convene at 10:00 a.m. at the Weyerhaeuser Office, 38800 S.E. Mill Pond Road, Snoqualmie, WA. The board will be taking a field trip on August 10, 1993, in the Tolt River watershed. Members of the public who wish to attend the field trip will need to contact Tom Miller at his Weyerhaeuser office, (206) 825-8110, by August 4, 1993.

The Forest Practices Board's regular quarterly meeting scheduled for November 10, 1993, has been rescheduled to December 9, 1993. This meeting will be held in Room 172 of the Natural Resources Building, Olympia, starting at 9 a.m.

SPECIAL MEETINGS

The Forest Practices Board anticipates holding special meetings on September 9 and October 7, 1993. These meetings will be held in Room 172 of the Natural Resources Building, Olympia, starting at 9 a.m.

BOARD COMMITTEE MEETINGS

The board's Wildlife Committee will meet:

- | | | |
|-----------|---|--------|
| July 23 | Department of Trade and Economic Development
Westin Building
2001 6th Avenue
Suite 2600
Seattle, WA 98121 | 1 p.m. |
| August 6 | Natural Resources Building
Olympia Room TBA
check at Forest Practices
4th floor | 9 a.m. |
| August 20 | Department of Trade and Economic Development
Westin Building
2001 6th Avenue
Suite 2600
Seattle, WA 98121 | 9 a.m. |

Additional information about Forest Practices Board meetings and committee meetings may be obtained from: Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone (206) 902-1413.

**WSR 93-14-132
PROPOSED RULES
COLUMBIA RIVER
GORGE COMMISSION**

[Filed July 7, 1993, 11:25 a.m.]

Notice of hearing and proposed adoption of rule 350-60. In the matter of adopting administrative rules relating to appeals from decisions under county ordinances.

The Columbia River Gorge Commission proposes to adopt rules relating to appeals from decisions under county

ordinances, 350-60, at its regularly scheduled meeting on August 24, 1993, at 10:45 a.m., Waucoma Center Auditorium, 902 Wasco Avenue, Hood River, Oregon.

The chair of the commission will preside over and conduct the hearing.

Adoption: Rule 350-60. The commission is the proponent of these proposed rules.

No prior notice given.

Summary of Rules: The rules set forth the process in which an affected party may appeal to the Columbia River Gorge Commission a decision made by a county governing body implementing the Columbia River Gorge National Scenic Area Management Plan through county land use ordinances.

Statement of Need: The National Scenic Area Act contemplates the gorge commission shall act in an appellate role once land use ordinances have been adopted by counties in the gorge or, when the gorge commission has adopted such ordinances to implement the act; and the public needs a detailed process for appeals to the Columbia River Gorge Commission.

Statutory Authority: Authority to adopt the rules as proposed derives from the Scenic Area Act (16 U.S.C. § 544 et. seq. and the Columbia River Compact, Article I, Section a(4)(g), at ORS 196.150 and RCW 43.97.015. The proposed rule is necessary as a result of federal law, 16 U.S.C. § 544 et. seq. as well as state law.

Documents Relied Upon: The proposed rule is based on the Columbia River Gorge National Scenic Area Management Plan and the National Scenic Area Act (16 U.S.C. § 544 et. seq.). Copies of these documents are available at the Columbia River Gorge Commission office.

Statement of Anticipated Effects: The proposed rule provides an appeal process from decisions made by a county governing body in implementing the Management Plan for the Columbia River Gorge National Scenic Area Act through land use ordinances as required by the National Scenic Area Act.

Fiscal Impact Statement: The proposed rule will not have an adverse fiscal impact on the public or local government. The rule provides a process for appeals from decisions of a county governing body which will ensure an efficient review process consistent with the act.

Availability of Rule: The proposed rule is available on request from Jan Brending, Rules Coordinator, Columbia River Gorge Commission, 288 East Jewett Boulevard, P.O. Box 730, White Salmon, WA 98672, (509) 493-3323.

Public Comment: Interested persons may comment orally or in writing at the hearing. Written comment received at the commission's office by August 20, 1993, will also be considered. Comment may be made to Jan Brending, Rules Coordinator, Columbia River Gorge Commission, 288 East Jewett Boulevard, P.O. Box 730, White Salmon, WA 98672, (509) 493-3323.

Reviser's note: The material contained in this filing will appear in the 93-15 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

MISCELLANEOUS

Table of WAC Sections Affected

KEY TO TABLE

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- W = Withdrawal of proposed action
- No suffix means permanent action

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
4-24-010	REP-P	93-08-089	4-25-360	REP	93-12-064	16-10-020	NEW-P	93-04-113
4-24-010	REP	93-12-064	4-25-400	NEW-P	93-08-090	16-10-020	NEW-W	93-06-008
4-24-020	REP-P	93-08-089	4-25-400	NEW	93-12-063	16-10-020	NEW-P	93-06-076
4-24-020	REP	93-12-064	4-25-510	NEW-P	93-08-091	16-10-020	NEW	93-10-046
4-24-021	REP-P	93-08-089	4-25-510	NEW	93-12-077	16-10-030	NEW-P	93-04-113
4-24-021	REP	93-12-064	4-25-511	NEW-P	93-08-092	16-10-030	NEW-W	93-06-008
4-24-030	REP-P	93-08-089	4-25-511	NEW	93-12-076	16-10-030	NEW-P	93-06-076
4-24-030	REP	93-12-064	4-25-520	NEW-P	93-08-093	16-10-030	NEW	93-10-046
4-24-040	REP-P	93-08-089	4-25-520	NEW	93-14-050	16-201-010	NEW-P	93-12-044
4-24-040	REP	93-12-064	4-25-530	NEW-P	93-08-094	16-201-020	NEW-P	93-12-044
4-24-041	REP-P	93-08-089	4-25-530	NEW	93-12-075	16-201-025	NEW-P	93-12-044
4-24-041	REP	93-12-064	4-25-540	NEW-P	93-08-095	16-201-028	NEW-P	93-12-044
4-24-050	REP-P	93-08-089	4-25-540	NEW	93-12-074	16-201-030	NEW-P	93-12-044
4-24-050	REP	93-12-064	4-25-550	NEW-P	93-08-096	16-201-040	NEW-P	93-12-044
4-24-060	REP-P	93-08-089	4-25-550	NEW	93-12-073	16-201-050	NEW-P	93-12-044
4-24-060	REP	93-12-064	4-25-551	NEW-P	93-08-097	16-201-060	NEW-P	93-12-044
4-24-070	REP-P	93-08-089	4-25-551	NEW	93-12-072	16-201-070	NEW-P	93-12-044
4-24-070	REP	93-12-064	4-25-710	NEW-P	93-08-098	16-201-080	NEW-P	93-12-044
4-24-080	REP-P	93-08-089	4-25-710	NEW	93-12-071	16-201-100	NEW-P	93-12-044
4-24-080	REP	93-12-064	4-25-720	NEW-P	93-08-099	16-201-110	NEW-P	93-12-044
4-24-090	REP-P	93-08-089	4-25-720	NEW	93-12-070	16-201-120	NEW-P	93-12-044
4-24-090	REP	93-12-064	4-25-721	NEW-P	93-08-100	16-201-130	NEW-P	93-12-044
4-24-101	REP-P	93-08-089	4-25-721	NEW	93-12-069	16-201-140	NEW-P	93-12-044
4-24-101	REP	93-12-064	4-25-730	NEW-P	93-08-101	16-201-150	NEW-P	93-12-044
4-24-110	REP-P	93-08-089	4-25-730	NEW	93-12-068	16-201-160	NEW-P	93-12-044
4-24-110	REP	93-12-064	4-25-740	NEW-P	93-08-102	16-201-170	NEW-P	93-12-044
4-24-120	REP-P	93-08-089	4-25-740	NEW	93-12-067	16-201-180	NEW-P	93-12-044
4-24-120	REP	93-12-064	4-25-755	NEW-P	93-08-103	16-201-190	NEW-P	93-12-044
4-24-131	REP-P	93-08-089	4-25-755	NEW	93-12-066	16-201-200	NEW-P	93-12-044
4-24-131	REP	93-12-064	4-25-760	NEW-P	93-08-104	16-201-210	NEW-P	93-12-044
4-24-140	REP-P	93-08-089	4-25-760	NEW	93-12-065	16-201-220	NEW-P	93-12-044
4-24-140	REP	93-12-064	10-04-020	AMD-P	93-07-097	16-201-230	NEW-P	93-12-044
4-24-150	REP-P	93-08-089	10-04-020	AMD	93-10-098	16-201-240	NEW-P	93-12-044
4-24-150	REP	93-12-064	10-08-150	AMD-P	93-07-096	16-201-250	NEW-P	93-12-044
4-25-010	REP-P	93-08-089	10-08-150	AMD	93-10-097	16-201-260	NEW-P	93-12-044
4-25-010	REP	93-12-064	16-08-021	AMD-P	93-07-021	16-201-270	NEW-P	93-12-044
4-25-040	REP-P	93-08-089	16-08-021	AMD-E	93-07-022	16-201-280	NEW-P	93-12-044
4-25-040	REP	93-12-064	16-08-021	AMD	93-10-059	16-201-290	NEW-P	93-12-044
4-25-140	REP-P	93-08-089	16-08-022	NEW-P	93-07-021	16-218-001	AMD-P	93-12-134
4-25-140	REP	93-12-064	16-08-022	NEW-E	93-07-022	16-218-010	AMD-P	93-12-134
4-25-141	REP-P	93-08-089	16-08-022	NEW	93-10-059	16-218-02001	AMD-P	93-12-134
4-25-141	REP	93-12-064	16-08-141	AMD-P	93-07-021	16-218-030	NEW-P	93-12-134
4-25-142	REP-P	93-08-089	16-08-141	AMD-E	93-07-022	16-219-010	NEW-P	93-12-128
4-25-142	REP	93-12-064	16-08-141	AMD	93-10-059	16-219-015	NEW-P	93-12-128
4-25-190	REP-P	93-08-089	16-08-151	AMD-P	93-07-021	16-219-015	NEW-E	93-13-038
4-25-190	REP	93-12-064	16-08-151	AMD-E	93-07-022	16-219-015	RESCIND	93-13-045
4-25-191	REP-P	93-08-089	16-08-151	AMD	93-10-059	16-219-015	NEW-E	93-13-046
4-25-191	REP	93-12-064	16-10-010	NEW-P	93-04-113	16-219-020	NEW-P	93-12-128
4-25-260	REP-P	93-08-089	16-10-010	NEW-W	93-06-008	16-219-020	NEW-E	93-13-038
4-25-260	REP	93-12-064	16-10-010	NEW-P	93-06-076	16-219-020	RESCIND	93-13-045
4-25-360	REP-P	93-08-089	16-10-010	NEW	93-10-046	16-219-020	NEW-E	93-13-046

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
16-219-025	NEW-P	93-12-128	16-229-470	NEW-P	93-12-044
16-219-025	NEW-E	93-13-038	16-229-480	NEW-P	93-12-044
16-219-025	RESCIND	93-13-045	16-230-250	AMD-E	93-12-038
16-219-025	NEW-E	93-13-046	16-230-250	AMD-P	93-12-129
16-219-030	NEW-P	93-12-128	16-230-260	AMD-E	93-12-038
16-219-030	NEW-E	93-13-038	16-230-260	AMD-P	93-12-129
16-219-030	RESCIND	93-13-045	16-230-270	AMD-E	93-12-038
16-219-030	NEW-E	93-13-046	16-230-270	AMD-P	93-12-129
16-228-900	REP-P	93-04-114	16-230-280	REP-E	93-12-038
16-228-900	REP-W	93-06-007	16-230-280	REP-P	93-12-129
16-228-900	REP-P	93-06-075	16-230-281	NEW-E	93-12-038
16-228-900	REP	93-10-047	16-230-281	NEW-P	93-12-129
16-228-905	NEW-P	93-04-114	16-230-290	AMD-E	93-12-038
16-228-905	NEW-W	93-06-007	16-230-290	AMD-P	93-12-129
16-228-905	NEW-P	93-06-075	16-230-300	REP-E	93-12-038
16-228-905	NEW	93-10-047	16-230-300	REP-P	93-12-129
16-228-910	NEW-P	93-04-114	16-354-020	AMD-P	93-13-090
16-228-910	NEW-W	93-06-007	16-400-210	AMD-E	93-04-078
16-228-910	NEW-P	93-06-075	16-400-210	AMD-P	93-04-103
16-228-910	NEW	93-10-047	16-400-210	AMD	93-07-105
16-228-915	NEW-P	93-04-114	16-400-210	AMD-P	93-13-141
16-228-915	NEW-W	93-06-007	16-409-015	AMD-W	93-05-022
16-228-915	NEW-P	93-06-075	16-409-065	REP-W	93-05-022
16-228-915	NEW	93-10-047	16-409-075	AMD-W	93-05-022
16-228-920	NEW-P	93-04-114	16-415	PREP	93-07-053
16-228-920	NEW-W	93-06-007	16-432	PREP	93-07-053
16-228-920	NEW-P	93-06-075	16-461-011	NEW-P	93-08-060
16-228-920	NEW	93-10-047	16-461-011	NEW-W	93-12-047
16-228-925	NEW-P	93-04-114	16-462-030	AMD-P	93-13-091
16-228-925	NEW-W	93-06-007	16-532-120	AMD-P	93-06-083
16-228-925	NEW-P	93-06-075	16-532-120	AMD	93-09-014
16-228-925	NEW	93-10-047	16-555-010	AMD-P	93-04-094
16-228-930	NEW-P	93-04-114	16-555-010	AMD	93-10-063
16-228-930	NEW-W	93-06-007	16-555-020	AMD-P	93-04-094
16-228-930	NEW-P	93-06-075	16-555-020	AMD	93-10-063
16-228-930	NEW	93-10-047	16-570-040	AMD-P	93-07-085
16-229-010	NEW-P	93-12-044	16-570-040	AMD	93-11-032
16-229-015	NEW-P	93-12-044	16-602-040	NEW-E	93-12-039
16-229-020	NEW-P	93-12-044	16-674-002	REP	93-03-079
16-229-025	NEW-P	93-12-044	16-674-010	AMD	93-03-079
16-229-030	NEW-P	93-12-044	16-674-020	REP	93-03-079
16-229-040	NEW-P	93-12-044	16-674-060	NEW	93-03-079
16-229-050	NEW-P	93-12-044	16-674-070	NEW	93-03-079
16-229-060	NEW-P	93-12-044	16-674-080	NEW	93-03-079
16-229-070	NEW-P	93-12-044	16-674-090	NEW	93-03-079
16-229-080	NEW-P	93-12-044	16-674-100	NEW	93-03-079
16-229-090	NEW-P	93-12-044	44-01-010	AMD-E	93-14-081
16-229-100	NEW-P	93-12-044	44-01-020	AMD-E	93-14-081
16-229-110	NEW-P	93-12-044	44-01-030	AMD-E	93-14-081
16-229-120	NEW-P	93-12-044	44-01-100	AMD-E	93-14-081
16-229-130	NEW-P	93-12-044	44-01-110	AMD-E	93-14-081
16-229-140	NEW-P	93-12-044	44-01-120	AMD-E	93-14-081
16-229-150	NEW-P	93-12-044	44-01-130	AMD-E	93-14-081
16-229-160	NEW-P	93-12-044	44-01-140	AMD-E	93-14-081
16-229-170	NEW-P	93-12-044	44-01-150	AMD-E	93-14-081
16-229-180	NEW-P	93-12-044	44-01-160	AMD-E	93-14-081
16-229-200	NEW-P	93-12-044	44-01-170	AMD-E	93-14-081
16-229-210	NEW-P	93-12-044	44-10-030	AMD-E	93-07-017
16-229-220	NEW-P	93-12-044	50-14-020	AMD-P	93-11-087
16-229-230	NEW-P	93-12-044	50-14-020	AMD	93-13-142
16-229-240	NEW-P	93-12-044	50-14-030	AMD-P	93-11-087
16-229-250	NEW-P	93-12-044	50-14-030	AMD	93-13-142
16-229-260	NEW-P	93-12-044	50-14-040	AMD-P	93-11-087
16-229-270	NEW-P	93-12-044	50-14-040	AMD	93-13-142
16-229-280	NEW-P	93-12-044	50-14-050	AMD-P	93-11-087
16-229-300	NEW-P	93-12-044	50-14-050	AMD	93-13-142
16-229-310	NEW-P	93-12-044	50-14-060	AMD-P	93-11-087
16-229-400	NEW-P	93-12-044	50-14-060	AMD	93-13-142
16-229-410	NEW-P	93-12-044	50-14-070	AMD-P	93-11-087
16-229-420	NEW-P	93-12-044	50-14-070	AMD	93-13-142
16-229-430	NEW-P	93-12-044	50-14-080	AMD-P	93-11-087
16-229-440	NEW-P	93-12-044	50-14-080	AMD	93-13-142
16-229-450	NEW-P	93-12-044	50-14-090	AMD-P	93-11-087
50-14-090	AMD	93-13-142	50-14-090	AMD	93-13-142
50-14-100	AMD-P	93-11-087	50-14-100	AMD	93-13-142
50-14-100	AMD	93-13-142	50-14-110	AMD-P	93-11-087
50-14-110	AMD-P	93-11-087	50-14-110	AMD	93-13-142
50-14-130	AMD-P	93-11-087	50-14-130	AMD	93-13-142
50-14-130	AMD	93-13-142	50-20-130	AMD-P	93-13-144
50-20-130	AMD-P	93-13-144	50-30-030	AMD-P	93-13-143
50-30-030	AMD-P	93-05-052	50-48-100	AMD-P	93-05-052
50-48-100	AMD	93-07-113	50-48-100	AMD	93-07-113
51-04-015	AMD-W	93-14-017	51-04-015	AMD-W	93-14-017
51-04-018	AMD-W	93-14-017	51-04-018	AMD-W	93-14-017
51-04-020	AMD-W	93-14-017	51-04-020	AMD-W	93-14-017
51-04-025	AMD-W	93-14-017	51-04-025	AMD-W	93-14-017
51-04-030	AMD-W	93-14-017	51-04-030	AMD-W	93-14-017
51-04-060	AMD-W	93-14-017	51-04-060	AMD-W	93-14-017
51-11-0101	AMD-P	93-08-077	51-11-0101	AMD-P	93-08-077
51-11-0101	AMD-W	93-08-084	51-11-0101	AMD-W	93-08-084
51-11-0200	AMD-P	93-08-077	51-11-0200	AMD-P	93-08-077
51-11-0201	AMD-P	93-08-077	51-11-0201	AMD-P	93-08-077
51-11-0401	AMD-P	93-08-077	51-11-0401	AMD-P	93-08-077
51-11-0401	AMD-W	93-08-084	51-11-0401	AMD-W	93-08-084
51-11-0502	AMD-P	93-08-077	51-11-0502	AMD-P	93-08-077
51-11-0502	AMD-W	93-08-084	51-11-0502	AMD-W	93-08-084
51-11-0503	AMD-P	93-08-077	51-11-0503	AMD-P	93-08-077
51-11-0503	AMD-W	93-08-084	51-11-0503	AMD-W	93-08-084
51-11-0505	AMD-P	93-08-077	51-11-0505	AMD-P	93-08-077
51-11-0505	AMD-W	93-08-084	51-11-0505	AMD-W	93-08-084
51-11-0528	AMD-P	93-08-077	51-11-0528	AMD-P	93-08-077
51-11-0528	AMD-W	93-08-084	51-11-0528	AMD-W	93-08-084
51-11-0529	AMD-P	93-08-077	51-11-0529	AMD-P	93-08-077
51-11-0529	AMD-W	93-08-084	51-11-0529	AMD-W	93-08-084
51-11-0531	AMD-P	93-08-077	51-11-0531	AMD-P	93-08-077
51-11-0531	AMD-W	93-08-084	51-11-0531	AMD-W	93-08-084
51-11-0532	AMD-P	93-08-077	51-11-0532	AMD-P	93-08-077
51-11-0532	AMD-W	93-08-084	51-11-0532	AMD-W	93-08-084
51-11-0538	AMD-P	93-08-077	51-11-0538	AMD-P	93-08-077
51-11-0538	AMD-W	93-08-084	51-11-0538	AMD-W	93-08-084
51-11-0539	AMD-P	93-08-077	51-11-0539	AMD-P	93-08-077
51-11-0539	AMD-W	93-08-084	51-11-0539	AMD-W	93-08-084
51-11-0540	AMD-P	93-08-077	51-11-0540	AMD-P	93-08-077
51-11-0540	AMD-W	93-08-084	51-11-0540	AMD-W	93-08-084
51-11-0542	AMD-P	93-08-077	51-11-0542	AMD-P	93-08-077
51-11-0542	AMD-W	93-08-084	51-11-0542	AMD-W	93-08-084
51-11-0601	AMD-P	93-08-077	51-11-0601	AMD-P	93-08-077
51-11-0601	AMD-W	93-08-084	51-11-0601	AMD-W	93-08-084
51-11-0605	AMD-P	93-08-077	51-11-0605	AMD-P	93-08-077
51-11-0605	AMD-W	93-08-084	51-11-0605	AMD-W	93-08-084
51-11-0606	AMD-P	93-08-077	51-11-0606	AMD-P	93-08-077
51-11-0606	AMD-W	93-08-084	51-11-0606	AMD-W	93-08-084
51-11-0607	AMD-P	93-08-077	51-11-0607	AMD-P	93-08-077
51-11-0607	AMD-W	93-08-084	51-11-0607	AMD-W	93-08-084
51-11-0608	AMD-P	93-08-077	51-11-0608	AMD-P	93-08-077
51-11-0608	AMD-W	93-08-084	51-11-0608	AMD-W	93-08-084
51-11-0631	AMD-P	93-08-077	51-11-0631	AMD-P	93-08-077
51-11-0631	AMD-W	93-08-084	51-11-0631	AMD-W	93-08-084
51-11-0700	AMD-P	93-08-077	51-11-0700	AMD-P	93-08-077
51-11-1000	AMD-P	93-08-077	51-11-1000	AMD-P	93-08-077
51-11-1100	NEW-P	93-08-077	51-11-1100	NEW-P	93-08-077
51-11-1101	NEW-W	93-08-084	51-11-1101	NEW-W	93-08-084
51-11-1102	NEW-W	93-08-084	51-11-1102	NEW-W	93-08-084
51-11-1103	NEW-W	93-08-084	51-11-1103	NEW-W	93-08-084
51-11-1104	NEW-W	93-08-084	51-11-1104	NEW-W	93-08-084
51-11-1105	NEW-W	93-08-084	51-11-1105	NEW-W	93-08-084
51-11-1106	NEW-W	93-08-084	51-11-1106	NEW-W	93-08-084
51-11-1107	NEW-W	93-08-084	51-11-1107	NEW-W	93-08-084
51-11-1108	NEW-W	93-08-084	51-11-1108	NEW-W	93-08-084
51-11-1109	NEW-W	93-08-084	51-11-1109	NEW-W	93-08-084
51-11-1110	NEW-P	93-08-077	51-11-1110	NEW-P	93-08-077
51-11-1120	NEW-P	93-08-077	51-11-1120	NEW-P	93-08-077
51-11-1130	NEW-P	93-08-077	51-11-1130	NEW-P	93-08-077
51-11-1131	NEW-P	93-08-077	51-11-1131	NEW-P	93-08-077

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
51-11-1132	NEW-P	93-08-077	51-11-1513	NEW-P	93-08-077	98-60-020	NEW	93-07-040
51-11-1133	NEW-P	93-08-077	51-11-1520	NEW-P	93-08-077	98-60-030	NEW-P	93-03-063
51-11-1134	NEW-P	93-08-077	51-11-1521	NEW-P	93-08-077	98-60-030	NEW	93-07-040
51-11-1140	NEW-P	93-08-077	51-11-1522	NEW-P	93-08-077	98-60-040	NEW-P	93-03-063
51-11-1141	NEW-P	93-08-077	51-11-1530	NEW-P	93-08-077	98-60-040	NEW	93-07-040
51-11-1142	NEW-P	93-08-077	51-11-1531	NEW-P	93-08-077	98-60-050	NEW-P	93-03-063
51-11-1143	NEW-P	93-08-077	51-11-1532	NEW-P	93-08-077	98-60-050	NEW	93-07-040
51-11-1144	NEW-P	93-08-077	51-11-1601	NEW-W	93-08-084	98-70-010	AMD-P	93-03-062
51-11-1150	NEW-P	93-08-077	51-11-1602	NEW-W	93-08-084	98-70-010	AMD	93-07-041
51-11-1160	NEW-P	93-08-077	51-11-1603	NEW-W	93-08-084	131-16-091	AMD-P	93-10-103
51-11-1201	NEW-P	93-08-077	51-11-1604	NEW-W	93-08-084	131-16-091	AMD	93-14-008
51-11-1201	NEW-W	93-08-084	51-11-1605	NEW-W	93-08-084	131-16-092	AMD-P	93-10-103
51-11-1210	NEW-P	93-08-077	51-11-1606	NEW-W	93-08-084	131-16-092	AMD	93-14-008
51-11-1301	NEW-P	93-08-077	51-11-1607	NEW-W	93-08-084	131-16-093	AMD-P	93-10-103
51-11-1301	NEW-W	93-08-084	51-11-1608	NEW-W	93-08-084	131-16-093	AMD	93-14-008
51-11-1302	NEW-P	93-08-077	51-11-1701	NEW-P	93-08-077	131-16-093	AMD-P	93-10-103
51-11-1302	NEW-W	93-08-084	51-11-1701	NEW-W	93-08-084	131-16-093	AMD	93-14-008
51-11-1303	NEW-P	93-08-077	51-11-1801	NEW-W	93-08-084	131-16-093	AMD-P	93-10-103
51-11-1303	NEW-W	93-08-084	51-11-1901	NEW-W	93-08-084	131-16-093	AMD	93-14-008
51-11-1310	NEW-P	93-08-077	51-11-1902	NEW-W	93-08-084	131-47-010	NEW-E	93-09-047
51-11-1311	NEW-P	93-08-077	51-11-2000	NEW-W	93-08-084	131-47-010	NEW-P	93-14-052
51-11-1312	NEW-P	93-08-077	51-11-2001	NEW-P	93-08-077	131-47-010	NEW-E	93-14-053
51-11-1313	NEW-P	93-08-077	51-11-2001	NEW-W	93-08-084	131-47-015	NEW-E	93-09-047
51-11-1314	NEW-P	93-08-077	51-11-2002	NEW-P	93-08-077	131-47-015	NEW-W	93-14-052
51-11-1320	NEW-P	93-08-077	51-11-2002	NEW-W	93-08-084	131-47-015	NEW-E	93-14-053
51-11-1321	NEW-P	93-08-077	51-11-2003	NEW-P	93-08-077	131-47-020	NEW-E	93-09-047
51-11-1322	NEW-P	93-08-077	51-11-2003	NEW-W	93-08-084	131-47-020	NEW-P	93-14-052
51-11-1323	NEW-P	93-08-077	51-11-2004	NEW-P	93-08-077	131-47-020	NEW-E	93-14-053
51-11-1330	NEW-P	93-08-077	51-11-2004	NEW-W	93-08-084	131-47-020	NEW-P	93-09-047
51-11-1331	NEW-P	93-08-077	51-11-2005	NEW-P	93-08-077	131-47-025	NEW-E	93-09-047
51-11-1332	NEW-P	93-08-077	51-11-2005	NEW-W	93-08-084	131-47-025	NEW-P	93-14-052
51-11-1333	NEW-P	93-08-077	51-11-2006	NEW-P	93-08-077	131-47-025	NEW-E	93-14-053
51-11-1334	NEW-P	93-08-077	51-11-2006	NEW-W	93-08-084	131-47-030	NEW-E	93-09-047
51-11-1401	NEW-P	93-08-077	51-11-2007	NEW-P	93-08-077	131-47-030	NEW-P	93-14-052
51-11-1401	NEW-W	93-08-084	51-11-2007	NEW-W	93-08-084	131-47-030	NEW-E	93-14-053
51-11-1402	NEW-P	93-08-077	51-11-2008	NEW-P	93-08-077	131-47-035	NEW-E	93-09-047
51-11-1402	NEW-W	93-08-084	51-11-2008	NEW-W	93-08-084	131-47-035	NEW-P	93-14-052
51-11-1410	NEW-P	93-08-077	51-11-2009	NEW-P	93-08-077	131-47-035	NEW-E	93-14-053
51-11-1411	NEW-P	93-08-077	51-11-2009	NEW-W	93-08-084	131-47-035	NEW-E	93-09-047
51-11-1412	NEW-P	93-08-077	51-11-99901	NEW-S	93-10-004	131-47-035	NEW-P	93-14-052
51-11-1413	NEW-P	93-08-077	51-11-99902	NEW-S	93-10-004	131-47-040	NEW-E	93-14-053
51-11-1414	NEW-P	93-08-077	51-11-99903	NEW-S	93-10-004	131-47-040	NEW-P	93-09-047
51-11-1415	NEW-P	93-08-077	51-11-99904	NEW-S	93-10-004	131-47-040	NEW-E	93-14-052
51-11-1420	NEW-P	93-08-077	51-13-101	AMD	93-02-056	131-47-045	NEW-E	93-09-047
51-11-1421	NEW-P	93-08-077	51-13-202	AMD	93-02-056	131-47-045	NEW-P	93-14-052
51-11-1422	NEW-P	93-08-077	51-13-300	AMD	93-02-056	131-47-045	NEW-E	93-14-053
51-11-1423	NEW-P	93-08-077	51-13-302	AMD	93-02-056	131-47-045	NEW-P	93-09-047
51-11-1424	NEW-P	93-08-077	51-13-303	AMD	93-02-056	131-47-045	NEW-E	93-14-052
51-11-1430	NEW-P	93-08-077	51-13-304	AMD	93-02-056	131-47-045	NEW-P	93-14-052
51-11-1431	NEW-P	93-08-077	51-13-401	AMD	93-02-056	131-47-045	NEW-E	93-09-047
51-11-1432	NEW-P	93-08-077	51-13-402	AMD	93-02-056	131-47-045	NEW-P	93-14-052
51-11-1433	NEW-P	93-08-077	51-13-502	AMD	93-02-056	131-47-045	NEW-E	93-14-053
51-11-1434	NEW-P	93-08-077	51-13-503	AMD	93-02-056	131-47-050	NEW-P	93-09-047
51-11-1435	NEW-P	93-08-077	55-01-001	AMD-E	93-14-089	131-47-050	NEW-E	93-14-052
51-11-1436	NEW-P	93-08-077	55-01-010	AMD-E	93-14-089	131-47-050	NEW-P	93-14-052
51-11-1437	NEW-P	93-08-077	55-01-020	AMD-E	93-14-089	131-47-055	NEW-E	93-09-047
51-11-1440	NEW-P	93-08-077	55-01-030	AMD-E	93-14-089	131-47-055	NEW-P	93-14-052
51-11-1441	NEW-P	93-08-077	55-01-040	AMD-E	93-14-089	131-47-055	NEW-E	93-14-053
51-11-1442	NEW-P	93-08-077	55-01-050	AMD-E	93-14-089	131-47-060	NEW-E	93-09-047
51-11-1450	NEW-P	93-08-077	55-01-060	AMD-E	93-14-089	131-47-060	NEW-P	93-14-052
51-11-1451	NEW-P	93-08-077	55-01-070	AMD-E	93-14-089	131-47-060	NEW-E	93-14-053
51-11-1452	NEW-P	93-08-077	55-01-080	AMD-E	93-14-089	131-47-065	NEW-E	93-09-047
51-11-1453	NEW-P	93-08-077	67-35-030	AMD-P	93-07-117	131-47-065	NEW-P	93-14-052
51-11-1454	NEW-P	93-08-077	67-35-030	AMD	93-10-067	131-47-065	NEW-E	93-14-053
51-11-1501	NEW-P	93-08-077	67-35-040	AMD-P	93-06-048	131-47-070	NEW-P	93-09-047
51-11-1501	NEW-W	93-08-084	67-35-040	AMD	93-09-013	131-47-070	NEW-E	93-14-052
51-11-1502	NEW-W	93-08-084	67-35-055	REP-P	93-06-048	131-47-070	NEW-P	93-14-052
51-11-1503	NEW-W	93-08-084	67-35-055	REP	93-09-013	131-47-075	NEW-E	93-09-047
51-11-1504	NEW-W	93-08-084	67-35-056	REP-P	93-06-048	131-47-075	NEW-P	93-14-052
51-11-1505	NEW-W	93-08-084	67-35-056	REP	93-09-013	131-47-075	NEW-E	93-14-053
51-11-1510	NEW-P	93-08-077	98-60-010	NEW-P	93-03-063	131-47-080	NEW-P	93-09-047
51-11-1511	NEW-P	93-08-077	98-60-010	NEW	93-07-040	131-47-080	NEW-E	93-14-052
51-11-1512	NEW-P	93-08-077	98-60-020	NEW-P	93-03-063	131-47-080	NEW-P	93-14-052
						131-47-085	NEW-E	93-14-053
						131-47-085	NEW-P	93-09-047
						131-47-085	NEW-E	93-14-052
						131-47-085	NEW-P	93-14-052
						131-47-085	NEW-E	93-14-053
						131-47-090	NEW-P	93-09-047
						131-47-090	NEW-E	93-14-052
						131-47-090	NEW-P	93-14-052
						131-47-090	NEW-E	93-14-053
						131-47-095	NEW-P	93-09-047
						131-47-095	NEW-E	93-14-052
						131-47-095	NEW-P	93-14-052
						131-47-095	NEW-E	93-14-053
						131-47-100	NEW-P	93-09-047
						131-47-100	NEW-E	93-14-052
						131-47-100	NEW-P	93-14-052
						131-47-100	NEW-E	93-14-053
						131-47-105	NEW-E	93-09-047

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
136-320-060	AMD	93-14-003	173-205	NEW-C	93-14-004	173-226-010	NEW-P	93-03-066
136-320-070	AMD-P	93-07-045	173-205-010	NEW-P	93-08-085	173-226-010	NEW-E	93-03-067
136-320-070	AMD	93-14-003	173-205-020	NEW-P	93-08-085	173-226-010	NEW	93-10-099
136-320-080	AMD-P	93-07-045	173-205-030	NEW-P	93-08-085	173-226-020	NEW-P	93-03-066
136-320-080	AMD	93-14-003	173-205-040	NEW-P	93-08-085	173-226-020	NEW-E	93-03-067
139-05-240	AMD-W	93-05-039	173-205-050	NEW-P	93-08-085	173-226-020	NEW	93-10-099
139-05-240	AMD-P	93-07-118	173-205-060	NEW-P	93-08-085	173-226-030	NEW-P	93-03-066
139-05-240	AMD	93-13-098	173-205-070	NEW-P	93-08-085	173-226-030	NEW-E	93-03-067
139-05-242	NEW-C	93-03-084	173-205-080	NEW-P	93-08-085	173-226-030	NEW	93-10-099
139-05-242	NEW-C	93-08-030	173-205-090	NEW-P	93-08-085	173-226-040	NEW-P	93-03-066
139-05-242	NEW	93-13-103	173-205-100	NEW-P	93-08-085	173-226-040	NEW-E	93-03-067
139-05-250	AMD-P	93-08-055	173-205-110	NEW-P	93-08-085	173-226-040	NEW	93-10-099
139-05-250	AMD	93-13-097	173-205-120	NEW-P	93-08-085	173-226-050	NEW-P	93-03-066
139-05-910	REP-P	93-10-029	173-205-130	NEW-P	93-08-085	173-226-050	NEW-E	93-03-067
139-05-910	REP	93-13-100	173-216-010	AMD-P	93-03-066	173-226-050	NEW	93-10-099
139-05-912	NEW-P	93-10-030	173-216-010	AMD-E	93-03-067	173-226-060	NEW-P	93-03-066
139-05-912	NEW	93-13-101	173-216-010	AMD	93-10-099	173-226-060	NEW-E	93-03-067
139-10-220	AMD-W	93-05-040	173-216-030	AMD-P	93-03-066	173-226-060	NEW	93-10-099
139-10-220	AMD-P	93-07-120	173-216-030	AMD-E	93-03-067	173-226-070	NEW-P	93-03-066
139-10-220	AMD	93-13-099	173-216-030	AMD	93-10-099	173-226-070	NEW-E	93-03-067
139-10-222	NEW-C	93-03-085	173-216-040	AMD-P	93-03-066	173-226-070	NEW	93-10-099
139-10-222	NEW	93-07-119	173-216-040	AMD-E	93-03-067	173-226-080	NEW-P	93-03-066
173-19-2205	AMD-P	93-09-062	173-216-040	AMD	93-10-099	173-226-080	NEW-E	93-03-067
173-19-240	AMD-P	93-10-100	173-216-050	AMD-P	93-03-066	173-226-080	NEW	93-10-099
173-19-2401	AMD	93-07-116	173-216-050	AMD-E	93-03-067	173-226-090	NEW-P	93-03-066
173-19-2401	AMD-P	93-10-100	173-216-050	AMD	93-10-099	173-226-090	NEW-E	93-03-067
173-19-2521	AMD	93-04-106	173-216-070	AMD-P	93-03-066	173-226-090	NEW	93-10-099
173-19-2521	AMD-P	93-05-043	173-216-070	AMD-E	93-03-067	173-226-090	AMD-P	93-13-127
173-19-2521	AMD	93-12-011	173-216-070	AMD	93-10-099	173-226-100	NEW-P	93-03-066
173-19-350	AMD	93-02-048	173-216-125	AMD-P	93-13-127	173-226-100	NEW-E	93-03-067
173-19-3503	AMD-C	93-04-064	173-216-130	AMD-P	93-03-066	173-226-100	NEW	93-10-099
173-19-3503	AMD	93-08-026	173-216-130	AMD-E	93-03-067	173-226-110	NEW-P	93-03-066
173-19-3903	AMD-P	93-03-091	173-216-130	AMD	93-10-099	173-226-110	NEW-E	93-03-067
173-19-3903	AMD	93-13-020	173-216-140	AMD-P	93-03-066	173-226-110	NEW	93-10-099
173-19-3911	AMD-P	93-06-051	173-216-140	AMD-E	93-03-067	173-226-120	NEW-P	93-03-066
173-19-3911	AMD-C	93-13-047	173-216-140	AMD	93-10-099	173-226-120	NEW-E	93-03-067
173-19-410	AMD-C	93-04-065	173-220-010	AMD-P	93-03-066	173-226-120	NEW	93-10-099
173-19-410	AMD-C	93-07-091	173-220-010	AMD-E	93-03-067	173-226-130	NEW-P	93-03-066
173-19-410	AMD-W	93-11-074	173-220-010	AMD	93-10-099	173-226-130	NEW-E	93-03-067
173-19-4203	AMD-P	93-06-050	173-220-020	AMD-P	93-03-066	173-226-130	NEW	93-10-099
173-19-4203	AMD-C	93-11-061	173-220-020	AMD-E	93-03-067	173-226-140	NEW-P	93-03-066
173-19-4203	AMD	93-12-107	173-220-020	AMD	93-10-099	173-226-140	NEW-E	93-03-067
173-19-4205	AMD-P	93-14-117	173-220-030	AMD-P	93-03-066	173-226-140	NEW	93-10-099
173-19-450	AMD	93-04-063	173-220-030	AMD-E	93-03-067	173-226-150	NEW-P	93-03-066
173-50-040	AMD-P	93-13-127	173-220-030	AMD	93-10-099	173-226-150	NEW-E	93-03-067
173-50-050	AMD-P	93-13-127	173-220-040	AMD-P	93-03-066	173-226-150	NEW	93-10-099
173-50-070	AMD-P	93-13-127	173-220-040	AMD-E	93-03-067	173-226-160	NEW-P	93-03-066
173-50-080	AMD-P	93-13-127	173-220-040	AMD	93-10-099	173-226-160	NEW-E	93-03-067
173-50-090	AMD-P	93-13-127	173-220-045	REP-P	93-03-066	173-226-160	NEW-E	93-03-067
173-50-100	AMD-P	93-13-127	173-220-045	REP-E	93-03-067	173-226-170	NEW	93-10-099
173-50-120	AMD-P	93-13-127	173-220-045	REP	93-10-099	173-226-170	NEW-P	93-03-066
173-50-130	AMD-P	93-13-127	173-220-050	AMD-P	93-03-066	173-226-170	NEW-E	93-03-067
173-50-190	AMD-P	93-13-127	173-220-050	AMD-E	93-03-067	173-226-170	NEW	93-10-099
173-50-200	AMD-P	93-13-127	173-220-050	AMD	93-10-099	173-226-180	NEW-P	93-03-066
173-164-010	REP-P	93-09-064	173-220-060	AMD-P	93-03-066	173-226-180	NEW-E	93-03-067
173-164-010	REP	93-14-116	173-220-060	AMD-E	93-03-067	173-226-180	NEW	93-10-099
173-164-020	REP-P	93-09-064	173-220-060	AMD	93-10-099	173-226-190	NEW-P	93-03-066
173-164-020	REP	93-14-116	173-220-070	AMD-P	93-03-066	173-226-190	NEW-E	93-03-067
173-164-030	REP-P	93-09-064	173-220-070	AMD-E	93-03-067	173-226-190	NEW	93-10-099
173-164-030	REP	93-14-116	173-220-070	AMD	93-10-099	173-226-200	NEW-P	93-03-066
173-164-040	REP-P	93-09-064	173-220-070	AMD	93-10-099	173-226-200	NEW-E	93-03-067
173-164-040	REP	93-14-116	173-220-090	AMD-P	93-03-066	173-226-200	NEW	93-10-099
173-164-050	REP-P	93-09-064	173-220-090	AMD-E	93-03-067	173-226-210	NEW-P	93-03-066
173-164-050	REP	93-14-116	173-220-090	AMD	93-10-099	173-226-210	NEW-E	93-03-067
173-164-060	REP-P	93-09-064	173-220-100	AMD-P	93-03-066	173-226-210	NEW	93-10-099
173-164-060	REP	93-14-116	173-220-100	AMD-E	93-03-067	173-226-220	NEW-P	93-03-066
173-164-070	REP-P	93-09-064	173-220-100	AMD	93-10-099	173-226-220	NEW-E	93-03-067
173-164-070	REP	93-14-116	173-220-110	AMD-P	93-03-066	173-226-220	NEW	93-10-099
173-164-080	REP-P	93-09-064	173-220-110	AMD-E	93-03-067	173-226-230	NEW-P	93-03-066
173-164-080	REP	93-14-116	173-220-110	AMD	93-10-099	173-226-230	NEW-E	93-03-067
173-164-080	REP	93-14-116	173-220-210	AMD-P	93-13-127	173-226-230	NEW	93-10-099
173-202-020	AMD-P	93-05-042	173-220-225	AMD-P	93-03-066	173-226-240	NEW-P	93-03-066
173-202-020	AMD-E	93-07-090	173-220-225	AMD-E	93-03-067	173-226-240	NEW-E	93-03-067
173-202-020	AMD	93-11-062	173-220-225	AMD	93-10-099	173-226-240	NEW	93-10-099

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-226-250	NEW-P	93-03-066	173-303-800	AMD-P	93-12-109	173-400-110	AMD-S	93-05-048
173-226-250	NEW-E	93-03-067	173-303-802	AMD-P	93-12-109	173-400-112	NEW-S	93-05-048
173-226-250	NEW	93-10-099	173-303-805	AMD-P	93-12-109	173-400-113	NEW-S	93-05-048
173-250-010	REP-P	93-09-064	173-303-806	AMD-P	93-12-109	173-400-114	NEW-S	93-05-048
173-250-010	REP	93-14-116	173-303-807	AMD-P	93-12-109	173-400-115	AMD	93-05-044
173-250-020	REP-P	93-09-064	173-303-810	AMD-P	93-12-109	173-400-116	NEW-W	93-07-042
173-250-020	REP	93-14-116	173-303-830	AMD-P	93-12-109	173-400-120	AMD-S	93-05-048
173-250-030	REP-P	93-09-064	173-303-840	AMD-P	93-12-109	173-400-131	AMD-S	93-05-048
173-250-030	REP	93-14-116	173-303-900	AMD-P	93-12-109	173-400-136	AMD-S	93-05-048
173-250-040	REP-P	93-09-064	173-303-910	AMD-P	93-12-109	173-400-141	AMD-S	93-05-048
173-250-040	REP	93-14-116	173-303-9903	AMD-P	93-12-109	173-400-171	AMD-S	93-05-048
173-303	AMD-C	93-14-005	173-303-9904	AMD-P	93-12-109	173-400-180	AMD-S	93-05-048
173-303-016	AMD-P	93-12-109	173-303-9905	AMD-P	93-12-109	173-400-230	AMD	93-05-044
173-303-020	AMD-P	93-12-109	173-303-9906	AMD-P	93-12-109	173-400-250	AMD-S	93-05-048
173-303-040	AMD-P	93-12-109	173-303-9907	AMD-P	93-12-109	173-401-100	NEW-P	93-07-062
173-303-045	AMD-P	93-12-109	173-303-9908	NEW-P	93-12-109	173-401-200	NEW-P	93-07-062
173-303-070	AMD-E	93-02-049	173-322-010	AMD-P	93-12-108	173-401-300	NEW-P	93-07-062
173-303-070	AMD	93-02-050	173-322-020	AMD-P	93-12-108	173-401-400	NEW-P	93-07-062
173-303-070	AMD-P	93-12-109	173-322-030	AMD-P	93-12-108	173-401-500	NEW-P	93-07-062
173-303-071	AMD-P	93-12-109	173-322-040	AMD-P	93-12-108	173-401-510	NEW-P	93-07-062
173-303-072	AMD-P	93-12-109	173-322-050	AMD-P	93-12-108	173-401-520	NEW-P	93-07-062
173-303-075	AMD-P	93-12-109	173-322-060	AMD-P	93-12-108	173-401-600	NEW-P	93-07-062
173-303-082	AMD-P	93-12-109	173-322-070	AMD-P	93-12-108	173-401-605	NEW-P	93-07-062
173-303-083	AMD-P	93-12-109	173-322-080	AMD-P	93-12-108	173-401-610	NEW-P	93-07-062
173-303-084	AMD-P	93-12-109	173-322-090	AMD-P	93-12-108	173-401-615	NEW-P	93-07-062
173-303-090	AMD-P	93-12-109	173-322-100	AMD-P	93-12-108	173-401-620	NEW-P	93-07-062
173-303-100	AMD-P	93-12-109	173-322-110	AMD-P	93-12-108	173-401-625	NEW-P	93-07-062
173-303-101	AMD-P	93-12-109	173-328-010	NEW	93-09-065	173-401-630	NEW-P	93-07-062
173-303-102	AMD-P	93-12-109	173-328-020	NEW	93-09-065	173-401-635	NEW-P	93-07-062
173-303-103	AMD-P	93-12-109	173-328-030	NEW	93-09-065	173-401-640	NEW-P	93-07-062
173-303-110	AMD-P	93-12-109	173-328-040	NEW	93-09-065	173-401-645	NEW-P	93-07-062
173-303-120	AMD-E	93-02-049	173-328-050	NEW	93-09-065	173-401-650	NEW-P	93-07-062
173-303-120	AMD	93-02-050	173-328-060	NEW	93-09-065	173-401-700	NEW-P	93-07-062
173-303-120	AMD-P	93-12-109	173-328-070	NEW	93-09-065	173-401-705	NEW-P	93-07-062
173-303-140	AMD-P	93-12-109	173-351-010	NEW-P	93-12-110	173-401-710	NEW-P	93-07-062
173-303-160	AMD-P	93-12-109	173-351-100	NEW-P	93-12-110	173-401-720	NEW-P	93-07-062
173-303-161	AMD-P	93-12-109	173-351-120	NEW-P	93-12-110	173-401-722	NEW-P	93-07-062
173-303-170	AMD-P	93-12-109	173-351-130	NEW-P	93-12-110	173-401-725	NEW-P	93-07-062
173-303-180	AMD-P	93-12-109	173-351-140	NEW-P	93-12-110	173-401-730	NEW-P	93-07-062
173-303-200	AMD-P	93-12-109	173-351-200	NEW-P	93-12-110	173-401-735	NEW-P	93-07-062
173-303-201	AMD-P	93-12-109	173-351-210	NEW-P	93-12-110	173-401-750	NEW-P	93-07-062
173-303-202	AMD-P	93-12-109	173-351-220	NEW-P	93-12-110	173-401-800	NEW-P	93-07-062
173-303-210	AMD-P	93-12-109	173-351-300	NEW-P	93-12-110	173-401-805	NEW-P	93-07-062
173-303-220	AMD-P	93-12-109	173-351-400	NEW-P	93-12-110	173-401-810	NEW-P	93-07-062
173-303-230	AMD-P	93-12-109	173-351-405	NEW-P	93-12-110	173-401-820	NEW-P	93-07-062
173-303-240	AMD-P	93-12-109	173-351-410	NEW-P	93-12-110	173-420-010	NEW	93-04-006
173-303-281	AMD-P	93-12-109	173-351-415	NEW-P	93-12-110	173-420-020	NEW	93-04-006
173-303-282	AMD-P	93-12-109	173-351-420	NEW-P	93-12-110	173-420-030	NEW	93-04-006
173-303-290	AMD-P	93-12-109	173-351-430	NEW-P	93-12-110	173-420-040	NEW	93-04-006
173-303-300	AMD-P	93-12-109	173-351-440	NEW-P	93-12-110	173-420-050	NEW	93-04-006
173-303-320	AMD-P	93-12-109	173-351-450	NEW-P	93-12-110	173-420-060	NEW	93-04-006
173-303-330	AMD-P	93-12-109	173-351-460	NEW-P	93-12-110	173-420-070	NEW	93-04-006
173-303-350	AMD-P	93-12-109	173-351-465	NEW-P	93-12-110	173-420-080	NEW	93-04-006
173-303-370	AMD-P	93-12-109	173-351-480	NEW-P	93-12-110	173-420-090	NEW	93-04-006
173-303-390	AMD-P	93-12-109	173-351-490	NEW-P	93-12-110	173-420-100	NEW	93-04-006
173-303-400	AMD-P	93-12-109	173-351-500	NEW-P	93-12-110	173-420-110	NEW	93-04-006
173-303-505	AMD-P	93-12-109	173-351-600	NEW-P	93-12-110	173-422-010	AMD-P	93-03-092
173-303-506	NEW-E	93-02-049	173-351-700	NEW-P	93-12-110	173-422-010	AMD	93-10-062
173-303-506	NEW	93-02-050	173-351-720	NEW-P	93-12-110	173-422-020	AMD-P	93-03-092
173-303-510	AMD-P	93-12-109	173-351-730	NEW-P	93-12-110	173-422-020	AMD	93-10-062
173-303-515	AMD-P	93-12-109	173-351-740	NEW-P	93-12-110	173-422-030	AMD-P	93-03-092
173-303-520	AMD-P	93-12-109	173-351-750	NEW-P	93-12-110	173-422-030	AMD	93-10-062
173-303-600	AMD-P	93-12-109	173-351-760	NEW-P	93-12-110	173-422-035	AMD-P	93-03-092
173-303-610	AMD-P	93-12-109	173-351-990	NEW-P	93-12-110	173-422-035	AMD	93-10-062
173-303-630	AMD-P	93-12-109	173-400	AMD-C	93-03-065	173-422-040	AMD-P	93-03-092
173-303-640	AMD-P	93-12-109	173-400-030	AMD-S	93-05-048	173-422-040	AMD	93-10-062
173-303-645	AMD-P	93-12-109	173-400-040	AMD-S	93-05-048	173-422-050	AMD-P	93-03-092
173-303-646	NEW-P	93-12-109	173-400-070	AMD-W	93-07-042	173-422-050	AMD	93-10-062
173-303-650	AMD-P	93-12-109	173-400-075	AMD	93-05-044	173-422-060	AMD-P	93-03-092
173-303-655	AMD-P	93-12-109	173-400-080	NEW-S	93-05-048	173-422-060	AMD	93-10-062
173-303-660	AMD-P	93-12-109	173-400-100	AMD-S	93-05-048	173-422-065	NEW-P	93-03-092
173-303-670	AMD-P	93-12-109	173-400-105	AMD-S	93-05-048	173-422-065	NEW	93-10-062
173-303-680	AMD-P	93-12-109	173-400-107	NEW-S	93-05-048	173-422-070	AMD-P	93-03-092

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
173-422-070	AMD	93-10-062	173-460-110	AMD-P	93-14-118	180-20-155	NEW-P	93-04-117
173-422-075	NEW-P	93-03-092	173-460-150	AMD-P	93-14-118	180-20-155	NEW	93-08-007
173-422-075	NEW	93-10-062	173-460-160	AMD-P	93-14-118	180-20-160	NEW-P	93-04-117
173-422-080	REP-P	93-03-092	173-491-020	AMD-P	93-04-108	180-20-160	NEW	93-08-007
173-422-080	REP	93-10-062	173-491-020	AMD	93-13-011	180-20-200	REP-P	93-04-117
173-422-090	AMD-P	93-03-092	173-491-040	AMD-P	93-04-108	180-20-200	REP	93-08-007
173-422-090	AMD	93-10-062	173-491-040	AMD	93-13-011	180-20-205	REP-P	93-04-117
173-422-095	NEW-P	93-03-092	173-491-050	AMD	93-03-089	180-20-205	REP	93-08-007
173-422-095	NEW	93-10-062	173-491-050	AMD-P	93-04-108	180-20-210	REP-P	93-04-117
173-422-100	AMD-P	93-03-092	173-491-050	AMD	93-13-068	180-20-210	REP	93-08-007
173-422-100	AMD	93-10-062	180-16-222	AMD-P	93-04-116	180-20-215	REP-P	93-04-117
173-422-110	REP-P	93-03-092	180-16-222	AMD	93-07-102	180-20-215	REP	93-08-007
173-422-110	REP	93-10-062	180-16-223	AMD-P	93-04-116	180-20-220	REP-P	93-04-117
173-422-120	AMD-P	93-03-092	180-16-223	AMD	93-07-102	180-20-220	REP	93-08-007
173-422-120	AMD	93-10-062	180-20-005	NEW-P	93-04-117	180-20-225	REP-P	93-04-117
173-422-130	AMD-P	93-03-092	180-20-005	NEW	93-08-007	180-20-225	REP	93-08-007
173-422-130	AMD	93-10-062	180-20-030	NEW-P	93-04-117	180-20-230	REP-P	93-04-117
173-422-130	AMD-P	93-12-080	180-20-030	NEW	93-08-007	180-20-230	REP	93-08-007
173-422-130	AMD-E	93-12-081	180-20-031	NEW-P	93-04-117	180-26-020	AMD-P	93-04-118
173-422-140	AMD-P	93-03-092	180-20-031	NEW	93-08-007	180-26-020	AMD	93-07-104
173-422-140	AMD	93-10-062	180-20-034	NEW-P	93-04-117	180-26-025	AMD-P	93-04-119
173-422-150	REP-P	93-03-092	180-20-034	NEW	93-08-007	180-26-025	AMD-W	93-07-100
173-422-150	REP	93-10-062	180-20-035	NEW-P	93-04-117	180-27-070	AMD-P	93-08-041
173-422-160	AMD-P	93-03-092	180-20-035	NEW	93-08-007	180-27-070	AMD	93-13-026
173-422-160	AMD	93-10-062	180-20-040	NEW-P	93-04-117	180-27-505	AMD	93-04-019
173-422-170	AMD-P	93-03-092	180-20-040	NEW	93-08-007	180-51-005	AMD	93-04-115
173-422-170	AMD	93-10-062	180-20-045	NEW-P	93-04-117	180-51-025	AMD	93-04-115
173-422-180	REP-P	93-03-092	180-20-045	NEW	93-08-007	180-51-030	AMD	93-04-115
173-422-180	REP	93-10-062	180-20-050	NEW-P	93-04-117	180-51-055	AMD	93-04-115
173-430	AMD-P	93-03-090	180-20-055	NEW-P	93-04-117	180-51-100	AMD	93-04-115
173-430	AMD-E	93-04-002	180-20-055	NEW	93-08-007	180-72-040	AMD-E	93-14-009
173-430	AMD-C	93-09-063	180-20-060	NEW-P	93-04-117	180-72-045	AMD-E	93-14-009
173-430-010	AMD-P	93-03-090	180-20-060	NEW	93-08-007	180-72-050	AMD-E	93-14-009
173-430-010	AMD-E	93-04-002	180-20-065	NEW-P	93-04-117	180-72-060	AMD-E	93-14-009
173-430-010	AMD-E	93-12-012	180-20-065	NEW	93-08-007	180-72-065	AMD-E	93-14-009
173-430-010	AMD	93-14-022	180-20-070	NEW-P	93-04-117	180-72-070	AMD-E	93-14-009
173-430-020	AMD-P	93-03-090	180-20-070	NEW	93-08-007	180-78-010	AMD-P	93-04-120
173-430-020	AMD-E	93-04-002	180-20-075	NEW-P	93-04-117	180-78-010	AMD	93-07-101
173-430-020	AMD-E	93-12-012	180-20-075	NEW	93-08-007	180-79-010	AMD-P	93-04-120
173-430-020	AMD	93-14-022	180-20-080	NEW-P	93-04-117	180-79-010	AMD	93-07-101
173-430-030	AMD-P	93-03-090	180-20-080	NEW	93-08-007	180-79-236	AMD	93-05-007
173-430-030	AMD-E	93-04-002	180-20-090	NEW-P	93-04-117	192-12-141	AMD-P	93-07-086
173-430-030	AMD-E	93-12-012	180-20-090	NEW	93-08-007	192-12-141	AMD	93-10-025
173-430-030	AMD	93-14-022	180-20-095	NEW-P	93-04-117	192-12-180	AMD-P	93-13-137
173-430-040	AMD-P	93-03-090	180-20-095	NEW	93-08-007	192-12-182	AMD-P	93-13-137
173-430-040	AMD-E	93-04-002	180-20-100	REP-P	93-04-117	192-12-184	AMD-P	93-13-137
173-430-040	AMD-E	93-12-012	180-20-100	REP	93-08-007	192-12-186	AMD-P	93-13-137
173-430-040	AMD	93-14-022	180-20-101	NEW-P	93-04-117	192-16-070	NEW-E	93-13-007
173-430-050	AMD-P	93-03-090	180-20-101	NEW	93-08-007	194-10-030	AMD	93-02-033
173-430-050	AMD-E	93-04-002	180-20-105	REP-P	93-04-117	194-10-100	AMD	93-02-033
173-430-060	AMD-P	93-03-090	180-20-105	REP	93-08-007	194-10-110	AMD	93-02-033
173-430-060	AMD-E	93-04-002	180-20-106	REP-P	93-04-117	194-10-130	AMD	93-02-033
173-430-060	AMD-E	93-12-012	180-20-106	REP	93-08-007	194-10-140	AMD	93-02-033
173-430-060	AMD	93-14-022	180-20-111	NEW-P	93-04-117	196-24-041	NEW-P	93-09-024
173-430-070	AMD-P	93-03-090	180-20-111	NEW	93-08-007	196-24-041	NEW	93-13-064
173-430-070	AMD-E	93-04-002	180-20-115	NEW-P	93-04-117	196-24-097	NEW-P	93-09-022
173-430-070	AMD-E	93-12-012	180-20-115	NEW	93-08-007	196-24-097	NEW	93-13-065
173-430-070	AMD	93-14-022	180-20-120	NEW-P	93-04-117	196-24-098	NEW-P	93-09-023
173-430-080	AMD-P	93-03-090	180-20-120	NEW	93-08-007	196-24-098	NEW	93-13-065
173-430-080	AMD-E	93-04-002	180-20-123	NEW-P	93-04-117	196-26-020	AMD-P	93-07-111
173-430-080	AMD-E	93-12-012	180-20-123	NEW	93-08-007	196-26-020	AMD	93-10-057
173-430-080	AMD	93-14-022	180-20-125	NEW-P	93-04-117	204-10-120	AMD-P	93-05-029
173-433-100	AMD	93-04-105	180-20-125	NEW	93-08-007	204-10-120	AMD	93-11-018
173-433-110	AMD	93-04-105	180-20-130	NEW-P	93-04-117	204-44-040	NEW-P	93-05-028
173-433-170	AMD	93-04-105	180-20-130	NEW	93-08-007	204-44-040	NEW	93-11-017
173-460-020	AMD-P	93-14-118	180-20-135	NEW-P	93-04-117	204-82A-070	AMD-P	93-10-002
173-460-030	AMD-P	93-14-118	180-20-135	NEW	93-08-007	204-84-010	REP-P	93-05-029
173-460-040	AMD-P	93-14-118	180-20-140	NEW-P	93-04-117	204-84-010	REP	93-11-018
173-460-050	AMD-P	93-14-118	180-20-140	NEW	93-08-007	204-84-020	REP-P	93-05-029
173-460-060	AMD-P	93-14-118	180-20-145	NEW-P	93-04-117	204-84-020	REP	93-11-018
173-460-080	AMD-P	93-14-118	180-20-145	NEW	93-08-007	204-84-030	REP-P	93-05-029
173-460-090	AMD-P	93-14-118	180-20-150	NEW-P	93-04-117	204-84-030	REP	93-11-018
173-460-100	AMD-P	93-14-118	180-20-150	NEW	93-08-007	204-84-040	REP-P	93-05-029

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
204-84-040	REP	93-11-018	212-14-115	REP	93-05-032
204-84-050	REP-P	93-05-029	212-14-120	REP-E	93-04-061
204-84-050	REP	93-11-018	212-14-120	REP	93-05-032
204-84-060	REP-P	93-05-029	212-14-12001	REP-E	93-04-061
204-84-060	REP	93-11-018	212-14-12001	REP	93-05-032
204-84-070	REP-P	93-05-029	212-14-125	REP-E	93-04-061
204-84-070	REP	93-11-018	212-14-125	REP	93-05-032
204-84-080	REP-P	93-05-029	212-14-130	REP-E	93-04-061
204-84-080	REP	93-11-018	212-14-130	REP	93-05-032
204-84-090	REP-P	93-05-029	212-26-001	REP-E	93-04-061
204-84-090	REP	93-11-018	212-26-001	REP	93-05-032
204-84-100	REP-P	93-05-029	212-26-005	REP-E	93-04-061
204-84-100	REP	93-11-018	212-26-005	REP	93-05-032
212-12	NEW-C	93-04-060	212-26-010	REP-E	93-04-061
212-12-001	NEW-E	93-04-061	212-26-010	REP	93-05-032
212-12-001	NEW	93-05-032	212-26-015	REP-E	93-04-061
212-12-005	NEW-E	93-04-061	212-26-015	REP	93-05-032
212-12-005	NEW	93-05-032	212-26-020	REP-E	93-04-061
212-12-011	NEW-E	93-04-061	212-26-020	REP	93-05-032
212-12-011	NEW	93-05-032	212-26-025	REP-E	93-04-061
212-12-015	NEW-E	93-04-061	212-26-025	REP	93-05-032
212-12-015	NEW	93-05-032	212-26-030	REP-E	93-04-061
212-12-020	NEW-E	93-04-061	212-26-030	REP	93-05-032
212-12-020	NEW	93-05-032	212-26-035	REP-E	93-04-061
212-12-025	NEW-E	93-04-061	212-26-035	REP	93-05-032
212-12-025	NEW	93-05-032	212-26-040	REP-E	93-04-061
212-12-030	NEW-E	93-04-061	212-26-040	REP	93-05-032
212-12-030	NEW	93-05-032	212-26-045	REP-E	93-04-061
212-12-035	NEW-E	93-04-061	212-26-045	REP	93-05-032
212-12-035	NEW	93-05-032	212-26-050	REP-E	93-04-061
212-12-040	NEW-E	93-04-061	212-26-050	REP	93-05-032
212-12-040	NEW	93-05-032	212-26-055	REP-E	93-04-061
212-12-044	NEW-E	93-04-061	212-26-055	REP	93-05-032
212-12-044	NEW	93-05-032	212-26-060	REP-E	93-04-061
212-14-001	REP-E	93-04-061	212-26-060	REP	93-05-032
212-14-001	REP	93-05-032	212-26-065	REP-E	93-04-061
212-14-005	REP-E	93-04-061	212-26-065	REP	93-05-032
212-14-005	REP	93-05-032	212-26-070	REP-E	93-04-061
212-14-010	REP-E	93-04-061	212-26-070	REP	93-05-032
212-14-010	REP	93-05-032	212-26-075	REP-E	93-04-061
212-14-015	REP-E	93-04-061	212-26-075	REP	93-05-032
212-14-015	REP	93-05-032	212-26-080	REP-E	93-04-061
212-14-020	REP-E	93-04-061	212-26-080	REP	93-05-032
212-14-020	REP	93-05-032	212-26-085	REP-E	93-04-061
212-14-025	REP-E	93-04-061	212-26-085	REP	93-05-032
212-14-025	REP	93-05-032	212-26-090	REP-E	93-04-061
212-14-030	REP-E	93-04-061	212-26-090	REP	93-05-032
212-14-030	REP	93-05-032	212-26-095	REP-E	93-04-061
212-14-035	REP-E	93-04-061	212-26-095	REP	93-05-032
212-14-035	REP	93-05-032	212-26-100	REP-E	93-04-061
212-14-040	REP-E	93-04-061	212-26-100	REP	93-05-032
212-14-040	REP	93-05-032	212-26-105	REP-E	93-04-061
212-14-045	REP-E	93-04-061	212-26-105	REP	93-05-032
212-14-045	REP	93-05-032	212-28-001	REP-E	93-04-061
212-14-050	REP-E	93-04-061	212-28-001	REP	93-05-032
212-14-050	REP	93-05-032	212-28-010	REP-E	93-04-061
212-14-055	REP-E	93-04-061	212-28-010	REP	93-05-032
212-14-055	REP	93-05-032	212-28-015	REP-E	93-04-061
212-14-060	REP-E	93-04-061	212-28-015	REP	93-05-032
212-14-060	REP	93-05-032	212-28-020	REP-E	93-04-061
212-14-070	REP-E	93-04-061	212-28-020	REP	93-05-032
212-14-070	REP	93-05-032	212-28-025	REP-E	93-04-061
212-14-080	REP-E	93-04-061	212-28-025	REP	93-05-032
212-14-080	REP	93-05-032	212-28-030	REP-E	93-04-061
212-14-090	REP-E	93-04-061	212-28-030	REP	93-05-032
212-14-090	REP	93-05-032	212-28-035	REP-E	93-04-061
212-14-100	REP-E	93-04-061	212-28-035	REP	93-05-032
212-14-100	REP	93-05-032	212-28-040	REP-E	93-04-061
212-14-105	REP-E	93-04-061	212-28-040	REP	93-05-032
212-14-105	REP	93-05-032	212-28-045	REP-E	93-04-061
212-14-110	REP-E	93-04-061	212-28-045	REP	93-05-032
212-14-110	REP	93-05-032	212-28-050	REP-E	93-04-061
212-14-115	REP-E	93-04-061	212-28-050	REP	93-05-032
212-28-055	REP-E	93-04-061	212-28-055	REP-E	93-04-061
212-28-055	REP	93-05-032	212-28-060	REP-E	93-04-061
212-28-060	REP-E	93-04-061	212-28-060	REP	93-05-032
212-28-060	REP	93-05-032	212-28-065	REP-E	93-04-061
212-28-065	REP-E	93-04-061	212-28-065	REP	93-05-032
212-28-065	REP	93-05-032	212-28-070	REP-E	93-04-061
212-28-070	REP-E	93-04-061	212-28-070	REP	93-05-032
212-28-070	REP	93-05-032	212-28-075	REP-E	93-04-061
212-28-075	REP-E	93-04-061	212-28-075	REP	93-05-032
212-28-080	REP-E	93-04-061	212-28-080	REP-E	93-04-061
212-28-080	REP	93-05-032	212-28-080	REP	93-05-032
212-28-085	REP-E	93-04-061	212-28-085	REP-E	93-04-061
212-28-085	REP	93-05-032	212-28-085	REP	93-05-032
212-28-090	REP-E	93-04-061	212-28-090	REP-E	93-04-061
212-28-090	REP	93-05-032	212-28-090	REP	93-05-032
212-28-095	REP-E	93-04-061	212-28-095	REP-E	93-04-061
212-28-095	REP	93-05-032	212-28-095	REP	93-05-032
212-28-100	REP-E	93-04-061	212-28-100	REP-E	93-04-061
212-28-100	REP	93-05-032	212-28-100	REP	93-05-032
212-28-105	REP-E	93-04-061	212-28-105	REP-E	93-04-061
212-28-105	REP	93-05-032	212-28-105	REP	93-05-032
212-28-110	REP-E	93-04-061	212-28-110	REP-E	93-04-061
212-28-110	REP	93-05-032	212-28-110	REP	93-05-032
212-28-115	REP-E	93-04-061	212-28-115	REP-E	93-04-061
212-28-115	REP	93-05-032	212-28-115	REP	93-05-032
212-28-120	REP-E	93-04-061	212-28-120	REP-E	93-04-061

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
212-65-040	REP	93-05-032	212-70-250	REP-E	93-04-061
212-65-045	REP-E	93-04-061	212-70-250	REP	93-05-032
212-65-045	REP	93-05-032	212-70-260	REP-E	93-04-061
212-65-050	REP-E	93-04-061	212-70-260	REP	93-05-032
212-65-050	REP	93-05-032	220-16-015	AMD-P	93-12-092
212-65-055	REP-E	93-04-061	220-16-460	NEW-P	93-04-096
212-65-055	REP	93-05-032	220-20-010	AMD-P	93-12-092
212-65-060	REP-E	93-04-061	220-20-020	AMD-P	93-09-074
212-65-060	REP	93-05-032	220-20-020	AMD-C	93-13-006
212-65-065	REP-E	93-04-061	220-20-020	AMD	93-14-042
212-65-065	REP	93-05-032	220-20-02500A	NEW-E	93-11-040
212-65-070	REP-E	93-04-061	220-20-026	NEW-P	93-12-092
212-65-070	REP	93-05-032	220-24-02000T	NEW-E	93-10-043
212-65-075	REP-E	93-04-061	220-32-05100T	REP-E	93-04-073
212-65-075	REP	93-05-032	220-32-05100U	NEW-E	93-04-073
212-65-080	REP-E	93-04-061	220-32-05100V	REP-E	93-06-015
212-65-080	REP	93-05-032	220-32-05100V	NEW-E	93-06-015
212-65-085	REP-E	93-04-061	220-32-05100V	REP-E	93-06-069
212-65-085	REP	93-05-032	220-32-05100W	NEW-E	93-06-069
212-65-090	REP-E	93-04-061	220-32-05500C	NEW-E	93-10-061
212-65-090	REP	93-05-032	220-32-05500C	REP-E	93-12-010
212-65-095	REP-E	93-04-061	220-32-05500D	NEW-E	93-12-010
212-65-095	REP	93-05-032	220-32-05500D	REP-E	93-13-030
212-65-100	REP-E	93-04-061	220-32-05500E	NEW-E	93-13-030
212-65-100	REP	93-05-032	220-33-01000M	REP-E	93-05-017
212-70-010	REP-E	93-04-061	220-33-01000N	NEW-E	93-05-017
212-70-010	REP	93-05-032	220-33-01000N	REP-E	93-06-014
212-70-020	REP-E	93-04-061	220-33-01000P	NEW-E	93-06-070
212-70-020	REP	93-05-032	220-33-01000P	REP-E	93-07-001
212-70-030	REP-E	93-04-061	220-33-01000Q	NEW-E	93-07-001
212-70-030	REP	93-05-032	220-33-03000E	NEW-E	93-12-041
212-70-040	REP-E	93-04-061	220-33-03000E	REP-E	93-13-078
212-70-040	REP	93-05-032	220-33-03000F	NEW-E	93-13-078
212-70-050	REP-E	93-04-061	220-36-02100L	NEW-E	93-14-108
212-70-050	REP	93-05-032	220-36-023	AMD-P	93-09-074
212-70-060	REP-E	93-04-061	220-36-023	AMD-C	93-13-006
212-70-060	REP	93-05-032	220-36-023	AMD	93-14-042
212-70-070	REP-E	93-04-061	220-40-02100U	NEW-E	93-14-108
212-70-070	REP	93-05-032	220-40-027	AMD-P	93-09-074
212-70-080	REP-E	93-04-061	220-40-027	AMD-C	93-13-006
212-70-080	REP	93-05-032	220-40-027	AMD	93-14-042
212-70-090	REP-E	93-04-061	220-44-04000D	NEW-E	93-11-010
212-70-090	REP	93-05-032	220-44-050	AMD-P	93-04-095
212-70-100	REP-E	93-04-061	220-44-050	AMD	93-07-093
212-70-100	REP	93-05-032	220-44-05000B	REP-E	93-09-067
212-70-110	REP-E	93-04-061	220-44-05000C	NEW-E	93-09-067
212-70-110	REP	93-05-032	220-44-05000C	REP-E	93-10-094
212-70-120	REP-E	93-04-061	220-44-05000D	NEW-E	93-10-094
212-70-120	REP	93-05-032	220-44-05000D	REP-E	93-12-078
212-70-130	REP-E	93-04-061	220-44-05000E	NEW-E	93-12-078
212-70-130	REP	93-05-032	220-44-09000B	NEW-E	93-10-094
212-70-140	REP-E	93-04-061	220-47-302	AMD-P	93-09-073
212-70-140	REP	93-05-032	220-47-302	AMD	93-14-041
212-70-150	REP-E	93-04-061	220-47-304	AMD-P	93-09-073
212-70-150	REP	93-05-032	220-47-304	AMD	93-14-041
212-70-160	REP-E	93-04-061	220-47-307	AMD-P	93-09-073
212-70-160	REP	93-05-032	220-47-311	AMD-P	93-09-073
212-70-170	REP-E	93-04-061	220-47-311	AMD	93-14-041
212-70-170	REP	93-05-032	220-47-401	AMD-P	93-09-073
212-70-180	REP-E	93-04-061	220-47-401	AMD	93-14-041
212-70-180	REP	93-05-032	220-47-411	AMD-P	93-09-073
212-70-190	REP-E	93-04-061	220-47-411	AMD	93-14-041
212-70-190	REP	93-05-032	220-48-005	AMD-P	93-12-092
212-70-200	REP-E	93-04-061	220-49-02000E	NEW-E	93-06-044
212-70-200	REP	93-05-032	220-52-019	AMD-P	93-12-092
212-70-210	REP-E	93-04-061	220-52-01901	AMD-P	93-12-092
212-70-210	REP	93-05-032	220-52-043	AMD-P	93-12-092
212-70-220	REP-E	93-04-061	220-52-046	AMD-P	93-12-092
212-70-220	REP	93-05-032	220-52-050	AMD-P	93-12-092
212-70-230	REP-E	93-04-061	220-52-051	AMD-P	93-12-092
212-70-230	REP	93-05-032	220-52-05100N	NEW-E	93-09-028
212-70-240	REP-E	93-04-061	220-52-05100P	NEW-E	93-11-057
212-70-240	REP	93-05-032	220-52-068	NEW-P	93-12-092
220-52-069	AMD-P	93-12-092	220-52-06900A	NEW-E	93-07-043
220-52-071	AMD-P	93-12-092	220-52-07100K	NEW-E	93-09-028
220-52-07100K	REP-E	93-10-044	220-52-07100L	NEW-E	93-10-044
220-52-07100L	REP-E	93-13-089	220-52-07100M	NEW-E	93-13-058
220-52-07100M	REP-E	93-13-089	220-52-07100N	NEW-E	93-13-089
220-52-07300M	REP-E	93-05-006	220-52-07300N	NEW-E	93-05-006
220-52-07300N	REP-E	93-07-006	220-52-07300O	REP-E	93-07-006
220-55-00100A	NEW-E	93-13-028	220-55-010	AMD-P	93-04-096
220-55-010	AMD-P	93-04-096	220-55-010	AMD	93-08-034
220-55-100	AMD-P	93-04-096	220-56-100	AMD-P	93-04-096
220-56-105	AMD-P	93-04-096	220-56-105	AMD	93-08-034
220-56-10500B	NEW-E	93-08-016	220-56-116	AMD-P	93-04-096
220-56-116	AMD-P	93-04-096	220-56-124	NEW-P	93-04-096
220-56-124	NEW	93-08-034	220-56-124	NEW	93-08-034
220-56-126	AMD-P	93-04-096	220-56-126	AMD	93-08-034
220-56-128	AMD-P	93-04-096	220-56-128	AMD	93-08-034
220-56-131	AMD-P	93-04-096	220-56-131	AMD	93-08-034
220-56-132	AMD-P	93-04-096	220-56-132	AMD	93-08-034
220-56-180	AMD-P	93-04-096	220-56-180	AMD	93-08-034
220-56-180	AMD	93-08-034	220-56-190	AMD-P	93-04-096
220-56-190	AMD-C	93-08-033	220-56-190	AMD	93-14-043
220-56-190	AMD	93-14-043	220-56-19000P	NEW-E	93-10-045
220-56-195	AMD-P	93-04-096	220-56-19000P	REP-E	93-14-012
220-56-195	AMD-C	93-08-033	220-56-19000Q	NEW-E	93-14-012
220-56-195	AMD	93-14-043	220-56-191	NEW-P	93-04-096
220-56-19500J	NEW-E	93-13-036	220-56-191	NEW-C	93-08-033
220-56-200	AMD-P	93-04-096	220-56-191	NEW	93-14-043
220-56-200	AMD	93-08-034	220-56-19100A	NEW-E	93-13-036
220-56-200	AMD-P	93-04-096	220-56-195	AMD-P	93-04-096
220-56-200	AMD	93-14-071	220-56-195	AMD-C	93-08-033
220-56-200	AMD-P	93-04-096	220-56-19500J	NEW-E	93-14-071
220-56-200	AMD	93-08-034	220-56-220	AMD-P	93-04-096
220-56-200	AMD-P	93-04-096	220-56-235	AMD	93-08-034
220-56-200	AMD	93-10-095	220-56-235	AMD	93-08-034
220-56-200	AMD-P	93-10-095	220-56-240	AMD-P	93-04-096
220-56-200	NEW-E	93-09-026	220-56-240	AMD	93-08-034
220-56-200	AMD-P	93-04-096	220-56-240	AMD-P	93-10-095
220-56-200	AMD	93-08-034	220-56-24000A	NEW-E	93-09-026
220-56-200	AMD	93-08-034	220-56-245	AMD-P	93-04-096
220-56-200	AMD-P	93-04-096	220-56-245	AMD	93-08-034
220-56-200	AMD	93-08-034	220-56-255	AMD-P	93-04-096
220-56-200	AMD	93-10-095	220-56-255	AMD	93-08-034
220-56-200	NEW-E	93-13-002	220-56-255	AMD-P	93-10-095
220-56-200	AMD-P	93-04-096	220-56-25500R	NEW-E	93-13-002
220-56-200	AMD	93-08-034	220-56-270	AMD-P	93-04-096
220-56-200	AMD	93-04-096	220-56-270	AMD	93-08-034
220-56-200	AMD-P	93-04-096	220-56-285	AMD-P	93-04-096
220-56-200	NEW-E	93-09-026	220-56-285	AMD	93-08-034
220-56-200	AMD-P	93-04-096	220-56-28500A	NEW-E	93-09-026
220-56-200	AMD	93-08-034	220-56-307	AMD-P	93-04-096
220-56-200	AMD-P	93-04-096	220-56-307	AMD	93-08-034
220-56-200	AMD	93-08-034	220-56-310	AMD-P	93-04-096
220-56-200	AMD	93-08-034	220-56-310	AMD	93-08-034
220-56-200	AMD-P	93-04-096	220-56-315	AMD-P	93-04-096
220-56-200	AMD	93-08-034	220-56-315	AMD	93-08-034
220-56-200	AMD-P	93-04-096	220-56-320	AMD-P	93-04-096

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
220-56-320	AMD	93-08-034	220-57-460	AMD	93-08-034
220-56-325	AMD-P	93-04-096	220-57-465	AMD-P	93-04-096
220-56-325	AMD	93-08-034	220-57-465	AMD	93-08-034
220-56-32500W	NEW-E	93-11-057	220-57-495	AMD-P	93-04-096
220-56-32500X	NEW-E	93-11-063	220-57-495	AMD	93-08-034
220-56-32500X	REP-E	93-12-079	220-57-49700	NEW-E	93-08-016
220-56-32500Y	NEW-E	93-12-079	220-57-50500U	NEW-E	93-08-016
220-56-32500Y	REP-E	93-13-057	220-57-51500I	NEW-E	93-08-016
220-56-330	AMD-P	93-04-096	220-57-51500I	REP-E	93-13-029
220-56-330	AMD	93-08-034	220-57-51500J	NEW-E	93-13-029
220-56-335	AMD-P	93-04-096	220-57A-183	AMD-P	93-04-096
220-56-335	AMD	93-08-034	220-57A-183	AMD	93-08-034
220-56-350	AMD-P	93-04-096	220-88-030	AMD-P	93-12-092
220-56-350	AMD	93-08-034	222-08-040	AMD-P	93-05-010
220-56-350	AMD-P	93-10-095	222-08-040	AMD	93-12-001
220-56-35000R	NEW-E	93-08-059	222-10-110	AMD-P	93-05-010
220-56-35000S	NEW-E	93-09-025	222-10-110	AMD	93-12-001
220-56-36000C	NEW-E	93-07-092	222-12-020	AMD-P	93-05-010
220-56-36000C	REP-E	93-08-017	222-12-020	AMD	93-12-001
220-56-36000D	NEW-E	93-08-017	222-12-050	AMD-P	93-05-010
220-56-36000D	REP-E	93-10-096	222-12-050	AMD	93-12-001
220-56-36000E	NEW-E	93-10-096	222-16-010	AMD-P	93-05-010
220-56-380	AMD-P	93-04-096	222-16-010	AMD-E	93-07-060
220-56-380	AMD	93-08-034	222-16-010	AMD	93-12-001
220-56-38000L	NEW-E	93-09-027	222-16-050	AMD-P	93-05-010
220-56-382	AMD-P	93-04-096	222-16-050	AMD	93-12-001
220-56-382	AMD	93-08-034	222-16-070	AMD-P	93-05-010
220-56-390	AMD-P	93-04-096	222-16-080	AMD-P	93-05-010
220-56-390	AMD	93-08-034	222-16-080	AMD-E	93-07-060
220-57-137	AMD-P	93-04-096	222-16-080	AMD	93-12-001
220-57-137	AMD	93-08-034	222-20-010	AMD-P	93-05-010
220-57-14000N	NEW-E	93-14-040	222-20-010	AMD	93-12-001
220-57-160	AMD-P	93-04-096	222-20-010	AMD	93-05-010
220-57-160	AMD	93-08-034	222-24-050	AMD-P	93-05-010
220-57-16000Q	NEW-E	93-04-043	222-24-050	AMD	93-12-001
220-57-16000R	NEW-E	93-06-013	222-30-020	AMD-P	93-05-010
220-57-16000R	REP-E	93-06-068	222-30-020	AMD	93-12-001
220-57-16000S	NEW-E	93-08-018	222-30-040	AMD-P	93-05-010
220-57-175	AMD-P	93-04-096	222-30-040	AMD-E	93-10-015
220-57-175	AMD	93-08-034	222-30-040	AMD	93-12-001
220-57-210	AMD-P	93-04-096	222-34-040	AMD-P	93-05-010
220-57-210	AMD-C	93-08-033	222-34-040	AMD	93-12-001
220-57-210	AMD	93-14-043	222-38-020	AMD-P	93-05-010
220-57-235	AMD-P	93-04-096	222-38-020	AMD	93-12-001
220-57-235	AMD	93-08-034	222-38-030	AMD-P	93-05-010
220-57-255	AMD-P	93-04-096	222-38-030	AMD	93-12-001
220-57-255	AMD	93-08-034	222-46-020	AMD-P	93-05-010
220-57-270	AMD-P	93-04-096	222-46-020	AMD	93-12-001
220-57-29000N	NEW-E	93-08-016	222-50-020	AMD-P	93-05-010
220-57-310	AMD-P	93-04-096	222-50-020	AMD-E	93-07-060
220-57-310	AMD	93-08-034	222-50-020	AMD	93-12-001
220-57-315	AMD-P	93-04-096	230-02-035	AMD	93-06-011
220-57-315	AMD	93-08-034	230-02-270	AMD-P	93-07-081
220-57-31500W	NEW-E	93-08-016	230-02-270	AMD	93-12-082
220-57-31500W	REP-E	93-13-009	230-02-400	AMD-P	93-13-061
220-57-31500X	NEW-E	93-13-009	230-04-040	AMD-P	93-10-042
220-57-319	AMD-P	93-04-096	230-04-040	AMD	93-13-062
220-57-319	AMD	93-08-034	230-04-400	AMD-P	93-07-082
220-57-350	AMD-P	93-04-096	230-04-400	AMD	93-12-082
220-57-350	AMD	93-08-034	230-08-010	AMD-P	93-08-066
220-57-370	AMD-P	93-10-095	230-08-010	AMD	93-13-063
220-57-380	AMD-P	93-04-096	230-08-090	AMD-P	93-06-036
220-57-380	AMD	93-08-034	230-08-090	AMD	93-10-005
220-57-400	AMD-P	93-04-096	230-08-095	AMD-P	93-10-042
220-57-425	AMD-P	93-04-096	230-08-095	AMD	93-13-062
220-57-425	AMD-C	93-08-033	230-12-030	AMD-P	93-13-061
220-57-425	AMD	93-14-043	230-20-010	AMD-P	93-10-042
220-57-430	AMD-P	93-04-096	230-20-010	AMD	93-13-062
220-57-430	AMD-C	93-08-033	230-20-064	AMD-P	93-10-042
220-57-430	AMD	93-14-043	230-20-064	AMD	93-13-062
220-57-445	AMD-P	93-04-096	230-20-070	AMD-P	93-13-061
220-57-445	AMD	93-08-034	230-20-111	NEW-E	93-07-080
220-57-460	AMD-P	93-04-096	230-20-111	NEW-P	93-07-083
230-20-242	NEW-P	93-10-042			
230-20-242	NEW	93-13-062			
230-20-246	AMD-P	93-10-042			
230-20-246	AMD	93-13-062			
230-20-670	AMD-P	93-07-082			
230-20-670	AMD	93-12-082			
230-20-685	AMD-P	93-07-082			
230-20-685	AMD	93-12-082			
230-25-160	AMD-P	93-07-081			
230-25-160	AMD	93-12-082			
230-30-060	AMD-P	93-07-081			
230-30-060	AMD	93-12-082			
230-30-072	AMD-P	93-08-066			
230-30-072	AMD	93-13-063			
230-30-075	AMD	93-04-007			
230-30-080	AMD-P	93-07-083			
230-30-080	AMD	93-12-082			
230-30-095	REP-P	93-07-083			
230-30-095	REP	93-12-082			
230-30-097	NEW-P	93-07-087			
230-30-097	NEW	93-12-082			
230-30-100	AMD-P	93-07-083			
230-30-100	AMD	93-12-082			
230-30-106	AMD-P	93-06-036			
230-30-106	AMD	93-10-005			
230-30-300	AMD-P	93-06-036			
230-30-300	AMD	93-10-005			
230-40-055	AMD-P	93-07-082			
230-40-055	AMD	93-12-082			
230-40-120	AMD-P	93-04-044			
230-40-125	AMD-P	93-10-042			
230-40-125	AMD	93-13-062			
232-12-001	AMD-P	93-13-140			
232-12-007	AMD-P	93-14-110			
232-12-011	AMD-P	93-14-111			
232-12-014	AMD-P	93-14-112			
232-12-017	AMD	93-04-039			
232-12-019	AMD-P	93-06-019			
232-12-019	AMD-P	93-06-020			
232-12-019	AMD	93-10-011			
232-12-019	AMD	93-10-012			
232-12-021	AMD	93-04-040			
232-12-045	NEW-E	93-04-083			
232-12-064	AMD	93-04-038			
232-12-074	REP	93-04-075			
232-12-166	NEW-P	93-06-018			
232-12-166	NEW	93-10-013			
232-12-242	NEW	93-04-074			
232-12-619	AMD-P	93-06-017			
232-12-619	AMD	93-10-054			
232-12-619	AMD-P	93-13-140			
232-28-022	AMD-P	93-06-074			
232-28-022	AMD	93-13-048			
232-28-226	AMD-P	93-06-064			
232-28-226	AMD	93-11-016			
232-28-227	AMD-P	93-06-059			
232-28-227	AMD	93-11-015			
232-28-228	AMD-P	93-06-058			
232-28-228	AMD	93-11-014			
232-28-233	REP-P	93-06-062			
232-28-233	REP	93-11-011			
232-28-234	REP-P	93-06-063			
232-28-234	REP	93-11-012			
232-28-235	REP-P	93-06-060			
232-28-235	REP	93-11-013			
232-28-236	NEW-P	93-06-060			
232-28-236	NEW	93-11-013			
232-28-237	NEW-P	93-06-063			
232-28-237	NEW	93-11-012			
232-28-238	NEW-P	93-06-062			
232-28-238	NEW	93-11-011			
232-28-416	REP-P	93-13-136			
232-28-417	NEW-P	93-13-136			

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
232-28-619	AMD-P	93-13-140	236-22-030	NEW	93-12-090	246-08-100	REP-P	93-08-071
232-28-61901	REP-P	93-13-140	236-22-031	NEW-P	93-09-030	246-08-100	REP	93-13-005
232-28-61902	REP-P	93-13-140	236-22-031	NEW	93-12-090	246-08-101	NEW-P	93-08-071
232-28-61904	REP-P	93-13-140	236-22-032	NEW-P	93-09-030	246-08-101	NEW	93-13-005
232-28-61905	REP-P	93-13-140	236-22-032	NEW	93-12-090	246-08-102	NEW-P	93-08-071
232-28-61906	REP-P	93-13-140	236-22-033	NEW-P	93-09-030	246-08-102	NEW	93-13-005
232-28-61907	REP-P	93-13-140	236-22-033	NEW	93-12-090	246-08-103	NEW-P	93-08-071
232-28-61908	REP-P	93-13-140	236-22-034	NEW-P	93-09-030	246-08-103	NEW	93-13-005
232-28-61909	REP-P	93-13-140	236-22-034	NEW	93-12-090	246-08-104	NEW-P	93-08-071
232-28-61910	REP-P	93-13-140	236-22-035	NEW-P	93-09-030	246-08-104	NEW	93-13-005
232-28-61911	REP-P	93-13-140	236-22-035	NEW	93-12-090	246-08-105	NEW-P	93-08-071
232-28-61912	REP-P	93-13-140	236-22-036	NEW-P	93-09-030	246-08-105	NEW	93-13-005
232-28-61913	REP-P	93-13-140	236-22-036	NEW	93-12-090	246-08-106	NEW-P	93-08-071
232-28-61914	NEW-W	93-03-015	236-22-037	NEW-P	93-09-030	246-08-106	NEW	93-13-005
232-28-61916	REP-P	93-13-140	236-22-037	NEW	93-12-090	246-08-110	REP-P	93-08-071
232-28-61917	REP-P	93-13-140	236-22-038	NEW-P	93-09-030	246-08-110	REP	93-13-005
232-28-61918	REP-P	93-13-140	236-22-038	NEW	93-12-090	246-08-120	REP-P	93-08-071
232-28-61919	REP-P	93-13-140	236-22-040	NEW-P	93-09-030	246-08-120	REP	93-13-005
232-28-61923	NEW	93-04-046	236-22-040	NEW	93-12-090	246-08-130	REP-P	93-08-071
232-28-61923	REP-P	93-13-140	236-22-050	NEW-P	93-09-030	246-08-130	REP	93-13-005
232-28-61924	NEW	93-04-047	236-22-050	NEW	93-12-090	246-08-140	REP-P	93-08-071
232-28-61924	REP-P	93-13-140	236-22-060	NEW-P	93-09-030	246-08-140	REP	93-13-005
232-28-61925	NEW	93-04-049	236-22-060	NEW	93-12-090	246-08-150	REP-P	93-08-071
232-28-61925	REP-P	93-13-140	236-22-070	NEW-P	93-09-030	246-08-150	REP	93-13-005
232-28-61926	NEW	93-04-050	236-22-070	NEW	93-12-090	246-08-160	REP-P	93-08-071
232-28-61926	REP-P	93-13-140	236-22-080	NEW-P	93-09-030	246-08-160	REP	93-13-005
232-28-61927	NEW	93-04-051	236-22-080	NEW	93-12-090	246-08-170	REP-P	93-08-071
232-28-61927	REP-P	93-13-140	236-22-100	AMD-P	93-09-030	246-08-170	REP	93-13-005
232-28-61928	NEW	93-04-048	236-22-100	AMD	93-12-090	246-08-180	REP-P	93-08-071
232-28-61928	REP-P	93-13-140	236-22-200	NEW-P	93-09-030	246-08-180	REP	93-13-005
232-28-61929	NEW	93-04-052	236-22-200	NEW	93-12-090	246-08-190	REP-P	93-08-071
232-28-61929	REP-P	93-13-140	236-22-210	NEW-P	93-09-030	246-08-190	REP	93-13-005
232-28-61930	NEW	93-04-053	236-22-210	NEW	93-12-090	246-08-200	REP-P	93-08-071
232-28-61930	REP-P	93-13-140	242-02-220	AMD-P	93-08-032	246-08-200	REP	93-13-005
232-28-61931	NEW-E	93-03-039	242-02-220	AMD	93-11-068	246-08-210	REP-P	93-08-071
232-28-61932	NEW-P	93-06-021	242-02-562	NEW-W	93-06-045	246-08-210	REP	93-13-005
232-28-61932	NEW	93-10-055	244-12-060	AMD-P	93-07-038	246-08-320	REP-P	93-08-071
232-28-61932	REP-P	93-13-140	244-12-060	AMD-W	93-09-049	246-08-320	REP	93-13-005
232-28-61933	NEW-P	93-06-022	244-12-060	AMD-P	93-09-053	246-08-330	REP-P	93-08-071
232-28-61933	NEW	93-10-053	244-12-060	AMD	93-13-013	246-08-330	REP	93-13-005
232-28-61933	REP-P	93-13-140	244-12-100	NEW-P	93-07-038	246-08-340	REP-P	93-08-071
232-28-61934	NEW-E	93-06-061	244-12-100	NEW-W	93-09-049	246-08-340	REP	93-13-005
232-28-61935	NEW-P	93-06-057	244-12-100	NEW-P	93-09-053	246-08-350	REP-P	93-08-071
232-28-61935	NEW	93-10-056	244-12-100	NEW	93-13-013	246-08-350	REP	93-13-005
232-28-61935	REP-P	93-13-140	246-01-001	NEW	93-08-004	246-08-360	REP-P	93-08-071
232-28-61936	NEW-E	93-12-002	246-01-010	NEW	93-08-004	246-08-360	REP	93-13-005
232-28-61936	NEW-P	93-14-134	246-01-020	NEW	93-08-004	246-08-370	REP-P	93-08-071
236-14-010	NEW-W	93-05-041	246-01-030	NEW	93-08-004	246-08-370	REP	93-13-005
236-14-010	NEW-P	93-09-068	246-01-040	NEW	93-08-004	246-08-380	REP-P	93-08-071
236-14-010	NEW-W	93-10-090	246-01-050	NEW	93-08-004	246-08-380	REP	93-13-005
236-14-015	NEW-W	93-05-041	246-01-060	NEW	93-08-004	246-08-420	NEW	93-08-004
236-14-015	NEW-P	93-09-068	246-01-070	NEW	93-08-004	246-08-440	NEW	93-08-004
236-14-015	NEW-W	93-10-090	246-01-080	NEW	93-08-004	246-08-450	NEW	93-08-004
236-14-050	NEW-W	93-05-041	246-01-090	NEW	93-08-004	246-08-520	AMD	93-08-004
236-14-050	NEW-P	93-09-068	246-01-100	NEW	93-08-004	246-08-560	AMD	93-08-004
236-14-050	NEW-W	93-10-090	246-08-001	REP-P	93-08-071	246-10-101	NEW-P	93-08-071
236-14-100	NEW-W	93-05-041	246-08-001	REP	93-13-005	246-10-101	NEW	93-13-005
236-14-100	NEW-P	93-09-068	246-08-020	REP-P	93-08-071	246-10-102	NEW-P	93-08-071
236-14-100	NEW-W	93-10-090	246-08-020	REP	93-13-005	246-10-102	NEW	93-13-005
236-14-200	NEW-W	93-05-041	246-08-030	REP-P	93-08-071	246-10-103	NEW-P	93-08-071
236-14-200	NEW-P	93-09-068	246-08-030	REP	93-13-005	246-10-103	NEW	93-13-005
236-14-200	NEW-W	93-10-090	246-08-040	REP-P	93-08-071	246-10-104	NEW-P	93-08-071
236-14-300	NEW-W	93-05-041	246-08-040	REP	93-13-005	246-10-104	NEW	93-13-005
236-14-300	NEW-P	93-09-068	246-08-050	REP-P	93-08-071	246-10-105	NEW-P	93-08-071
236-14-300	NEW-W	93-10-090	246-08-050	REP	93-13-005	246-10-105	NEW	93-13-005
236-14-900	NEW-W	93-05-041	246-08-060	REP-P	93-08-071	246-10-106	NEW-P	93-08-071
236-14-900	NEW-P	93-09-068	246-08-060	REP	93-13-005	246-10-106	NEW	93-13-005
236-14-900	NEW-W	93-10-090	246-08-070	REP-P	93-08-071	246-10-107	NEW-P	93-08-071
236-22-010	AMD-P	93-09-030	246-08-070	REP	93-13-005	246-10-107	NEW	93-13-005
236-22-010	AMD	93-12-090	246-08-080	REP-P	93-08-071	246-10-108	NEW-P	93-08-071
236-22-020	NEW-P	93-09-030	246-08-080	REP	93-13-005	246-10-108	NEW	93-13-005
236-22-020	NEW	93-12-090	246-08-090	REP-P	93-08-071	246-10-109	NEW-P	93-08-071
236-22-030	NEW-P	93-09-030	246-08-090	REP	93-13-005	246-10-109	NEW	93-13-005

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
246-11-610	NEW	93-08-003	246-290-310	AMD-P	93-04-122	246-290-694	NEW	93-08-011
246-100-011	AMD-P	93-03-003	246-290-310	AMD	93-08-011	246-290-696	NEW-P	93-04-122
246-100-011	AMD	93-08-036	246-290-320	AMD-P	93-04-122	246-290-696	NEW	93-08-011
246-100-041	AMD-P	93-03-003	246-290-320	AMD	93-08-011	246-293-440	REP-P	93-08-071
246-100-041	AMD	93-08-036	246-290-330	AMD-P	93-04-122	246-293-440	REP	93-13-005
246-100-042	NEW-P	93-06-094	246-290-330	AMD	93-08-011	246-294-001	NEW	93-03-047
246-100-042	NEW	93-10-038	246-290-400	REP-P	93-04-122	246-294-010	NEW	93-03-047
246-100-076	AMD-P	93-03-003	246-290-400	REP	93-08-011	246-294-020	NEW	93-03-047
246-100-076	AMD	93-08-036	246-290-420	AMD-P	93-04-122	246-294-030	NEW	93-03-047
246-100-236	AMD-P	93-03-003	246-290-420	AMD	93-08-011	246-294-040	NEW	93-03-047
246-100-236	AMD	93-08-036	246-290-440	AMD-P	93-04-122	246-294-050	NEW	93-03-047
246-130-040	AMD-E	93-04-015	246-290-440	AMD	93-08-011	246-294-060	NEW	93-03-047
246-130-040	AMD-P	93-06-095	246-290-450	REP-P	93-04-122	246-294-070	NEW	93-03-047
246-130-040	AMD-W	93-11-006	246-290-450	REP	93-08-011	246-294-080	NEW	93-03-047
246-130-070	AMD-E	93-04-015	246-290-470	AMD-P	93-04-122	246-294-090	NEW	93-03-047
246-130-070	AMD-P	93-06-095	246-290-470	AMD	93-08-011	246-294-100	NEW	93-03-047
246-130-070	AMD-W	93-11-006	246-290-480	AMD-P	93-04-122	246-310-280	AMD-P	93-08-070
246-201-005	NEW-W	93-11-075	246-290-480	AMD	93-08-011	246-310-280	AMD	93-13-015
246-203-005	NEW-W	93-11-075	246-290-601	NEW-P	93-04-122	246-310-381	NEW-E	93-13-044
246-205-005	NEW-W	93-11-075	246-290-601	NEW	93-08-011	246-316-020	AMD-W	93-04-091
246-215-005	NEW-W	93-11-075	246-290-610	NEW-P	93-04-122	246-316-020	AMD-P	93-08-078
246-217-005	NEW-W	93-11-075	246-290-610	NEW	93-08-011	246-316-040	AMD-W	93-04-091
246-254-053	AMD-P	93-08-069	246-290-620	NEW-P	93-04-122	246-316-040	AMD-P	93-08-078
246-254-053	AMD	93-13-019	246-290-620	NEW	93-08-011	246-316-045	NEW-W	93-04-091
246-254-070	AMD-P	93-08-069	246-290-630	NEW-P	93-04-122	246-316-045	NEW-P	93-08-078
246-254-070	AMD	93-13-019	246-290-630	NEW	93-08-011	246-316-050	AMD-W	93-04-091
246-254-080	AMD-P	93-08-069	246-290-632	NEW-P	93-04-122	246-316-050	AMD-P	93-08-078
246-254-080	AMD	93-13-019	246-290-632	NEW	93-08-011	246-316-240	AMD-E	93-12-004
246-254-090	AMD-P	93-08-069	246-290-634	NEW-P	93-04-122	246-316-260	AMD-E	93-12-004
246-254-090	AMD	93-13-019	246-290-634	NEW	93-08-011	246-318-010	AMD	93-07-011
246-254-100	AMD-P	93-08-069	246-290-636	NEW-P	93-04-122	246-318-040	AMD-W	93-04-091
246-254-100	AMD	93-13-019	246-290-636	NEW	93-08-011	246-318-040	AMD-P	93-08-078
246-254-120	AMD-P	93-08-069	246-290-638	NEW-P	93-04-122	246-318-042	NEW-W	93-04-091
246-254-120	AMD	93-13-019	246-290-638	NEW	93-08-011	246-318-042	NEW-P	93-08-078
246-260-005	NEW-W	93-11-075	246-290-639	NEW-P	93-04-122	246-318-500	AMD	93-07-011
246-262-005	NEW-W	93-11-075	246-290-639	NEW	93-08-011	246-318-510	AMD	93-07-011
246-264-005	NEW-W	93-11-075	246-290-640	NEW-P	93-04-122	246-318-520	AMD	93-07-011
246-282-005	NEW-W	93-11-075	246-290-640	NEW	93-08-011	246-318-530	AMD	93-07-011
246-282-990	AMD-P	93-13-125	246-290-650	NEW-P	93-04-122	246-318-540	AMD	93-07-011
246-290-001	AMD-P	93-04-122	246-290-650	NEW	93-08-011	246-318-550	AMD	93-07-011
246-290-001	AMD	93-08-011	246-290-652	NEW-P	93-04-122	246-318-560	AMD	93-07-011
246-290-010	AMD-P	93-04-122	246-290-652	NEW	93-08-011	246-318-570	AMD	93-07-011
246-290-010	AMD	93-08-011	246-290-654	NEW-P	93-04-122	246-318-580	AMD	93-07-011
246-290-020	AMD-P	93-04-122	246-290-654	NEW	93-08-011	246-318-590	AMD	93-07-011
246-290-020	AMD	93-08-011	246-290-660	NEW-P	93-04-122	246-318-600	AMD	93-07-011
246-290-030	AMD-P	93-04-122	246-290-660	NEW	93-08-011	246-318-610	AMD	93-07-011
246-290-030	AMD	93-08-011	246-290-662	NEW-P	93-04-122	246-318-620	AMD	93-07-011
246-290-040	AMD-P	93-04-122	246-290-662	NEW	93-08-011	246-318-630	AMD	93-07-011
246-290-040	AMD	93-08-011	246-290-664	NEW-P	93-04-122	246-318-640	AMD	93-07-011
246-290-050	AMD-P	93-04-122	246-290-664	NEW	93-08-011	246-318-650	AMD	93-07-011
246-290-050	AMD	93-08-011	246-290-666	NEW-P	93-04-122	246-318-660	AMD	93-07-011
246-290-060	AMD-P	93-04-122	246-290-666	NEW	93-08-011	246-318-670	AMD	93-07-011
246-290-060	AMD	93-08-011	246-290-668	NEW-P	93-04-122	246-318-680	AMD	93-07-011
246-290-100	AMD-P	93-04-122	246-290-668	NEW	93-08-011	246-318-690	AMD	93-07-011
246-290-100	AMD	93-08-011	246-290-670	NEW-P	93-04-122	246-318-700	AMD	93-07-011
246-290-110	AMD-P	93-04-122	246-290-670	NEW	93-08-011	246-318-710	AMD	93-07-011
246-290-110	AMD	93-08-011	246-290-672	NEW-P	93-04-122	246-318-720	AMD	93-07-011
246-290-120	AMD-P	93-04-122	246-290-672	NEW	93-08-011	246-318-730	AMD	93-07-011
246-290-120	AMD	93-08-011	246-290-674	NEW-P	93-04-122	246-318-740	AMD	93-07-011
246-290-130	AMD-P	93-04-122	246-290-674	NEW	93-08-011	246-318-750	AMD	93-07-011
246-290-130	AMD	93-08-011	246-290-676	NEW-P	93-04-122	246-318-760	AMD	93-07-011
246-290-135	NEW-P	93-04-122	246-290-676	NEW	93-08-011	246-318-770	AMD	93-07-011
246-290-135	NEW	93-08-011	246-290-678	NEW-P	93-04-122	246-318-780	AMD	93-07-011
246-290-200	AMD-P	93-04-122	246-290-678	NEW	93-08-011	246-318-790	AMD	93-07-011
246-290-200	AMD	93-08-011	246-290-680	NEW-P	93-04-122	246-318-799	REP	93-07-011
246-290-210	REP-P	93-04-122	246-290-680	NEW	93-08-011	246-318-800	AMD	93-07-011
246-290-210	REP	93-08-011	246-290-686	NEW-P	93-04-122	246-318-810	AMD	93-07-011
246-290-230	AMD-P	93-04-122	246-290-686	NEW	93-08-011	246-318-820	AMD	93-07-011
246-290-230	AMD	93-08-011	246-290-690	NEW-P	93-04-122	246-318-830	AMD	93-07-011
246-290-250	AMD-P	93-04-122	246-290-690	NEW	93-08-011	246-318-840	AMD	93-07-011
246-290-250	AMD	93-08-011	246-290-692	NEW-P	93-04-122	246-318-850	AMD	93-07-011
246-290-300	AMD-P	93-04-122	246-290-692	NEW	93-08-011	246-318-860	AMD	93-07-011
246-290-300	AMD	93-08-011	246-290-694	NEW-P	93-04-122	246-318-870	AMD	93-07-011

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
246-318-99902	AMD	93-07-011	246-358-105	AMD	93-03-032	246-824-072	NEW-P	93-10-040
246-321-018	NEW-W	93-04-091	246-358-115	AMD	93-03-032	246-824-072	NEW	93-14-011
246-321-018	NEW-P	93-08-078	246-358-125	AMD	93-03-032	246-824-073	NEW-P	93-10-040
246-323-022	NEW-W	93-04-091	246-358-135	AMD	93-03-032	246-824-073	NEW	93-14-011
246-323-022	NEW-P	93-08-078	246-358-140	NEW	93-03-032	246-824-200	NEW-P	93-02-066
246-325-022	NEW-W	93-04-091	246-358-145	AMD	93-03-032	246-824-210	NEW-P	93-02-066
246-325-022	NEW-P	93-08-078	246-358-155	AMD	93-03-032	246-824-220	NEW-P	93-02-066
246-327-090	NEW-W	93-04-091	246-358-165	AMD	93-03-032	246-824-230	NEW-P	93-02-066
246-327-090	NEW-P	93-08-078	246-358-175	AMD	93-03-032	246-824-240	NEW-P	93-02-066
246-327-990	AMD-E	93-14-093	246-358-990	AMD	93-03-031	246-824-990	AMD-P	93-10-071
246-329-035	NEW-W	93-04-091	246-360-005	NEW-W	93-11-075	246-824-990	AMD	93-14-011
246-329-035	NEW-P	93-08-078	246-374-005	NEW-W	93-11-075	246-828-005	NEW	93-07-009
246-331-100	NEW-W	93-04-091	246-376-005	NEW-W	93-11-075	246-828-340	AMD	93-07-010
246-331-100	NEW-P	93-08-078	246-378-005	NEW-W	93-11-075	246-828-400	NEW	93-07-008
246-331-990	AMD-E	93-14-093	246-388-070	AMD-W	93-04-091	246-828-410	NEW	93-07-008
246-336-100	NEW-W	93-04-091	246-388-070	AMD-P	93-08-078	246-828-420	NEW	93-07-008
246-336-100	NEW-P	93-08-078	246-388-072	NEW-W	93-04-091	246-828-430	NEW	93-07-008
246-336-990	AMD-E	93-14-093	246-388-072	NEW-P	93-08-078	246-828-500	NEW	93-07-007
246-338-010	AMD-P	93-14-036	246-420-005	NEW-W	93-11-075	246-828-510	NEW	93-07-007
246-338-020	AMD-P	93-14-036	246-491-005	NEW-W	93-11-075	246-828-520	NEW	93-07-007
246-338-030	AMD-P	93-14-036	246-520-005	NEW-W	93-11-075	246-828-530	NEW	93-07-007
246-338-040	AMD-P	93-14-036	246-610-005	NEW-W	93-11-075	246-828-540	NEW	93-07-007
246-338-050	AMD-P	93-14-036	246-650-005	NEW-W	93-11-075	246-828-550	NEW	93-07-007
246-338-060	AMD-P	93-14-036	246-680-005	NEW-W	93-11-075	246-828-560	NEW	93-07-007
246-338-070	AMD-P	93-14-036	246-760-005	NEW-W	93-11-075	246-828-570	NEW-P	93-13-145
246-338-080	AMD-P	93-14-036	246-762-005	NEW-W	93-11-075	246-828-990	AMD-P	93-10-071
246-338-090	AMD-P	93-14-036	246-806-090	AMD-P	93-06-090	246-828-990	AMD	93-14-011
246-338-100	AMD-P	93-14-036	246-806-090	AMD-W	93-09-054	246-830-460	NEW-P	93-14-133
246-338-110	AMD-P	93-14-036	246-806-100	AMD-P	93-06-090	246-830-465	NEW-P	93-14-133
246-338-990	AMD-P	93-14-036	246-806-100	AMD	93-09-055	246-830-470	NEW-P	93-14-133
246-340-001	REP-E	93-14-034	246-806-110	AMD-P	93-06-090	246-830-475	NEW-P	93-14-133
246-340-001	REP-P	93-14-035	246-806-110	AMD	93-09-055	246-830-480	NEW-P	93-14-133
246-340-010	REP-E	93-14-034	246-806-130	AMD-P	93-06-090	246-830-485	NEW-P	93-14-133
246-340-010	REP-P	93-14-035	246-806-130	AMD	93-09-055	246-830-486	NEW-P	93-14-133
246-340-020	REP-E	93-14-034	246-806-140	AMD-P	93-06-090	246-830-990	AMD-P	93-10-071
246-340-020	REP-P	93-14-035	246-806-140	AMD	93-09-055	246-830-990	AMD	93-14-011
246-340-030	REP-E	93-14-034	246-806-150	REP-P	93-06-090	246-836-990	AMD-P	93-10-071
246-340-030	REP-P	93-14-035	246-806-150	REP	93-09-055	246-836-990	AMD	93-14-011
246-340-040	REP-E	93-14-034	246-806-160	AMD-P	93-06-090	246-838-120	AMD	93-04-080
246-340-040	REP-P	93-14-035	246-806-160	AMD	93-09-055	246-838-330	NEW	93-04-080
246-340-050	REP-E	93-14-034	246-806-190	AMD-P	93-06-090	246-838-990	AMD	93-07-023
246-340-050	REP-P	93-14-035	246-806-190	AMD	93-09-055	246-839-115	NEW-P	93-06-091
246-340-060	REP-E	93-14-034	246-807-210	AMD-P	93-14-094	246-839-115	NEW	93-11-007
246-340-060	REP-P	93-14-035	246-807-280	AMD-P	93-14-094	246-839-990	AMD-P	93-08-080
246-340-070	REP-E	93-14-034	246-807-290	AMD-P	93-14-094	246-839-990	AMD	93-12-125
246-340-070	REP-P	93-14-035	246-807-311	NEW-P	93-14-094	246-843-001	AMD-P	93-08-105
246-340-080	REP-E	93-14-034	246-807-320	AMD-P	93-14-094	246-843-001	AMD	93-13-004
246-340-080	REP-P	93-14-035	246-807-395	NEW-E	93-10-006	246-843-010	AMD-P	93-08-105
246-340-085	NEW-W	93-04-091	246-807-395	NEW-P	93-14-094	246-843-010	AMD	93-13-004
246-340-085	NEW-P	93-08-078	246-807-396	NEW-E	93-10-006	246-843-090	AMD-P	93-08-105
246-340-090	REP-E	93-14-034	246-807-396	NEW-P	93-14-094	246-843-090	AMD	93-13-004
246-340-090	REP-P	93-14-035	246-807-500	NEW-P	93-14-094	246-843-180	AMD-P	93-08-105
246-340-100	REP-E	93-14-034	246-807-510	NEW-P	93-14-094	246-843-180	AMD	93-13-004
246-340-100	REP-P	93-14-035	246-807-520	NEW-P	93-14-094	246-843-205	AMD-P	93-08-105
246-340-110	REP-E	93-14-034	246-807-530	NEW-P	93-14-094	246-843-205	AMD	93-13-004
246-340-110	REP-P	93-14-035	246-810-020	AMD-P	93-10-071	246-843-990	AMD-P	93-10-071
246-340-990	REP-E	93-14-034	246-810-020	AMD	93-14-011	246-843-990	AMD	93-14-011
246-340-990	REP-P	93-14-035	246-810-990	AMD-P	93-10-071	246-845-020	REP-P	93-10-039
246-358-001	AMD	93-03-032	246-810-990	AMD	93-14-011	246-845-020	REP	93-14-011
246-358-001	AMD-E	93-07-052	246-815-100	AMD	93-06-042A	246-845-030	REP-P	93-10-039
246-358-001	AMD-P	93-07-106	246-815-990	AMD-P	93-12-121	246-845-030	REP	93-14-011
246-358-001	AMD	93-12-043	246-816-220	AMD-P	93-08-106	246-845-040	REP-P	93-10-039
246-358-010	AMD	93-03-032	246-816-220	AMD-W	93-13-014	246-845-040	REP	93-14-011
246-358-020	NEW	93-03-032	246-816-225	NEW-P	93-08-106	246-845-050	NEW-P	93-10-039
246-358-025	AMD	93-03-031	246-816-225	NEW-W	93-13-014	246-845-050	NEW	93-14-011
246-358-030	NEW	93-03-031	246-818-120	AMD	93-07-108	246-845-060	NEW-P	93-10-039
246-358-035	REP	93-03-032	246-818-130	AMD-S	93-07-107	246-845-060	NEW	93-14-011
246-358-045	AMD	93-03-032	246-818-130	AMD	93-12-005	246-845-070	NEW-P	93-10-039
246-358-055	AMD	93-03-032	246-818-140	AMD	93-07-108	246-845-070	NEW	93-14-011
246-358-065	AMD	93-03-032	246-824-040	AMD-P	93-10-040	246-845-080	NEW-P	93-10-039
246-358-075	AMD	93-03-032	246-824-040	AMD	93-14-011	246-845-080	NEW	93-14-011
246-358-085	AMD	93-03-032	246-824-071	NEW-P	93-10-040	246-845-090	NEW-P	93-10-039
246-358-095	AMD	93-03-032	246-824-071	NEW	93-14-011	246-845-090	NEW	93-14-011

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
246-845-100	NEW-P	93-10-039	246-857-330	REP	93-04-017	246-924-361	NEW	93-07-036
246-845-100	NEW	93-14-011	246-857-340	REP	93-04-017	246-924-363	NEW-P	93-02-067
246-845-110	NEW-P	93-10-039	246-863-050	AMD-P	93-04-101	246-924-363	NEW	93-07-036
246-845-110	NEW	93-14-011	246-863-050	AMD	93-10-007	246-924-364	NEW-P	93-02-067
246-845-990	AMD-P	93-10-071	246-863-130	NEW-W	93-04-018	246-924-364	NEW	93-07-036
246-845-990	AMD	93-14-011	246-869-245	NEW-W	93-07-051	246-924-365	NEW-P	93-02-067
246-847-055	NEW-P	93-12-089	246-883-030	AMD	93-05-046	246-924-365	NEW	93-07-036
246-847-068	NEW-P	93-12-089	246-887-132	NEW-P	93-08-108	246-924-366	NEW-P	93-02-067
246-847-070	AMD-P	93-10-071	246-887-132	NEW	93-14-037	246-924-366	NEW	93-07-036
246-847-080	AMD-P	93-12-089	246-887-160	AMD	93-06-093	246-924-367	NEW-P	93-02-067
246-847-115	AMD-P	93-12-089	246-887-160	AMD-P	93-08-109	246-924-367	NEW	93-07-036
246-847-125	NEW-P	93-12-089	246-887-160	AMD	93-14-038	246-924-370	REP-P	93-02-067
246-847-130	AMD-P	93-03-046	246-901-030	AMD-P	93-08-107	246-924-370	REP	93-07-036
246-847-200	AMD-P	93-12-089	246-901-030	AMD-W	93-13-039	246-924-380	REP-P	93-02-067
246-849-200	NEW-P	93-03-046	246-901-035	NEW-P	93-12-123	246-924-380	REP	93-07-036
246-849-200	NEW	93-10-008	246-901-060	AMD-P	93-08-107	246-924-390	REP-P	93-02-067
246-849-210	NEW-P	93-03-046	246-901-065	NEW-P	93-08-107	246-924-390	REP	93-07-036
246-849-210	NEW	93-10-008	246-903-010	AMD	93-04-016	246-924-400	REP-P	93-02-067
246-849-220	NEW-P	93-03-046	246-903-020	AMD	93-04-016	246-924-400	REP	93-07-036
246-849-220	NEW	93-10-008	246-907-030	AMD	93-05-045	246-924-410	REP-P	93-02-067
246-849-230	NEW-P	93-03-046	246-907-030	AMD-P	93-12-003	246-924-410	REP	93-07-036
246-849-230	NEW	93-10-008	246-915-020	AMD	93-04-081	246-924-420	REP-P	93-02-067
246-849-240	NEW-P	93-03-046	246-915-080	AMD	93-04-081	246-924-420	REP	93-07-036
246-849-240	NEW	93-10-008	246-915-085	NEW-W	93-04-082	246-924-430	REP-P	93-02-067
246-849-250	NEW-P	93-03-046	246-915-120	AMD	93-04-081	246-924-430	REP	93-07-036
246-849-250	NEW	93-10-008	246-915-140	AMD-W	93-04-082	246-924-440	REP-P	93-02-067
246-849-260	NEW-P	93-03-046	246-915-145	NEW-W	93-04-082	246-924-440	REP	93-07-036
246-849-260	NEW	93-10-008	246-917-121	AMD-P	93-05-047	246-924-450	REP-P	93-02-067
246-849-270	NEW-P	93-03-046	246-917-121	AMD	93-11-008	246-924-450	REP	93-07-036
246-849-270	NEW	93-10-008	246-917-990	AMD-W	93-11-073	246-924-475	NEW-P	93-11-038
246-849-990	AMD-P	93-10-071	246-917-990	AMD-P	93-12-122	246-924-475	NEW-E	93-12-042
246-849-990	AMD	93-14-011	246-917-990	AMD-E	93-12-124	246-930-499	AMD-P	93-10-072
246-851-110	AMD-P	93-08-079	246-918-260	AMD-P	93-05-047	246-930-499	AMD	93-14-095
246-851-270	REVIEW	93-03-030	246-918-260	AMD	93-11-008	246-933-010	AMD-P	93-04-079
246-851-360	REVIEW	93-03-030	246-922-035	NEW-P	93-08-082	246-933-010	AMD	93-08-029
246-851-360	AMD-P	93-08-079	246-922-235	NEW-P	93-08-082	246-933-180	NEW-P	93-04-079
246-851-520	REVIEW	93-03-030	246-922-275	NEW-P	93-08-082	246-933-180	NEW	93-08-029
246-851-530	REVIEW	93-03-030	246-924-040	AMD-P	93-02-065	246-933-190	NEW-P	93-13-052
246-851-530	REP-P	93-08-079	246-924-040	AMD	93-06-092	246-933-980	AMD-P	93-04-079
246-851-540	NEW-P	93-08-079	246-924-050	AMD-P	93-02-065	246-933-980	AMD	93-08-029
246-851-550	NEW-P	93-08-079	246-924-050	AMD	93-06-092	246-933-990	AMD-P	93-04-121
246-851-560	NEW-P	93-08-079	246-924-055	NEW-P	93-02-065	246-933-990	AMD	93-08-028
246-857-020	REP	93-04-017	246-924-055	NEW	93-06-092	246-933-990	AMD-P	93-10-071
246-857-030	REP	93-04-017	246-924-060	AMD-P	93-02-065	246-933-990	AMD	93-14-011
246-857-040	REP	93-04-017	246-924-060	AMD	93-06-092	246-935-060	AMD-P	93-08-081
246-857-050	REP	93-04-017	246-924-065	NEW-P	93-02-065	246-935-060	AMD	93-12-126
246-857-060	REP	93-04-017	246-924-065	NEW	93-06-092	246-935-070	AMD-P	93-04-079
246-857-070	REP	93-04-017	246-924-070	AMD-P	93-04-014	246-935-070	AMD	93-08-029
246-857-080	REP	93-04-017	246-924-070	AMD-E	93-06-023	246-935-080	REP-P	93-04-079
246-857-090	REP	93-04-017	246-924-070	AMD	93-07-078	246-935-080	REP	93-08-029
246-857-100	REP	93-04-017	246-924-350	REP-P	93-02-067	246-935-125	AMD-P	93-04-079
246-857-110	REP	93-04-017	246-924-350	REP	93-07-036	246-935-125	AMD	93-08-029
246-857-120	REP	93-04-017	246-924-351	NEW-P	93-02-067	246-935-990	AMD-P	93-10-071
246-857-130	REP	93-04-017	246-924-351	NEW	93-07-036	246-976-470	AMD-P	93-13-124
246-857-140	REP	93-04-017	246-924-352	NEW-P	93-02-067	246-976-510	AMD-P	93-13-124
246-857-150	REP	93-04-017	246-924-352	NEW	93-07-036	246-976-520	AMD-P	93-13-124
246-857-160	REP	93-04-017	246-924-353	NEW-P	93-02-067	246-976-560	AMD-P	93-13-124
246-857-170	REP	93-04-017	246-924-353	NEW	93-07-036	246-976-600	AMD-P	93-13-124
246-857-180	REP	93-04-017	246-924-354	NEW-P	93-02-067	246-976-610	AMD-P	93-13-124
246-857-190	REP	93-04-017	246-924-354	NEW	93-07-036	246-976-650	AMD-P	93-13-124
246-857-200	REP	93-04-017	246-924-355	NEW-P	93-02-067	246-976-680	AMD-P	93-13-124
246-857-210	REP	93-04-017	246-924-355	NEW	93-07-036	246-976-720	AMD-P	93-13-124
246-857-220	REP	93-04-017	246-924-356	NEW-P	93-02-067	246-976-730	AMD-P	93-13-124
246-857-230	REP	93-04-017	246-924-356	NEW	93-07-036	246-976-770	AMD-P	93-13-124
246-857-240	REP	93-04-017	246-924-357	NEW-P	93-02-067	246-976-780	AMD-P	93-13-124
246-857-250	REP	93-04-017	246-924-357	NEW	93-07-036	246-976-790	AMD-P	93-13-124
246-857-260	REP	93-04-017	246-924-358	NEW-P	93-02-067	246-976-810	AMD-P	93-13-124
246-857-270	REP	93-04-017	246-924-358	NEW	93-07-036	246-976-820	AMD-P	93-13-124
246-857-280	REP	93-04-017	246-924-359	NEW-P	93-02-067	246-976-830	NEW-P	93-13-124
246-857-290	REP	93-04-017	246-924-359	NEW	93-07-036	246-976-840	NEW-P	93-13-124
246-857-300	REP	93-04-017	246-924-360	REP-P	93-02-067	246-976-850	NEW-P	93-13-124
246-857-310	REP	93-04-017	246-924-360	REP	93-07-036	246-976-860	NEW-P	93-13-124
246-857-320	REP	93-04-017	246-924-361	NEW-P	93-02-067	246-976-990	AMD-P	93-13-124

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
250-20-011	AMD-P	93-03-087	251-04-030	AMD-E	93-14-092	296-15-022	AMD-P	93-07-115
250-20-011	AMD-E	93-04-070	251-04-040	AMD-E	93-14-092	296-15-022	AMD	93-11-064
250-20-011	AMD	93-08-010	251-04-050	AMD-E	93-14-092	296-15-023	AMD-P	93-07-115
250-20-015	AMD-P	93-03-087	251-06-020	AMD-E	93-14-092	296-15-023	AMD	93-11-064
250-20-015	AMD-E	93-04-070	251-08-005	AMD-E	93-14-092	296-15-030	AMD-P	93-07-115
250-20-015	AMD	93-08-010	251-08-090	AMD-E	93-14-092	296-15-030	AMD	93-11-064
250-20-021	AMD-P	93-03-087	251-10-060	AMD-E	93-13-008	296-15-060	AMD-P	93-07-115
250-20-021	AMD-E	93-04-070	251-10-061	NEW-E	93-13-008	296-15-060	AMD	93-11-064
250-20-021	AMD	93-08-010	251-12-240	AMD	93-06-033	296-15-065	AMD-P	93-07-115
250-20-031	AMD-P	93-03-087	251-12-290	AMD	93-06-033	296-15-065	AMD	93-11-064
250-20-031	AMD-E	93-04-070	251-17-090	AMD-E	93-13-008	296-17-350	AMD-P	93-07-114
250-20-031	AMD	93-08-010	251-18-180	AMD-E	93-13-008	296-17-350	AMD	93-12-093
250-20-041	AMD-P	93-03-087	251-18-190	AMD-E	93-13-008	296-17-430	AMD-P	93-07-114
250-20-041	AMD-E	93-04-070	251-18-240	AMD-E	93-13-008	296-17-430	AMD	93-12-093
250-20-041	AMD	93-08-010	251-18-240	AMD-E	93-14-092	296-17-440	AMD-P	93-07-114
250-20-051	AMD-P	93-03-087	251-18-260	AMD-E	93-14-092	296-17-440	AMD	93-12-093
250-20-051	AMD-E	93-04-070	251-18-280	AMD-E	93-14-092	296-17-450	AMD-P	93-07-114
250-20-051	AMD	93-08-010	251-19-010	AMD-E	93-13-008	296-17-450	AMD	93-12-093
250-25	AMD-C	93-14-098	251-19-060	AMD-E	93-13-008	296-17-501	AMD-P	93-07-114
250-25-060	AMD-P	93-11-088	251-19-100	AMD-E	93-13-008	296-17-501	AMD	93-12-093
250-25-070	AMD-P	93-11-088	251-22-116	NEW	93-14-115	296-17-506	AMD-P	93-07-114
250-25-080	AMD-P	93-11-088	251-22-167	AMD-P	93-11-103	296-17-506	AMD	93-12-093
250-40-030	AMD-P	93-11-093	251-22-167	AMD	93-14-115	296-17-50601	AMD-P	93-07-114
250-40-030	AMD-E	93-13-034	251-22-195	AMD-P	93-11-103	296-17-50601	AMD	93-12-093
250-40-040	AMD-P	93-11-093	251-22-195	AMD	93-14-115	296-17-50602	AMD-P	93-07-114
250-40-040	AMD-E	93-13-034	251-22-197	NEW-P	93-11-103	296-17-50602	AMD	93-12-093
250-40-050	AMD-P	93-11-093	251-22-197	NEW	93-14-115	296-17-510	AMD-P	93-07-114
250-40-050	AMD-E	93-13-034	251-22-200	AMD-P	93-11-103	296-17-510	AMD	93-12-093
250-40-060	AMD-P	93-11-093	251-22-200	AMD	93-14-115	296-17-512	AMD-P	93-07-114
250-40-060	AMD-E	93-13-034	251-22-215	REP	93-06-032	296-17-512	AMD	93-12-093
250-40-070	AMD-P	93-11-093	260-48-110	AMD-E	93-09-008	296-17-521	AMD-P	93-07-114
250-40-070	AMD-E	93-13-034	260-48-110	AMD-P	93-11-060	296-17-521	AMD	93-12-093
250-44-050	AMD	93-07-061	260-48-110	AMD	93-14-124	296-17-52102	AMD-P	93-07-114
250-44-110	AMD	93-07-061	260-48-328	AMD-P	93-11-101	296-17-52102	AMD	93-12-093
250-44-130	AMD	93-07-061	260-48-328	AMD	93-14-125	296-17-52108	AMD-P	93-07-114
250-62-010	NEW-P	93-12-106	260-48-331	NEW-P	93-11-102	296-17-52108	AMD	93-12-093
250-62-020	NEW-P	93-12-106	260-48-331	NEW	93-14-126	296-17-52110	AMD-P	93-07-114
250-62-030	NEW-P	93-12-106	275-25	AMD-E	93-11-051	296-17-52110	AMD	93-12-093
250-62-040	NEW-P	93-12-106	275-25	AMD-P	93-11-053	296-17-524	AMD-P	93-07-114
250-62-050	NEW-P	93-12-106	275-25-010	AMD-E	93-11-051	296-17-524	AMD	93-12-093
250-62-060	NEW-P	93-12-106	275-25-010	AMD-P	93-11-053	296-17-526	AMD-P	93-07-114
250-62-070	NEW-P	93-12-106	275-25-040	AMD-E	93-11-051	296-17-526	AMD	93-12-093
250-62-080	NEW-P	93-12-106	275-25-040	AMD-P	93-11-053	296-17-527	AMD-P	93-07-114
250-62-090	NEW-P	93-12-106	275-25-300	REP-E	93-11-051	296-17-527	AMD	93-12-093
250-62-100	NEW-P	93-12-106	275-25-300	REP-P	93-11-053	296-17-5304	AMD-P	93-07-114
250-62-110	NEW-P	93-12-106	275-25-310	REP-E	93-11-051	296-17-53504	AMD	93-12-093
250-62-120	NEW-P	93-12-106	275-25-310	REP-P	93-11-053	296-17-538	AMD-P	93-07-114
250-62-130	NEW-P	93-12-106	275-25-330	REP-E	93-11-051	296-17-538	AMD	93-12-093
250-62-140	NEW-P	93-12-106	275-25-330	REP-P	93-11-053	296-17-545	AMD-P	93-07-114
250-62-150	NEW-P	93-12-106	275-25-340	REP-E	93-11-051	296-17-545	AMD	93-12-093
250-62-160	NEW-P	93-12-106	275-25-340	REP-P	93-11-053	296-17-555	AMD-P	93-07-114
250-62-170	NEW-P	93-12-106	275-25-810	REP-E	93-11-051	296-17-555	AMD	93-12-093
250-62-180	NEW-P	93-12-106	275-25-810	REP-P	93-11-053	296-17-56101	NEW-P	93-07-114
250-62-190	NEW-P	93-12-106	275-25-840	REP-E	93-11-051	296-17-56101	NEW	93-12-093
250-62-200	NEW-P	93-12-106	275-25-840	REP-P	93-11-053	296-17-562	AMD-P	93-07-114
250-62-210	NEW-P	93-12-106	275-26-065	AMD	93-04-029	296-17-562	AMD	93-12-093
250-65	AMD-C	93-14-099	275-38-860	AMD-P	93-14-074	296-17-562	AMD-P	93-07-114
250-65-030	AMD-P	93-11-089	275-38-860	AMD-E	93-14-076	296-17-568	AMD	93-12-093
250-65-040	AMD-P	93-11-089	275-38-906	AMD-P	93-14-074	296-17-56901	AMD-P	93-07-114
250-65-050	AMD-P	93-11-089	275-38-906	AMD-E	93-14-076	296-17-56901	AMD	93-12-093
250-65-060	AMD-P	93-11-089	275-155-020	AMD-P	93-14-073	296-17-57001	AMD-P	93-07-114
250-66-020	AMD-P	93-11-094	275-155-050	AMD-P	93-14-073	296-17-57001	AMD	93-12-093
250-66-020	AMD-C	93-14-103	284-07-060	NEW-C	93-04-062	296-17-57002	AMD-P	93-07-114
250-70-030	AMD-P	93-11-090	284-07-060	NEW	93-07-020	296-17-57002	AMD	93-12-093
250-70-030	AMD-C	93-14-100	284-22-010	AMD-P	93-14-072	296-17-57003	AMD-P	93-07-114
250-76-020	AMD-P	93-11-091	284-22-020	AMD-P	93-14-072	296-17-57003	AMD	93-12-093
250-76-020	AMD-C	93-14-101	284-22-030	AMD-P	93-14-072	296-17-572	AMD-P	93-07-114
250-76-070	AMD-P	93-11-091	284-22-050	AMD-P	93-14-072	296-17-572	AMD	93-12-093
250-76-070	AMD-C	93-14-101	284-22-060	AMD-P	93-14-072	296-17-574	AMD-P	93-07-114
250-78-050	AMD-P	93-11-092	287-04-030	REP	93-04-008	296-17-574	AMD	93-12-093
250-78-050	AMD-C	93-14-102	287-04-031	NEW	93-04-008	296-17-579	AMD-P	93-07-114
250-78-060	AMD-P	93-11-092	296-04-270	AMD	93-04-100	296-17-579	AMD	93-12-093
250-78-060	AMD-C	93-14-102	296-04-280	AMD	93-04-100	296-17-580	AMD-P	93-07-114

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
296-17-580	AMD	93-12-093	296-17-895	AMD-P	93-07-114	296-21A-128	REP-P	93-11-095
296-17-582	AMD-P	93-07-114	296-17-895	AMD	93-12-093	296-21A-130	REP-P	93-11-095
296-17-582	AMD	93-12-093	296-17-89501	NEW-P	93-07-114	296-22-010	REP-P	93-11-095
296-17-58201	AMD-P	93-07-114	296-17-89501	NEW	93-12-093	296-22-016	REP-P	93-11-095
296-17-58201	AMD	93-12-093	296-17-896	REP-P	93-07-114	296-22-017	REP-P	93-11-095
296-17-584	AMD-P	93-07-114	296-17-896	REP	93-12-093	296-22-01701	REP-P	93-11-095
296-17-584	AMD	93-12-093	296-20-010	AMD-P	93-11-095	296-22-020	REP-P	93-11-095
296-17-58502	NEW-P	93-07-114	296-20-01002	AMD-P	93-11-095	296-22-021	REP-P	93-11-095
296-17-58502	NEW	93-12-093	296-20-015	AMD-P	93-11-095	296-22-022	REP-P	93-11-095
296-17-594	AMD-P	93-07-114	296-20-01501	AMD-P	93-11-095	296-22-023	REP-P	93-11-095
296-17-594	AMD	93-12-093	296-20-020	AMD-P	93-11-095	296-22-024	REP-P	93-11-095
296-17-604	AMD-P	93-07-114	296-20-030	AMD-P	93-11-095	296-22-025	REP-P	93-11-095
296-17-604	AMD	93-12-093	296-20-03001	AMD-P	93-11-095	296-22-026	REP-P	93-11-095
296-17-606	AMD-P	93-07-114	296-20-035	AMD-P	93-11-095	296-22-027	REP-P	93-11-095
296-17-606	AMD	93-12-093	296-20-051	AMD-P	93-11-095	296-22-030	REP-P	93-11-095
296-17-618	AMD-P	93-07-114	296-20-06101	AMD-P	93-11-095	296-22-031	REP-P	93-11-095
296-17-618	AMD	93-12-093	296-20-065	AMD-P	93-11-095	296-22-035	REP-P	93-11-095
296-17-61804	AMD-P	93-07-114	296-20-110	AMD-P	93-11-095	296-22-036	REP-P	93-11-095
296-17-61804	AMD	93-12-093	296-20-1102	AMD-P	93-11-095	296-22-037	REP-P	93-11-095
296-17-646	AMD-P	93-07-114	296-20-1103	AMD-P	93-11-095	296-22-038	REP-P	93-11-095
296-17-646	AMD	93-12-093	296-20-115	REP-P	93-11-095	296-22-039	REP-P	93-11-095
296-17-669	AMD-P	93-07-114	296-20-120	AMD-P	93-11-095	296-22-040	REP-P	93-11-095
296-17-669	AMD	93-12-093	296-20-125	AMD-P	93-11-095	296-22-042	REP-P	93-11-095
296-17-676	AMD-P	93-07-114	296-20-12501	AMD-P	93-11-095	296-22-051	REP-P	93-11-095
296-17-676	AMD	93-12-093	296-20-12502	REP-P	93-11-095	296-22-052	REP-P	93-11-095
296-17-67601	AMD-P	93-07-114	296-20-132	AMD-P	93-11-095	296-22-053	REP-P	93-11-095
296-17-67601	AMD	93-12-093	296-20-135	AMD-P	93-11-095	296-22-061	REP-P	93-11-095
296-17-67602	AMD-P	93-07-114	296-20-170	AMD-P	93-11-095	296-22-063	REP-P	93-11-095
296-17-67602	AMD	93-12-093	296-20-17002	AMD-P	93-11-095	296-22-067	REP-P	93-11-095
296-17-686	AMD-P	93-07-114	296-21	AMD-P	93-11-095	296-22-071	REP-P	93-11-095
296-17-686	AMD	93-12-093	296-21-140	REP-P	93-11-095	296-22-073	REP-P	93-11-095
296-17-690	AMD-P	93-07-114	296-21-150	REP-P	93-11-095	296-22-079	REP-P	93-11-095
296-17-690	AMD	93-12-093	296-21-160	REP-P	93-11-095	296-22-082	REP-P	93-11-095
296-17-700	AMD-P	93-07-114	296-21-170	REP-P	93-11-095	296-22-087	REP-P	93-11-095
296-17-700	AMD	93-12-093	296-21-180	REP-P	93-11-095	296-22-091	REP-P	93-11-095
296-17-704	AMD-P	93-07-114	296-21-190	REP-P	93-11-095	296-22-095	REP-P	93-11-095
296-17-704	AMD	93-12-093	296-21-200	REP-P	93-11-095	296-22-097	REP-P	93-11-095
296-17-707	AMD-P	93-07-114	296-21-210	REP-P	93-11-095	296-22-100	REP-P	93-11-095
296-17-707	AMD	93-12-093	296-21-230	REP-P	93-11-095	296-22-105	REP-P	93-11-095
296-17-708	AMD-P	93-07-114	296-21-240	NEW-P	93-11-095	296-22-110	REP-P	93-11-095
296-17-708	AMD	93-12-093	296-21-250	NEW-P	93-11-095	296-22-115	REP-P	93-11-095
296-17-710	AMD-P	93-07-114	296-21-260	NEW-P	93-11-095	296-22-116	REP-P	93-11-095
296-17-710	AMD	93-12-093	296-21-270	NEW-P	93-11-095	296-22-120	REP-P	93-11-095
296-17-715	AMD-P	93-07-114	296-21-280	NEW-P	93-11-095	296-22-125	REP-P	93-11-095
296-17-715	AMD	93-12-093	296-21-290	NEW-P	93-11-095	296-22-130	REP-P	93-11-095
296-17-721	AMD-P	93-07-114	296-21-300	NEW-P	93-11-095	296-22-132	REP-P	93-11-095
296-17-721	AMD	93-12-093	296-21-310	NEW-P	93-11-095	296-22-135	REP-P	93-11-095
296-17-724	AMD-P	93-07-114	296-21-320	NEW-P	93-11-095	296-22-140	REP-P	93-11-095
296-17-724	AMD	93-12-093	296-21A-010	REP-P	93-11-095	296-22-141	REP-P	93-11-095
296-17-747	AMD-P	93-07-114	296-21A-011	REP-P	93-11-095	296-22-145	REP-P	93-11-095
296-17-747	AMD	93-12-093	296-21A-013	REP-P	93-11-095	296-22-146	REP-P	93-11-095
296-17-758	AMD-P	93-07-114	296-21A-014	REP-P	93-11-095	296-22-147	REP-P	93-11-095
296-17-758	AMD	93-12-093	296-21A-01401	REP-P	93-11-095	296-22-150	REP-P	93-11-095
296-17-759	AMD-P	93-07-114	296-21A-035	REP-P	93-11-095	296-22-155	REP-P	93-11-095
296-17-759	AMD	93-12-093	296-21A-037	REP-P	93-11-095	296-22-160	REP-P	93-11-095
296-17-761	AMD-P	93-07-114	296-21A-040	REP-P	93-11-095	296-22-165	REP-P	93-11-095
296-17-761	AMD	93-12-093	296-21A-045	REP-P	93-11-095	296-22-170	REP-P	93-11-095
296-17-762	AMD-P	93-07-114	296-21A-046	REP-P	93-11-095	296-22-180	REP-P	93-11-095
296-17-762	AMD	93-12-093	296-21A-047	REP-P	93-11-095	296-22-190	REP-P	93-11-095
296-17-76201	AMD-P	93-07-114	296-21A-050	REP-P	93-11-095	296-22-195	REP-P	93-11-095
296-17-76201	AMD	93-12-093	296-21A-0501	REP-P	93-11-095	296-22-200	REP-P	93-11-095
296-17-76202	AMD-P	93-07-114	296-21A-0502	REP-P	93-11-095	296-22-205	REP-P	93-11-095
296-17-76202	AMD	93-12-093	296-21A-057	REP-P	93-11-095	296-22-210	REP-P	93-11-095
296-17-76204	AMD-P	93-07-114	296-21A-062	REP-P	93-11-095	296-22-215	REP-P	93-11-095
296-17-76204	AMD	93-12-093	296-21A-064	REP-P	93-11-095	296-22-220	REP-P	93-11-095
296-17-76205	AMD-P	93-07-114	296-21A-066	REP-P	93-11-095	296-22-225	REP-P	93-11-095
296-17-76205	AMD	93-12-093	296-21A-070	REP-P	93-11-095	296-22-230	REP-P	93-11-095
296-17-777	AMD-P	93-07-114	296-21A-075	REP-P	93-11-095	296-22-235	REP-P	93-11-095
296-17-777	AMD	93-12-093	296-21A-080	REP-P	93-11-095	296-22-245	REP-P	93-11-095
296-17-855	AMD-P	93-07-114	296-21A-086	REP-P	93-11-095	296-22-250	REP-P	93-11-095
296-17-855	AMD	93-12-093	296-21A-090	REP-P	93-11-095	296-22-255	REP-P	93-11-095
296-17-873	AMD-P	93-07-114	296-21A-095	REP-P	93-11-095	296-22-260	REP-P	93-11-095
296-17-873	AMD	93-12-093	296-21A-125	REP-P	93-11-095	296-22-265	REP-P	93-11-095

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
296-56-60001	AMD	93-07-044	296-62-07654	NEW	93-04-111	296-155-17321	NEW	93-04-111
296-56-60005	AMD-P	93-10-101	296-62-07656	NEW	93-04-111	296-155-17323	NEW	93-04-111
296-56-60235	AMD-P	93-10-101	296-62-07658	NEW	93-04-111	296-155-17325	NEW	93-04-111
296-62-07105	AMD-P	93-10-101	296-62-07660	NEW	93-04-111	296-155-17327	NEW	93-04-111
296-62-074	NEW-P	93-02-057	296-62-07662	NEW	93-04-111	296-155-17329	NEW	93-04-111
296-62-074	NEW	93-07-044	296-62-07664	NEW	93-04-111	296-155-17331	NEW	93-04-111
296-62-07401	NEW-P	93-02-057	296-62-07666	NEW	93-04-111	296-155-17333	NEW	93-04-111
296-62-07401	NEW	93-07-044	296-62-07668	NEW	93-04-111	296-155-17335	NEW	93-04-111
296-62-07403	NEW-P	93-02-057	296-62-07670	NEW	93-04-111	296-155-17337	NEW	93-04-111
296-62-07403	NEW	93-07-044	296-62-07672	NEW	93-04-111	296-155-17339	NEW	93-04-111
296-62-07405	NEW-P	93-02-057	296-62-07711	AMD-P	93-10-101	296-155-17341	NEW	93-04-111
296-62-07405	NEW	93-07-044	296-62-3090	AMD-P	93-10-101	296-155-17343	NEW	93-04-111
296-62-07407	NEW-P	93-02-057	296-62-14501	AMD-P	93-10-101	296-155-17345	NEW	93-04-111
296-62-07407	NEW	93-07-044	296-62-14503	AMD-P	93-10-101	296-155-17347	NEW	93-04-111
296-62-07409	NEW-P	93-02-057	296-62-14505	AMD-P	93-10-101	296-155-17349	NEW	93-04-111
296-62-07409	NEW	93-07-044	296-62-14507	AMD-P	93-10-101	296-155-17351	NEW	93-04-111
296-62-07411	NEW-P	93-02-057	296-62-14509	AMD-P	93-10-101	296-155-17353	NEW	93-04-111
296-62-07411	NEW	93-07-044	296-62-14511	AMD-P	93-10-101	296-155-17355	NEW	93-04-111
296-62-07413	NEW-P	93-02-057	296-62-14513	AMD-P	93-10-101	296-155-17357	NEW	93-04-111
296-62-07413	NEW	93-07-044	296-62-14515	AMD-P	93-10-101	296-155-17359	NEW	93-04-111
296-62-07415	NEW-P	93-02-057	296-62-14517	AMD-P	93-10-101	296-155-174	NEW-P	93-02-057
296-62-07415	NEW	93-07-044	296-62-14519	AMD-P	93-10-101	296-155-174	NEW	93-07-044
296-62-07417	NEW-P	93-02-057	296-62-14521	AMD-P	93-10-101	296-155-203	AMD-P	93-10-101
296-62-07417	NEW	93-07-044	296-62-14523	AMD-P	93-10-101	296-155-20301	AMD-P	93-10-101
296-62-07419	NEW-P	93-02-057	296-62-14525	AMD-P	93-10-101	296-155-20307	AMD-P	93-10-101
296-62-07419	NEW	93-07-044	296-62-14527	AMD-P	93-10-101	296-155-20307	AMD-P	93-10-101
296-62-07421	NEW-P	93-02-057	296-62-14529	AMD-P	93-10-101	296-155-24510	AMD-P	93-10-101
296-62-07421	NEW	93-07-044	296-62-14540	NEW-P	93-10-101	296-155-300	AMD-P	93-10-101
296-62-07423	NEW-P	93-02-057	296-62-14542	NEW-P	93-10-101	296-155-305	AMD-P	93-10-101
296-62-07423	NEW	93-07-044	296-62-14545	NEW-P	93-10-101	296-155-310	AMD-P	93-10-101
296-62-07425	NEW-P	93-02-057	296-62-14547	NEW-P	93-10-101	296-155-375	AMD	93-04-111
296-62-07425	NEW	93-07-044	296-62-14549	NEW-P	93-10-101	296-155-444	AMD-P	93-10-101
296-62-07427	NEW-P	93-02-057	296-62-14551	NEW-P	93-10-101	296-155-447	AMD-P	93-10-101
296-62-07427	NEW	93-07-044	296-62-14553	NEW-P	93-10-101	296-155-449	AMD-P	93-10-101
296-62-07429	NEW-P	93-02-057	296-104-010	AMD-P	93-08-073	296-155-459	AMD-P	93-10-101
296-62-07429	NEW	93-07-044	296-104-010	AMD	93-12-014	296-155-462	AMD-P	93-10-101
296-62-07431	NEW-P	93-02-057	296-104-055	AMD-P	93-08-073	296-304-01001	AMD-P	93-10-101
296-62-07431	NEW	93-07-044	296-104-055	AMD	93-12-014	296-304-020	AMD	93-04-111
296-62-07433	NEW-P	93-02-057	296-104-200	AMD-P	93-08-073	296-304-02003	AMD-P	93-10-101
296-62-07433	NEW	93-07-044	296-104-200	AMD	93-12-014	296-304-03001	AMD-P	93-10-101
296-62-07441	NEW-P	93-02-057	296-104-500	AMD-P	93-08-073	296-304-03005	AMD-P	93-10-101
296-62-07441	NEW	93-07-044	296-104-500	AMD	93-12-014	296-304-03007	AMD-P	93-10-101
296-62-07443	NEW-P	93-02-057	296-104-501	AMD-P	93-08-073	296-304-04001	AMD-P	93-10-101
296-62-07443	NEW	93-07-044	296-104-501	AMD	93-12-014	296-304-04005	AMD-P	93-10-101
296-62-07445	NEW-P	93-02-057	296-104-700	AMD-P	93-08-073	296-304-09003	AMD-P	93-10-101
296-62-07445	NEW	93-07-044	296-104-700	AMD	93-12-014	296-306	AMD-C	93-02-031
296-62-07447	NEW-P	93-02-057	296-116-082	AMD-E	93-06-012	296-306-010	AMD	93-07-012
296-62-07447	NEW	93-07-044	296-116-082	AMD-P	93-06-052	296-306-01001	NEW-P	93-02-057
296-62-07449	NEW-P	93-02-057	296-116-082	AMD	93-09-016	296-306-01001	NEW	93-07-044
296-62-07449	NEW	93-07-044	296-116-110	AMD-P	93-04-109	296-306-012	AMD	93-07-012
296-62-07451	NEW	93-02-057	296-116-110	AMD	93-07-076	296-306-035	AMD	93-07-012
296-62-07451	NEW	93-07-044	296-116-185	AMD-C	93-03-001	296-306-060	AMD	93-07-012
296-62-076	NEW	93-04-111	296-116-185	AMD	93-03-080	296-306-061	NEW	93-07-012
296-62-07601	NEW	93-04-111	296-116-185	AMD-P	93-10-102	296-306-06101	NEW-W	93-10-041
296-62-07603	NEW	93-04-111	296-116-185	AMD	93-13-055	296-306-06103	NEW-W	93-10-041
296-62-07605	NEW	93-04-111	296-116-300	AMD-P	93-08-027	296-306-06105	NEW-W	93-10-041
296-62-07607	NEW	93-04-111	296-116-300	AMD-C	93-12-009	296-306-06107	NEW-W	93-10-041
296-62-07609	NEW	93-04-111	296-116-300	AMD	93-12-133	296-306-06109	NEW-W	93-10-041
296-62-07611	NEW	93-04-111	296-116-360	AMD-P	93-04-110	296-306-06111	NEW-W	93-10-041
296-62-07613	NEW	93-04-111	296-116-360	AMD	93-07-077	296-306-06113	NEW-W	93-10-041
296-62-07615	NEW	93-04-111	296-125-070	NEW	93-04-112	296-306-06115	NEW-W	93-10-041
296-62-07617	NEW	93-04-111	296-155-012	AMD-P	93-10-101	296-306-06117	NEW-W	93-10-041
296-62-07619	NEW	93-04-111	296-155-173	NEW	93-04-111	296-306-06119	NEW-W	93-10-041
296-62-07621	NEW	93-04-111	296-155-17301	NEW	93-04-111	296-306-062	NEW-W	93-10-041
296-62-07623	NEW	93-04-111	296-155-17305	NEW	93-04-111	296-306-063	NEW-W	93-10-041
296-62-07625	NEW	93-04-111	296-155-17307	NEW	93-04-111	296-306-064	NEW-W	93-10-041
296-62-07627	NEW	93-04-111	296-155-17309	NEW	93-04-111	296-306-06401	NEW-W	93-10-041
296-62-07629	NEW	93-04-111	296-155-17311	NEW	93-04-111	296-306-06403	NEW-W	93-10-041
296-62-07631	NEW	93-04-111	296-155-17313	NEW	93-04-111	296-306-06405	NEW-W	93-10-041
296-62-07633	NEW	93-04-111	296-155-17315	NEW	93-04-111	296-306-06407	NEW-W	93-10-041
296-62-07635	NEW	93-04-111	296-155-17317	NEW	93-04-111	296-306-06409	NEW-W	93-10-041
296-62-07637	NEW	93-04-111	296-155-17319	NEW	93-04-111	296-306-06411	NEW-W	93-10-041
296-62-07639	NEW	93-04-111				296-306-06413	NEW-W	93-10-041
						296-306-06415	NEW-W	93-10-041

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
296-306-06417	NEW-W 93-10-041	308-30-110	NEW-W 93-08-083	308-65-080	NEW 93-08-076
296-306-067	NEW-W 93-19-041	308-30-120	NEW 93-05-009	308-65-090	NEW 93-08-076
296-306-06701	NEW-W 93-10-041	308-30-130	NEW 93-05-009	308-65-100	NEW 93-08-076
296-306-06703	NEW-W 93-10-041	308-30-140	NEW 93-05-009	308-65-110	NEW 93-08-076
296-306-06705	NEW-W 93-10-041	308-30-150	NEW 93-05-009	308-65-120	NEW 93-08-076
296-306-06707	NEW-W 93-10-041	308-30-155	NEW 93-05-009	308-65-130	NEW 93-08-076
296-306-06709	NEW-W 93-10-041	308-30-160	NEW 93-05-009	308-65-140	NEW 93-08-076
296-306-068	NEW-W 93-10-041	308-30-170	NEW-W 93-08-083	308-65-150	NEW 93-08-076
296-306-06801	NEW-W 93-10-041	308-30-180	NEW-W 93-08-083	308-65-160	NEW 93-08-076
296-306-06803	NEW-W 93-10-041	308-30-190	NEW-W 93-08-083	308-65-170	NEW 93-08-076
296-306-06805	NEW-W 93-10-041	308-30-190	NEW-W 93-08-083	308-65-180	NEW 93-08-076
296-306-070	AMD 93-07-012	308-56A-115	AMD-P 93-10-073	308-65-190	NEW 93-08-076
296-306-081	NEW-W 93-10-041	308-56A-115	AMD 93-14-084	308-66-196	NEW-P 93-10-073
296-306-08101	NEW-W 93-10-041	308-56A-125	AMD-P 93-10-073	308-66-196	NEW 93-14-084
296-306-08103	NEW-W 93-10-041	308-56A-125	AMD 93-14-084	308-90-080	AMD-W 93-14-120
296-306-08105	NEW-W 93-10-041	308-56A-140	AMD-P 93-10-073	308-93-050	AMD-P 93-11-076
296-306-08105	NEW-W 93-10-041	308-56A-140	AMD 93-14-084	308-93-050	AMD 93-14-082
296-306-082	NEW-W 93-10-041	308-56A-160	NEW-P 93-10-073	308-93-070	AMD-P 93-11-076
296-306-08201	NEW-W 93-10-041	308-56A-160	NEW 93-14-084	308-93-070	AMD 93-14-082
296-306-083	NEW-W 93-10-041	308-56A-420	AMD-P 93-10-073	308-93-174	NEW-P 93-11-076
296-306-08301	NEW-W 93-10-041	308-56A-420	AMD 93-14-084	308-93-174	NEW 93-14-082
296-306-08307	NEW-W 93-10-041	308-61	AMD 93-08-076	308-93-460	AMD-P 93-11-076
296-306-084	NEW 93-07-012	308-61-010	REP 93-08-076	308-93-460	AMD 93-14-082
296-306-08401	NEW-W 93-10-041	308-61-025	REP 93-08-076	308-96A-005	AMD-P 93-11-069
296-306-08403	NEW-W 93-10-041	308-61-026	AMD 93-08-076	308-96A-005	AMD 93-14-083
296-306-08405	NEW-W 93-10-041	308-61-030	REP 93-08-076	308-96A-057	AMD-P 93-11-069
296-306-08407	NEW-W 93-10-041	308-61-040	REP 93-08-076	308-96A-057	AMD 93-14-083
296-306-08409	NEW-W 93-10-041	308-61-135	AMD 93-08-076	308-96A-066	NEW-P 93-11-069
296-306-105	AMD 93-07-012	308-61-168	AMD 93-08-076	308-96A-066	NEW 93-14-083
296-306-115	AMD 93-07-012	308-61-200	REP 93-08-076	308-96A-072	NEW-P 93-11-069
296-306-145	AMD 93-07-012	308-61-205	REP 93-08-076	308-96A-072	NEW 93-14-083
296-306-14501	NEW-W 93-10-041	308-61-210	REP 93-08-076	308-96A-295	AMD-P 93-11-069
296-306-14503	NEW-W 93-10-041	308-61-220	REP 93-08-076	308-96A-295	AMD 93-14-083
296-306-14505	NEW-W 93-10-041	308-61-230	REP 93-08-076	308-96A-330	AMD-P 93-11-069
296-306-14507	NEW-W 93-10-041	308-61-240	REP 93-08-076	308-96A-330	AMD 93-14-083
296-306-14509	NEW-W 93-10-041	308-61-250	REP 93-08-076	308-96A-560	AMD-P 93-11-069
296-306-146	NEW-W 93-10-041	308-61-260	REP 93-08-076	308-96A-560	AMD 93-14-083
296-306-147	NEW-W 93-10-041	308-61-270	REP 93-08-076	308-125-010	AMD-P 93-12-127
296-306-148	NEW-W 93-10-041	308-61-300	REP 93-08-076	308-125-020	AMD-P 93-12-127
296-306-165	AMD 93-07-012	308-61-305	REP 93-08-076	308-125-030	AMD-P 93-12-127
296-306-200	AMD 93-07-012	308-61-310	REP 93-08-076	308-125-035	REP-P 93-12-127
296-306-26001	AMD 93-07-012	308-61-320	REP 93-08-076	308-125-040	AMD-P 93-12-127
296-306-265	AMD 93-07-012	308-61-330	REP 93-08-076	308-125-045	AMD-P 93-12-127
296-306-270	AMD 93-07-012	308-61-340	REP 93-08-076	308-125-050	AMD-P 93-12-127
296-306-27095	AMD 93-07-012	308-61-400	REP 93-08-076	308-125-060	AMD-P 93-12-127
296-306-330	NEW 93-07-012	308-61-405	REP 93-08-076	308-125-065	NEW-P 93-12-127
296-306-33001	NEW-W 93-10-041	308-61-410	REP 93-08-076	308-125-070	AMD-P 93-12-127
296-306-400	AMD 93-07-012	308-61-420	REP 93-08-076	308-125-085	AMD-P 93-12-127
296-306-40003	AMD 93-07-012	308-61-430	REP 93-08-076	308-125-090	AMD-P 93-12-127
296-306-40007	NEW 93-07-012	308-61-440	REP 93-08-076	308-125-100	AMD-P 93-12-127
296-306-40009	NEW 93-07-012	308-61-450	REP 93-08-076	308-125-110	AMD-P 93-12-127
296-306-40011	NEW 93-07-012	308-63-010	NEW 93-08-076	308-125-130	AMD-P 93-12-127
296-401-075	NEW 93-03-048	308-63-020	NEW 93-08-076	308-125-140	AMD-P 93-12-127
308-13-020	AMD-P 93-12-105	308-63-030	NEW 93-08-076	308-125-160	REP-P 93-12-127
308-13-022	REP-P 93-12-105	308-63-040	NEW 93-08-076	308-125-180	AMD-P 93-12-127
308-13-024	NEW-P 93-12-105	308-63-050	NEW 93-08-076	308-125-190	AMD-P 93-12-127
308-13-025	REP-P 93-12-105	308-63-060	NEW 93-08-076	308-125-210	AMD-P 93-12-127
308-13-032	AMD-P 93-12-105	308-63-070	NEW 93-08-076	308-125-225	NEW-P 93-12-127
308-13-100	AMD-P 93-12-105	308-63-080	NEW 93-08-076	314-12-015	AMD-P 93-12-120
308-17-150	AMD-P 93-07-099	308-63-090	NEW 93-08-076	314-12-020	AMD-P 93-07-110
308-17-150	AMD-W 93-12-040	308-63-100	NEW 93-08-076	314-12-020	AMD-W 93-10-069
308-17-150	AMD-P 93-13-146	308-63-110	NEW 93-08-076	314-12-020	AMD-P 93-12-117
308-18-150	AMD-P 93-07-098	308-63-120	NEW 93-08-076	314-12-025	AMD-P 93-07-110
308-18-150	AMD 93-11-025	308-63-130	NEW 93-08-076	314-12-025	AMD 93-10-070
308-30-005	NEW 93-05-009	308-63-140	NEW 93-08-076	314-12-030	AMD-P 93-06-066
308-30-010	AMD 93-05-009	308-63-150	NEW 93-08-076	314-12-030	AMD 93-10-092
308-30-020	AMD 93-05-009	308-63-160	NEW 93-08-076	314-12-140	AMD-P 93-07-110
308-30-030	AMD 93-05-009	308-65-010	NEW 93-08-076	314-12-140	AMD 93-10-070
308-30-040	AMD 93-05-009	308-65-020	NEW 93-08-076	314-16-020	AMD-P 93-07-110
308-30-050	AMD 93-05-009	308-65-030	NEW 93-08-076	314-16-020	AMD 93-10-070
308-30-060	AMD 93-05-009	308-65-040	NEW 93-08-076	314-16-030	AMD-P 93-07-110
308-30-070	AMD 93-05-009	308-65-050	NEW 93-08-076	314-16-030	AMD-W 93-10-069
308-30-080	AMD 93-05-009	308-65-060	NEW 93-08-076	314-16-090	AMD-P 93-12-118
308-30-090	AMD 93-05-009	308-65-070	NEW 93-08-076		

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
314-16-190	AMD-P	93-06-066	315-11-542	REP-P	93-12-104	315-20-110	REP-P	93-12-104
314-16-190	AMD	93-10-092	315-11-550	REP-P	93-12-104	315-20-115	NEW-P	93-12-104
314-16-196	AMD-P	93-06-066	315-11-551	REP-P	93-12-104	315-20-120	REP-P	93-12-104
314-16-196	AMD	93-10-092	315-11-552	REP-P	93-12-104	315-20-130	REP-P	93-12-104
314-16-250	AMD-P	93-12-119	315-11-560	REP-P	93-12-104	315-20-140	REP-P	93-12-104
314-20-015	AMD-P	93-07-109	315-11-561	REP-P	93-12-104	315-20-150	REP-P	93-12-104
314-20-015	AMD	93-11-028	315-11-562	REP-P	93-12-104	315-34-040	AMD	93-03-008
314-20-030	AMD-P	93-07-110	315-11-570	REP-P	93-12-104	317-01-010	NEW-P	93-06-086
314-20-030	AMD	93-10-070	315-11-571	REP-P	93-12-104	317-01-010	NEW	93-11-004
314-20-070	AMD-P	93-06-066	315-11-572	REP-P	93-12-104	317-01-020	NEW-P	93-06-086
314-20-070	AMD	93-10-092	315-11-580	REP-P	93-12-104	317-01-020	NEW	93-11-004
314-20-180	NEW-E	93-11-027	315-11-581	REP-P	93-12-104	317-01-030	NEW-P	93-06-086
314-20-180	NEW-P	93-12-116	315-11-582	REP-P	93-12-104	317-01-030	NEW	93-11-004
314-24-095	AMD-P	93-07-109	315-11-590	REP-P	93-12-104	317-02-010	NEW-P	93-06-087
314-24-095	AMD	93-11-028	315-11-591	REP-P	93-12-104	317-02-010	NEW	93-11-003
314-24-160	AMD-P	93-07-109	315-11-592	REP-P	93-12-104	317-02-020	NEW-P	93-06-087
314-24-160	AMD	93-11-028	315-11-890	AMD-P	93-03-094	317-02-020	NEW	93-11-003
314-40-030	AMD-P	93-07-109	315-11-890	AMD	93-07-016	317-02-030	NEW-P	93-06-087
314-40-030	AMD	93-11-028	315-11-920	NEW	93-03-008	317-02-030	NEW	93-11-003
314-52-080	AMD-P	93-07-109	315-11-921	NEW	93-03-008	317-02-040	NEW-P	93-06-087
314-52-080	AMD	93-11-028	315-11-922	NEW	93-03-008	317-02-040	NEW	93-11-003
314-70-050	NEW-P	93-07-109	315-11-930	NEW	93-03-008	317-02-050	NEW-P	93-06-087
314-70-050	NEW	93-11-028	315-11-931	NEW	93-03-008	317-02-050	NEW	93-11-003
315-02-230	NEW	93-04-004	315-11-932	NEW	93-03-008	317-02-060	NEW-P	93-06-087
315-06-120	AMD	93-04-004	315-11-940	NEW	93-03-008	317-02-060	NEW	93-11-003
315-06-125	AMD	93-04-004	315-11-941	NEW	93-03-008	317-02-070	NEW-P	93-06-087
315-06-125	AMD-P	93-07-121	315-11-942	NEW	93-03-008	317-02-070	NEW	93-11-003
315-06-125	AMD	93-11-056	315-11-950	NEW-P	93-03-094	317-02-080	NEW-P	93-06-087
315-06-130	AMD	93-04-004	315-11-950	NEW	93-07-016	317-02-080	NEW	93-11-003
315-11-400	REP-P	93-12-104	315-11-951	NEW-P	93-03-094	317-02-090	NEW-P	93-06-087
315-11-401	REP-P	93-12-104	315-11-951	NEW	93-07-016	317-02-090	NEW	93-11-003
315-11-402	REP-P	93-12-104	315-11-952	NEW-P	93-03-094	317-02-100	NEW-P	93-06-087
315-11-410	REP-P	93-12-104	315-11-952	NEW	93-07-016	317-02-100	NEW	93-11-003
315-11-411	REP-P	93-12-104	315-11-960	NEW-P	93-03-094	317-02-110	NEW-P	93-06-087
315-11-412	REP-P	93-12-104	315-11-960	NEW	93-07-016	317-02-110	NEW	93-11-003
315-11-420	REP-P	93-12-104	315-11-961	NEW-P	93-03-094	317-02-120	NEW-P	93-06-087
315-11-421	REP-P	93-12-104	315-11-961	NEW	93-07-016	317-02-120	NEW	93-11-003
315-11-422	REP-P	93-12-104	315-11-962	NEW-P	93-03-094	317-03-010	NEW-P	93-06-088
315-11-430	REP-P	93-12-104	315-11-962	NEW	93-07-016	317-03-010	NEW	93-11-002
315-11-431	REP-P	93-12-104	315-11-970	NEW-P	93-03-094	317-03-020	NEW-P	93-06-088
315-11-432	REP-P	93-12-104	315-11-970	NEW	93-07-016	317-03-020	NEW	93-11-002
315-11-440	REP-P	93-12-104	315-11-971	NEW-P	93-03-094	317-03-030	NEW-P	93-06-088
315-11-441	REP-P	93-12-104	315-11-971	NEW	93-07-016	317-05-010	NEW-P	93-02-053
315-11-442	REP-P	93-12-104	315-11-972	NEW-P	93-03-094	317-05-010	NEW	93-07-004
315-11-450	REP-P	93-12-104	315-11-972	NEW	93-07-016	317-05-020	NEW-P	93-02-053
315-11-451	REP-P	93-12-104	315-11-980	NEW-P	93-07-121	317-05-020	NEW	93-07-004
315-11-452	REP-P	93-12-104	315-11-980	NEW	93-11-056	317-05-030	NEW-P	93-02-053
315-11-460	REP-P	93-12-104	315-11-981	NEW-P	93-07-121	317-05-030	NEW	93-07-004
315-11-461	REP-P	93-12-104	315-11-981	NEW	93-11-056	317-10-035	AMD-P	93-09-069
315-11-462	REP-P	93-12-104	315-11-982	NEW-P	93-07-121	317-10-035	AMD	93-14-096
315-11-470	REP-P	93-12-104	315-11-982	NEW	93-11-056	317-10-060	AMD-P	93-06-089
315-11-471	REP-P	93-12-104	315-11-990	NEW-P	93-07-121	317-10-060	AMD	93-11-001
315-11-472	REP-P	93-12-104	315-11-990	NEW	93-11-056	317-20	NEW-P	93-02-055
315-11-480	REP-P	93-12-104	315-11-991	NEW-P	93-07-121	317-20	NEW	93-07-005
315-11-481	REP-P	93-12-104	315-11-991	NEW	93-11-056	317-20-010	NEW-P	93-02-055
315-11-482	REP-P	93-12-104	315-11-992	NEW-P	93-07-121	317-20-010	NEW	93-07-005
315-11-490	REP-P	93-12-104	315-11-992	NEW	93-11-056	317-20-020	NEW-P	93-02-055
315-11-491	REP-P	93-12-104	315-11A-100	NEW-P	93-07-121	317-20-020	NEW	93-07-005
315-11-492	REP-P	93-12-104	315-11A-100	NEW	93-11-056	317-20-025	NEW	93-07-005
315-11-500	REP-P	93-12-104	315-11A-101	NEW-P	93-12-104	317-20-030	NEW-P	93-02-055
315-11-501	REP-P	93-12-104	315-11A-102	NEW-P	93-12-104	317-20-030	NEW	93-07-005
315-11-502	REP-P	93-12-104	315-11A-103	NEW-P	93-12-104	317-20-040	NEW-P	93-02-055
315-11-510	REP-P	93-12-104	315-11A-104	NEW-P	93-12-104	317-20-040	NEW	93-07-005
315-11-511	REP-P	93-12-104	315-11A-105	NEW-P	93-12-104	317-20-050	NEW-P	93-02-055
315-11-512	REP-P	93-12-104	315-20-005	NEW-P	93-12-104	317-20-050	NEW	93-07-005
315-11-520	REP-P	93-12-104	315-20-070	REP-P	93-12-104	317-20-055	NEW-P	93-02-055
315-11-521	REP-P	93-12-104	315-20-075	NEW-P	93-12-104	317-20-055	NEW	93-07-005
315-11-522	REP-P	93-12-104	315-20-080	REP-P	93-12-104	317-20-060	NEW-P	93-02-055
315-11-530	REP-P	93-12-104	315-20-085	NEW-P	93-12-104	317-20-060	NEW	93-07-005
315-11-531	REP-P	93-12-104	315-20-090	REP-P	93-12-104	317-20-065	NEW-P	93-02-055
315-11-532	REP-P	93-12-104	315-20-095	NEW-P	93-12-104	317-20-065	NEW	93-07-005
315-11-540	REP-P	93-12-104	315-20-100	REP-P	93-12-104	317-20-066	NEW-P	93-02-055
315-11-541	REP-P	93-12-104	315-20-105	NEW-P	93-12-104	317-20-066	NEW	93-07-005

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
317-20-070	NEW-P	93-02-055	317-100-010	NEW-P	93-09-070	356-06-080	AMD-E	93-14-092
317-20-070	NEW	93-07-005	317-100-010	NEW	93-14-097	356-09-040	AMD-P	93-12-100
317-20-080	NEW-P	93-02-055	317-100-020	NEW-P	93-09-070	356-09-050	AMD-P	93-12-100
317-20-080	NEW	93-07-005	317-100-020	NEW	93-14-097	356-10-020	AMD-E	93-14-092
317-20-090	NEW-P	93-02-055	317-100-030	NEW-P	93-09-070	356-10-030	AMD-P	93-04-097
317-20-090	NEW	93-07-005	317-100-030	NEW	93-14-097	356-10-030	AMD-C	93-08-046
317-20-100	NEW-P	93-02-055	317-100-040	NEW-P	93-09-070	356-10-030	AMD-W	93-10-026
317-20-100	NEW	93-07-005	317-100-040	NEW	93-14-097	356-10-050	AMD-P	93-14-064
317-20-110	NEW-P	93-02-055	317-100-050	NEW-P	93-09-070	356-10-060	AMD-P	93-08-043
317-20-110	NEW	93-07-005	317-100-050	NEW	93-14-097	356-10-060	AMD-C	93-12-083
317-20-120	NEW-P	93-02-055	317-100-060	NEW-P	93-09-070	356-10-060	AMD-C	93-14-058
317-20-120	NEW	93-07-005	317-100-060	NEW	93-14-097	356-10-060	AMD-P	93-14-064
317-20-130	NEW-P	93-02-055	317-100-070	NEW-P	93-09-070	356-10-075	AMD-P	93-08-044
317-20-130	NEW	93-07-005	317-100-070	NEW	93-14-097	356-14-075	AMD	93-12-087
317-20-140	NEW-P	93-02-055	317-100-080	NEW-P	93-09-070	356-14-110	AMD-P	93-14-092
317-20-140	NEW	93-07-005	317-100-080	NEW	93-14-097	356-14-220	AMD-W	93-02-035
317-20-150	NEW-P	93-02-055	317-100-090	NEW-P	93-09-070	356-14-260	AMD-P	93-08-072
317-20-150	NEW	93-07-005	317-100-090	NEW	93-14-097	356-14-260	AMD-C	93-12-084
317-20-155	NEW	93-07-005	318-04-020	AMD-P	93-11-072	356-14-260	AMD-C	93-14-060
317-20-160	NEW-P	93-02-055	318-04-020	AMD	93-14-105	356-14-260	AMD-E	93-14-066
317-20-160	NEW	93-07-005	318-04-030	AMD-P	93-11-072	356-15-030	AMD-W	93-02-035
317-20-165	NEW-P	93-02-055	318-04-030	AMD	93-14-105	356-15-030	AMD-P	93-08-072
317-20-165	NEW	93-07-005	318-04-030	AMD-E	93-14-106	356-15-030	AMD-C	93-12-084
317-20-170	NEW-P	93-02-055	318-04-050	AMD-P	93-11-072	356-15-030	AMD-C	93-14-060
317-20-170	NEW	93-07-005	318-04-050	AMD	93-14-105	356-15-030	AMD-E	93-14-066
317-20-180	NEW-P	93-02-055	326-02-031	NEW-P	93-12-135	356-15-033	NEW-W	93-02-035
317-20-180	NEW	93-07-005	326-02-031	NEW-E	93-12-136	356-15-050	AMD-W	93-02-035
317-20-190	NEW-P	93-02-055	326-02-032	NEW-P	93-12-135	356-15-060	AMD-P	93-02-039
317-20-190	NEW	93-07-005	326-02-032	NEW-E	93-12-136	356-15-060	AMD-C	93-06-080
317-20-200	NEW-P	93-02-055	326-02-033	NEW-P	93-12-135	356-15-060	AMD-C	93-09-059
317-20-200	NEW	93-07-005	326-02-033	NEW-E	93-12-136	356-15-060	AMD	93-12-086
317-20-210	NEW-P	93-02-055	326-02-034	NEW-P	93-12-135	356-15-080	AMD-W	93-02-035
317-20-210	NEW	93-07-005	326-02-034	NEW-E	93-12-136	356-15-100	AMD-W	93-02-035
317-20-220	NEW-P	93-02-055	326-40-010	AMD-E	93-05-037	356-18-060	AMD-P	93-08-072
317-20-220	NEW	93-07-005	332-24-710	NEW	93-03-007	356-18-060	AMD-C	93-12-084
317-20-230	NEW-P	93-02-055	332-24-720	NEW-P	93-03-064	356-18-060	AMD-C	93-14-060
317-20-230	NEW	93-07-005	332-24-720	NEW	93-07-002	356-18-060	AMD-E	93-14-066
317-20-240	NEW-P	93-02-055	332-24-730	NEW-P	93-04-107	356-18-110	AMD-P	93-08-072
317-20-240	NEW	93-07-005	332-24-730	NEW-P	93-10-107	356-18-110	AMD-C	93-12-084
317-20-900	NEW-P	93-02-055	332-24-730	NEW-W	93-10-108	356-18-110	AMD-C	93-14-060
317-20-900	NEW	93-07-005	332-24-730	NEW	93-14-016	356-18-110	AMD-E	93-14-066
317-30-010	NEW-P	93-02-054	332-26-080	NEW-E	93-09-020	356-18-145	NEW-P	93-08-072
317-30-010	NEW	93-07-003	332-26-080	AMD-E	93-10-058	356-18-145	NEW-C	93-12-084
317-30-020	NEW-P	93-02-054	352-12-020	AMD	93-08-025	356-18-145	NEW-C	93-14-060
317-30-020	NEW	93-07-003	352-12-020	AMD-E	93-10-060	356-18-145	NEW-E	93-14-066
317-30-030	NEW-P	93-02-054	352-12-020	RESCIND	93-14-068	356-18-150	AMD-P	93-08-072
317-30-030	NEW	93-07-003	352-12-030	AMD	93-08-025	356-18-150	AMD-C	93-12-084
317-30-040	NEW-P	93-02-054	352-12-030	AMD-E	93-10-060	356-18-150	AMD-C	93-14-060
317-30-040	NEW	93-07-003	352-12-020	RESCIND	93-14-068	356-18-150	AMD-E	93-14-066
317-30-050	NEW-P	93-02-054	352-12-050	AMD	93-06-001	356-18-230	REP-P	93-02-037
317-30-050	NEW	93-07-003	352-32-010	AMD	93-06-001	356-18-230	REP	93-06-081
317-30-060	NEW-P	93-02-054	352-32-010	AMD	93-08-025	356-22-005	NEW-P	93-10-028
317-30-060	NEW	93-07-003	352-32-030	AMD	93-06-001	356-22-005	NEW-C	93-14-056
317-30-070	NEW-P	93-02-054	352-32-035	AMD	93-06-001	356-22-070	AMD	93-02-040
317-30-070	NEW	93-07-003	352-32-120	AMD	93-06-001	356-22-070	AMD-P	93-08-047
317-30-080	NEW-P	93-02-054	352-32-250	AMD	93-08-025	356-22-070	AMD	93-12-085
317-30-080	NEW	93-07-003	352-32-250	AMD-E	93-10-060	356-22-125	NEW-P	93-14-065
317-30-090	NEW-P	93-02-054	352-32-250	AMD-E	93-14-069	356-26-030	AMD-P	93-08-042
317-30-090	NEW	93-07-003	352-32-250	AMD-P	93-14-070	356-26-030	AMD	93-12-088
317-30-100	NEW-P	93-02-054	352-32-252	AMD	93-08-025	356-26-040	AMD	93-02-040
317-30-100	NEW	93-07-003	352-32-252	AMD-E	93-10-060	356-26-060	AMD-P	93-02-038
317-30-110	NEW-P	93-02-054	352-32-252	RESCIND	93-14-068	356-26-060	AMD-C	93-06-077
317-30-110	NEW	93-07-003	352-32-285	AMD	93-06-001	356-26-060	AMD	93-08-048
317-30-120	NEW-P	93-02-054	356-05-157	NEW-P	93-04-097	356-26-060	AMD-P	93-12-102
317-30-120	NEW	93-07-003	356-05-157	NEW-C	93-08-046	356-26-060	AMD-E	93-14-092
317-30-130	NEW-P	93-02-054	356-05-157	NEW-W	93-10-026	356-26-100	AMD-E	93-14-092
317-30-130	NEW	93-07-003	356-05-157	NEW-P	93-10-028	356-26-105	NEW-P	93-12-101
317-30-140	NEW-P	93-02-054	356-05-157	NEW-C	93-14-056	356-26-110	AMD-P	93-14-062
317-30-140	NEW	93-07-003	356-05-160	REP-W	93-02-035	356-30-130	AMD-P	93-08-042
317-30-150	NEW-P	93-02-054	356-05-171	NEW-P	93-14-059	356-30-130	AMD	93-12-088
317-30-150	NEW	93-07-003	356-05-171	NEW-E	93-14-066	356-30-260	AMD-P	93-06-079
317-30-900	NEW-P	93-02-054	356-05-307	NEW-P	93-12-100	356-30-260	AMD-C	93-09-058
317-30-900	NEW	93-07-003	356-06-003	NEW-E	93-14-092	356-30-260	AMD-W	93-14-055

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
356-30-330	AMD-C	93-02-036	365-195-770	NEW-P	93-13-138	388-15-170	AMD	93-10-021
356-30-330	AMD-C	93-04-099	365-195-800	AMD-P	93-13-138	388-15-202	NEW-C	93-04-023
356-30-330	AMD-C	93-08-045	365-195-805	NEW-P	93-13-138	388-15-202	NEW	93-06-042
356-30-330	AMD-W	93-09-060	365-195-810	AMD-P	93-13-138	388-15-203	NEW-C	93-04-023
356-30-331	NEW-E	93-09-003	365-195-815	NEW-P	93-13-138	388-15-203	NEW	93-06-042
356-30-331	NEW-P	93-09-057	365-195-820	AMD-P	93-13-138	388-15-204	NEW-C	93-04-023
356-30-331	NEW-C	93-14-057	365-195-825	NEW-P	93-13-138	388-15-204	NEW	93-06-042
356-34-020	AMD-W	93-02-035	365-195-830	AMD-P	93-13-138	388-15-205	NEW-C	93-04-023
356-34-022	NEW-W	93-02-035	365-195-835	NEW-P	93-13-138	388-15-205	NEW	93-06-042
356-34-090	AMD	93-02-040	365-195-840	AMD-P	93-13-138	388-15-207	AMD	93-04-036
356-35-010	AMD-C	93-02-041	365-195-845	NEW-P	93-13-138	388-15-208	AMD	93-04-036
356-35-010	AMD-C	93-04-098	365-195-850	NEW-P	93-13-138	388-15-209	AMD	93-04-036
356-35-010	AMD-C	93-06-078	365-195-855	NEW-P	93-13-138	388-15-212	AMD	93-04-036
356-35-010	AMD-W	93-07-054	365-195-860	NEW-P	93-13-138	388-15-213	AMD	93-04-036
356-35-010	AMD-P	93-10-027	365-195-865	NEW-P	93-13-138	388-15-214	AMD	93-04-036
356-35-010	AMD	93-14-067	365-300-010	NEW-E	93-07-063	388-15-215	AMD	93-04-036
356-47-010	REP-E	93-14-061	365-300-010	NEW-P	93-07-112	388-15-216	AMD	93-04-036
356-47-010	REP-P	93-14-063	365-300-010	NEW	93-11-039	388-15-217	AMD	93-04-036
356-47-020	REP-E	93-14-061	365-300-020	NEW-E	93-07-063	388-15-600	AMD-P	93-11-085
356-47-020	REP-P	93-14-063	365-300-020	NEW-P	93-07-112	388-15-600	AMD	93-13-135
356-47-030	REP-E	93-14-061	365-300-020	NEW	93-11-039	388-15-610	AMD-P	93-11-085
356-47-030	REP-P	93-14-063	365-300-030	NEW-E	93-07-063	388-15-610	AMD	93-13-135
356-47-040	REP-E	93-14-061	365-300-030	NEW-P	93-07-112	388-15-615	AMD-P	93-11-085
356-47-040	REP-P	93-14-063	365-300-030	NEW	93-11-039	388-15-615	AMD	93-13-135
356-47-045	REP-E	93-14-061	365-300-040	NEW-E	93-07-063	388-15-620	AMD-P	93-11-085
356-47-045	REP-P	93-14-063	365-300-040	NEW-P	93-07-112	388-15-620	AMD	93-13-135
356-47-046	REP-E	93-14-061	365-300-040	NEW	93-11-039	388-15-630	AMD-P	93-11-085
356-47-046	REP-P	93-14-063	365-300-050	NEW-E	93-07-063	388-15-630	AMD	93-13-135
356-47-060	REP-E	93-14-061	365-300-050	NEW-P	93-07-112	388-15-820	AMD-P	93-07-071
356-47-060	REP-P	93-14-063	365-300-050	NEW	93-11-039	388-15-820	AMD	93-10-023
356-47-065	REP-E	93-14-061	365-300-060	NEW-E	93-07-063	388-15-830	AMD-P	93-07-071
356-47-065	REP-P	93-14-063	365-300-060	NEW-P	93-07-112	388-15-830	AMD	93-10-023
356-47-070	REP-E	93-14-061	365-300-060	NEW	93-11-039	388-15-840	AMD-P	93-07-071
356-47-070	REP-P	93-14-063	365-300-070	NEW-E	93-07-063	388-15-840	AMD	93-10-023
356-47-080	REP-E	93-14-061	365-300-070	NEW-P	93-07-112	388-15-850	AMD-P	93-07-071
356-47-080	REP-P	93-14-063	365-300-070	NEW	93-11-039	388-15-850	AMD	93-10-023
356-47-090	REP-E	93-14-061	365-300-081	NEW-E	93-07-063	388-15-860	AMD-P	93-07-071
356-47-090	REP-P	93-14-063	365-300-081	NEW-P	93-07-112	388-15-860	AMD	93-10-023
356-47-100	REP-E	93-14-061	365-300-081	NEW	93-11-039	388-15-870	AMD-P	93-07-071
356-47-100	REP-P	93-14-063	365-300-090	NEW-E	93-07-063	388-15-870	AMD	93-10-023
356-47-120	REP-E	93-14-061	365-300-090	NEW-P	93-07-112	388-15-880	AMD-P	93-07-071
356-47-120	REP-P	93-14-063	365-300-090	NEW	93-11-039	388-15-880	AMD	93-10-023
356-56-020	NEW-E	93-14-091	374-60-020	AMD	93-04-041	388-15-890	NEW-P	93-07-071
356-56-021	NEW-E	93-14-091	374-60-060	AMD	93-04-041	388-15-890	NEW	93-10-023
365-135-020	AMD-P	93-09-061	374-60-070	AMD	93-04-041	388-21-005	NEW	93-04-037
365-135-020	AMD	93-13-012	374-60-120	AMD	93-04-041	388-24-074	AMD-P	93-03-055
365-135-040	AMD-P	93-09-061	388-11-010	AMD	93-05-020	388-24-074	AMD	93-12-055
365-135-040	AMD	93-13-012	388-11-011	AMD	93-05-020	388-24-253	AMD-P	93-04-035
365-135-050	AMD-P	93-09-061	388-11-015	AMD-P	93-13-067	388-24-253	AMD	93-07-034
365-135-050	AMD	93-13-012	388-11-030	AMD-P	93-13-067	388-28-392	AMD	93-04-028
365-135-070	NEW-P	93-09-061	388-11-035	NEW-P	93-13-067	388-28-425	AMD-P	93-03-056
365-135-070	NEW	93-13-012	388-11-045	AMD	93-05-020	388-28-425	AMD	93-12-056
365-140-030	AMD-P	93-08-087	388-11-055	AMD-P	93-13-067	388-28-435	AMD-P	93-05-004
365-140-040	AMD-P	93-08-087	388-11-115	REP-P	93-13-067	388-28-435	AMD	93-07-126
365-140-050	AMD-P	93-08-087	388-11-120	AMD	93-05-020	388-28-485	AMD-P	93-07-072
365-140-060	AMD-P	93-08-087	388-11-120	AMD-P	93-13-067	388-28-485	AMD	93-10-022
365-195-210	AMD-P	93-13-138	388-11-135	AMD-P	93-13-067	388-28-570	AMD-P	93-03-057
365-195-220	AMD-P	93-13-138	388-11-145	AMD-P	93-13-067	388-28-570	AMD	93-12-057
365-195-620	AMD-P	93-13-138	388-11-150	AMD	93-05-020	388-28-575	AMD-P	93-04-027
365-195-700	AMD-P	93-13-138	388-11-170	AMD-P	93-13-067	388-28-575	AMD	93-07-031
365-195-705	NEW-P	93-13-138	388-11-210	AMD	93-05-020	388-28-575	AMD-P	93-14-013
365-195-710	AMD-P	93-13-138	388-14-030	AMD	93-05-020	388-28-575	AMD-E	93-14-014
365-195-715	NEW-P	93-13-138	388-14-205	AMD	93-05-020	388-28-590	AMD-P	93-04-026
365-195-720	AMD-P	93-13-138	388-14-385	AMD	93-05-020	388-28-590	AMD	93-07-032
365-195-725	NEW-P	93-13-138	388-14-420	AMD	93-05-020	388-29-100	AMD	93-04-030
365-195-730	NEW-P	93-13-138	388-14-427	NEW	93-05-020	388-29-110	AMD	93-04-030
365-195-735	NEW-P	93-13-138	388-14-435	AMD	93-05-020	388-29-112	AMD	93-04-030
365-195-740	NEW-P	93-13-138	388-15-132	AMD-P	93-10-093	388-29-130	AMD-P	93-09-017
365-195-745	NEW-P	93-13-138	388-15-132	AMD	93-13-021	388-29-130	AMD	93-12-052
365-195-750	NEW-P	93-13-138	388-15-136	REP-P	93-10-093	388-29-160	AMD	93-04-030
365-195-755	NEW-P	93-13-138	388-15-136	REP	93-13-021	388-29-220	AMD	93-04-030
365-195-760	NEW-P	93-13-138	388-15-170	AMD-P	93-07-018	388-29-280	AMD-P	93-09-017
365-195-765	NEW-P	93-13-138	388-15-170	AMD-E	93-07-019	388-29-280	AMD	93-12-052

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-29-295	AMD	93-04-030	388-37-050	AMD	93-06-073	388-49-520	AMD-E	93-14-030
388-31-035	AMD-P	93-13-018	388-37-050	REP-P	93-08-074	388-49-535	AMD-P	93-14-025
388-34-010	REP-P	93-06-040	388-37-100	REP-P	93-08-074	388-49-535	AMD-E	93-14-030
388-34-010	REP-W	93-08-113	388-37-110	REP-P	93-08-074	388-49-560	AMD	93-04-069
388-34-015	REP-P	93-06-040	388-37-115	REP-P	93-08-074	388-49-610	AMD-P	93-11-024
388-34-015	REP-W	93-08-113	388-37-120	REP-P	93-08-074	388-49-610	AMD	93-13-133
388-34-020	REP-P	93-06-040	388-37-130	REP-P	93-08-074	388-49-700	AMD	93-04-034
388-34-020	REP-W	93-08-113	388-37-135	REP-P	93-08-074	388-51-020	AMD-P	93-07-073
388-34-025	REP-P	93-06-040	388-37-140	REP-P	93-08-074	388-51-020	AMD	93-12-059
388-34-025	REP-W	93-08-113	388-37-150	REP-P	93-08-074	388-51-040	AMD-P	93-07-073
388-34-035	REP-P	93-06-040	388-37-160	REP-P	93-08-074	388-51-040	AMD	93-12-059
388-34-035	REP-W	93-08-113	388-37-170	REP-P	93-08-074	388-51-110	AMD-P	93-07-073
388-34-040	REP-P	93-06-040	388-37-180	REP-P	93-08-074	388-51-110	AMD	93-12-059
388-34-040	REP-W	93-08-113	388-37-190	REP-P	93-08-074	388-51-115	AMD-P	93-07-073
388-34-045	REP-P	93-06-040	388-37-300	REP-P	93-08-074	388-51-115	AMD	93-12-059
388-34-045	REP-W	93-08-113	388-37-310	REP-P	93-08-074	388-51-120	AMD-P	93-07-073
388-34-055	REP-P	93-06-040	388-37-320	REP-P	93-08-074	388-51-120	AMD	93-12-059
388-34-055	REP-W	93-08-113	388-37-330	REP-P	93-08-074	388-51-123	AMD-P	93-07-073
388-34-085	REP-P	93-06-040	388-37-340	REP-P	93-08-074	388-51-123	AMD	93-12-059
388-34-085	REP-W	93-08-113	388-37-350	REP-P	93-08-074	388-51-125	REP-P	93-07-073
388-34-095	REP-P	93-06-040	388-37-360	REP-P	93-08-074	388-51-125	REP	93-12-059
388-34-095	REP-W	93-08-113	388-37-370	REP-P	93-08-074	388-51-130	AMD-P	93-07-073
388-34-110	REP-P	93-06-040	388-37-380	REP-P	93-08-074	388-51-130	AMD	93-12-059
388-34-110	REP-W	93-08-113	388-42-020	AMD	93-05-021	388-51-135	AMD-P	93-07-073
388-34-120	REP-P	93-06-040	388-42-020	REP-E	93-11-083	388-51-135	AMD	93-12-059
388-34-120	REP-W	93-08-113	388-42-020	REP-P	93-11-084	388-51-150	REP-P	93-07-073
388-34-125	REP-P	93-06-040	388-42-020	REP	93-13-134	388-51-150	REP	93-12-059
388-34-125	REP-W	93-08-113	388-42-025	AMD	93-05-021	388-51-155	NEW-P	93-07-073
388-34-140	REP-P	93-06-040	388-42-025	REP-E	93-11-083	388-51-155	NEW	93-12-059
388-34-140	REP-W	93-08-113	388-42-025	REP-P	93-11-084	388-51-160	NEW-P	93-07-073
388-34-150	REP-P	93-06-040	388-42-025	REP	93-13-134	388-51-160	NEW	93-12-059
388-34-150	REP-W	93-08-113	388-42-030	REP-E	93-11-083	388-51-170	NEW-P	93-07-073
388-34-160	REP-P	93-06-040	388-42-030	REP-P	93-11-084	388-51-170	NEW	93-12-059
388-34-160	REP-W	93-08-113	388-42-030	REP	93-13-134	388-51-180	NEW-P	93-07-073
388-34-165	REP-P	93-06-040	388-42-040	REP-E	93-11-083	388-51-180	NEW	93-12-059
388-34-165	REP-W	93-08-113	388-42-040	REP-P	93-11-084	388-51-200	REP-P	93-07-073
388-34-180	REP-P	93-06-040	388-42-040	REP	93-13-134	388-51-200	REP	93-12-059
388-34-180	REP-W	93-08-113	388-42-100	REP-E	93-11-083	388-51-210	NEW-P	93-07-073
388-34-370	REP-P	93-06-040	388-42-100	REP-P	93-11-084	388-51-210	NEW	93-12-059
388-34-370	REP-W	93-08-113	388-42-100	REP	93-13-134	388-51-250	NEW-P	93-07-073
388-34-372	REP-P	93-06-040	388-42-110	REP-E	93-11-083	388-51-250	NEW	93-12-059
388-34-372	REP-W	93-08-113	388-42-110	REP-P	93-11-084	388-51-260	NEW-P	93-07-073
388-34-374	REP-P	93-06-040	388-42-110	REP	93-13-134	388-51-260	NEW	93-12-059
388-34-374	REP-W	93-08-113	388-42-115	REP-E	93-11-083	388-51-300	REP-P	93-07-073
388-34-375	REP-P	93-06-040	388-42-115	REP-P	93-11-084	388-51-300	REP	93-12-059
388-34-375	REP-W	93-08-113	388-42-115	REP	93-13-134	388-60-005	NEW-P	93-06-082
388-34-376	REP-P	93-06-040	388-42-125	REP-E	93-11-083	388-60-005	NEW	93-10-024
388-34-376	REP-W	93-08-113	388-42-125	REP-P	93-11-084	388-60-120	NEW-P	93-06-082
388-34-378	REP-P	93-06-040	388-42-125	REP	93-13-134	388-60-120	NEW	93-10-024
388-34-378	REP-W	93-08-113	388-42-150	AMD	93-05-021	388-60-130	NEW-P	93-06-082
388-34-380	REP-P	93-06-040	388-42-150	REP-E	93-11-083	388-60-130	NEW	93-10-024
388-34-380	REP-W	93-08-113	388-42-150	REP-P	93-11-084	388-60-140	NEW-P	93-06-082
388-34-384	REP-P	93-06-040	388-42-150	REP	93-13-134	388-60-140	NEW	93-10-024
388-34-384	REP-W	93-08-113	388-47-115	AMD-P	93-03-058	388-60-150	NEW-P	93-06-082
388-37	REP-C	93-12-050	388-47-115	AMD	93-12-060	388-60-150	NEW	93-10-024
388-37	REP-C	93-13-022	388-49-015	AMD-E	93-11-029	388-60-160	NEW-P	93-06-082
388-37	REP-C	93-14-085	388-49-015	AMD-P	93-11-030	388-60-160	NEW	93-10-024
388-37-010	REP-P	93-08-074	388-49-015	AMD	93-13-132	388-60-170	NEW-P	93-06-082
388-37-020	REP-P	93-08-074	388-49-020	AMD-P	93-08-038	388-60-170	NEW	93-10-024
388-37-021	REP-P	93-08-074	388-49-020	AMD	93-11-041	388-60-180	NEW-P	93-06-082
388-37-025	REP-P	93-08-074	388-49-120	AMD-P	93-07-075	388-60-180	NEW	93-10-024
388-37-029	REP-P	93-08-074	388-49-120	AMD-C	93-10-019	388-62-020	REP-P	93-08-075
388-37-030	REP-P	93-08-074	388-49-120	AMD	93-14-087	388-62-020	REP	93-12-054
388-37-032	REP-P	93-08-074	388-49-200	AMD-P	93-08-039	388-62-025	REP-P	93-08-075
388-37-035	REP-P	93-08-074	388-49-200	AMD	93-11-042	388-62-025	REP	93-12-054
388-37-037	REP-P	93-08-074	388-49-220	AMD-P	93-08-040	388-62-035	REP-P	93-08-075
388-37-038	REP-P	93-08-074	388-49-220	AMD	93-11-043	388-62-035	REP	93-12-054
388-37-039	REP-P	93-08-074	388-49-430	AMD-P	93-13-053	388-62-070	REP-P	93-08-075
388-37-040	REP-P	93-08-074	388-49-450	AMD-P	93-14-044	388-62-070	REP	93-12-054
388-37-045	NEW-C	93-04-025	388-49-450	AMD-E	93-14-049	388-62-075	REP-P	93-08-075
388-37-045	NEW	93-06-073	388-49-470	AMD-P	93-14-044	388-62-075	REP	93-12-054
388-37-045	REP-P	93-08-074	388-49-470	AMD-E	93-14-049	388-62-080	REP-P	93-08-075
388-37-050	AMD-C	93-04-025	388-49-520	AMD-P	93-14-025	388-62-080	REP	93-12-054

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-62-095	REP-P	93-08-075	388-83-046	NEW-P	93-07-122	388-95-360	AMD	93-11-049
388-62-095	REP	93-12-054	388-83-046	NEW	93-11-045	388-96-010	AMD-P	93-14-078
388-62-135	REP-P	93-08-075	388-83-130	AMD-P	93-03-060	388-96-010	AMD-E	93-14-079
388-62-135	REP	93-12-054	388-83-130	AMD-E	93-03-061	388-96-023	AMD-P	93-14-078
388-62-190	REP-P	93-08-075	388-83-130	AMD	93-06-037	388-96-023	AMD-E	93-14-079
388-62-190	REP	93-12-054	388-83-200	AMD-P	93-07-123	388-96-026	AMD-P	93-08-065
388-62-200	REP-P	93-08-075	388-83-200	AMD	93-11-044	388-96-026	AMD	93-12-051
388-62-200	REP	93-12-054	388-83-210	AMD-P	93-07-123	388-96-113	AMD-P	93-08-065
388-70-520	AMD-E	93-03-081	388-83-210	AMD	93-11-044	388-96-113	AMD	93-12-051
388-70-520	AMD-P	93-03-082	388-83-220	AMD-P	93-07-123	388-96-210	AMD-P	93-14-078
388-70-520	AMD	93-07-030	388-83-220	AMD	93-11-044	388-96-210	AMD-E	93-14-079
388-74-010	NEW-P	93-09-018	388-84-105	AMD-P	93-03-060	388-96-226	AMD-P	93-14-078
388-74-010	NEW	93-12-053	388-84-105	AMD-E	93-03-061	388-96-226	AMD-E	93-14-079
388-74-030	NEW-P	93-09-018	388-84-105	AMD	93-06-037	388-96-228	AMD-P	93-14-078
388-74-030	NEW	93-12-053	388-84-115	AMD-P	93-13-122	388-96-228	AMD-E	93-14-079
388-77A-010	NEW-P	93-03-059	388-86-005	AMD-P	93-14-027	388-96-505	AMD-P	93-14-078
388-77A-010	NEW	93-12-058	388-86-005	AMD-E	93-14-031	388-96-505	AMD-E	93-14-079
388-77A-020	NEW-P	93-03-059	388-86-008	REP-P	93-07-124	388-96-508	AMD-P	93-14-078
388-77A-020	NEW	93-12-058	388-86-008	REP	93-11-047	388-96-508	AMD-E	93-14-079
388-77A-030	NEW-P	93-03-059	388-86-00902	AMD-P	93-14-046	388-96-509	AMD-P	93-14-078
388-77A-030	NEW	93-12-058	388-86-00902	AMD-E	93-14-047	388-96-509	AMD-E	93-14-079
388-77A-040	NEW-P	93-03-059	388-86-012	AMD-P	93-03-034	388-96-513	AMD-P	93-14-078
388-77A-040	NEW	93-12-058	388-86-012	AMD	93-06-039	388-96-513	AMD-E	93-14-079
388-77A-041	NEW	93-12-058	388-86-021	AMD-P	93-08-006	388-96-521	AMD-P	93-14-078
388-77A-050	NEW-P	93-03-059	388-86-021	AMD	93-11-048	388-96-521	AMD-E	93-14-079
388-77A-050	NEW	93-12-058	388-86-021	AMD-P	93-14-027	388-96-523	AMD-P	93-14-078
388-77A-055	NEW	93-12-058	388-86-024	AMD-E	93-14-031	388-96-523	AMD-E	93-14-079
388-81-047	AMD-P	93-13-120	388-86-024	AMD-E	93-13-069	388-96-525	AMD-P	93-14-078
388-81-060	AMD	93-04-024	388-86-035	AMD-P	93-13-069	388-96-525	AMD-E	93-14-079
388-81-065	NEW-E	93-13-121	388-86-047	AMD-P	93-13-024	388-96-525	AMD-E	93-14-079
388-81-065	NEW-P	93-13-123	388-86-047	AMD-E	93-13-129	388-96-529	AMD-P	93-14-078
388-81-100	NEW-P	93-07-124	388-86-071	AMD-P	93-14-045	388-96-529	AMD-E	93-14-079
388-81-100	NEW	93-11-047	388-86-071	AMD-E	93-14-048	388-96-531	AMD-P	93-14-078
388-82-010	AMD	93-04-033	388-86-100	AMD-C	93-02-034	388-96-531	AMD-E	93-14-079
388-82-115	AMD-P	93-03-060	388-86-100	AMD-W	93-05-019	388-96-533	AMD-P	93-14-078
388-82-115	AMD-E	93-03-061	388-86-120	AMD-P	93-13-037	388-96-533	AMD-E	93-14-079
388-82-115	AMD	93-06-037	388-86-200	NEW-P	93-07-074	388-96-535	AMD-P	93-14-078
388-82-140	AMD-P	93-08-022	388-86-200	NEW-C	93-10-017	388-96-535	AMD-E	93-14-079
388-82-140	AMD-E	93-08-023	388-86-200	NEW	93-11-009	388-96-569	AMD-P	93-14-078
388-82-140	AMD	93-11-049	388-86-200	NEW	93-11-086	388-96-569	AMD-E	93-14-079
388-82-150	NEW	93-04-024	388-86-200	AMD-P	93-13-080	388-96-572	AMD-P	93-08-065
388-82-150	AMD-P	93-08-022	388-86-200	AMD-E	93-13-081	388-96-572	AMD	93-12-051
388-82-150	AMD-E	93-08-023	388-86-300	NEW-P	93-14-027	388-96-580	AMD-P	93-14-078
388-82-150	AMD	93-11-049	388-86-300	NEW-E	93-14-031	388-96-580	AMD-E	93-14-079
388-82-160	AMD-P	93-08-022	388-87-005	AMD-P	93-08-021	388-96-585	AMD-P	93-08-065
388-82-160	AMD-E	93-08-023	388-87-005	AMD-E	93-08-024	388-96-585	AMD	93-12-051
388-82-160	AMD	93-11-049	388-87-005	AMD	93-11-046	388-96-585	AMD-P	93-14-075
388-83-006	AMD-P	93-14-027	388-87-005	AMD-P	93-14-027	388-96-585	AMD-E	93-14-077
388-83-006	AMD-E	93-14-031	388-87-005	AMD-E	93-14-031	388-96-709	NEW-P	93-08-065
388-83-015	AMD-P	93-06-009	388-87-200	NEW-P	93-14-026	388-96-709	NEW	93-12-051
388-83-015	AMD-E	93-06-010	388-87-200	NEW-E	93-14-029	388-96-710	AMD-P	93-08-065
388-83-015	AMD	93-08-111	388-92-025	AMD-P	93-07-122	388-96-710	AMD	93-12-051
388-83-015	AMD-P	93-13-079	388-92-025	AMD	93-11-045	388-96-710	AMD-P	93-14-075
388-83-015	AMD-E	93-13-082	388-92-027	NEW-P	93-07-122	388-96-710	AMD-E	93-14-077
388-83-026	AMD-P	93-03-026	388-92-027	NEW	93-11-045	388-96-713	AMD-P	93-14-078
388-83-026	AMD-E	93-03-028	388-92-036	AMD-E	93-06-053	388-96-713	AMD-E	93-14-079
388-83-026	AMD	93-06-038	388-92-036	AMD-P	93-06-054	388-96-716	AMD-P	93-14-078
388-83-029	AMD-P	93-11-067	388-92-036	AMD	93-08-112	388-96-716	AMD-E	93-14-079
388-83-029	AMD	93-13-131	388-92-045	AMD-P	93-03-026	388-96-719	AMD-P	93-14-078
388-83-031	AMD-P	93-14-023	388-92-045	AMD-E	93-03-028	388-96-719	AMD-E	93-14-079
388-83-03101	NEW-P	93-13-069	388-92-045	AMD	93-06-038	388-96-722	AMD-P	93-14-078
388-83-032	AMD-P	93-08-022	388-95-310	NEW-P	93-06-040	388-96-722	AMD-E	93-14-079
388-83-032	AMD-E	93-08-023	388-95-310	NEW-W	93-08-113	388-96-727	AMD-P	93-14-078
388-83-032	AMD	93-11-049	388-95-337	AMD-E	93-04-031	388-96-727	AMD-E	93-14-079
388-83-033	AMD-P	93-03-060	388-95-337	AMD-P	93-04-032	388-96-735	AMD-P	93-14-078
388-83-033	AMD-E	93-03-061	388-95-337	AMD	93-07-029	388-96-735	AMD-E	93-14-079
388-83-033	AMD	93-06-037	388-95-340	AMD-P	93-03-027	388-96-737	NEW-P	93-14-078
388-83-033	AMD-P	93-08-022	388-95-340	AMD-E	93-03-029	388-96-737	NEW-E	93-14-079
388-83-033	AMD-E	93-08-023	388-95-340	AMD	93-06-041	388-96-745	AMD-P	93-14-078
388-83-033	AMD	93-11-049	388-95-360	AMD-P	93-03-027	388-96-745	AMD-E	93-14-079
388-83-041	AMD-P	93-03-026	388-95-360	AMD-E	93-03-029	388-96-754	AMD-P	93-08-065
388-83-041	AMD-E	93-03-028	388-95-360	AMD	93-06-041	388-96-754	AMD-W	93-12-048
388-83-041	AMD	93-06-038	388-95-360	AMD-P	93-08-022	388-96-754	AMD-P	93-14-078
			388-95-360	AMD-E	93-08-023	388-96-754	AMD-E	93-14-079

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-96-756	REP-P	93-14-078	388-160-150	NEW-P	93-05-031	388-235	NEW-C	93-12-050
388-96-756	REP-E	93-14-079	388-160-160	NEW-P	93-05-031	388-235	NEW-C	93-13-022
388-96-757	NEW-P	93-14-078	388-160-170	NEW-P	93-05-031	388-235	NEW-C	93-14-085
388-96-757	NEW-E	93-14-079	388-160-180	NEW-P	93-05-031	388-235-0010	NEW-P	93-08-074
388-96-762	AMD-P	93-14-078	388-160-190	NEW-P	93-05-031	388-235-0020	NEW-P	93-08-074
388-96-762	AMD-E	93-14-079	388-160-200	NEW-P	93-05-031	388-235-0030	NEW-P	93-08-074
388-96-764	AMD-P	93-14-078	388-160-210	NEW-P	93-05-031	388-235-0040	NEW-P	93-08-074
388-96-764	AMD-E	93-14-079	388-160-220	NEW-P	93-05-031	388-235-0050	NEW-P	93-08-074
388-96-765	AMD-P	93-14-078	388-160-230	NEW-P	93-05-031	388-235-0060	NEW-P	93-08-074
388-96-765	AMD-E	93-14-079	388-160-240	NEW-P	93-05-031	388-235-0070	NEW-P	93-08-074
388-96-768	AMD-P	93-14-078	388-160-250	NEW-P	93-05-031	388-235-0080	NEW-P	93-08-074
388-96-768	AMD-E	93-14-079	388-160-260	NEW-P	93-05-031	388-235-0090	NEW-P	93-08-074
388-96-774	AMD-P	93-08-065	388-160-270	NEW-P	93-05-031	388-235-0100	NEW-P	93-08-074
388-96-774	AMD	93-12-051	388-160-280	NEW-P	93-05-031	388-235-0110	NEW-P	93-08-074
388-96-774	AMD-P	93-14-075	388-160-290	NEW-P	93-05-031	388-235-1500	NEW-P	93-08-074
388-96-774	AMD-E	93-14-077	388-160-300	NEW-P	93-05-031	388-235-2000	NEW-P	93-08-074
388-96-775	REP-P	93-14-078	388-160-310	NEW-P	93-05-031	388-235-3000	NEW-P	93-08-074
388-96-775	REP-E	93-14-079	388-160-320	NEW-P	93-05-031	388-235-4000	NEW-P	93-08-074
388-99-010	AMD-P	93-03-060	388-160-340	NEW-P	93-05-031	388-235-5000	NEW-P	93-08-074
388-99-010	AMD-E	93-03-061	388-160-350	NEW-P	93-05-031	388-235-5040	NEW-P	93-08-074
388-99-010	AMD	93-06-037	388-160-360	NEW-P	93-05-031	388-235-5050	NEW-P	93-08-074
388-99-011	AMD-P	93-14-023	388-160-370	NEW-P	93-05-031	388-235-5070	NEW-P	93-08-074
388-99-020	AMD-E	93-04-087	388-160-380	NEW-P	93-05-031	388-235-5080	NEW-P	93-08-074
388-99-020	AMD-P	93-04-090	388-160-390	NEW-P	93-05-031	388-235-5090	NEW-P	93-08-074
388-99-020	AMD	93-07-028	388-160-400	NEW-P	93-05-031	388-235-5100	NEW-P	93-08-074
388-99-055	AMD-E	93-04-088	388-160-410	NEW-P	93-05-031	388-235-5200	NEW-P	93-08-074
388-99-055	AMD-P	93-04-089	388-160-420	NEW-P	93-05-031	388-235-5300	NEW-P	93-08-074
388-99-055	AMD	93-07-125	388-150-430	NEW-P	93-05-031	388-235-5400	NEW-P	93-08-074
388-99-060	AMD-P	93-13-024	388-160-440	NEW-P	93-05-031	388-235-5500	NEW-P	93-08-074
388-99-060	AMD-E	93-13-129	388-160-450	NEW-P	93-05-031	388-235-5600	NEW-P	93-08-074
388-150-010	AMD-P	93-13-056	388-160-460	NEW-P	93-05-031	388-235-5700	NEW-P	93-08-074
388-150-020	AMD-P	93-13-056	388-160-470	NEW-P	93-05-031	388-235-5800	NEW-P	93-08-074
388-150-060	AMD-P	93-13-056	388-160-480	NEW-P	93-05-031	388-235-5900	NEW-P	93-08-074
388-150-070	AMD-P	93-13-056	388-160-490	NEW-P	93-05-031	388-235-6000	NEW-P	93-08-074
388-150-150	AMD-P	93-13-056	388-160-500	NEW-P	93-05-031	388-235-7000	NEW-P	93-08-074
388-150-160	AMD-P	93-13-056	388-160-510	NEW-P	93-05-031	388-235-7100	NEW-P	93-08-074
388-150-165	AMD-P	93-13-056	388-160-520	NEW-P	93-05-031	388-235-7200	NEW-P	93-08-074
388-150-170	AMD-P	93-13-056	388-160-530	NEW-P	93-05-031	388-235-7300	NEW-P	93-08-074
388-150-180	AMD-P	93-13-056	388-160-540	NEW-P	93-05-031	388-235-7500	NEW-P	93-08-074
388-150-190	AMD-P	93-13-056	388-160-560	NEW-P	93-05-031	388-235-7600	NEW-P	93-08-074
388-150-200	AMD-P	93-13-056	388-230	NEW-C	93-12-049	388-235-8000	NEW-P	93-08-074
388-150-210	AMD-P	93-13-056	388-230	NEW-C	93-13-023	388-235-8100	NEW-P	93-08-074
388-150-220	AMD-P	93-13-056	388-230	NEW-C	93-14-086	388-235-8130	NEW-P	93-08-074
388-150-240	AMD-P	93-13-056	388-230-0010	NEW-P	93-08-064	388-235-8140	NEW-P	93-08-074
388-150-250	AMD-P	93-13-056	388-230-0030	NEW-P	93-08-064	388-235-8150	NEW-P	93-08-074
388-150-270	AMD-P	93-13-056	388-230-0040	NEW-P	93-08-064	388-235-8200	NEW-P	93-08-074
388-150-280	AMD-P	93-13-056	388-230-0050	NEW-P	93-08-064	388-235-9000	NEW-P	93-08-074
388-150-295	NEW-P	93-13-056	388-230-0060	NEW-P	93-08-064	388-235-9100	NEW-P	93-08-074
388-150-330	AMD-P	93-13-056	388-230-0080	NEW-P	93-08-064	388-235-9200	NEW-P	93-08-074
388-150-340	AMD-P	93-13-056	388-230-0090	NEW-P	93-08-064	388-235-9300	NEW-P	93-08-074
388-150-390	AMD-P	93-13-056	388-230-0110	NEW-P	93-08-064	388-235-9500	NEW-P	93-08-074
388-150-460	AMD-P	93-13-056	388-230-0120	NEW-P	93-08-064	388-235-9520	NEW-P	93-08-074
388-150-470	AMD-P	93-13-056	388-230-0140	NEW-P	93-08-064	388-235-9530	NEW-P	93-08-074
388-150-490	AMD-P	93-13-056	388-233-0010	NEW-P	93-14-006	388-235-9540	NEW-P	93-08-074
388-150-500	AMD-P	93-13-056	388-233-0010	NEW-E	93-14-007	388-235-9550	NEW-P	93-08-074
388-160	NEW-C	93-08-009	388-233-0020	NEW-P	93-14-006	388-235-9560	NEW-P	93-08-074
388-160	NEW-C	93-10-020	388-233-0020	NEW-E	93-14-007	388-235-9570	NEW-P	93-08-074
388-160	NEW-C	93-12-095	388-233-0030	NEW-P	93-14-006	388-235-9580	NEW-P	93-08-074
388-160	NEW-C	93-13-025	388-233-0030	NEW-E	93-14-007	388-235-9600	NEW-P	93-08-074
388-160-010	NEW-P	93-05-031	388-233-0040	NEW-P	93-14-006	388-280-1010	NEW-P	93-08-075
388-160-020	NEW-P	93-05-031	388-233-0040	NEW-E	93-14-007	388-280-1010	NEW	93-12-054
388-160-030	NEW-P	93-05-031	388-233-0050	NEW-P	93-14-006	388-280-1020	NEW-P	93-08-075
388-160-040	NEW-P	93-05-031	388-233-0050	NEW-E	93-14-007	388-280-1020	NEW	93-12-054
388-160-050	NEW-P	93-05-031	388-233-0060	NEW-P	93-14-006	388-280-1030	NEW-P	93-08-075
388-160-060	NEW-P	93-05-031	388-233-0060	NEW-E	93-14-007	388-280-1030	NEW	93-12-054
388-160-070	NEW-P	93-05-031	388-233-0070	NEW-P	93-14-006	388-280-1040	NEW-P	93-08-075
388-160-080	NEW-P	93-05-031	388-233-0070	NEW-E	93-14-007	388-280-1040	NEW	93-12-054
388-160-090	NEW-P	93-05-031	388-233-0080	NEW-P	93-14-006	388-280-1050	NEW-P	93-08-075
388-160-100	NEW-P	93-05-031	388-233-0080	NEW-E	93-14-007	388-280-1050	NEW	93-12-054
388-160-110	NEW-P	93-05-031	388-233-0090	NEW-P	93-14-006	388-280-1060	NEW-P	93-08-075
388-160-120	NEW-P	93-05-031	388-233-0090	NEW-E	93-14-007	388-280-1060	NEW	93-12-054
388-160-130	NEW-P	93-05-031	388-233-0100	NEW-P	93-14-006	388-280-1070	NEW-P	93-08-075
388-160-140	NEW-P	93-05-031	388-233-0100	NEW-E	93-14-007	388-280-1070	NEW	93-12-054

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-280-1080	NEW-P	93-08-075	388-540-030	NEW-E	93-13-130	392-122-410	NEW-P	93-07-046
388-280-1080	NEW	93-12-054	388-540-040	NEW-P	93-13-001	392-122-410	NEW	93-12-017
388-280-1090	NEW-P	93-08-075	388-540-040	NEW-E	93-13-130	392-122-415	NEW-P	93-07-046
388-280-1090	NEW	93-12-054	388-540-050	NEW-P	93-13-001	392-122-415	NEW	93-12-017
388-280-1100	NEW-P	93-08-075	388-540-050	NEW-E	93-13-130	392-123-046	AMD-P	93-11-034
388-280-1100	NEW	93-12-054	388-540-060	NEW-P	93-13-001	392-123-054	AMD-P	93-11-034
388-280-1110	NEW-P	93-08-075	388-540-060	NEW-E	93-13-130	392-123-071	AMD-P	93-11-034
388-280-1110	NEW	93-12-054	390-05-190	NEW-P	93-12-019	392-123-072	AMD-P	93-11-034
388-280-1120	NEW-P	93-08-075	390-05-200	AMD-P	93-12-020	392-140-250	REP-P	93-07-047
388-280-1120	NEW	93-12-054	390-05-205	AMD-P	93-12-021	392-140-250	REP	93-12-015
388-280-1130	NEW-P	93-08-075	390-05-210	AMD-P	93-12-022	392-140-252	REP-P	93-07-047
388-280-1130	NEW	93-12-054	390-05-215	AMD-P	93-12-023	392-140-252	REP	93-12-015
388-280-1140	NEW-P	93-08-075	390-16-011	AMD-P	93-10-049	392-140-253	REP-P	93-07-047
388-280-1140	NEW	93-12-054	390-16-011	AMD-E	93-10-051	392-140-253	REP	93-12-015
388-280-1150	NEW-P	93-08-075	390-16-012	AMD-P	93-10-049	392-140-254	REP-P	93-07-047
388-280-1150	NEW	93-12-054	390-16-012	AMD-E	93-10-051	392-140-254	REP	93-12-015
388-280-1160	NEW-P	93-08-075	390-16-031	AMD-P	93-04-127	392-140-255	REP-P	93-07-047
388-280-1160	NEW	93-12-054	390-16-031	AMD	392-09-002	392-140-255	REP	93-12-015
388-330-010	AMD-P	93-07-035	390-16-038	AMD-P	93-12-024	392-140-256	REP-P	93-07-047
388-330-010	AMD-C	93-10-018	390-16-041	AMD-P	93-04-127	392-140-256	REP	93-12-015
388-330-010	AMD-C	93-12-096	390-16-041	AMD	93-09-002	392-140-257	REP-P	93-07-047
388-330-020	AMD-P	93-07-035	390-16-200	AMD-P	93-12-025	392-140-257	REP	93-12-015
388-330-020	AMD-C	93-10-018	390-16-207	AMD-P	93-12-026	392-140-258	REP-P	93-07-047
388-330-020	AMD-C	93-12-096	390-16-226	NEW-P	93-12-031	392-140-258	REP	93-12-015
388-330-030	AMD-P	93-07-035	390-16-230	AMD-P	93-12-027	392-140-259	REP-P	93-07-047
388-330-030	AMD-C	93-10-018	390-16-232	NEW-P	93-12-032	392-140-259	REP	93-12-015
388-330-030	AMD-C	93-12-096	390-16-234	NEW-P	93-12-033	392-140-265	REP-P	93-07-047
388-330-050	AMD-P	93-07-035	390-16-240	AMD-P	93-12-028	392-140-265	REP	93-12-015
388-330-050	AMD-C	93-10-018	390-16-308	AMD	93-04-072	392-140-266	REP-P	93-07-047
388-330-050	AMD-C	93-12-096	390-16-310	AMD-P	93-12-029	392-140-266	REP	93-12-015
388-538-001	NEW-P	93-14-046	390-16-312	AMD-P	93-12-030	392-140-267	REP-P	93-07-047
388-538-001	NEW-E	93-14-047	390-17-011	NEW-P	93-12-018	392-140-267	REP	93-12-015
388-538-050	NEW-P	93-14-046	390-17-013	NEW-P	93-12-018	392-142-240	AMD-P	93-09-019
388-538-050	NEW-E	93-14-047	390-17-015	NEW-P	93-12-018	392-142-240	AMD	93-13-083
388-538-060	NEW-P	93-14-046	390-17-017	NEW-P	93-12-018	392-145-030	AMD	93-05-023
388-538-060	NEW-E	93-14-047	390-17-030	NEW-P	93-12-018	392-167A-005	NEW-P	93-07-048
388-538-070	NEW-P	93-14-046	390-17-050	NEW-P	93-12-018	392-167A-005	NEW	93-12-016
388-538-070	NEW-E	93-14-047	390-17-052	NEW-P	93-12-018	392-167A-010	NEW-P	93-07-048
388-538-080	NEW-P	93-14-046	390-17-060	NEW-P	93-12-018	392-167A-010	NEW	93-12-016
388-538-080	NEW-E	93-14-047	390-17-060	NEW-P	93-12-046	392-167A-015	NEW-P	93-07-048
388-538-090	NEW-P	93-14-046	390-17-065	NEW-P	93-12-018	392-167A-015	NEW	93-12-016
388-538-090	NEW-E	93-14-047	390-17-100	NEW-P	93-12-018	392-167A-020	NEW-P	93-07-048
388-538-095	NEW-P	93-14-046	390-17-200	NEW-P	93-12-018	392-167A-020	NEW	93-12-016
388-538-095	NEW-E	93-14-047	390-17-205	NEW-P	93-12-018	392-167A-025	NEW-P	93-07-048
388-538-100	NEW-P	93-14-046	390-17-300	NEW-P	93-12-018	392-167A-025	NEW	93-12-016
388-538-100	NEW-E	93-14-047	390-17-305	NEW-P	93-12-018	392-167A-030	NEW-P	93-07-048
388-538-110	NEW-P	93-14-046	390-17-310	NEW-P	93-12-018	392-167A-030	NEW	93-12-016
388-538-110	NEW-E	93-14-047	390-17-315	NEW-P	93-12-018	392-167A-035	NEW-P	93-07-048
388-538-120	NEW-P	93-14-046	390-17-400	NEW-P	93-12-018	392-167A-035	NEW	93-12-016
388-538-120	NEW-E	93-14-047	390-18-010	AMD-P	93-12-034	392-167A-040	NEW-P	93-07-048
388-538-130	NEW-P	93-14-046	390-18-020	AMD-P	93-12-035	392-167A-040	NEW	93-12-016
388-538-130	NEW-E	93-14-047	390-18-050	NEW	93-04-072	392-167A-045	NEW-P	93-07-048
388-538-140	NEW-P	93-14-046	390-20-020	AMD	93-04-072	392-167A-045	NEW	93-12-016
388-538-140	NEW-E	93-14-047	390-20-110	AMD	93-04-072	392-167A-050	NEW-P	93-07-048
388-538-150	NEW-P	93-14-046	390-37-140	AMD-P	93-09-001	392-167A-050	NEW	93-12-016
388-538-150	NEW-E	93-14-047	390-37-140	AMD-C	93-10-050	392-167A-055	NEW-P	93-07-048
388-539-001	NEW-P	93-14-024	390-37-142	AMD-P	93-09-001	392-167A-055	NEW	93-12-016
388-539-001	NEW-E	93-14-028	390-37-142	AMD-C	93-10-050	392-167A-060	NEW-P	93-07-048
388-539-050	NEW-P	93-14-024	392-105-030	AMD-P	93-03-002	392-167A-060	NEW	93-12-016
388-539-050	NEW-E	93-14-028	392-105-030	AMD	93-07-039	392-167A-065	NEW-P	93-07-048
388-539-100	NEW-P	93-14-024	392-105-035	AMD-P	93-03-002	392-167A-065	NEW	93-12-016
388-539-100	NEW-E	93-14-028	392-105-035	AMD	93-07-039	392-167A-070	NEW-P	93-07-048
388-539-150	NEW-P	93-14-024	392-105-040	AMD-P	93-03-002	392-167A-070	NEW	93-12-016
388-539-150	NEW-E	93-14-028	392-105-040	AMD	93-07-039	392-167A-075	NEW-P	93-07-048
388-540-001	NEW-P	93-13-001	392-105-060	AMD-P	93-03-002	392-167A-075	NEW	93-12-016
388-540-001	NEW-E	93-13-130	392-105-060	AMD	93-07-039	392-167A-080	NEW-P	93-07-048
388-540-005	NEW-P	93-13-001	392-105-060	AMD	93-04-054	392-167A-080	NEW	93-12-016
388-540-005	NEW-E	93-13-130	392-121-445	AMD	93-04-054	392-167A-085	NEW-P	93-07-048
388-540-010	NEW-P	93-13-001	392-122-400	NEW-P	93-07-046	392-167A-085	NEW	93-12-016
388-540-010	NEW-E	93-13-130	392-122-401	NEW-P	93-12-017	392-167A-085	NEW	93-12-016
388-540-020	NEW-P	93-13-001	392-122-401	NEW	93-07-046	392-167A-090	NEW-P	93-07-048
388-540-020	NEW-E	93-13-130	392-122-401	NEW	93-12-017	392-167A-090	NEW	93-12-016
388-540-030	NEW-P	93-13-001	392-122-405	NEW-P	93-07-046	392-196-005	AMD	93-07-037
			392-122-405	NEW	93-12-017	392-196-030	AMD	93-07-037

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
434-19-086	AMD-E	93-14-081	434-663-020	NEW-P	93-14-001	458-20-900	NEW-E	93-13-087
434-19-087	AMD-E	93-14-081	434-663-030	NEW-P	93-14-001	458-30-262	AMD-P	93-04-020
434-19-088	AMD-E	93-14-081	434-663-050	NEW-P	93-14-001	458-30-262	AMD-E	93-04-021
434-19-097	AMD-E	93-14-081	434-663-060	NEW-P	93-14-001	458-30-262	AMD	93-07-067
434-19-098	AMD-E	93-14-081	434-663-070	NEW-P	93-14-001	458-40-634	PREP	93-07-068
434-19-101	AMD-E	93-14-081	440-25-005	NEW-E	93-11-050	458-40-634	AMD-P	93-11-081
434-19-102	REP-E	93-14-081	440-25-005	NEW-P	93-11-052	458-40-634	AMD	93-14-090
434-19-114	AMD-E	93-14-081	440-25-010	NEW-E	93-11-050	458-40-640	PREP	93-13-102
434-19-118	AMD-E	93-14-081	440-25-010	NEW-P	93-11-052	458-40-660	AMD-P	93-10-091
434-19-190	AMD-E	93-14-081	440-25-020	NEW-E	93-11-050	458-40-660	AMD	93-14-051
434-19-191	AMD-E	93-14-081	440-25-020	NEW-P	93-11-052	458-40-670	AMD-P	93-10-091
434-19-192	AMD-E	93-14-081	440-25-030	NEW-E	93-11-050	458-40-670	AMD	93-14-051
434-19-193	AMD-E	93-14-081	440-25-030	NEW-P	93-11-052	458-40-690	PREP	93-09-029
434-19-194	AMD-E	93-14-081	440-25-040	NEW-E	93-11-050	458-61-010	REP-E	93-14-015
434-19-195	AMD-E	93-14-081	440-25-040	NEW-P	93-11-052	458-61-015	NEW-E	93-14-015
434-50-010	AMD-E	93-14-080	440-25-050	NEW-E	93-11-050	458-61-020	REP-E	93-14-015
434-50-010	AMD-E	93-14-107	440-25-050	NEW-P	93-11-052	458-61-025	NEW-E	93-14-015
434-50-015	AMD-E	93-14-080	440-25-060	NEW-E	93-11-050	458-61-030	AMD-E	93-14-015
434-50-015	AMD-E	93-14-107	440-25-060	NEW-P	93-11-052	458-61-040	REP-E	93-14-015
434-50-020	AMD-E	93-14-080	440-25-070	NEW-E	93-11-050	458-61-050	AMD-E	93-14-015
434-50-020	AMD-E	93-14-107	440-25-070	NEW-P	93-11-052	458-61-060	AMD-E	93-14-015
434-50-031	NEW-E	93-14-080	440-25-080	NEW-E	93-11-050	458-61-070	AMD-E	93-14-015
434-50-031	NEW-E	93-14-107	440-25-080	NEW-P	93-11-052	458-61-080	AMD-E	93-14-015
434-50-032	NEW-E	93-14-080	440-25-090	NEW-E	93-11-050	458-61-090	AMD-E	93-14-015
434-50-032	NEW-E	93-14-107	440-25-090	NEW-P	93-11-052	458-61-100	AMD-E	93-14-015
434-50-033	NEW-E	93-14-080	440-25-100	NEW-E	93-11-050	458-61-110	REP-E	93-14-015
434-50-033	NEW-E	93-14-107	440-25-100	NEW-P	93-11-052	458-61-120	AMD-E	93-14-015
434-50-034	NEW-E	93-14-080	440-25-110	NEW-E	93-11-050	458-61-130	AMD-E	93-14-015
434-50-034	NEW-E	93-14-107	440-25-110	NEW-P	93-11-052	458-61-140	REP-E	93-14-015
434-50-035	AMD-E	93-14-080	440-25-120	NEW-E	93-11-050	458-61-150	AMD-E	93-14-015
434-50-035	AMD-E	93-14-107	440-25-120	NEW-P	93-11-052	458-61-200	AMD-E	93-14-015
434-50-036	NEW-E	93-14-080	446-40-070	AMD-P	93-10-001	458-61-210	AMD-E	93-14-015
434-50-036	NEW-E	93-14-107	446-80-005	NEW-P	93-13-119	458-61-220	AMD-E	93-14-015
434-50-037	NEW-E	93-14-080	446-80-010	NEW-P	93-13-119	458-61-230	AMD-E	93-14-015
434-50-037	NEW-E	93-14-107	458-12-010	AMD-P	93-05-016	458-61-235	NEW-E	93-14-015
434-50-038	NEW-E	93-14-109	458-12-010	AMD	93-08-049	458-61-240	REP-E	93-14-015
434-50-040	AMD-E	93-14-080	458-12-240	REP-P	93-05-016	458-61-250	AMD-E	93-14-015
434-50-040	AMD-E	93-14-107	458-12-240	REP	93-08-049	458-61-255	NEW-E	93-14-015
434-50-045	AMD-E	93-14-080	458-12-342	AMD-P	93-05-016	458-61-270	REP-E	93-14-015
434-50-045	AMD-E	93-14-107	458-12-342	AMD	93-08-049	458-61-280	REP-E	93-14-015
434-50-050	AMD-E	93-14-080	458-14-015	AMD-P	93-05-015	458-61-300	AMD-E	93-14-015
434-50-050	AMD-E	93-14-107	458-14-015	AMD	93-08-050	458-61-310	REP-E	93-14-015
434-50-055	AMD-E	93-14-080	458-14-025	AMD-P	93-05-015	458-61-320	REP-E	93-14-015
434-50-055	AMD-E	93-14-107	458-14-025	AMD	93-08-050	458-61-330	AMD-E	93-14-015
434-79-010	AMD-E	93-14-088	458-14-026	NEW-P	93-05-015	458-61-335	AMD-E	93-14-015
434-600-010	NEW	93-04-001	458-14-026	NEW	93-08-050	458-61-340	AMD-E	93-14-015
434-610-010	NEW	93-04-001	458-14-127	AMD-P	93-05-015	458-61-360	REP-E	93-14-015
434-610-020	NEW	93-04-001	458-14-127	AMD	93-08-050	458-61-370	AMD-E	93-14-015
434-610-025	NEW	93-04-001	458-14-170	AMD-P	93-05-015	458-61-375	NEW-E	93-14-015
434-610-030	NEW	93-04-001	458-14-170	AMD	93-08-050	458-61-376	NEW-E	93-14-015
434-610-040	NEW	93-04-001	458-14-171	NEW-P	93-05-015	458-61-380	REP-E	93-14-015
434-610-050	NEW	93-04-001	458-14-171	NEW	93-08-050	458-61-390	REP-E	93-14-015
434-610-060	NEW	93-04-001	458-18-220	AMD-P	93-03-024	458-61-400	AMD-E	93-14-015
434-610-070	NEW	93-04-001	458-18-220	AMD-E	93-03-025	458-61-410	AMD-E	93-14-015
434-610-080	NEW	93-04-001	458-18-220	AMD	93-06-096	458-61-420	AMD-E	93-14-015
434-610-090	NEW	93-04-001	458-20-101	PREP	93-02-046	458-61-430	AMD-E	93-14-015
434-610-100	NEW	93-04-001	458-20-101	AMD-P	93-08-013	458-61-440	REP-E	93-14-015
434-610-110	NEW	93-04-001	458-20-101	AMD	93-13-126	458-61-450	REP-E	93-14-015
434-610-120	NEW	93-04-001	458-20-102	AMD-E	93-13-085	458-61-460	REP-E	93-14-015
434-615-010	NEW	93-04-001	458-20-115	PREP	93-12-111	458-61-470	AMD-E	93-14-015
434-615-020	NEW	93-04-001	458-20-116	PREP	93-12-112	458-61-480	AMD-E	93-14-015
434-615-030	NEW	93-04-001	458-20-117	PREP	93-12-113	458-61-490	REP-E	93-14-015
434-620-010	NEW	93-04-001	458-20-119	AMD-P	93-07-069	458-61-500	REP-E	93-14-015
434-624-010	NEW	93-04-001	458-20-124	AMD-P	93-07-070	458-61-510	AMD-E	93-14-015
434-624-020	NEW	93-04-001	458-20-149	REP	93-03-005	458-61-520	AMD-E	93-14-015
434-624-030	NEW	93-04-001	458-20-150	PREP	93-12-114	458-61-530	REP-E	93-14-015
434-624-040	NEW	93-04-001	458-20-167	PREP	93-12-115	458-61-540	AMD-E	93-14-015
434-624-050	NEW	93-04-001	458-20-168	AMD-E	93-13-086	458-61-548	NEW-E	93-14-015
434-626-010	NEW	93-04-001	458-20-174	PREP	93-02-047	458-61-550	AMD-E	93-14-015
434-626-020	NEW	93-04-001	458-20-17901	AMD-P	93-04-045	458-61-553	NEW-E	93-14-015
434-660-010	NEW-P	93-14-002	458-20-17901	AMD	93-07-066	458-61-555	AMD-E	93-14-015
434-663-001	NEW-P	93-14-001	458-20-229	AMD	93-04-077	458-61-560	REP-E	93-14-015
434-663-005	NEW-P	93-14-001	458-20-230	AMD	93-03-004	458-61-570	REP-E	93-14-015

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
458-61-590	AMD-E	93-14-015	478-116-511	REP-P	93-08-110	490-08B-040	NEW-P	93-02-045
458-61-610	AMD-E	93-14-015	478-116-511	REP	93-14-130	490-08B-040	NEW	93-06-005
458-61-620	REP-E	93-14-015	478-116-520	AMD-P	93-08-110	490-08B-050	NEW-P	93-02-045
458-61-630	REP-E	93-14-015	478-116-520	AMD	93-14-130	490-08B-050	NEW	93-06-005
458-61-640	AMD-E	93-14-015	478-116-530	REP-P	93-08-110	490-08B-060	NEW-P	93-02-045
458-61-650	AMD-E	93-14-015	478-116-530	REP	93-14-130	490-08B-060	NEW	93-06-005
458-61-660	AMD-E	93-14-015	478-116-540	AMD-P	93-08-110	490-08B-070	NEW-P	93-02-045
458-61-670	AMD-E	93-14-015	478-116-540	AMD	93-14-130	490-08B-070	NEW	93-06-005
458-61-680	REP-E	93-14-015	478-116-550	AMD-P	93-08-110	490-08B-080	NEW-P	93-02-045
458-61-690	REP-E	93-14-015	478-116-550	AMD	93-14-130	490-08B-080	NEW	93-06-005
463-30-055	NEW-P	93-07-094	478-116-560	REP-P	93-08-110	490-10-010	NEW-P	93-02-045
463-30-055	NEW	93-12-013	478-116-560	REP	93-14-130	490-10-010	NEW	93-06-005
468-16-030	AMD	93-03-020	478-116-582	AMD-P	93-08-110	490-13-010	NEW-P	93-02-045
468-16-040	AMD	93-03-020	478-116-582	AMD	93-14-130	490-13-010	NEW	93-06-005
468-16-050	AMD	93-03-020	478-116-586	AMD-P	93-08-110	490-100-250	AMD-P	93-02-044
468-16-060	AMD	93-03-020	478-116-586	AMD	93-14-130	490-100-250	AMD	93-06-006
468-16-070	AMD	93-03-020	478-116-588	AMD-P	93-08-110	490-276-010	NEW-P	93-02-045
468-16-090	AMD	93-03-020	478-116-588	AMD	93-14-130	490-276-010	NEW	93-06-005
468-16-100	AMD	93-03-020	478-116-589	NEW-P	93-08-110	490-276-020	NEW-P	93-02-045
468-16-120	AMD	93-03-020	478-116-589	NEW	93-14-130	490-276-020	NEW	93-06-005
468-16-130	AMD	93-03-020	478-116-601	AMD-P	93-08-110	490-276-030	NEW-P	93-02-045
468-16-140	AMD	93-03-020	478-116-601	AMD	93-14-130	490-276-030	NEW	93-06-005
468-16-150	AMD	93-03-020	480-12-010	AMD-P	93-11-098	490-276-040	NEW-P	93-02-045
468-16-160	AMD	93-03-020	480-12-083	AMD-P	93-11-099	490-276-040	NEW	93-06-005
468-16-170	AMD	93-03-020	480-12-150	AMD-P	93-11-097	490-276-050	NEW-P	93-02-045
468-16-180	AMD	93-03-020	480-12-181	AMD	93-05-038	490-276-050	NEW	93-06-005
468-16-190	AMD	93-03-020	480-12-285	AMD-P	93-11-098	490-276-060	NEW-P	93-02-045
468-16-200	AMD	93-03-020	480-30-015	AMD-P	93-11-099	490-276-060	NEW	93-06-005
468-38-360	AMD	93-04-071	480-30-030	AMD-P	93-11-096	490-276-070	NEW-P	93-02-045
468-52-010	NEW	93-03-033	480-35-030	AMD-P	93-11-096	490-276-070	NEW	93-06-005
468-52-020	NEW	93-03-033	480-40-015	AMD-P	93-11-099	490-276-080	NEW-P	93-02-045
468-52-030	NEW	93-03-033	480-40-030	AMD-P	93-11-096	490-276-080	NEW	93-06-005
468-52-040	NEW	93-03-033	480-70-055	AMD-P	93-11-099	490-276-090	NEW-P	93-02-045
468-52-050	NEW	93-03-033	480-70-700	NEW-P	93-13-139	490-276-090	NEW	93-06-005
468-52-060	NEW	93-03-033	480-70-710	NEW-P	93-13-139	490-276-100	NEW-P	93-02-045
468-52-070	NEW	93-03-033	480-70-720	NEW-P	93-13-139	490-276-100	NEW	93-06-005
468-95-035	NEW-C	93-07-055	480-70-730	NEW-P	93-13-139	490-276-110	NEW-P	93-02-045
468-95-035	NEW-C	93-10-068	480-70-740	NEW-P	93-13-139	490-276-110	NEW	93-06-005
468-95-037	NEW-C	93-07-055	480-70-750	NEW-P	93-13-139	490-276-120	NEW-P	93-02-045
468-95-037	NEW-C	93-10-068	480-70-760	NEW-P	93-13-139	490-276-120	NEW	93-06-005
468-300-010	AMD-P	93-14-113	480-70-770	NEW-P	93-13-139	490-276-130	NEW-P	93-02-045
468-300-020	AMD-P	93-14-113	480-70-780	NEW-P	93-13-139	490-276-130	NEW	93-06-005
468-300-040	AMD-P	93-14-113	480-70-790	NEW-P	93-13-139	490-276-140	NEW-P	93-02-045
468-300-700	AMD-P	93-08-012	480-80-390	AMD	93-09-050	490-276-140	NEW	93-06-005
468-300-700	AMD-W	93-09-048	480-93-010	AMD-P	93-13-035	495B-104-010	NEW	93-05-018
468-300-700	AMD-E	93-13-027	480-110-023	NEW-P	93-06-056	495B-104-020	NEW	93-05-018
468-300-700	AMD-P	93-13-059	480-110-023	NEW	93-12-062	495B-104-030	NEW	93-05-018
478-116-370	AMD-P	93-08-110	480-110-176	AMD-P	93-06-056	495B-108-010	NEW	93-05-018
478-116-370	AMD	93-14-130	480-110-176	AMD	93-12-062	495B-108-020	NEW	93-05-018
478-116-400	AMD-P	93-08-110	480-120-021	AMD	93-06-055	495B-108-030	NEW	93-05-018
478-116-400	AMD	93-14-130	480-120-031	AMD-P	93-02-068	495B-108-040	NEW	93-05-018
478-116-410	REP-P	93-08-110	480-120-031	AMD	93-07-089	495B-108-050	NEW	93-05-018
478-116-410	REP	93-14-130	480-120-051	AMD	93-06-055	495B-108-060	NEW	93-05-018
478-116-420	REP-P	93-08-110	480-120-086	REP	93-06-055	495B-108-070	NEW	93-05-018
478-116-420	REP	93-14-130	480-120-350	NEW-P	93-05-013	495B-108-080	NEW	93-05-018
478-116-430	REP-P	93-08-110	480-120-350	NEW	93-11-026	495B-116-010	NEW	93-05-018
478-116-430	REP	93-14-130	480-120-500	NEW	93-06-055	495B-116-020	NEW	93-05-018
478-116-440	AMD-P	93-08-110	480-120-505	NEW	93-06-055	495B-116-030	NEW	93-05-018
478-116-440	AMD	93-14-130	480-120-510	NEW	93-06-055	495B-116-040	NEW	93-05-018
478-116-450	AMD-P	93-08-110	480-120-515	NEW	93-06-055	495B-116-050	NEW	93-05-018
478-116-450	AMD	93-14-130	480-120-520	NEW	93-06-055	495B-116-060	NEW	93-05-018
478-116-460	AMD-P	93-08-110	480-120-525	NEW	93-06-055	495B-116-070	NEW	93-05-018
478-116-460	AMD	93-14-130	480-120-530	NEW	93-06-055	495B-116-080	NEW	93-05-018
478-116-470	REP-P	93-08-110	480-120-535	NEW	93-06-055	495B-116-090	NEW	93-05-018
478-116-470	REP	93-14-130	480-120-535	NEW	93-14-119	495B-116-100	NEW	93-05-018
478-116-480	REP-P	93-08-110	490-04B-010	NEW-P	93-02-045	495B-116-110	NEW	93-05-018
478-116-480	REP	93-14-130	490-04B-010	NEW	93-06-005	495B-116-120	NEW	93-05-018
478-116-490	REP-P	93-08-110	490-08B-010	NEW-P	93-02-045	495B-116-130	NEW	93-05-018
478-116-490	REP	93-14-130	490-08B-010	NEW	93-06-005	495B-116-140	NEW	93-05-018
478-116-500	REP-P	93-08-110	490-08B-020	NEW-P	93-02-045	495B-116-150	NEW	93-05-018
478-116-500	REP	93-14-130	490-08B-020	NEW	93-06-005	495B-116-160	NEW	93-05-018
478-116-510	REP-P	93-08-110	490-08B-030	NEW-P	93-02-045	495B-116-170	NEW	93-05-018
478-116-510	REP	93-14-130	490-08B-030	NEW	93-06-005	495B-116-180	NEW	93-05-018

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #	WSR #
495E-140-060	NEW	93-13-112	495E-280-110	NEW-P	93-09-042		
495E-140-070	NEW-P	93-09-039	495E-280-110	NEW	93-13-115		
495E-140-070	NEW	93-13-112	495E-280-120	NEW-P	93-09-042		
495E-140-080	NEW-P	93-09-039	495E-280-120	NEW	93-13-115		
495E-140-080	NEW	93-13-112	495E-300-010	NEW-P	93-09-043		
495E-140-090	NEW-P	93-09-039	495E-300-010	NEW	93-13-116		
495E-140-090	NEW	93-13-112	495E-300-020	NEW-P	93-09-043		
495E-140-100	NEW-P	93-09-039	495E-300-020	NEW	93-13-116		
495E-140-100	NEW	93-13-112	495E-300-030	NEW-P	93-09-043		
495E-140-110	NEW-P	93-09-039	495E-300-030	NEW	93-13-116		
495E-140-110	NEW	93-13-112	495E-300-040	NEW-P	93-09-043		
495E-168-010	NEW-P	93-09-040	495E-300-040	NEW	93-13-116		
495E-168-010	NEW	93-13-113	495E-300-050	NEW-P	93-09-043		
495E-168-020	NEW-P	93-09-040	495E-300-050	NEW	93-13-116		
495E-168-020	NEW	93-13-113	495E-325-010	NEW-P	93-09-044		
495E-168-030	NEW-P	93-09-040	495E-325-010	NEW	93-13-117		
495E-168-030	NEW	93-13-113	495E-400-010	NEW-P	93-09-045		
495E-168-040	NEW-P	93-09-040	495E-400-010	NEW	93-13-118		
495E-168-040	NEW	93-13-113	495E-400-020	NEW-P	93-09-045		
495E-168-050	NEW-P	93-09-040	495E-400-020	NEW	93-13-118		
495E-168-050	NEW	93-13-113	495E-400-030	NEW-P	93-09-045		
495E-168-060	NEW-P	93-09-040	495E-400-030	NEW	93-13-118		
495E-168-060	NEW	93-13-113	495E-400-040	NEW-P	93-09-045		
495E-276-010	NEW-P	93-09-041	495E-400-040	NEW	93-13-118		
495E-276-010	NEW	93-13-114	495E-400-050	NEW-P	93-09-045		
495E-276-020	NEW-P	93-09-041	495E-400-050	NEW	93-13-118		
495E-276-020	NEW	93-13-114	495E-400-060	NEW-P	93-09-045		
495E-276-030	NEW-P	93-09-041	495E-400-060	NEW	93-13-118		
495E-276-030	NEW	93-13-114					
495E-276-040	NEW-P	93-09-041					
495E-276-040	NEW	93-13-114					
495E-276-050	NEW-P	93-09-041					
495E-276-050	NEW	93-13-114					
495E-276-060	NEW-P	93-09-041					
495E-276-060	NEW	93-13-114					
495E-276-070	NEW-P	93-09-041					
495E-276-070	NEW	93-13-114					
495E-276-080	NEW-P	93-09-041					
495E-276-080	NEW	93-13-114					
495E-276-090	NEW-P	93-09-041					
495E-276-090	NEW	93-13-114					
495E-276-100	NEW-P	93-09-041					
495E-276-100	NEW	93-13-114					
495E-276-110	NEW-P	93-09-041					
495E-276-110	NEW	93-13-114					
495E-276-120	NEW-P	93-09-041					
495E-276-120	NEW	93-13-114					
495E-276-130	NEW-P	93-09-041					
495E-276-130	NEW	93-13-114					
495E-276-140	NEW-P	93-09-041					
495E-276-140	NEW	93-13-114					
495E-280-010	NEW-P	93-09-042					
495E-280-010	NEW	93-13-115					
495E-280-015	NEW-P	93-09-042					
495E-280-015	NEW	93-13-115					
495E-280-020	NEW-P	93-09-042					
495E-280-020	NEW	93-13-115					
495E-280-030	NEW-P	93-09-042					
495E-280-030	NEW	93-13-115					
495E-280-040	NEW-P	93-09-042					
495E-280-040	NEW	93-13-115					
495E-280-050	NEW-P	93-09-042					
495E-280-050	NEW	93-13-115					
495E-280-060	NEW-P	93-09-042					
495E-280-060	NEW	93-13-115					
495E-280-070	NEW-P	93-09-042					
495E-280-070	NEW	93-13-115					
495E-280-080	NEW-P	93-09-042					
495E-280-080	NEW	93-13-115					
495E-280-090	NEW-P	93-09-042					
495E-280-090	NEW	93-13-115					
495E-280-100	NEW-P	93-09-042					
495E-280-100	NEW	93-13-115					

TABLE

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

ziram, use restrictions	PROP	93-12-128	(See AGRICULTURE, DEPARTMENT OF)		
Plant services					
holly, cut spray standards	PROP	93-07-053	BELLEVUE COMMUNITY COLLEGE		
nursery stock standards	PROP	93-07-053	Federal aid recipients, refunds	PROP	93-12-097
Rapeseed				PROP	93-12-098
production districts	PROP	93-07-085	Meetings	MISC	93-06-047
	PERM	93-11-032		MISC	93-12-006
Red raspberry commission			Parking and traffic	PROP	93-08-067
meetings	MISC	93-01-052		PERM	93-12-007
Rules coordinator	MISC	93-11-100	Refund policy	PROP	93-12-097
State/Environmental Protection Agency agreement	MISC	93-13-040		PROP	93-12-098
Strawberry commission			Rules coordinator	MISC	93-05-051
affected producer, definition	PROP	93-04-094	Student conduct code	PROP	93-08-068
	PERM	93-10-063		PERM	93-12-008
chemical regulation	PROP	93-04-094	BELLINGHAM TECHNICAL COLLEGE		
	PERM	93-10-063	Board of trustees	PERM	93-05-018
meetings	MISC	93-02-061	Debts, services withheld		
Weeds			for outstanding	PERM	93-05-018
noxious weed seeds, prohibited	PERM	93-01-069	Discrimination	PERM	93-05-018
noxious weed seeds, restricted	PERM	93-01-069	Facilities use	PERM	93-05-018
Weights and measures			Family Educational Rights and		
city sealers			Privacy Act compliance	PERM	93-05-018
report forms	PROP	93-02-016	Financial aid	PERM	93-05-018
	PERM	93-03-079	Grievance procedures	PERM	93-05-018
inspection fees	PROP	93-02-016	Library-media center code	PERM	93-05-018
	PERM	93-03-079	Meetings	MISC	93-01-021
railroad scale testing requirements	PROP	93-02-016		MISC	93-05-003
	PERM	93-03-079		MISC	93-06-071
Wheat commission				MISC	93-08-057
meetings	MISC	93-01-043		MISC	93-08-058
Wine commission				MISC	93-11-019
meetings	MISC	93-03-074		MISC	93-12-131
ASIAN AMERICAN AFFAIRS, COMMISSION ON			Organization and operation	PERM	93-05-018
Meetings	MISC	93-10-009	Parking and traffic	PERM	93-05-018
ATTORNEY GENERAL'S OFFICE			Practice and procedure	PERM	93-05-018
Lemon Law			Public records, availability	PERM	93-05-018
arbitration requests	EMER	93-07-017	Rules coordinator	PERM	93-05-018
Opinions			Scholarships	PERM	93-05-018
campaign contributions, reporting requirements (1993, No. 3)	MISC	93-10-034	State Environmental Policy Act compliance	PERM	93-05-018
campaign contributions, use for nonreimbursed public office related expenses (1993, No. 12)	MISC	93-14-020	Student conduct code	PERM	93-05-018
commercial paper investments by state and local governments (1993, No. 8)	MISC	93-13-072	Tuition and fee schedule	PERM	93-05-018
emergency medical care and services property tax levies (1993, No. 7)	MISC	93-13-071	BENTON FRANKLIN WALLA WALLA COUNTIES AIR POLLUTION CONTROL AUTHORITY		
firearms possession by convicted person upon pardon or final discharge (1993, No. 10)	MISC	93-13-074	Agricultural burning	PROP	93-13-128
fisheries department authority regarding fish possession and size limits (1993, No.2)	MISC	93-10-033	Air operating permits	PROP	93-13-128
hazardous waste plans, fees for implementation (1993, No 6)	MISC	93-10-037	Appeals from board orders	PROP	93-13-128
library fees for services (1992, No. 31)	MISC	93-02-058	Asbestos projects	PROP	93-13-128
municipal firemen's pension board membership (1993, No. 4)	MISC	93-10-035	Board powers and duties	PROP	93-13-128
natural resources department, earned interest credits (1992, No. 29)	MISC	93-01-062	Control officer's powers and duties	PROP	93-13-128
pesticide use, state preemption of local authority to regulate (1993, No. 5)	MISC	93-10-036	Fees and charges	PROP	93-13-128
prisoners, authority of county to charge booking fees (1993, No. 11)	MISC	93-13-075	Open burning	PROP	93-13-128
state investment board, elected officials as members (1993, No. 13)	MISC	93-14-020A	Solid fuel burning devices	PROP	93-13-128
traffic school attendance, ability of district courts to require (1993, No. 9)	MISC	93-13-073	Source registration	PROP	93-13-128
Rules coordinator	MISC	93-12-130	Variances	PROP	93-13-128
BEEF COMMISSION			BLIND, DEPARTMENT OF SERVICES FOR THE		
			Definitions		
			challenge test licensee, term deleted	PROP	93-07-117
				PERM	93-10-067
			Vending facilities		
			operation in absence of assigned vendor	PERM	93-01-026
			vendor or licensee selection	PERM	93-01-026
			vendor selection review	PERM	93-01-026
			Vendors		
			eligibility	PROP	93-06-048
				PERM	93-09-013

BEEF COMMISSION

Index

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

BLIND, WASHINGTON STATE SCHOOL FOR THE			Klickitat County	MISC	93-04-124
Rules coordinator	MISC	93-01-118		MISC	93-11-022
			Wasco County, Oregon	MISC	93-11-023
BOILER RULES, BOARD OF (See LABOR AND INDUSTRIES, DEPARTMENT OF)				MISC	93-04-123
				MISC	93-11-022
				MISC	93-11-023
BUILDING CODE COUNCIL			COMMUNITY AND TECHNICAL COLLEGES,		
Barrier-free facilities	PERM	93-01-166	STATE BOARD FOR		
Energy code			Adult education program	EMER	93-14-009
efficiency requirements for nonresidential buildings	PROP	93-08-077	Annuity contract repurchase	PERM	93-01-015
	PROP	93-08-084	General education development (GED) program	EMER	93-14-010
	PROP	93-10-004	Personnel standards	PROP	93-10-103
Fireworks				PERM	93-14-008
storage, use, and handling	PERM	93-01-162	Project even start	EMER	93-09-047
Fueling tank vehicles				PROP	93-14-052
fleet fueling requirements	PERM	93-01-163	Running start program	EMER	93-14-053
Indoor air quality				PERM	93-01-014
ventilation and indoor air quality code	PROP	93-01-016	COMMUNITY DEVELOPMENT, DEPARTMENT OF		
	PERM	93-02-056	Bond cap allocation	PROP	93-09-061
Meetings	MISC	93-01-160		PERM	93-13-012
Policies and procedures	PROP	93-01-161	Comprehensive plans and development regulations		
	PROP	93-14-017	criteria for adoption	PROP	93-13-138
Rules coordinator	MISC	93-05-025	Development loan fund meetings	MISC	93-01-121
Uniform codes			Development regulations and comprehensive plans		
fire code and fire code standards	PERM	93-01-162	criteria for adoption	PROP	93-13-138
	PERM	93-01-163	Emergency food assistance program funding		
Ventilation and indoor air quality code	PROP	93-01-016	Enhanced 911 funding	PROP	93-08-087
	PERM	93-02-056		EMER	93-07-063
Water conservation performance standards	PERM	93-01-164		PROP	93-07-112
				PERM	93-11-039
CENTRAL WASHINGTON UNIVERSITY			Fire marshal standards	PROP	93-04-060
Meetings	MISC	93-08-001		EMER	93-04-061
	MISC	93-14-054		PERM	93-05-032
Rules coordinator	MISC	93-01-095	Fire protection services division meetings	MISC	93-05-005
CENTRALIA COLLEGE			Growth management comprehensive plans and development regulations, criteria for	PROP	93-13-138
Meetings	MISC	93-01-071	Low-income home energy assistance program hearings	MISC	93-13-010
Organization and operation	PROP	93-06-067	Public works board meetings	MISC	93-01-127
	PERM	93-13-050		MISC	93-07-059
Rules coordinator	MISC	93-06-084	rules coordinator	MISC	93-04-104
CLARK COLLEGE			Rules coordinator	MISC	93-04-104
Meetings	MISC	93-02-005	COMMUNITY ECONOMIC REVITALIZATION BOARD		
Rules coordinator	MISC	93-02-005	(See TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF)		
CLEMENCY AND PARDONS BOARD			CONSERVATION AND RENEWABLE		
Meetings	MISC	93-01-040	ENERGY SYSTEM		
	MISC	93-02-022	Meetings	MISC	93-03-076
CLOVER PARK TECHNICAL COLLEGE				MISC	93-05-002
Meetings	MISC	93-12-061	CONSERVATION COMMISSION		
Parking and traffic	PROP	93-01-033	Meetings	MISC	93-03-035
CODE REVISER'S OFFICE			CONVENTION AND TRADE CENTER		
Rules coordinator	MISC	93-01-001	Meetings	MISC	93-01-145
COLUMBIA RIVER GORGE COMMISSION				MISC	93-03-053
Appeals from decisions	MISC	93-11-020		MISC	93-06-004
	MISC	93-11-021		MISC	93-07-025
	MISC	93-14-132		MISC	93-07-056
Land use ordinance	MISC	93-03-093		MISC	93-09-011
	MISC	93-11-022		MISC	93-09-046
	MISC	93-11-023		MISC	93-11-066
Clark County	MISC	93-04-126		MISC	93-13-031
	MISC	93-11-022			
	MISC	93-11-023			
Hood River County, Oregon	MISC	93-04-125			
	MISC	93-11-022			
	MISC	93-11-023			

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

CORRECTIONS, DEPARTMENT OF					
Rules coordinator	MISC	93-08-014	toxic air pollutants, control of sources	PROP	93-14-118
COUNTY ROAD ADMINISTRATION BOARD			transportation activities, conformity to air quality implementation plans	PERM	93-04-006
Meetings	MISC	93-14-128	Chlorofluorocarbon refrigerants		
Pavement management systems	PROP	93-07-045	reclamation and recycling	EMER	93-02-049
	PERM	93-14-003		PERM	93-02-050
Rules coordinator	MISC	93-02-059	recycling requirements	EMER	93-02-049
				PERM	93-02-050
CRIMINAL JUSTICE TRAINING COMMISSION			Clean Air Act		
Basic law enforcement academy curriculum	PROP	93-08-055	toxic air pollutants, control of sources	PROP	93-14-118
	PERM	93-13-097	violations		
readmission	PROP	93-03-084	maximum penalty	EMER	93-02-012
	PROP	93-08-030	Dam safety regulations	PERM	93-01-090
	PERM	93-13-103	Dangerous waste		
requirements	PROP	93-05-039	chlorofluorocarbon refrigerants	EMER	93-02-049
training requirements	PROP	93-07-118		PERM	93-02-050
	PERM	93-13-098	designation	PROP	93-12-109
Corrections academies readmission	PROP	93-03-085	facilities, requirements	PROP	93-14-005
	PERM	93-07-119		PROP	93-12-109
requirements	PROP	93-05-040	tracking system	PROP	93-14-005
	PROP	93-07-120		PROP	93-12-109
	PERM	93-13-099	Drinking water	PROP	93-14-005
Fire marshals training requirements	PROP	93-10-029	remedial action grants	PROP	93-12-108
	PROP	93-10-030	Environmental laboratories		
	PERM	93-13-100	accreditation	PROP	93-13-127
	PERM	93-13-101	fees	PROP	93-13-127
DEAF, WASHINGTON SCHOOL FOR THE			Environmental Protection Agency/state agreement	MISC	93-13-040
Rules coordinator	MISC	93-01-129	Flood control		
EASTERN WASHINGTON UNIVERSITY			grant funding priorities	MISC	93-09-066
Discrimination	PERM	93-01-073	Forest practices		
Meetings	MISC	93-14-114	aquatic habitat protection	PERM	93-01-091
			water quality protection	PERM	93-01-091
				PROP	93-05-042
				EMER	93-07-090
				PERM	93-11-062
ECOLOGY, DEPARTMENT OF			Mixed waste		
Agricultural activities			management fees	PERM	93-09-065
burning permit	PROP	93-03-090	Motor vehicles		
	EMER	93-04-002	emission inspection	PROP	93-03-092
	EMER	93-09-063		PERM	93-10-062
	EMER	93-12-012		PROP	93-12-080
	PERM	93-14-022		EMER	93-12-081
grass seed production permit	EMER	93-04-002	Oil spills		
	EMER	93-12-012	gasoline vapor control, compliance schedules	PERM	93-03-089
	PERM	93-14-022		PROP	93-04-108
Air quality				PERM	93-13-011
agricultural burning, permit	PROP	93-03-090	oil transfer and handling facilities, personnel training and certifi- cation	PERM	93-13-068
	EMER	93-04-002			
	PROP	93-09-063	Oil transfer and handling facilities		
	EMER	93-12-012	personnel training and certification	PERM	93-01-089
	PERM	93-14-022			
air pollution sources, regulation	PROP	93-03-065	Rules coordinator	PERM	93-01-089
	PERM	93-05-044	Service stations	MISC	93-01-087
	PROP	93-05-048	gasoline vapor control, compliance schedules	PERM	93-03-089
	PROP	93-07-042		PROP	93-04-108
	PROP	93-07-062		PERM	93-13-011
gasoline vapor control, compliance schedules	PERM	93-03-089		PERM	93-13-068
	PROP	93-04-108	Shoreline master programs		
	PERM	93-13-011	Clark County	PERM	93-01-108
	PERM	93-13-068	Dupont, city of	PROP	93-04-064
motor vehicle emission inspection	PROP	93-03-092		PERM	93-08-026
	PERM	93-10-062	Edmonds, city of	PROP	93-03-091
	PROP	93-12-080		PERM	93-13-020
	EMER	93-12-081	Jefferson County	PROP	93-10-100
operating permits	PROP	93-07-062	Montesano, city of	PROP	93-09-062
solid fuel burning devices			Mountlake Terrace, city of	PROP	93-06-051
emission performance standards	PERM	93-04-105		PROP	93-13-047
fees	EMER	93-01-137			
	PERM	93-04-105			
Tacoma, Environmental Protection Agency redesignation	MISC	93-13-043			

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

Olympia, city of	PROP 93-06-050	EDMONDS COMMUNITY COLLEGE	
	PROP 93-11-061	Meetings	MISC 93-01-079
	PERM 93-12-107		MISC 93-02-013
Pierce County	PERM 93-02-048		MISC 93-05-049
Port Townsend, city of	PROP 93-01-088		MISC 93-07-049
	PERM 93-07-116		MISC 93-09-005
	PROP 93-10-100		MISC 93-13-032
San Juan County	PERM 93-01-138		
Seattle, city of	PERM 93-04-106	EDUCATION, STATE BOARD OF	
	PROP 93-05-043	Architectural and engineering services	PROP 93-08-041
	PERM 93-12-011		PERM 93-13-026
Stevens County	PROP 93-04-065	Corporal punishment reporting requirement	PERM 93-01-077
	PROP 93-07-091	High school graduation requirements	PERM 93-04-115
	PROP 93-11-074	Instructional specialist certificate	PERM 93-05-007
Tacoma, city of	PERM 93-01-110	Meetings	MISC 93-08-008
Tumwater, city of	PROP 93-14-117	Racial imbalance prohibition	
Vancouver, city of	PERM 93-01-109	acceptance criteria	PROP 93-04-119
Whatcom County	PROP 93-02-011		PROP 93-07-100
	PERM 93-04-063	School bus drivers	
Solid fuel burning devices		standards and qualifications	PROP 93-04-117
emission performance standards	PERM 93-04-105		PERM 93-08-007
fees	EMER 93-01-137	School construction	
	PERM 93-04-105	funding assistance, priority system	PERM 93-04-019
Solid waste		Site conditions	
municipal solid waste landfills, criteria	PROP 93-12-110	acceptance criteria	PROP 93-04-118
State/Environmental Protection Agency agreement	MISC 93-13-040		PERM 93-07-104
Tacoma		Teachers	
Environmental Protection Agency air quality redesignation	MISC 93-13-043	definitions of terms	PROP 93-04-120
Transportation activities, conformity to air quality implementation plans	PERM 93-04-006	out-of-endorsement placement	PERM 93-07-101
Waste		teacher preparation programs	PROP 93-04-116
discharge general permit program	PROP 93-03-066		PERM 93-07-102
	EMER 93-03-067		PROP 93-04-120
	PERM 93-10-099		PERM 93-07-101
mixed waste facilities		EMPLOYMENT SECURITY DEPARTMENT	
management fees	PERM 93-09-065	Rules coordinator	MISC 93-01-167
national pollutant discharge elimination system permit program	PROP 93-03-066		MISC 93-05-008
	EMER 93-03-067	Training	
solid waste		commissioner approval	PROP 93-13-137
municipal solid waste landfills, criteria	PROP 93-12-110	Unemployment compensation	
state waste discharge permit program	PROP 93-03-066	commissioner approved training	PROP 93-11-005
	EMER 93-03-067	voluntary layoffs	EMER 93-13-007
	PERM 93-10-099	waiting period credit or benefits, claims	PROP 93-07-086
Wastewater			PERM 93-10-025
construction grants priority and ranking system	PROP 93-09-064	Voluntary layoffs	EMER 93-13-007
	PERM 93-14-116		
discharge permit program	PROP 93-03-066	ENERGY FACILITY SITE EVALUATION COUNCIL	
	EMER 93-03-067	Meetings	MISC 93-02-023
	PERM 93-10-099	Members	
Water quality		salaries and benefits, applicant funding of	PROP 93-07-094
drinking water			PERM 93-12-013
remedial action grants	PROP 93-12-108	ENERGY OFFICE	
forest practices	EMER 93-07-090	Organization	PERM 93-02-033
whole effluent toxicity testing and limits	PROP 93-08-085	Public records	
	PROP 93-14-004	availability	PERM 93-02-033
Water rate charges	PROP 93-09-064	copying fees	PERM 93-02-033
	PERM 93-14-116		
Water resources management program		ENGINEERS AND LAND SURVEYORS, BOARD OF REGISTRATION FOR PROFESSIONAL	
Columbia River main stem	PERM 93-01-009	Adjudicative proceedings	
Snake River main stem	PERM 93-01-010	failure to meet prerequisites	PROP 93-09-024
Water rights			PERM 93-13-064
Columbia River water withdrawal	PERM 93-01-009	Comity	PERM 93-01-081
Snake River water withdrawal	PERM 93-01-010	Document preparation requirements	PROP 93-09-023
Woodstoves			PERM 93-13-066
emission performance standards	PERM 93-04-105	Evaluation of license candidates	PERM 93-01-081
fees	PERM 93-04-105	Examinations	PERM 93-01-081
		Meetings	MISC 93-03-041
		Seal/stamp usage	PROP 93-09-022
			PERM 93-13-065

Subject/Agency Index
(Citation in **bold type** refer to material in this issue)

EVERETT COMMUNITY COLLEGE				shrimp			
Meetings	MISC	93-02-030		coastal waters	PROP	93-12-092	
EVERGREEN STATE COLLEGE, THE				Puget Sound	EMER	93-09-028	
Meetings	MISC	93-01-112			EMER	93-11-057	
FARMED SALMON COMMISSION (See				smelt			
AGRICULTURE, DEPARTMENT OF)				areas and seasons	EMER	93-01-008	
FISHERIES, DEPARTMENT OF				sturgeon			
<u>Commercial</u>				coastal harbors			
baitfish				seasons and gear	PROP	93-09-074	
seasons	EMER	93-06-044		Columbia River			
bottomfish				above Bonneville, seasons	EMER	93-02-008	
coastal bottomfish				trawl gear	PROP	93-12-092	
catch limits	EMER	93-01-140		<u>Personal use</u>			
	EMER	93-04-095		clams			
	PERM	93-07-093		area closures	EMER	93-08-059	
	EMER	93-09-067			EMER	93-09-025	
	EMER	93-10-094		areas and seasons			
	EMER	93-12-078		razor	EMER	93-01-017	
Puget Sound bottomfish	PROP	93-12-092			EMER	93-01-104	
seasons	EMER	93-11-010			EMER	93-07-092	
buoy brands	PROP	93-12-092		seasons	EMER	93-08-017	
crabs				crab	PROP	93-10-096	
areas and seasons	PROP	93-12-092		areas and seasons	EMER	93-10-095	
gear	PROP	93-12-092			EMER	93-11-063	
experimental fishery permit advisory				definitions and rules, amendments	EMER	93-13-057	
board	PROP	93-12-092			PROP	93-04-096	
geoducks					PROP	93-08-033	
gear and unlawful acts	PROP	93-12-092		food fish	PERM	93-08-034	
licenses	PROP	93-12-092		bag limits	PERM	93-14-043	
salmon					EMER	93-09-026	
coastal harbors				free fishing days	PROP	93-10-095	
seasons and gear	PROP	93-09-074		halibut	EMER	93-13-028	
	PROP	93-13-006		areas and seasons			
	PERM	93-14-042		oysters	EMER	93-13-002	
Columbia River above Bonneville,				areas and seasons	PERM	93-09-027	
seasons	EMER	93-04-073		rules and definitions, amendments	PROP	93-04-096	
	EMER	93-06-015			PROP	93-08-033	
	EMER	93-06-069			PERM	93-08-034	
Columbia River below Bonneville,				salmon	PERM	93-14-043	
seasons	EMER	93-05-017		area closures	EMER	93-14-071	
	EMER	93-06-014		areas and seasons	EMER	93-08-016	
	EMER	93-06-070		Chehalis River	EMER	93-14-040	
	EMER	93-07-001		Columbia River	EMER	93-04-043	
Columbia River tributaries	EMER	93-10-061			EMER	93-06-013	
	EMER	93-12-010			EMER	93-06-068	
	EMER	93-13-030			EMER	93-08-018	
Grays Harbor	EMER	93-14-108		Klickitat River	EMER	93-13-009	
Puget Sound				saltwater seasons and bag limits	EMER	93-10-045	
seasons and gear	PROP	93-09-073			EMER	93-13-036	
	PERM	93-14-041		Wind River	EMER	93-14-012	
	EMER	93-10-043			EMER	93-13-029	
troll season				shad			
scallops				areas and seasons	EMER	93-09-026	
areas and seasons	EMER	93-07-043		shrimp			
coastal waters	PROP	93-12-092		area and seasons	EMER	93-11-057	
Puget Sound	PROP	93-12-092			EMER	93-11-063	
sea cucumbers				smelt	EMER	93-12-079	
areas and seasons	EMER	93-10-044		areas and seasons	EMER	93-13-057	
	PROP	93-12-092		sturgeon			
	EMER	93-13-058		areas and seasons	EMER	93-09-026	
	EMER	93-13-089		Rules coordinator	MISC	93-05-014	
sea urchins				FOREST PRACTICES BOARD			
areas and seasons	EMER	93-05-006		Application and notification	PROP	93-05-010	
	EMER	93-07-006			PERM	93-12-001	
shad				Chemicals	PROP	93-05-010	
Columbia River	EMER	93-12-041			PERM	93-12-001	
	EMER	93-13-078					
shellfish							
harvest logs	PROP	93-12-092					
lawful and unlawful acts	EMER	93-11-040					

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

Definitions	PROP 93-05-010	Meetings	MISC 93-03-009
	PERM 93-12-001		MISC 93-13-060
Endangered Species Act relationship to Forest Practices Act Enforcement	EMER 93-07-060	Punchboards and pull tabs coin-operated pull tab dispensing devices	PROP 93-07-083
	PROP 93-05-010		PROP 93-07-087
	PERM 93-12-001		PERM 93-12-082
Forest landowners stewardship management plan	EMER 93-02-010	electronic punchboards	PROP 93-07-081
Marbled murrelet critical wildlife habitats	EMER 93-07-060	flares, standards	PERM 93-12-082
Meetings	MISC 93-01-132	fund raising events, pull tabs at	PROP 93-06-036
	MISC 93-03-088		PERM 93-10-005
	MISC 93-06-029	inventory and retention	PROP 93-07-081
	MISC 93-08-086		PERM 93-12-082
	MISC 93-11-082	name of manufacturer, display required	PROP 93-08-066
	MISC 93-14-131		PERM 93-13-063
Policy and organization	PROP 93-05-010	prizes, minimum percentages	PROP 93-07-083
	PERM 93-12-001	recall of defective devices	PERM 93-12-082
Practices and procedure	PROP 93-05-010		PERM 93-04-007
	PERM 93-12-001		PROP 93-06-036
Reforestation	PROP 93-05-010	Raffles	PERM 93-10-005
	PERM 93-12-001	liquor raffled during members only	
Road construction and maintenance	PROP 93-05-010	raffle	PROP 93-13-061
	PERM 93-12-001	managers, operators, and employees	PROP 93-13-061
State Environmental Policy Act (SEPA) compliance	PROP 93-05-010	Record-keeping requirements	PROP 93-08-066
	PERM 93-12-001		PERM 93-12-082
Stewardship management plan	EMER 93-02-010	Rules coordinator	PERM 93-13-063
Stream shade cover	EMER 93-02-009	Washington blackjack	MISC 93-04-084
	EMER 93-10-015	rules of play	
Timber harvesting	PROP 93-05-010	wager limits, exception	PROP 93-10-042
	PERM 93-12-001		PERM 93-13-062
Watershed analysis	PROP 93-05-010		PROP 93-04-044
	PERM 93-12-001		PROP 93-10-042
			PERM 93-13-062
GAMBLING COMMISSION		GENERAL ADMINISTRATION, DEPARTMENT OF	
Amusement games		Banking, division of	
locations within grocery stores		check sellers	
authorized	PERM 93-01-013	bonding requirements	PROP 93-13-143
managers, operators, and employees	PROP 93-13-061	consumer loan companies	
operating requirements	PROP 93-07-082	charges, restrictions	PROP 93-13-144
	PERM 93-12-082	interstate acquisition reciprocity	PROP 93-05-052
wager and prize limits	PROP 93-07-082		PERM 93-07-113
	PERM 93-12-082	mutual holding companies	
Bingo		establishment and operation	PROP 93-11-087
accounting requirements	PROP 93-10-042		PERM 93-13-142
	PERM 93-13-062	Facilities off state capitol grounds	
authorized activities	PROP 93-10-042	parking program	PROP 93-09-068
	PERM 93-13-062		PROP 93-10-090
certification procedure for charitable and nonprofit organizations	PROP 93-10-042	Parking fees	PROP 93-12-091
	PERM 93-13-062		PROP 93-05-041
disclosure of prizes and rules	PROP 93-10-042		PROP 93-09-068
	PERM 93-13-062	Retrospective rating advisory group	PROP 93-10-090
limitations on prizes and receipts	PROP 93-10-042	meetings	PROP 93-12-091
	PERM 93-13-062		MISC 93-13-017
live performances as gifts	EMER 93-07-080	Risk management, division of	
	PROP 93-07-083	local government self-insurance	PROP 93-07-014
managers, operators, and employees	PROP 93-13-061		PROP 93-09-030
procedures for conducting	PROP 93-10-042	Rules coordinator	MISC 93-07-084
	PERM 93-13-062	Savings and loan associations, division of	
Card games		credit union supervisory	
daily records	PROP 93-06-036	committees	PROP 93-07-103
	PERM 93-10-005		
definition	PROP 93-13-061	GOVERNOR, OFFICE OF THE	
tournaments for fees and prizes	PROP 93-07-082	Affirmative action policy committee	
	PERM 93-12-082	meetings	MISC 93-13-051
wager limits	PROP 93-04-044	Americans with Disabilities Act	
Field offices and operations	PROP 93-01-133	implementation	MISC 93-06-049
	PERM 93-06-011	Ethical conduct standards for executive	
Licenses		branch employees	MISC 93-03-049
denial, suspension, or revocation	PROP 93-07-082	Higher education coordinating board designated	
	PERM 93-12-082	as review entity for Program Integrity	
Liquor as prizes		Triad	MISC 93-03-023
raffles for members only	PROP 93-13-061		

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

Independent living and rehabilitation advisory councils established	MISC	93-10-065	Childbirth centers		
Rehabilitation and independent living advisory councils established	MISC	93-10-065	criminal history disclosure and background inquiries	PROP	93-04-091
State of emergency proclamation	MISC	93-04-005		PROP	93-08-078
termination	MISC	93-04-076	Chiropractic disciplinary board		
Travel expenditures for agencies, standards	MISC	93-10-06	cost of services, disclosure	PROP	93-14-094
			future care contracts	PROP	93-14-094
			meetings	MISC	93-02-064
			professional standards, mandatory reporting	EMER	93-10-006
GRAYS HARBOR COLLEGE				PROP	93-14-094
Meetings	MISC	93-01-130	records, maintenance and retention	PROP	93-14-094
			sexual misconduct	PROP	93-14-094
GREEN RIVER COMMUNITY COLLEGE			substance abuse monitoring programs	PROP	93-14-094
Meetings	MISC	93-02-004	Chiropractic examiners, board of		
Student code of conduct	PERM	93-04-022	AIDS education	PROP	93-06-090
				PERM	93-09-055
GROWTH PLANNING HEARINGS BOARDS			continuing education	PROP	93-06-090
Meetings	MISC	93-01-105		PROP	93-09-054
	MISC	93-03-017		PERM	93-09-055
Petitions for review, filing	PROP	93-08-032	meetings	MISC	93-01-151
	PERM	93-11-068		MISC	93-08-062
Practice and procedure	PROP	93-06-045		MISC	93-14-039
			temporary permits	PROP	93-06-090
HARDWOODS COMMISSION				PERM	93-09-055
(See TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF)			x-ray technicians, registration	PROP	93-06-090
				PERM	93-09-055
HEALTH CARE AUTHORITY			Contact lenses		
Basic health plan	EMER	93-14-089	fitting and dispensing	PROP	93-02-066
Rules coordinator	MISC	93-08-019	records retention	PROP	93-02-066
			Counselors		
HEALTH, DEPARTMENT OF			fees	PROP	93-10-071
Abortion facilities				PERM	93-14-011
authority of department to regulate	EMER	93-14-034	Criminal history disclosure and background inquiries	PROP	93-04-091
	PROP	93-14-035		PROP	93-08-078
criminal history disclosure and background inquiries	PROP	93-04-091	Dental disciplinary board		
	PROP	93-08-078	dental lab technicians		
Adjudicative proceedings			permitted acts	PROP	93-08-106
disciplinary boards	PROP	93-04-102		PROP	93-13-014
	PERM	93-08-003	unlicensed persons		
secretary programs and professions	PROP	93-08-071	permitted acts	PROP	93-08-106
	PERM	93-13-005		PROP	93-13-014
Adult residential rehabilitation centers			Dental examiners, board of		
criminal history disclosure and background inquiries	PROP	93-04-091	licensure without examination		
	PROP	93-08-078	application procedures	PROP	93-01-025
				PROP	93-07-107
AIDS			eligibility	PERM	93-12-005
prescription drug and HIV intervention programs				PROP	93-01-025
eligibility	PROP	93-06-095	examination standards	PERM	93-07-108
	PROP	93-11-006		PROP	93-01-025
reporting requirements	PROP	93-03-003	licensing standards	PERM	93-07-108
	PERM	93-08-036		PROP	93-01-025
spending limitations	EMER	93-04-015		PERM	93-07-108
Blood lead levels reporting	PROP	93-06-094	Dental hygienists		
	PERM	93-10-038	licenses		
			fees	PROP	93-12-121
Boarding homes			out-of-state applicants	PROP	93-01-147
criminal history disclosure and background inquiries	PROP	93-04-091		PERM	93-06-042A
	PROP	93-08-078	Description and organization	PROP	93-01-007
nursing care for residents	EMER	93-12-004		PERM	93-08-004
Certification			Disciplinary boards		
expiration	PROP	93-10-071	adjudicative proceedings	PROP	93-04-102
	PERM	93-14-011		PERM	93-08-003
fees	PROP	93-10-071	Drinking water		
	PERM	93-14-011	operating permit		
temporary and provisional certificates	PROP	93-10-072	fees	PERM	93-03-047
	PERM	93-14-095	requirements	PERM	93-03-047
			surface water standards and treatment	PROP	93-04-122
Certificate of need				PERM	93-08-011
kidney disease treatment centers	EMER	93-01-150	Emergency medical services and trauma		
	PROP	93-08-070	care systems		
	PERM	93-13-015	administration	PERM	93-01-148
nursing homes	EMER	93-13-044	certification	PERM	93-01-148
			continuing education	PERM	93-01-148

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

definitions	PERM	93-01-148	fees	PROP	93-10-071
designation standards	PROP	93-13-124		PERM	93-14-011
facilities	PERM	93-01-148	Nursing, board of		
fees	PROP	93-13-124	mailing address, responsibility		
licensure	PERM	93-01-148	for maintaining	PROP	93-06-091
training	PERM	93-01-148		PERM	93-11-007
trauma registry	PERM	93-01-148	registered nurses		
verification of trauma care services	PERM	93-01-148	fees	PROP	93-08-080
Environmental Protection Agency/state				PERM	93-12-125
agreement	MISC	93-13-040	Nursing home administrators, board of		
Health, board of			definitions	PROP	93-08-105
rule-making authority	PROP	93-11-075		PERM	93-13-004
Hearing aids, council on			examinations	PROP	93-08-105
hearing aid businesses				PERM	93-13-004
adjudicative proceedings	PROP	93-13-145	fees	PROP	93-10-071
bonding requirements	PERM	93-07-010		PERM	93-14-011
licenses			licenses	PROP	93-08-105
activities requiring	PERM	93-07-009		PERM	93-13-004
continuing education requirements	PERM	93-07-007	standards of conduct	PROP	93-08-105
fees	PROP	93-10-071		PERM	93-13-004
temporary practice permits	PERM	93-14-011	Nursing homes		
Home care agencies	PERM	93-07-008	certificate of need	EMER	93-13-044
criminal history disclosure and background			Nursing pools		
inquiries	PROP	93-04-091	fees	PROP	93-10-071
	PROP	93-08-078		PERM	93-14-011
fees	EMER	93-14-093	quality assurance standards	PROP	93-10-039
licenses	EMER	93-14-093		PERM	93-14-011
Home health agencies			registration	PROP	93-10-039
criminal history disclosure and background				PERM	93-14-011
inquiries	PROP	93-04-091	Occupational therapy practice board		
	PROP	93-08-078	licensure		
fees	EMER	93-14-093	application	PROP	93-12-089
licenses	EMER	93-14-093	examinations	PROP	93-12-089
Hospice agencies			inactive status	PROP	93-12-089
criminal history disclosure and background			out-of-state applicants	PROP	93-12-089
inquiries	PROP	93-04-091	renewals	PROP	93-12-089
	PROP	93-08-078	Ocularists		
fees	EMER	93-14-093	training and licensing requirements	PROP	93-03-046
licenses	EMER	93-14-093		PERM	93-10-008
Hospitals			Opticians		
criminal history disclosure and background			contact lens		
inquiries	PROP	93-04-091	fitting and dispensing	PROP	93-02-066
	PROP	93-08-078	licensure		
new construction regulations	PROP	93-01-149	application	PROP	93-10-040
	PERM	93-07-011		PERM	93-14-011
Kidney disease treatment centers			fees	PROP	93-10-040
certificate of need				PROP	93-10-071
application moratorium	EMER	93-01-150	retired active license	PERM	93-14-011
dialysis station need formula	PROP	93-08-070		PROP	93-10-040
	PERM	93-13-015	temporary permits	PERM	93-14-011
Lead poisoning				PROP	93-10-040
blood lead levels reporting	PROP	93-06-094	records retention	PERM	93-14-011
	PERM	93-10-038	meetings	PROP	93-02-066
Massage, board of			Optometry board	MISC	93-01-153
continuing education	PROP	93-14-133	contact lens		
Massage practitioners			emergency replacement	PROP	93-08-079
fees	PROP	93-10-071	identification on prescriptions	MISC	93-03-030
	PERM	93-14-011		PROP	93-08-079
Medical examiners, board of			prescription, definition	MISC	93-03-030
licenses	PERM	93-01-078	prescription release	PROP	93-08-079
retired active physicians			records retention	MISC	93-03-030
fees	PROP	93-11-073	specifications	MISC	93-03-030
	PROP	93-12-122		PROP	93-08-079
	EMER	93-12-124	continuing education	PROP	93-08-079
license renewal	PERM	93-01-078			
licenses	PERM	93-01-078	Pharmacy, board of		
special purpose examination	PROP	93-05-047	address notification	PROP	93-04-101
	PERM	93-11-008		PERM	93-10-007
surgical assistants			aminorex	PROP	93-08-108
utilization and supervision	PROP	93-05-047		PERM	93-14-037
	PERM	93-11-008	authority to order medications for		
Medical test sites			administration	PROP	93-04-018
licensure	PROP	93-14-036	cattle anabolic steroid implants	PERM	93-06-093
Naturopathic physicians			ephedrine prescription restrictions	PERM	93-05-046

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

licenses			Residential treatment centers for psychiatrically		
fees	PROP	93-01-146	impaired children and youth		
	PERM	93-05-045	criminal history disclosure and		
	PROP	93-12-003	background inquiries	PROP	93-04-091
nuclear pharmacies				PROP	93-08-078
accepted professional standards,			Shellfish		
definition	PERM	93-04-016	certification fees	PROP	93-13-125
patient medication, customized			State/Environmental Protection Agency		
packages	PERM	93-01-051	agreement	MISC	93-13-040
pharmacy assistants			Rules coordinator	MISC	93-01-050
certification	PROP	93-08-107	Rural health care facilities		
education and training	PROP	93-08-107	criminal history disclosure and background		
	PROP	93-13-039	inquiries	PROP	93-04-091
specialized functions	PROP	93-12-123		PROP	93-08-078
physician assistants, registration	PROP	93-12-003	Temporary-worker housing		
practice and procedures	PERM	93-04-017	operating licenses	PERM	93-03-031
prescription drug repackaging	PERM	93-01-051	standards	PERM	93-03-032
	PROP	93-07-051		EMER	93-07-052
steroid compounds	PROP	93-08-109		PROP	93-07-106
	PERM	93-14-038		PERM	93-12-043
Physical therapy, board of			Veterinary board of governors		
aide supervision ratio	PROP	93-04-082	adjudicative proceedings		
continuing competency	PROP	93-04-082	model procedural rules		
examination requirements for those			animal technicians	PROP	93-13-052
failing exam twice	PERM	93-04-081	examinations	PROP	93-04-079
renewal of license	PERM	93-04-081		PERM	93-08-029
unapproved schools, applicants	PERM	93-04-081		PROP	93-08-081
Podiatric medical board				PERM	93-12-126
address notification	PROP	93-08-082	definitions	PROP	93-04-079
advertising, prohibited types	PROP	93-08-082		PERM	93-08-029
temporary practice permits	PROP	93-08-082	fees	PROP	93-10-071
Practical nursing, board of				PERM	93-11-011
impaired practical nurse program	PERM	93-04-080	licenses	PROP	93-04-079
	PERM	93-07-023		PERM	93-08-029
licenses, fees	PERM	93-07-023	registration	PROP	93-04-079
Practice and procedure	PROP	93-01-007		PERM	93-08-029
	PERM	93-08-004	veterinarian fees	PROP	93-04-121
Psychology, examining board of				PERM	93-08-028
adjudicative proceedings				PROP	93-10-071
model procedural rules	PROP	93-11-038		PERM	93-11-011
	EMER	93-12-042	Water		
assessment procedures	PROP	93-02-067	drinking water		
	PERM	93-07-036	operating permit	PERM	93-03-047
competence	PROP	93-02-067	surface water standards and		
	PERM	93-07-036	treatment	PROP	93-04-122
confidentiality of clients	PROP	93-02-067		PERM	93-08-011
	PERM	93-07-036	water system evaluation project review		
education prerequisites to licensing	PROP	93-02-065	and approval fees	PERM	93-01-006
	PERM	93-06-092			
ethical conduct	PROP	93-02-067	HIGHER EDUCATION COORDINATING BOARD		
	PERM	93-07-036	American Indian endowed scholarship		
examination	PROP	93-04-014	program	PROP	93-11-091
	PERM	93-07-078		PROP	93-14-101
	EMER	93-06-023	Award for excellence in education		
experience prerequisites to licensing	PROP	93-02-065	academic grant	PROP	93-11-092
	PERM	93-06-092		PROP	93-14-102
fees	PROP	93-02-067	Degree Authorization Act		
	PERM	93-07-036	administration and governance	PROP	93-12-106
fraud, misrepresentation, or deception	PROP	93-02-067	application requirements	PERM	93-01-103
	PERM	93-07-036	institution authorization	PERM	93-01-103
	MISC	93-13-088	private vocational schools	PERM	93-01-103
meetings	PROP	93-02-067	surety bond requirement	PERM	93-01-103
misconduct	PERM	93-07-036	Displaced homemaker program	PROP	93-01-099
	PROP	93-02-067		PERM	93-07-061
records retention	PERM	93-07-036	Educational opportunity grant		
	PROP	93-01-007	program	PROP	93-11-090
Public records, availability	PERM	93-08-004		PROP	93-14-100
Radiation protection, division of			Future teacher conditional		
fee schedule	PROP	93-08-069	scholarship program	PROP	93-11-089
	PERM	93-13-019		PROP	93-14-099
Registration			Health professional loan repayment		
expiration	PROP	93-10-071	and scholarship program	PROP	93-11-088
	PERM	93-14-011		PROP	93-14-098
fees	PROP	93-10-071			
	PERM	93-14-011			

Subject/Agency Index

(Citation in bold type refer to material in this issue)

State need grant program			Twin trifecta rules	PROP	93-11-102
student eligibility	PROP	93-03-087		PERM	93-14-126
	EMER	93-04-070			
	PERM	93-08-010	HOUSING FINANCE COMMISSION		
technical corrections	PROP	93-03-087	Qualified allocation plan	PERM	93-01-122
	EMER	93-04-070			
	PERM	93-08-010	HUMAN RIGHTS COMMISSION		
State work study program	PROP	93-11-093	Meetings	MISC	93-01-020
	EMER	93-13-034		MISC	93-01-064
Washington state scholars program	PROP	93-11-094		MISC	93-01-065
	PROP	93-14-103		MISC	93-02-042
Work study program	PROP	93-11-093		MISC	93-05-036
	EMER	93-13-034		MISC	93-06-046
				MISC	93-09-052
				MISC	93-11-065
				MISC	93-12-103
HIGHER EDUCATION, JOINT CENTER FOR			INDETERMINATE SENTENCE REVIEW BOARD		
Meetings	MISC	93-01-082	Rules coordinator	MISC	93-03-077
	MISC	93-03-083			
HIGHER EDUCATION PERSONNEL BOARD			INSURANCE COMMISSIONER, OFFICE OF		
Appeals			Actuaries		
board responsibilities	PROP	93-01-142	statement of actuarial opinion, quali-		
	PERM	93-06-033	fications to sign	PROP	93-01-159
burden of proof	PROP	93-01-142		PROP	93-04-062
	PERM	93-06-033		PERM	93-07-020
preparation of record	PROP	93-01-142	Longshore and harbor workers		
	PERM	93-06-033	assigned risk plan	EMER	93-14-072
rights of applicants	PERM	93-01-157	Insurers		
Demotion, voluntary	EMER	93-13-008	statement of actuarial opinion	PROP	93-01-159
Disability leave	PROP	93-11-103		PROP	93-04-062
	PERM	93-14-115		PERM	93-07-020
Eligible lists	PERM	93-01-156	Medicare supplement insurance		
	EMER	93-13-008	standardized policy forms	PERM	93-01-048
Examination process	PERM	93-01-156	Rules coordinator	MISC	93-01-022
	PERM	93-01-158			
Family and medical leave	PROP	93-11-103	INTEREST RATES		
	PERM	93-14-115	(See inside front cover)		
Layoff lists	EMER	93-13-008	INVESTMENT BOARD, STATE		
Layoff options	PERM	93-01-155	Rules coordinator	MISC	93-09-015
Leave of absence without pay	PROP	93-11-103	Rules of conduct	PERM	93-04-008
	PERM	93-14-115			
excepted work period	PROP	93-01-141	JUDICIAL CONDUCT, COMMISSION ON		
	PERM	93-06-032	Meetings	MISC	93-01-019
Meetings	MISC	93-01-154		MISC	93-06-065
Parental leave	PROP	93-11-103	Rules coordinator	MISC	93-01-041
	PERM	93-14-115			
Personnel resources board,			LABOR AND INDUSTRIES, DEPARTMENT OF		
application of rules to higher	EMER	93-14-092	Agricultural safety standards	PROP	93-02-031
education personnel board	PERM	93-01-158		PROP	93-02-057
Qualifications	PERM	93-01-158		PERM	93-07-012
Recruitment and examination process	PROP	93-11-103		PERM	93-07-044
Serious health condition leave	PERM	93-14-115	Apprenticeship and training council		
	EMER	93-13-008	apprenticeship agreements	PERM	93-04-100
Transfer/lateral movement	EMER	93-13-008	on-the-job training programs	PERM	93-04-100
Trial service period	EMER	93-13-008	Asbestos, notice to employees of		
			hazards	PERM	93-01-005
HIGHLINE COMMUNITY COLLEGE			Boiler rules, board of		
Adult education, advisory council for			definitions	PROP	93-08-073
meetings	MISC	93-01-070		PERM	93-12-014
Meetings	MISC	93-14-121	fees	PROP	93-08-073
			meetings	PERM	93-12-014
HISPANIC AFFAIRS, COMMISSION ON			new construction standards	PROP	93-08-073
Meetings	MISC	93-02-052	nonnuclear repairs and alterations	PERM	93-12-014
	MISC	93-07-050		PERM	93-12-014
HORSE RACING COMMISSION			Child labor regulations		
Appeals	PROP	93-01-107	hours of work	PERM	93-01-068
Entry, wager on one is wager on all	EMER	93-09-008		PERM	93-01-116
	PROP	93-11-060	house-to-house sales	PERM	93-01-068
	PERM	93-14-124	minimum age of employment	PERM	93-01-068
Rules coordinator	MISC	93-09-051	minor work permits	PERM	93-01-068
Stewards			parent/school authorization	PERM	93-01-068
punishment, authority to award	PROP	93-01-107			
Trifecta rules	PROP	93-11-101			
	PERM	93-14-125			

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

Security guards, private licensing fees	PROP 93-07-098	<u>Instant game number 89 - Lucky 8's</u> definitions	PROP 93-03-094
	PERM 93-11-025		PERM 93-07-016
Title and registration advisory committee meetings	MISC 93-12-045	<u>Instant game number 92 - Triple Play</u> criteria	PERM 93-03-008
Unauthorized and abandoned vehicles	PROP 93-01-115	definitions	PERM 93-03-008
	PERM 93-08-076	ticket validation	PERM 93-03-008
Uniform commercial code fees for program services	PERM 93-01-061	<u>Instant game number 93 - Hog Mania</u> criteria	PERM 93-03-008
forms, standardized	PERM 93-01-061	definitions	PERM 93-03-008
Vessels		ticket validation	PERM 93-03-008
dealer decals fee	PROP 93-01-111	<u>Instant game number 94 - Applebucks II</u> criteria	PERM 93-03-008
	PROP 93-14-120	definitions	PERM 93-03-008
dealer registration fees	PROP 93-01-111	ticket validation	PERM 93-03-008
	PERM 93-14-120	<u>Instant game number 95 - High Roller</u> criteria	PROP 93-03-094
fees	PROP 93-11-076		PERM 93-07-016
	PERM 93-14-082	definitions	PROP 93-03-094
registration and certificate of title	PROP 93-11-076		PERM 93-07-016
Wreckers	PROP 93-01-115	ticket validation	PROP 93-03-094
	PERM 93-08-076		PERM 93-07-016
LIQUOR CONTROL BOARD			
Beer			
bottles and containers, reuse	PROP 93-12-118	<u>Instant game number 96 - Tic-Tac-Dough</u> criteria	PROP 93-03-094
kegs, retail sale of malt liquor in partial beer tax exemption	PROP 93-12-119	definitions	PERM 93-07-016
	EMER 93-11-027		PROP 93-03-094
	PROP 93-12-116	ticket validation	PERM 93-07-016
Breweries, retail sale of beer on premises	PROP 93-07-109		PROP 93-03-094
	PERM 93-11-028	<u>Instant game number 97 - Lucky Charm</u> criteria	PERM 93-07-016
Destruction of liquor by enforcement officers	PROP 93-07-109	definitions	PROP 93-03-094
	PERM 93-11-028		PERM 93-07-016
Dispensing apparatus and container Licenses	PERM 93-10-070	ticket validation	PROP 93-03-094
applicants			PERM 93-07-016
certification	PROP 93-12-120	<u>Instant game number 98 - Ace in the Hole</u> criteria	PROP 93-07-121
criminal history record checks	PROP 93-12-117	definitions	PERM 93-11-056
fingerprinting	PROP 93-12-117		PROP 93-07-121
qualifications	PROP 93-07-110	ticket validation	PERM 93-11-056
	PROP 93-10-069		PROP 93-07-121
	PROP 93-12-117		PERM 93-11-056
	PROP 93-12-120	<u>Instant game number 99 - Megamoney</u> criteria	PROP 93-07-121
class H restaurant operation	PROP 93-06-066	definitions	PERM 93-11-056
	PERM 93-10-092		PROP 93-07-121
defective beer or keg claims	PROP 93-06-066	ticket validation	PERM 93-11-056
	PERM 93-10-092		PROP 93-07-121
requirements for qualification	PROP 93-07-110		PERM 93-11-056
	PROP 93-10-069	<u>Instant game number 100 - Top Banana</u> criteria	PROP 93-07-121
	PROP 93-12-117	definitions	PERM 93-11-056
	PROP 93-12-120		PROP 93-07-121
true party of interest	PROP 93-06-066	ticket validation	PERM 93-11-056
Meetings	MISC 93-01-052A	<u>Instant game number 101 - Top Banana</u> criteria	PROP 93-12-104
Novelty advertising	PROP 93-07-109	definitions	PROP 93-12-104
	PERM 93-11-028		PROP 93-12-104
Packaging	PERM 93-10-070	ticket validation	PROP 93-07-121
Private clubs, licensing	PROP 93-07-109		PERM 93-11-056
	PERM 93-11-028	<u>Instant game number 102 - Mistledough</u> criteria	PROP 93-12-104
Prohibited practices	PERM 93-10-070	definitions	PROP 93-12-104
Public hearings	MISC 93-01-134	ticket validation	PROP 93-12-104
Rules coordinator	MISC 93-02-032	<u>Instant game number 103 - Lucky Duck</u> criteria	PROP 93-12-104
Temporary licenses	PERM 93-10-070	definitions	PROP 93-12-104
Wine		ticket validation	PROP 93-12-104
fortified wine	PROP 93-07-109	<u>Instant game number 104 - Money Match</u> criteria	PROP 93-12-104
	PERM 93-11-028	definitions	PROP 93-12-104
Wineries, retail sale of wine on premises	PROP 93-07-109	ticket validation	PROP 93-12-104
	PERM 93-11-028		
LOTTERY COMMISSION			
Adjudicative proceedings	PROP 93-12-104		PROP 93-12-104
Debts owed the state	PROP 93-07-121		PROP 93-12-104
	PERM 93-11-056		PROP 93-12-104

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

Instant game number 105 - Cash Cards

criteria	PROP	93-12-104
definitions	PROP	93-12-104
ticket validation	PROP	93-12-104
Lotto prizes	PERM	93-03-008
Prizes claim, defined	PERM	93-04-004
debts owed state	PERM	93-04-004
payable after death or disability	PERM	93-04-004
payments	PERM	93-04-004
Rules coordinator	MISC	93-07-015

MARINE OVERSIGHT BOARD

Meetings	MISC	93-01-106
	MISC	93-02-015
	MISC	93-03-040
	MISC	93-10-104
	MISC	93-10-105
	MISC	93-12-082A

MARINE SAFETY, OFFICE OF

Cargo and passenger vessel screening	PROP	93-02-054
	PERM	93-07-003
Definitions	PROP	93-02-053
	PERM	93-07-004
General information	PROP	93-06-086
	PERM	93-11-004
Oil spill contingency plans	PROP	93-06-089
	PROP	93-09-069
	PERM	93-11-001
	PERM	93-14-096
Oil spill prevention plans	PROP	93-02-055
	PERM	93-07-005
Passenger and cargo vessel screening	PROP	93-02-054
	PERM	93-07-003
Public records, availability	PROP	93-06-087
	PERM	93-11-003
Regional marine safety committees guidelines and procedures	PROP	93-06-088
	PERM	93-11-002
meetings	MISC	93-02-014
	MISC	93-05-035
	MISC	93-09-007
	MISC	93-10-003
	MISC	93-10-064
	MISC	93-11-070
	MISC	93-03-022
Rules coordinator		
State Environmental Policy Act compliance	PROP	93-09-070
	PERM	93-14-097
Tank vessel oil spill prevention plans	PROP	93-02-055
	PERM	93-07-005

MARITIME COMMISSION

Assessment schedule	PROP	93-11-072
	PERM	93-14-105
	EMER	93-14-106
Definitions	PROP	93-11-072
	PERM	93-14-105
Meetings	MISC	93-03-006
	MISC	93-14-104
Vessel assessment schedule	PROP	93-11-072
	PERM	93-14-105
	EMER	93-14-106

MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF

Bid criteria	EMER	93-05-037
monetary value	PROP	93-12-135
Fees	EMER	93-12-136
	PROP	93-12-135
Office account, creation	EMER	93-12-136

NATURAL RESOURCES, DEPARTMENT OF

Forest closures		
closed seasons	EMER	93-09-020
	EMER	93-10-058
Forest fire advisory board meetings	MISC	93-10-106
Forest practices board (see FOREST PRACTICES BOARD)		
Forest protection zones		
King County	PROP	93-04-107
	PROP	93-10-107
	PROP	93-10-108
	PERM	93-14-016
Kitsap County	PERM	93-03-007
Pierce County	PROP	93-03-064
	PERM	93-07-002
Natural heritage advisory council meetings	MISC	93-04-092
Natural resources, board of meetings	MISC	93-01-018
	MISC	93-01-119
	MISC	93-04-059
	MISC	93-05-024
	MISC	93-01-114
Rules coordinator		
Timber sales, policies and procedures for conditioning or denying permits	PERM	93-01-126
White Salmon Oak natural resources conservation area	MISC	93-09-072
Woodard Bay natural resources conservation area	MISC	93-09-071

NORTHWEST AIR POLLUTION AUTHORITY

Regulations updated	PROP	93-04-009
	PERM	93-10-016

NOXIOUS WEED CONTROL BOARD

(See AGRICULTURE, DEPARTMENT OF)

OLYMPIC AIR POLLUTION CONTROL AUTHORITY

Appeals from board orders	PROP	93-13-077
Asbestos	PROP	93-13-077
Compliance schedules	PROP	93-13-077
Construction notice and application	PROP	93-13-077
Control officer powers and duties	PROP	93-13-077
Definitions	PROP	93-13-077
Emissions, standards	PROP	93-13-077
Fees	PROP	93-13-076
	PROP	93-13-077
	PROP	93-13-077
Gasoline vapor recovery	PROP	93-13-077
Incineration operation	PROP	93-13-077
Open fires	PROP	93-13-077
Operating permits	PROP	93-13-076
Recordkeeping and reporting	PROP	93-13-077
Registration	PROP	93-13-076
Regulatory actions and penalties	PROP	93-13-077
Service of notice	PROP	93-13-077
Solid fuel burning devices	PROP	93-13-077
Variances	PROP	93-13-077
Waste-wood burners	PROP	93-13-077

OLYMPIC COLLEGE

Meetings	MISC	93-01-057
	MISC	93-06-027
	MISC	93-14-122

OUTDOOR RECREATION, INTERAGENCY COMMITTEE FOR

Meetings	MISC	93-01-058
	MISC	93-06-025
	MISC	93-13-054

Subject/Agency Index

(Citation in bold type refer to material in this issue)

PARKS AND RECREATION COMMISSION

Campsite reservations	PROP 93-01-165
	PERM 93-06-001
Fees	PROP 93-01-165
	PERM 93-06-001
	PERM 93-08-025
	EMER 93-10-060
	EMER 93-14-068
	EMER 93-14-069
	PROP 93-14-070
Firearms and/or weapons	PROP 93-01-165
	PERM 93-06-001
Fort Worden fees	PERM 93-01-029
Marine facilities	
boat launch permit fees	EMER 93-14-069
	PROP 93-14-070
marine trail camping areas	PROP 93-01-165
	PERM 93-06-001
moorage fees and permits	PROP 93-01-165
	PERM 93-06-001
	PERM 93-08-025
	EMER 93-10-060
	EMER 93-14-068
Marine trail camping areas	PROP 93-01-165
	PERM 93-06-001
Rules coordinator	MISC 93-08-061
Senior citizens, off-season pass	PROP 93-01-165
	PERM 93-06-001
	PERM 93-08-025
	EMER 93-10-060
	EMER 93-14-068

PENINSULA COLLEGE

Meetings	MISC 93-03-075
----------	----------------

PERSONNEL APPEALS BOARD

Meetings	MISC 93-06-085
Rules coordinator	MISC 93-01-098

PERSONNEL, BOARD AND DEPARTMENT

Absences	
partial day, exceptions work period	PROP 93-02-037
	PERM 93-06-081
Affirmative action program	
department responsibilities	PROP 93-12-100
testing, qualifications	PROP 93-12-100
Allocation or reallocation	
determination review request	PROP 93-08-043
	PROP 93-12-083
	PROP 93-14-058
	PROP 93-14-064
	PROP 93-14-064
upward reallocation	PROP 93-14-064
Applicants	
disqualification	PERM 93-02-040
	PROP 93-08-047
	PERM 93-12-085
name removal for cause	PERM 93-02-040
protest process	PERM 93-02-040
Career executive program	
repeal by personnel resources board	EMER 93-14-061
	PROP 93-14-063
transition into Washington management service	EMER 93-14-091
Certification	
actions required	PROP 93-14-062
disqualification	PERM 93-02-040
name removal for cause	PERM 93-02-040
notification process	PROP 93-12-102
protest process	PERM 93-02-040
qualification verification	PROP 93-12-101
referral process guidelines	PROP 93-02-038
	PROP 93-06-077
	PERM 93-08-048

Classification	
desirable qualifications	PROP 93-14-065
Compensatory time usage	PROP 93-08-072
	PROP 93-12-084
	PROP 93-14-060
	PROP 93-14-066
	PROP 93-02-035
Demotion	
Disability	
reasonable accommodation	PROP 93-02-041
	PROP 93-04-098
	PROP 93-06-078
	PROP 93-07-054
	PROP 93-10-027
	PERM 93-14-067
	PROP 93-02-041
	PROP 93-04-098
	PROP 93-06-078
	PROP 93-07-054
	PROP 93-10-027
	PERM 93-14-067
Essential functions, defined	PROP 93-04-097
	PROP 93-08-046
	PROP 93-10-026
	PROP 93-10-028
	PROP 93-14-056
Family and medical leave definition	PROP 93-14-059
	PROP 93-14-066
Leave without pay usage	PROP 93-08-072
	PROP 93-12-084
	PROP 93-14-060
	PROP 93-14-066
Overtime usage	PROP 93-14-066
Partial day absence, exceptions work period	PROP 93-02-037
	PERM 93-06-081
Personnel resources board	
allocation, request for review	PROP 93-14-064
career executive program	EMER 93-14-061
	PROP 93-14-063
	PROP 93-14-062
	PROP 93-14-065
	EMER 93-14-092
certification, actions required	
classification, desirable qualifications	
duties of board	
higher education personnel board, application of personnel resources board rules	EMER 93-14-092
	EMER 93-14-092
periodic increment dates	EMER 93-14-092
personnel board, application of personnel resources board rules	EMER 93-14-092
reallocation upward	PROP 93-14-064
referral process	EMER 93-14-092
Position allocations and reallocations	PROP 93-04-097
	PROP 93-08-046
	PROP 93-10-026
	PROP 93-06-079
	PROP 93-09-058
	PROP 93-14-055
Probationary periods	
Qualifications for a job class	
preponderance concept	PROP 93-12-100
Reduction in force	
guidelines and procedures	PROP 93-02-036
	PROP 93-04-099
	PROP 93-08-045
	PROP 93-09-060
	EMER 93-09-003
	PROP 93-09-057
	PROP 93-14-057
Referrals	
name removal for cause	PERM 93-02-040
Registers	
designations	PROP 93-08-042
	PERM 93-12-088

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

disqualification	PERM	93-02-040	forms for reporting	PROP	93-04-127
name removal for cause	PERM	93-02-040		PERM	93-09-002
protest process	PERM	93-02-040	identification of source	PROP	93-01-135
Rules coordinator	MISC	93-08-031		EMER	93-01-136
Salary schedule				PERM	93-04-072
exchange time	PROP	93-02-035	Exempt activities, definition		
overtime	PROP	93-02-035	and reporting	PROP	93-12-046
reduction in salary	PROP	93-02-035	in-kind contributions and expenditures	PROP	93-12-026
wage and hour records	PROP	93-02-035	limitations	PROP	93-12-018
Y-rate, administration	PROP	93-08-044		PROP	93-12-029
	PERM	93-12-087	receipt of campaign contributions	PROP	93-12-023
Seasonal career employment	PROP	93-08-042	uncertain origin, contributions of	PROP	93-12-030
	PERM	93-12-088	Loans	PROP	93-12-031
Shift premium provisions and compensation			Meetings	MISC	93-10-048
	PROP	93-02-039	Political advertising		
	PROP	93-06-080	political party identification	PROP	93-12-035
	PROP	93-09-059	sponsor identification	PROP	93-12-034
	PERM	93-12-086	Registration statements		
Sick leave			forms	PROP	93-10-049
usage	PROP	93-08-072		EMER	93-10-051
	PROP	93-12-084	Rules coordinator	MISC	93-08-002
	PROP	93-14-060	Same office last sought, definition	PROP	93-12-032
	PROP	93-14-066	Surplus funds		
Suspension	PROP	93-02-035	transfers	PROP	93-12-033
Vacation leave			use in future	PROP	93-12-027
usage	PROP	93-08-072			
	PROP	93-12-084			
	PROP	93-14-060	PUBLIC EMPLOYMENT RELATIONS COMMISSION		
	PROP	93-14-066	Rules coordinator	MISC	93-09-004
PIERCE COLLEGE			PUBLIC INSTRUCTION, SUPERINTENDENT OF		
Meetings	MISC	93-03-014	Allocations, 1991-93		
	MISC	93-06-026	redirection of apportionment	PERM	93-04-054
Rules coordinator	MISC	93-01-046	Basic education allocations		
			redirection of apportionment	PERM	93-04-054
			Early intervention services	PROP	93-07-046
PILOTAGE COMMISSIONERS, BOARD OF				PROP	93-07-047
Exempt vessels	PROP	93-04-110		PROP	93-07-048
	PERM	93-07-077		PERM	93-12-015
Pilot licenses				PERM	93-12-016
limitations on new pilots	PROP	93-06-052	Educational excellence award	PERM	93-12-017
	EMER	93-06-012	Even start project	PERM	93-08-005
	PERM	93-09-016	Fair start program	EMER	93-08-037
renewal or reinstatement	PROP	93-04-109	allocation of moneys	PROP	93-07-048
	PERM	93-07-076		PERM	93-12-016
Pilotage tariff rates			policies and procedures	PROP	93-07-046
Grays Harbor district	PROP	93-03-001		PERM	93-12-017
	PERM	93-03-080	Project even start	PROP	93-11-033
	PROP	93-10-102	Public records, availability	PROP	93-03-002
	PERM	93-13-055		PERM	93-07-039
Puget Sound district	PROP	93-08-027	School buses		
	PROP	93-12-009	depreciation allocation calculation	PROP	93-09-019
	PERM	93-12-133		PERM	93-13-083
Rules coordinator	MISC	93-03-021	stopping on the roadway	PROP	93-01-086
				PERM	93-05-023
POLLUTION LIABILITY INSURANCE AGENCY			School district budgeting		
Underground storage tank community assistance program			documents required	PROP	93-11-034
grants to tank owners or operators	PROP	93-01-139	Teacher assistance program	PROP	93-02-017
	PERM	93-04-041		PERM	93-07-037
PUBLIC DISCLOSURE COMMISSION			PUBLIC WORKS BOARD (See COMMUNITY DEVELOPMENT, DEPARTMENT OF)		
Advertising, political					
political party identification	PROP	93-12-035			
sponsor identification	PROP	93-12-034	PUGET SOUND AIR POLLUTION CONTROL AGENCY		
Agent, definition	PROP	93-12-019	Asbestos control standards		
Aggregate, definition	PROP	93-12-024	application requirements and fees	PROP	93-12-094
Brief enforcement hearings	PROP	93-09-001	definitions	PROP	93-12-094
	PROP	93-10-050	emission control	PROP	93-12-094
Candidate, definition	PROP	93-12-020	Asbestos removal projects		
Consumable, definition	PROP	93-12-021	fees	PERM	93-06-002
Contribution, definition	PROP	93-12-022	requirements	PERM	93-06-002
Contributions			Asbestos-containing material		
earmarked contributions, use	PROP	93-12-028	handling procedures	PERM	93-06-002
encouraging expenditures to avoid contributions, result	PROP	93-12-025	removal certification	PERM	93-06-002

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

Clean Air Act			REVENUE, DEPARTMENT OF		
civil penalties	PROP	93-12-132	Assessment roll corrections	PROP	93-05-015
construction review, fees	PROP	93-12-132	Business and occupation tax	PERM	93-08-050
hazardous air pollutants,			dunnage, sale of	PROP	93-12-113
emission standards	PROP	93-14-127	hospitals	EMER	93-13-086
new source performance standards	PROP	93-14-127	jewelry repair shops	PERM	93-03-005
operating permits	PROP	93-14-127	meals, sale of	PROP	93-07-069
oxygenated gasoline, surcharge	PROP	93-12-132	County boards of equalization	PROP	93-07-070
registration and operating permits,			jurisdiction and authority	PROP	93-05-015
fees	PROP	93-12-132		PERM	93-08-050
Fees	PROP	93-14-127	Excise tax		
Outdoor fires	PERM	93-04-086	assessments		
prohibited types and areas	PROP	93-08-020	statutory limitations	PERM	93-03-004
variances from regulation	PERM	93-11-071	interstate motor carriers	PROP	93-02-047
	PERM	93-04-086	packing materials and containers	PROP	93-12-111
			public utility tax, deductions	PROP	93-04-045
PUGET SOUND WATER QUALITY AUTHORITY			real estate excise tax,	PERM	93-07-066
Meetings	MISC	93-02-051	administration and compliance	EMER	93-14-015
	MISC	93-10-014	refunds for overpayment	PERM	93-04-077
	MISC	93-13-070	sales of heat	PROP	93-01-102
RENTON TECHNICAL COLLEGE			Interim tax reporting information	EMER	93-13-087
Board of trustees	PROP	93-09-031	Property tax		
	PERM	93-13-104	agricultural land valuation	PROP	93-04-020
Debts, services withheld for outstanding	PROP	93-09-035		PERM	93-07-067
	PERM	93-13-108		EMER	93-04-021
Discrimination policies and procedures	PROP	93-09-043	credit against timber excise tax	PROP	93-09-029
	PERM	93-13-116	forest land values	PERM	93-02-024
Facilities, guidelines for use	PROP	93-09-039	new construction, assessment	PROP	93-05-016
	PERM	93-13-112		PERM	93-08-049
Faculty			real property, definition	PROP	93-05-016
tenure, dismissal, and reduction in force	PROP	93-09-045		PERM	93-08-049
	PERM	93-13-118	refunds, rate of interest	PROP	93-03-024
Financial aid	PROP	93-09-036		EMER	93-03-025
	PERM	93-13-109		PERM	93-06-096
Library resource center policies	PROP	93-09-040	Real estate excise tax		
	PERM	93-13-113	administration and compliance	EMER	93-14-015
Meetings	MISC	93-01-120	Rules coordinator	MISC	93-01-049
Organization and operation	PROP	93-09-037	Sales tax		
	PERM	93-13-110	dunnage, sale of	PROP	93-12-113
Parking and traffic	PROP	93-09-033	hospitals	EMER	93-13-086
	PERM	93-13-106	labels, name plates, tags, and premiums	PROP	93-12-112
Practice and procedure	PROP	93-09-032	meals, sale of	PROP	93-07-069
	PERM	93-13-105		PROP	93-07-070
Public records, availability	PROP	93-09-041	optometrists, ophthalmologists,		
	PERM	93-13-114	and ocularists	PROP	93-12-114
Rules coordinator	MISC	93-01-120	resale certificates		
	MISC	93-03-042	use and penalties for misuse	EMER	93-13-085
	PROP	93-09-038	schools, school districts, and		
	PERM	93-13-111	educational institutions	PROP	93-12-115
State Environmental Policy Act			Tax appeals, board of		
compliance	PROP	93-09-044	direct appeals	PROP	93-05-015
	PERM	93-13-117		PERM	93-08-050
Students			Tax registration	PROP	93-02-046
conduct code rules	PROP	93-09-034		PROP	93-08-013
	PERM	93-13-107	Tax reporting information, interim	PERM	93-13-126
records, availability	PROP	93-09-042	Timber excise tax	EMER	93-13-087
	PERM	93-13-115	personal property tax credit	PROP	93-09-029
RETIREMENT SYSTEMS, DEPARTMENT OF			stampage values	PERM	93-02-025
Adjudicative proceedings	PROP	93-08-054		PROP	93-07-068
	PERM	93-11-079		PROP	93-10-091
Law enforcement officers' and				PROP	93-11-081
fire fighters' retirement system				PROP	93-13-102
members elected to public office	PROP	93-08-053		PERM	93-14-051
	PERM	93-11-078		PERM	93-14-090
Public employees' retirement system			RULES COORDINATORS		
unions as employers	PROP	93-08-052	Agriculture, department of	MISC	93-11-100
	PERM	93-11-077	Attorney general's office	MISC	93-12-130
Teachers' retirement system			Bellevue Community College	MISC	93-05-051
part-time teachers, determination of			Bellingham Technical College	MISC	93-05-018
pension benefits	PROP	93-08-051	Blind, Washington state school for the	MISC	93-01-118

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

Building code council	MISC	93-05-025	Corporations division		
Central Washington University	MISC	93-01-095	charitable trusts, transfer of		
Centralia College	MISC	93-06-084	functions from attorney general's		
Clark College	MISC	93-02-005	office to corporations division	EMER	93-14-081
Code reviser's office	MISC	93-01-001	commercial fundraiser registration	EMER	93-14-081
Community development, office of	MISC	93-04-104	fees	PROP	93-13-147
Corrections, department of	MISC	93-08-014		EMER	93-14-080
County road administration board	MISC	93-02-059		EMER	93-14-107
Deaf, Washington school for the	MISC	93-01-129	Fees	PROP	93-13-147
Ecology, department of	MISC	93-01-087		EMER	93-14-109
Employment security department	MISC	93-01-167	Initiatives and referenda		
	MISC	93-05-008	signature verification	EMER	93-14-088
Fisheries, department of	MISC	93-05-014			
Gambling commission	MISC	93-04-084	SHORELINE COMMUNITY COLLEGE		
General administration, department of	MISC	93-07-084	Meetings	MISC	93-06-028
Health care authority	MISC	93-08-019	Parking and traffic	PERM	93-02-063
Health, department of	MISC	93-01-050	Rules coordinator	MISC	93-02-026
Horse racing commission	MISC	93-09-051			
Indeterminate sentence review board	MISC	93-03-077	SKAGIT VALLEY COLLEGE		
Insurance commissioner, office of	MISC	93-01-022	Meetings	MISC	93-02-006
Investment board	MISC	93-09-015		MISC	93-07-024
Judicial conduct, commission on	MISC	93-01-041			
Licensing, department of	MISC	93-01-092	SOCIAL AND HEALTH SERVICES,		
Liquor control board	MISC	93-02-032	DEPARTMENT OF		
Lottery commission	MISC	93-07-015	Adoption support program		
Marine safety, office of	MISC	93-03-022	definitions	EMER	93-03-081
Natural resources, department of	MISC	93-01-114		PROP	93-03-082
Personnel appeals board	MISC	93-01-098		PERM	93-07-030
Parks and recreation commission	MISC	93-08-061	Aging and adult services		
Personnel, department of	MISC	93-08-031	assessment and service plan develop-		
Pierce College	MISC	93-01-046	ment	PROP	93-01-030
Pilotage commissioners, board of	MISC	93-03-021		PROP	93-04-023
Public disclosure commission	MISC	93-08-002		PERM	93-06-042
Public employment relations commission	MISC	93-09-004	chore personal care services	PROP	93-01-031
Public works board	MISC	93-04-104		PERM	93-04-036
Renton Technical College	MISC	93-01-120	contractors		
	MISC	93-03-042	initial prospective		
	PROP	93-09-038	reimbursement rate	PROP	93-14-075
Revenue, department of	MISC	93-01-049		EMER	93-14-077
Shoreline Community College	MISC	93-02-026	Medicaid personal care services	PROP	93-07-071
Tax appeals, board of	MISC	93-01-054		PERM	93-10-023
Transportation commission	MISC	93-02-027	nursing home accounting and reimbursement		
Transportation, department	MISC	93-02-043	system	PROP	93-08-065
Transportation improvement board	MISC	93-05-011		PROP	93-12-048
University of Washington	MISC	93-04-042		PERM	93-12-051
Utilities and transportation commission	MISC	93-01-038		PROP	93-14-078
Washington State University	MISC	93-04-010		EMER	93-14-079
Wildlife, department of	MISC	93-05-001	private duty nursing services	PROP	93-14-045
Workforce training and education				EMER	93-14-048
coordinating board	PROP	93-02-045	reimbursement rates	PROP	93-14-075
				EMER	93-14-077
			unallowable costs	PROP	93-14-075
				EMER	93-14-077
SEATTLE COMMUNITY COLLEGES			Aid to families with dependent children		
Meetings	MISC	93-01-028	alien sponsorship, income and		
	MISC	93-01-096	resources	PROP	93-04-026
	MISC	93-01-097		PERM	93-07-032
	MISC	93-05-026	benefits	PROP	93-03-059
	MISC	93-06-035		PERM	93-12-058
	MISC	93-07-057	earned income exemption	PROP	93-03-057
	MISC	93-10-031		PERM	93-12-057
	MISC	93-13-042	eligibility	PROP	93-03-056
				PERM	93-12-056
SECRETARY OF STATE			employable		
Archives and records management, division of			unemployment of parent	PROP	93-03-055
electronic imaging systems, standards				PERM	93-12-055
for accuracy and durability	PROP	93-14-001	income disregard	PROP	93-04-027
public records management	PERM	93-04-001		PERM	93-07-031
public records, standards for			income exemption	PROP	93-14-013
accuracy and durability	PROP	93-14-002		EMER	93-14-014
state agency records officers, duties	PERM	93-04-001	income exemption	PROP	93-04-035
state archivist, duties	PERM	93-04-001		PERM	93-07-034
state records committee, duties	PERM	93-04-001	income use and potentials	PROP	93-07-072
				PERM	93-10-022
			medical assistance extensions	PERM	93-01-034

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

personal property exemption	PROP 93-05-004	Family independence program	
Alcohol and substance abuse, division of chemical dependency services administration	PERM 93-07-126	conversion of enrollees to aid to families with dependent children recipients	PROP 93-03-055
	EMER 93-11-050		PROP 93-03-056
	EMER 93-11-051		PROP 93-03-057
	PROP 93-11-052		PROP 93-03-058
	PROP 93-11-053		PROP 93-03-059
medical care services	PROP 93-14-027		PERM 93-12-055
	EMER 93-14-031		PERM 93-12-056
Child care			PERM 93-12-057
background inquiries	PROP 93-07-035		PERM 93-12-058
	PROP 93-10-018	medical assistance extensions meetings	PERM 93-12-060
	PROP 93-12-096	personal property exemption	PERM 93-01-034
child day care centers			MISC 93-01-023
licensing requirements	PROP 93-13-056	unemployment of parent	PROP 93-05-004
health and safety standards	PROP 93-07-018		PERM 93-07-126
	EMER 93-07-019		PROP 93-03-055
	PERM 93-10-021	Family planning services	PERM 93-12-055
overnight youth shelters		Food stamp program	PROP 93-13-069
licensing requirements	PROP 93-05-031	benefits, continuation pending fair hearing	PERM 93-04-034
	PROP 93-08-009	coupons, issuance and use	PERM 93-04-069
	PROP 93-10-020		EMER 93-11-029
	PROP 93-12-095		PROP 93-11-030
	PROP 93-13-025		PERM 93-13-132
school-age child care centers		denial of benefits	PROP 93-07-075
licensing requirements	PERM 93-02-020		PROP 93-10-019
transitional child care	PROP 93-07-073		PERM 93-14-087
	PERM 93-12-059	disabled persons, eligibility	PROP 93-08-038
Child protective services			PROP 93-08-039
authority limitations	PROP 93-10-093		PROP 93-08-040
	PERM 93-13-021		PERM 93-11-041
eligibility for services	PROP 93-10-093		PERM 93-11-042
	PERM 93-13-021		PERM 93-11-043
reports, acceptance	PROP 93-10-093	hearing, benefits continuation pending fair hearing	PERM 93-04-034
	PERM 93-13-021	law enforcement	
Children		coupon issuance for investigative purposes	EMER 93-11-029
general assistance for children not eligible for AFDC	PROP 93-14-006		PROP 93-11-030
	EMER 93-14-007		PERM 93-13-132
Children, youth, and family services, division of		student educational assistance income exclusion	PROP 93-14-044
complaint procedure	PROP 93-09-018		EMER 93-14-049
	PERM 93-12-053	Funeral and interment services assistance program	EMER 93-11-083
overnight youth shelters, licensing requirements	PROP 93-05-031		PROP 93-11-084
	PROP 93-08-009	available services	PERM 93-13-134
	PROP 93-10-020		PROP 93-02-018
	PROP 93-12-095	maximum cost standards	EMER 93-02-021
	PROP 93-13-025		PERM 93-05-021
Community options program entry system (COPES)		General assistance	PROP 93-02-018
eligibility	PROP 93-07-123	alien sponsorship, income and resources	EMER 93-02-021
	PERM 93-11-044		PERM 93-05-021
	PROP 93-11-085	children, general assistance for children not eligible for AFDC	PROP 93-04-026
	PERM 93-13-135		PROP 93-14-006
payment procedures	PROP 93-11-085	eligibility	EMER 93-14-007
	PERM 93-13-135		PROP 93-08-064
restrictions	PROP 93-11-085	general assistance-unemployable program eligibility	PROP 93-12-049
	PERM 93-13-135		PROP 93-01-056
services	PROP 93-11-085		PROP 93-04-025
	PERM 93-13-135		PERM 93-06-073
Developmentally disabled			PROP 93-08-074
private duty nursing services	PROP 93-14-045		PROP 93-12-050
	EMER 93-14-048		PROP 93-13-022
residential programs			PROP 93-14-085
reimbursement rates	PROP 93-14-074	income disregard	PROP 93-04-027
	EMER 93-14-076		PROP 93-14-013
	PROP 93-01-003		EMER 93-14-014
	PERM 93-04-029		
Diversity initiative, department intent	PROP 93-01-125		
	PERM 93-04-037		
Domestic violence			
perpetrator program standards	PROP 93-06-082		
	PERM 93-10-024		

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

personal property exemption	PROP 93-05-004	durable medical equipment	PROP 93-01-024
	PERM 93-07-126		PROP 93-02-034
pregnant women, eligibility	PROP 93-08-064		PROP 93-05-019
	PROP 93-08-049	eligible providers defined	PROP 93-08-021
	PROP 93-13-023		EMER 93-08-024
	PROP 93-14-086		PERM 93-11-046
standards of assistance	PROP 93-09-017	exempt resources	PROP 93-03-026
	PERM 93-12-052		EMER 93-03-028
Hospice services			PERM 93-06-038
medically needy	PROP 93-13-024		EMER 93-06-053
	EMER 93-13-129		PROP 93-06-054
Income assistance			PERM 93-08-112
income budgeting	PROP 93-14-025	extensions	PERM 93-01-034
	EMER 93-14-030		PROP 93-11-067
prospective budgeting, changes	PROP 93-11-024		PERM 93-13-131
	PERM 93-13-133	family planning services	PROP 93-13-069
	PROP 93-14-025	hospice services	PROP 93-13-024
	EMER 93-14-030		EMER 93-13-129
resources, exemptions		hospital inpatient services	
vehicles	PROP 93-13-053	payment rate	PERM 93-01-035
standards of assistance	PROP 93-01-143	income, eligibility	PROP 93-03-026
	PERM 93-04-030		EMER 93-03-028
telephone assistance program		institutionalized client, allocation of	
billing procedures	PROP 93-13-018	income and resources	PROP 93-03-027
United States repatriate program	PROP 93-08-075		EMER 93-03-029
Job opportunities and basic skills training			PERM 93-06-041
program (JOBS)			PROP 93-08-022
employability plans	PROP 93-03-058		EMER 93-08-023
	PERM 93-12-060		PERM 93-11-049
supportive services	PROP 93-07-073	institutionalized client,	
	PERM 93-12-059	availability of resources	EMER 93-04-031
transitional child care	PROP 93-07-073		PROP 93-04-032
	PERM 93-12-059		PERM 93-07-029
Kidney centers		jail inmates medical care	PROP 93-14-026
administration	PROP 93-13-001		EMER 93-14-029
	EMER 93-13-130	kidney centers, administration	PROP 93-13-001
Medical assistance			EMER 93-13-130
AIDS insurance program	PROP 93-14-024	limits on scope of services	PROP 93-07-074
	EMER 93-14-028		PROP 93-10-017
aliens, newly legalized	PROP 93-06-009		PROP 93-11-009
	EMER 93-06-010		PERM 93-11-086
	PERM 93-08-111		PROP 93-13-080
aliens, undocumented		managed care	EMER 93-13-081
pregnant women, services for	PROP 93-13-079		PROP 93-14-046
	EMER 93-13-082		EMER 93-14-047
audiometric services	PROP 93-03-034	mandatory prepaid health care plans	PROP 93-14-046
	PERM 93-06-039		EMER 93-14-047
availability of income	PERM 93-01-037	Medicaid	
	PROP 93-03-026	eligibility	PROP 93-03-060
	PROP 93-03-027		EMER 93-03-061
	EMER 93-03-028		PERM 93-06-037
	EMER 93-03-029		PROP 93-08-022
	PERM 93-06-038		EMER 93-08-023
	PERM 93-06-041	medical care programs	
categorically needy, eligibility	PROP 93-01-002	payment conditions	PERM 93-01-036
	PERM 93-04-033	medically needy	
	PROP 93-13-122	eligibility	EMER 93-04-087
chemical dependency treatment	PROP 93-13-037		PROP 93-04-090
	PROP 93-14-027		PERM 93-07-028
	EMER 93-14-031	hospice services	PROP 93-13-024
community alternatives program (CAP)			EMER 93-13-129
eligibility	PROP 93-07-123	limited casualty program, base	
	PERM 93-11-044	period	EMER 93-04-088
community options program entry system			PROP 93-04-089
(COPEs)		scope of care	PERM 93-07-125
eligibility	PROP 93-07-123		PERM 93-01-044
	PERM 93-11-044		PROP 93-13-024
copayments for clients	EMER 93-13-121	Medicare cost sharing, eligibility	EMER 93-13-129
	PROP 93-13-123		PROP 93-01-032
coordinated community AIDS service			EMER 93-02-019
alternatives (CASA)			PERM 93-04-024
eligibility	PROP 93-07-123		PROP 93-08-022
	PERM 93-11-044		EMER 93-08-023
dentures	PROP 93-08-006	midwife services and payment	PERM 93-02-001
	PERM 93-11-048		

Subject/Agency Index

(Citation in bold type refer to material in this issue)

nursing facility operated by fraternal, religious, or benevolent organization client eligibility	PROP 93-06-040 PROP 93-08-113	Time-loss compensation attorney's fees, allowable	PROP 93-01-012 PERM 93-04-028
outward bound residential alternatives (OBRA) eligibility	PROP 93-07-123 PERM 93-11-044	calculation of lien	PROP 93-01-012 PERM 93-04-028
patient requiring regulation in use of services	PROP 93-07-124 PERM 93-11-047	SOUTH PUGET SOUND COMMUNITY COLLEGE	
pregnant women, eligibility continuation	PROP 93-14-023	Meetings	MISC 93-05-033
pregnant women, services for	PROP 93-13-079 EMER 93-13-082 PROP 93-14-027 EMER 93-14-031		MISC 93-11-031 MISC 93-11-037
private duty nursing services	PROP 93-14-045 EMER 93-14-048	SOUTHWEST AIR POLLUTION CONTROL AUTHORITY	
prosthetic/orthotic devices	PROP 93-01-024 PROP 93-02-034 PROP 93-05-019	Air contaminant sources implementation of regulations	PROP 93-10-089
provider enrollment, eligibility	PROP 93-08-021 EMER 93-08-024 PROP 93-14-027 EMER 93-14-031	Appeals	PROP 93-10-085
recovery from estates relative financial responsibility	PROP 93-13-120 PROP 93-07-122 PERM 93-11-045	Asbestos control standards	PROP 93-10-086
school medical services for special education students services not covered	PROP 93-01-044 PROP 93-07-074 PROP 93-13-037	Board members	PROP 93-10-085
special low-income medicare beneficiaries	PROP 93-01-032 PERM 93-04-024 EMER 93-02-019	Bubble rules	PROP 93-10-083
Nursing homes accounting and reimbursement system	PROP 93-08-065 PROP 93-12-048 PERM 93-12-051 PROP 93-08-075 PERM 93-12-054	Compliance public involvement schedules variances	PROP 93-10-084 PROP 93-10-084 PROP 93-10-084 PROP 93-10-079
Repatriate program		Definitions	PROP 93-10-083
Sexual predator program indefinite commitment, authorization rights of person committed	PROP 93-14-073 PROP 93-14-073	Deterioration prevention	PROP 93-10-083
Shelters overnight youth shelters, licensing requirements	PROP 93-05-031 PROP 93-08-009 PROP 93-10-020 PROP 93-12-095 PROP 93-13-025	Emission reduction credits	PROP 93-10-083
Special commitment center sexual predator program indefinite commitment, authorization rights of person committed	PROP 93-14-073 PROP 93-14-073	Emission standards	PROP 93-10-078 PROP 93-10-080 PROP 93-10-085 MISC 93-02-062
Standards of assistance basic requirements	EMER 93-02-002	enforcement and penalties	PROP 93-10-085
Support enforcement, office of child support obligations	PROP 93-01-085 PERM 93-05-020 PROP 93-13-067 PROP 93-01-085 PERM 93-05-020 PROP 93-01-085 PERM 93-05-020 PROP 93-13-067 PROP 93-01-085 PERM 93-05-020	Meetings	PROP 93-10-076 PROP 93-10-076
conference board	PROP 93-01-085 PERM 93-05-020	New sources performance standards	PROP 93-10-078 PROP 93-10-082 PROP 93-10-082 PROP 93-10-085
confidentiality	PROP 93-01-085 PERM 93-05-020	review	PROP 93-10-082
enforcement	PROP 93-01-085 PERM 93-05-020	Open fires	PROP 93-10-085
medical support obligations responsibilities of office	PROP 93-13-067 PROP 93-01-085 PERM 93-05-020	Operating permit program	PROP 93-10-074 PROP 93-10-075 PROP 93-10-076 PROP 93-10-087
Telephone assistance program billing procedures	PROP 93-13-018	Oxygenated fuels regulation	
		Petroleum contaminated soil volatile organic emissions	PROP 93-10-088 PROP 93-10-077
		Records, monitoring, and reporting	PROP 93-10-081
		Registration of sources exemptions	PROP 93-10-081 PROP 93-10-081
		Regulations, implementations	PROP 93-10-089
		Startup and shutdown	PROP 93-10-081
		SPOKANE, COMMUNITY COLLEGES OF	
		Meetings	MISC 93-01-047
		SPOKANE COUNTY AIR POLLUTION CONTROL AUTHORITY	
		Grass field burning	PROP 93-07-088 PERM 93-11-036
		Oxygenated gasoline fees for blenders	PROP 93-14-032
		STATE EMPLOYEES BENEFITS BOARD	
		Meetings	MISC 93-07-064
		SUPREME COURT	
		Appeals, court of commissioners, qualifications	MISC 93-13-096
		Attorney fees and costs	MISC 93-13-096
		Awards, filing	MISC 93-13-096
		Briefs, requirements	MISC 93-13-096
		Character and fitness committee recommendations	PERM 93-07-027
		Costs and attorney fees	MISC 93-13-096
		Counsel, withdrawal (RAP 18.3)	MISC 93-13-096
		Depositions	MISC 93-13-096
		Examination and cross examination	MISC 93-13-096
		Exhibits	MISC 93-13-096

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

UTILITIES AND TRANSPORTATION COMMISSION

Adoption by reference definitions	PROP	93-11-099
Auto transportation companies certificates	PROP	93-11-096
Limousine charter party carriers certificates	PROP	93-11-096
Log trucks, tie down requirements	PERM	93-05-038
Meetings	MISC	93-01-039
Motor vehicles identification markings	PROP	93-11-097
Natural gas facilities, compliance with federal standards	PROP	93-13-035
Pole trailers, tie down requirements	PERM	93-05-038
Rule book compliance with rules	PROP	93-11-098
Rules coordinator	MISC	93-01-038
Solid waste collection and disposal companies consumer practices	PROP	93-13-139
Tariffs fees	PROP	93-11-098
Telecommunications accounting standards, adoption of FCC standards	PROP	93-02-068
	PERM	93-07-089
mandatory cost changes	PERM	93-09-050
quality of service	PROP	93-01-027
	PROP	93-01-152
	PERM	93-06-055
	PERM	93-14-119
reverse data searches of E-911 information	PROP	93-05-013
	PERM	93-11-026
Water companies customer revenue jurisdictional threshold	PROP	93-06-056
	PERM	93-12-062
public records, availability	PROP	93-06-056
	PERM	93-12-062

VOCATIONAL EDUCATION, COUNCIL ON

Meetings	MISC	93-11-059
----------	------	-----------

VOLUNTEER FIREFIGHTERS, BOARD FOR

Meetings	MISC	93-08-035
	MISC	93-13-003
	MISC	93-13-016

WALLA WALLA COMMUNITY COLLEGE

Meetings	MISC	93-01-059
----------	------	-----------

WASHINGTON STATE LIBRARY

Library commission meetings	MISC	93-01-053
	MISC	93-05-027
	MISC	93-05-030
	MISC	93-11-055
	MISC	93-12-036

WASHINGTON STATE PATROL

Board responsibilities and functions	PROP	93-10-001
Log trucks, load fastening devices	PROP	93-05-028
	PERM	93-11-017
Pole trailers, load fastening devices	PROP	93-05-028
	PERM	93-11-017
Sirens, standards	PROP	93-05-029
	PERM	93-11-018
Vehicle identification numbers	PROP	93-10-002
Weighing requirement, exemption	PROP	93-13-119

WASHINGTON STATE UNIVERSITY

Meetings	MISC	93-11-080
Rules coordinator	MISC	93-04-010

WESTERN WASHINGTON UNIVERSITY

Firearms and dangerous weapons	PERM	93-01-080
Meetings	MISC	93-14-019
Smoking on campus	PERM	93-01-080

WHATCOM COMMUNITY COLLEGE

Meetings	MISC	93-01-060
	MISC	93-14-033

WILDLIFE, COMMISSION AND DEPARTMENT

Dogs pursuing or attacking deer or elk, capture or destruction authorized	EMER	93-04-083
Firearm restriction areas	PROP	93-06-062
	PERM	93-11-011
Fishing		
free fishing weekend	PROP	93-06-017
	PERM	93-10-054
game fish classification	PROP	93-06-019
	PROP	93-06-020
	PERM	93-10-011
	PERM	93-10-012
game fish seasons and catch limits, 1992-94		
Blue Lake	PERM	93-04-051
Caliche Lake	PROP	93-03-015
channel catfish	PERM	93-04-046
Coldwater Lake	PROP	93-06-022
	PERM	93-10-053
Dungeness River	PERM	93-04-053
Gissberg Ponds	PERM	93-04-046
Green River	PROP	93-06-057
	PERM	93-10-056
Katey Lake	PROP	93-14-134
Mayfield Lake	PERM	93-04-052
Newman Lake	PERM	93-04-047
Pipers Creek	PERM	93-04-050
Spokane River	PERM	93-04-049
	PROP	93-06-021
	PERM	93-10-055
Tucannon River	EMER	93-12-002
Wannacut Lake	PROP	93-14-134
Yale Reservoir	PERM	93-04-048
steelhead	EMER	93-03-039
	EMER	93-06-061
northern squawfish sport-reward fishery	PROP	93-06-018
	PROP	93-06-019
	PERM	93-10-012
	PERM	93-10-013
game fish seasons and catch limits, 1994-95		
definitions	PROP	93-13-140
establishment	PROP	93-13-140
Game		
dead nonresident wildlife importation and retention prohibited	PERM	93-04-040
deleterious exotic wildlife designation	PERM	93-04-039
possession, transfer, or release prohibited	PERM	93-04-039
protective measures for wildlife in captivity	PERM	93-04-039
endangered and threatened species recovery plan	PROP	93-06-016
lynx, removal from list of game and furbearing animals	PROP	93-14-110
possession, transfer, or release of certain wildlife species	PERM	93-04-039
	PERM	93-04-038
	PERM	93-04-075
retention of game		
Game management units boundary descriptions	PROP	93-06-074
	PERM	93-13-048
Hunting restrictions	PERM	93-04-074

Subject/Agency Index

(Citation in **bold type** refer to material in this issue)

Hunting seasons		
closure areas, 1993-94	PROP	93-06-062
	PERM	93-11-011
deer and bear, 1993-94	PROP	93-06-064
	PERM	93-11-016
deer and elk, 1993-94	PROP	93-06-063
	PERM	93-11-012
elk, 1993-94	PROP	93-06-059
	PROP	93-06-063
	PERM	93-11-012
	PERM	93-11-015
firearm restrictions, 1993-94	PROP	93-06-062
	PERM	93-11-011
migratory waterfowl, 1992-93	EMER	93-01-100
	PROP	93-13-136
migratory waterfowl, 1993-94	PROP	93-13-136
small game, 1993-94	PROP	93-06-058
	PERM	93-11-014
special species, 1993-94	PROP	93-06-060
	PERM	93-11-013
Rules coordinator	MISC	93-05-001
Wildlife		
dead nonresident wildlife		
importation and retention		
prohibited	PERM	93-04-040
deleterious exotic wildlife		
designation	PERM	93-04-039
possession, transfer, or release		
prohibited	PERM	93-04-039
protective measures for wildlife		
in captivity	PERM	93-04-039
possession, transfer, or release of		
certain wildlife species	PERM	93-04-038
	PERM	93-04-039
endangered species, classification	PROP	93-14-112
lynx, removal from list of game		
and furbearing animals	PROP	93-14-110
protected wildlife, classification	PROP	93-14-111
Wildlife rescue coalition		
meetings	MISC	93-01-093

WINE COMMISSION

(See AGRICULTURE, DEPARTMENT OF)

WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

Meetings	MISC	93-01-101
	PROP	93-02-045
	MISC	93-02-060
	MISC	93-04-066
	MISC	93-04-093
	PERM	93-06-005
	MISC	93-07-058
	MISC	93-10-052
	MISC	93-13-033
Organization	PROP	93-02-045
	PERM	93-06-005
Practice and procedure	PROP	93-02-045
	PERM	93-06-005
Public records, availability	PROP	93-02-045
	PERM	93-06-005
Rules coordinator	PROP	93-02-045
	PERM	93-06-005
Vocational schools, private		
nondegree programs	PROP	93-02-044
	PERM	93-06-006

YAKIMA VALLEY COMMUNITY COLLEGE

Facilities, guidelines for use	PROP	93-12-099
Meetings	MISC	93-03-018

WASHINGTON STATE REGISTER Subscriptions

To: Subscription Clerk
WASHINGTON STATE REGISTER
Code Reviser's Office
PO Box 40552
Olympia, WA 98504-0552

I would like to order _____ subscription(s) to the WASHINGTON STATE REGISTER, at an annual rate of \$172.64, sales tax included (\$160 for state agencies). Enclosed is my check or money order for \$_____. Please start my subscription with the January issue of 1993.

NAME _____

ADDRESS _____

THE WASHINGTON STATE REGISTER, published pursuant to RCW 34.08.020, is distributed on the first and third Wednesdays of each month. The Register contains the full text of proposed, emergency, and permanently adopted rules of state agencies, executive orders of the governor, notices of public meetings of state agencies, rules of the state supreme court, summaries of attorney general opinions, and juvenile disposition standards that have been filed in the code reviser's office before the pertinent closing date for that issue of the Register. A cumulative table of existing sections of the Washington Administrative Code (WAC) affected by a particular agency action guides the user to the proper volume of the Register.

The code reviser's office has established an annual subscription price of \$160 for a Register subscription, and single copies will cost \$7. Sales tax of 7.9% now applies to all sales other than to state agencies. State law requires payment in advance. To subscribe to the Register, please complete the order form above and forward it to the address indicated, accompanied by your check or money order in the amount of \$172.64 (\$160 for state agencies) payable to the code reviser's office.

Send Address Changes to:

WASHINGTON STATE REGISTER
(ISSN 0164-6389)
Code Reviser's Office
PO Box 40552
OLYMPIA, WA 98504-0552

Second-Class Postage Paid At Olympia, WA
--



S E C O N D C L A S S