

Washington State Register, Issue 06-01

**AGENCY RULES COORDINATORS
Designations as of 12/27/2005**

AGENCY	RULES COORDINATORS	PHONE	ADDRESS
Academic Achievement and Accountability Commission	Christopher M Thompson	(360) 725-6034	P.O. Box 47220 Olympia, WA 98504-7220
Accountancy, Board of	Cheryl Sexton	(360) 664-9194	P.O. Box 43110 Olympia, WA 98504-3110
Administrative Hearings, Office of	Art Wang	(360) 664-8717	P.O. Box 42488 Olympia, WA 98504-2488
Advanced Tuition Payment, Commission on	Betty Lochner	(360) 753-7875	P.O. Box 43450 Olympia, WA 98504-3450
Archaeology and Historic Preservation, Department of	Stephanie Kramer	(360) 586-3065	P.O. Box 48343 Olympia, WA 98504-8343
Arts Commission	Kris Tucker	(360) 586-2423	P.O. Box 42675 Olympia, WA 98504-2675
Asian Pacific American Affairs, Commission on	Patricia M Lee	(206) 464-5820	501 S. Jackson #301 Seattle, WA 98104-2897
Attorney General's Office	Sue Bellevue	(360) 586-3733	P.O. Box 40115 Olympia, WA 98504-0115
Auditor, Office of State	Linda Long	(360) 902-0367	P.O. Box 40021 Olympia, WA 98504-0021
Bates Technical College	Cindy DeGrosse	(253) 680-7100	1101 S Yakima Avenue Tacoma, WA 98405-4895
Bellevue Community College	Sigrid Olsen	(425) 564-2302	3000 Landerholm Circle SE Bellevue, WA 98007-6484
Bellingham Technical College	Ronda Laughin	(360) 738-3105 ext. 334	3028 Lindbergh Avenue Bellingham, WA 98225-1599
Big Bend Community College	Ken Turner	(509) 793-2002	7662 Chanute Street Moses Lake, WA 98837-3299
Blind, Department of Services for the	Ellen Drumheller	(360) 586-7022	P.O. Box 40933 Olympia, WA 98504-0933
Blind, Washington State School for the	Dean O Stenehjelm	(360) 696-6321	2214 E 13th Street Vancouver, WA 98661
Building Code Council	Tim Nogler	(360) 725-2969	P.O. Box 48300 Olympia, WA 98504-8300
Cascadia Community College	Dede Gonzales	(425) 352-8810	18345 Campus Way NE Bothell, WA 98011-9510
Central Washington University	Judy Miller	(509) 963-2156	400 E University Way Ellensburg, WA 98926-7501
Centralia College	Stephen L Ward	(360) 736-9391 ext. 233	600 W Locust Street Centralia, WA 98531-4099
Clover Park Technical College	Cherie Steele	(253) 589-5843	4500 Steilacoom Boulevard SW Lakewood, WA 98499-4098
Code Reviser's Office	Kerry S Radcliff	(360) 786-6697	P.O. Box 40551 Olympia, WA 98504-0551
Columbia Basin College	Louise Meyers	(509) 547-0511 ext. 2202	2600 N 20th Avenue Pasco, WA 99301
Columbia River Gorge Commission	Nancy Andring	(509) 493-3323	P.O. Box 730 White Salmon, WA 98672
Community Economic Revitalization Board	Kate Rothschild	(360) 725-4058	P.O. Box 42525 Olympia, WA 98504-2525

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AGENCY	RULES COORDINATORS	PHONE	ADDRESS
Community, Trade and Economic Development, Department of	Marie Sullivan	(360) 725-4010	PO Box 42525 Olympia, WA 98504-2525
Conservation Commission	Vicki Flynn	(360) 407-6202	P.O. Box 47721 Olympia, WA 98504-7721
Corrections, Department of	John R Nispel	(360) 586-2160	P.O. Box 41114 Olympia, WA 98504-1114
County Road Administration Board	Karen Pendleton	(360) 753-5989	P.O. Box 40913 Olympia, WA 98504-0913
Criminal Justice Training Commission	Sharon Tolton	(206) 835-7345	P.O. Box 40905 Olympia, WA 98504-0905
Criminal Justice Training Commission	Cheryl Price	(206) 835-7358	19010 1st Avenue South Burien, WA 98148
Dairy Products Commission	Celeste Piette	(425) 672-0687	4201 198th Street SW, Suite 101 Lynnwood, WA 98036
Deaf, Washington State School for the	Chuck McCarthy	(360) 696-6525	611 Grand Boulevard, S26 Vancouver, WA 98661-4918
Eastern Washington University	Laurie Flinn Connelly	(509) 359-2371	214 Showalter Hall Cheney, WA 99004-2444
Ecology, Department of	Jerry Thielen	(360) 407-7551	P.O. Box 47600 Olympia, WA 98504-7600
Edmonds Community College	Kathy Beem	(425) 640-1647	20000 68th Avenue W Lynnwood, WA 98036
Education, State Board of	Larry Davis	(360) 725-6025	P.O. Box 47206 Olympia, WA 98504-7206
Educator Standards Board, Professional	Esther Baker	(360) 725-6277	P.O. Box 47236 Olympia, WA 98504-7236
Employment Security Department	Larry Oline	(360) 438-4010	P.O. Box 9046 Olympia, WA 98507-9046
Energy Facility Site Evaluation Council	Allen Fiksdal	(360) 956-2152	P.O. Box 43172 Olympia, WA 98504-3172
Environmental Hearings Office	Kay M Brown	(360) 459-6327	P.O. Box 40903 Olympia, WA 98504-0903
Everett Community College	Juli Boyington	(425) 388-9572	2000 Tower Street Everett, WA 98201-1352
Evergreen State College, The	Lee Hoemann	(360) 866-6000 ext. 6116	Mailstop TA00 Olympia, WA 98505
Executive Ethics Board	Susan Harris	(360) 664-0871	P.O. Box 40100 Olympia, WA 98504-0100
Financial Institutions, Department of	Susan Putzier	(360) 902-8764	P.O. Box 41200 Olympia, WA 98504-1200
Financial Management, Office of	Roselyn Marcus	(360) 902-0568	P.O. Box 43113 Olympia, WA 98504-3113
Fish and Wildlife, Department of	Evan Jacoby	(360) 902-2930	P.O. Box 43147 Olympia, WA 98504-3147
Forensic Investigations Council	Nancy Isham	(360) 753-2175	206 10th Avenue SE Olympia, WA 98501
Forensic Laboratory Services Bureau	Barry K Logan, PhD	(206) 262-6000	2203 Airport Way S, Suite 360 Seattle, WA 98134
Forest Practices Board	Patricia Anderson	(360) 902-1413	P.O. Box 47012 Olympia, WA 98504-7012

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AGENCY	RULES COORDINATORS	PHONE	ADDRESS
Freight Mobility Strategic Investment Board	Sandy Jenson	(360) 586-9695	P.O. Box 40965 Olympia, WA 98504-0965
Gambling Commission	Susan Arland	(360) 486-3466	P.O. Box 42400 Olympia, WA 98504-2400
General Administration, Department of	Martin D Casey	(360) 902-7208	P.O. Box 41000 Olympia, WA 98504-1000
Governor, Office of the	Joan E Sharp	(206) 464-5493	318 First Avenue S, Suite 310 Seattle, WA 98104
Green River Community College	John Ramsey	(253) 288-3360	12401 SE 320th Street Auburn, WA 98092-3699
Growth Management Hearings Boards	Margery Hite	(360) 664-8966	P.O. Box 40953 Olympia, WA 98504-0953
Health Care Authority	Pete Cutler	(360) 923-2720	P.O. Box 42702 Olympia, WA 98504-2702
Health, Department of	Michelle Davis	(360) 236-4044	P.O. Box 47890 Olympia, WA 98504-7890
Higher Education Coordinating Board	Belma Villa	(360) 753-7810	P.O. Box 43430 Olympia, WA 98504-3430
Highline Community College	Vice-President for Administration	(206) 878-3710 ext. 3203	P.O. Box 98000 Des Moines, WA 98198-9800
Hispanic Affairs, Commission on	Uriel Iniguez	(360) 725-5600	P.O. Box 40924 Olympia, WA 98504-0924
Historical Society, Eastern Washington State	Maurine Barrett	(509) 363-5304	2316 W First Avenue Spokane, WA 99204-1099
Historical Society, Washington State	Marie DeLong	(253) 798-5901	1911 Pacific Avenue Tacoma, WA 98402-3109
Home Care Quality Authority	Jackie Myers	(360) 725-2635	P.O. Box 40940 Olympia, WA 98504-0940
Horse Racing Commission	Robert J Lopez	(360) 459-6462	P.O. Box 40906 Olympia, WA 98504-0906
Human Rights Commission	Cheryl Strobert	(360) 586-9505	P.O. Box 42490 Olympia, WA 98504-2490
Indeterminate Sentence Review Board	Russ Snelson	(360) 493-9271	P.O. Box 40907 Olympia, WA 98504-0907
Industrial Insurance Appeals, Board of	David E Threedy	(360) 753-9646	P.O. Box 42401 Olympia, WA 98504-2401
Information Services, Department of	Brian Jensen	(360) 902-2299	P.O. Box 42445 Olympia, WA 98504-2445
Insurance Commissioner, Office of	Kacy Scott	(360) 725-7041	P. O. Box 40255 Olympia, WA 98504-0255
Investment Board, State	Liz Mendizabal	(360) 956-4600	P.O. Box 40916 Olympia, WA 98504-0916
Jail Industries Board	Jill Will	(360) 486-2380	3060 Willamette Drive NE Lacey, WA 98516
Judicial Conduct, Commission on	Kathy Sullivan	(360) 753-4585	P.O. Box 40928 Olympia, WA 98504-0928
Labor and Industries, Department of	Carmen Moore	(360) 902-4206	P.O. Box 44001 Olympia, WA 98504-4001
Lake Washington Technical College	Vice-President	(425) 739-8100	11605 132nd Avenue NE Kirkland, WA 98034-8506

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AGENCY	RULES COORDINATORS	PHONE	ADDRESS
Library, Washington State	Patricia Davis	(360) 704-5249	P.O. Box 42460 Olympia, WA 98504-2460
Licensing, Department of	Walt Fahrer	(360) 902-3640	P.O. Box 48001 Olympia, WA 98504-8001
Liquor Control Board	Pam Madson	(360) 664-1648	P.O. Box 43075 Olympia, WA 98504-3075
Lottery, Washington State	Ceil Buddeke	(360) 664-4833	P.O. Box 43025 Olympia, WA 98504-3025
Lower Columbia College	Linda Peck	(360) 442-2100	P.O. Box 3010 Longview, WA 98632-0310
Marine Employees' Commission	Kathy Marshall	(360) 586-6354	P.O. Box 40902 Olympia, WA 98504-0902
Military Department	Linda Burton-Ramsey	(253) 512-7950	Camp Murray - Mailstop TA-20 Tacoma, WA 98430-5000
Minority and Women's Business Enterprises, Office of	Cathy V Canorro	(360) 704-1187	P.O. Box 41160 Olympia, WA 98504-1160
Natural Resources, Department of	Jenifer Gitchell	(360) 902-1634	P.O. Box 47015 Olympia, WA 98504-7015
Olympic College	Millicent B LaMonica	(360) 475-7405	1600 Chester Avenue Bremerton, WA 98337-1699
Outdoor Recreation, Interagency Committee for	Greg Lovelady	(360) 902-3008	P.O. Box 40917 Olympia, WA 98504-0917
Parks and Recreation Commission	Jim French	(360) 902-8523	P.O. Box 42650 Olympia, WA 98504-2650
Peninsula College	Bonnie Cauffman	(360) 417-6212	1502 E Lauridsen Boulevard Port Angeles, WA 98362-6698
Personnel Appeals Board	Don Bennett	(360) 586-1481	P.O. Box 40911 Olympia, WA 98504-0911
Personnel, Department of	Connie Goff	(360) 664-6250	P.O. Box 47500 Olympia, WA 98504-7500
Pierce College	Ruth Ann Hatchett	(253) 840-8495	9401 Farwest Drive SW Lakewood, WA 98498-1999
Pilotage Commissioners, Board of	Peggy Larson	(206) 515-3904	2911 2nd Avenue, Suite 100 Seattle, WA 98121
Pollution Liability Insurance Agency	Russell Olsen	(360) 753-2008	P.O. Box 40930 Olympia, WA 98504-0930
Prosecuting Attorneys, Association of	Thomas A McBride	(360) 753-2175	P.O. Box 40952 Olympia, WA 98504-0952
Public Disclosure Commission	Suemary Trobaugh	(360) 753-1111	P.O. Box 40908 Olympia, WA 98504-0908
Public Employment Relations Commission	Kenneth J Latsch	(360) 570-7320	P.O. Box 40919 Olympia, WA 98504-0919
Public Instruction, Superintendent of	Jolynn Erickson	(360) 725-6142	P.O. Box 47200 Olympia, WA 98504-7200
Public Works Board	John LaRocque	(360) 725-5010	P.O. Box 48319 Olympia, WA 98504-8319
Puget Sound Action Team	Stephanie Lidren	(360) 725-5441	P.O. Box 40900 Olympia, WA 98504-0900
Redistricting Commission	Darleen Muhly	(360) 586-9000	P.O. Box 40948 Olympia, WA 98504-0948

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AGENCY	RULES COORDINATORS	PHONE	ADDRESS
Renton Technical College	Carol Werner	(425) 235-5846	3000 NE Fourth Street Renton, WA 98056-4195
Retirement Systems, Department of	Leslie Saeger	(360) 664-7291	P.O. Box 48380 Olympia, WA 98504-8380
Revenue, Department of	Alan Lynn	(360) 570-6125	P.O. Box 47467 Olympia, WA 98504-7467
Salaries for Elected Officials, Washington Citizens' Commission on	Carol Sayer	(360) 725-5669	P.O. Box 43120 Olympia, WA 98504-3120
Seattle Community Colleges	Dr. Carin Weiss	(206) 587-4104	1500 Harvard Avenue Seattle, WA 98122-3803
Secretary of State	Steve Excell	(360) 902-4155	P.O. Box 40220 Olympia, WA 98504-0220
Sentencing Guidelines Commission	Stevie Lucas	(360) 956-2113	P.O. Box 40927 Olympia, WA 98504-0927
Shoreline Community College	Lee D Lambert, J.D.	(206) 546-4764	16101 Greenwood Avenue N Seattle, WA 98133-5696
Skagit Valley College	Lisa M Radeleff	(360) 416-7995	2405 E College Way Mt. Vernon, WA 98273
Social and Health Services, Depart- ment of	Andy Fernando	(360) 664-6094	P.O. Box 45850 Olympia, WA 98504-5850
South Puget Sound Community College	Diana Toledo	(360) 754-7711 ext. 5202	2011 Mottman Road SW Olympia, WA 98512
Southwest Clean Air Agency	Paul Mairose	(360) 574-3058 ext. 30	11815 NE 99th Street, Suite 1294 Vancouver, WA 98682
Spokane, Community Colleges of	Scott Morgan	(509) 434-5060	501 N Riverpoint Blvd, MS 1001 Spokane, WA 99217-6000
Tacoma Community College	Cathie Bitz	(253) 566-5101	6501 S 19th Street Tacoma, WA 98466
Tax Appeals, Board of	Anne N Solwick	(360) 753-5446	P.O. Box 40915 Olympia, WA 98504-0915
Tobacco Settlement Authority	Paul Edwards	(206) 287-4462	1000 Second Avenue, Suite 2700 Seattle, WA 98104-1046
Traffic Safety Commission	Angie Smith	(360) 753-6197	P.O. Box 40944 Olympia, WA 98504-0944
Transportation Improvement Board	Eileen Bushman	(360) 586-1146	P.O. Box 40901 Olympia, WA 98504-0901
Transportation, Department of	Cathy Downs	(360) 705-7761	P.O. Box 47410 Olympia, WA 98504-7410
Treasurer, Office of the State	Barton Potter	(360) 902-9033	P.O. Box 40200 Olympia, WA 98504-0200
University of Washington	Rebecca Goodwin-Dear- dorff	(206) 543-9219	Box 355509 Seattle, WA 98195-5509
Utilities and Transportation Com- mission	Karen Caille	(360) 664-1136	P.O. Box 47250 Olympia, WA 98504-7250
Veterans Affairs, Department of	Heidi Audette	(360) 725-2154	P.O. Box 41150 Olympia, WA 98504-1150
Volunteer Firefighters and Reserve Officers, Board for	Brigitte K Smith	(360) 753-7318	P.O. Box 40945 Olympia, WA 98504-0945

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AGENCY	RULES COORDINATORS	PHONE	ADDRESS
Walla Walla Community College	Jerri Ramsey	(509) 527-4274	500 Tausick Way Walla Walla, WA 99362-9267
Washington State Patrol	Kristina A Penson	(360) 753-0658	P.O. Box 42600 Olympia, WA 98504-2600
Washington State University	Ralph Jenks	(509) 335-2004	3089 Information Technology Building Pullman, WA 99164-1225
Wenatchee Valley College	Janet Franz	(509) 664-6400	1300 5th Street Wenatchee, WA 98801-1799
Western Washington University	Suzanne Baker	(360) 650-3117	516 High Street, Old Main 335 Bellingham, WA 98225-9015
Whatcom Community College	Bets Nelson	(360) 676-2170 ext. 3275	237 W Kellogg Road Bellingham, WA 98226
Workforce Training and Education Coordinating Board	'cita Waller	(360) 753-5673	P.O. Box 43105 Olympia, WA 98504-3105
Yakima Valley Community College	Suzanne West	(509) 574-4635 ext. 113	P.O. Box 22520 Yakima, WA 98907-2520

**PUBLIC RECORDS OFFICER
Designations as of 12/27/2005**

AGENCY	RECORDS OFFICER	PHONE/FAX	ADDRESS
Accountancy, Board of	Richard C. Sweeney ricks@cpaboard.wa.gov	P-(360) 586-0163 F-(360) 664-9190	P.O. Box 9131 Olympia, WA 98507-9131
Administrative Hearings, Office of	Barbara Cleveland	P-(360) 664-8717 F-(360) 664-8721	P.O. Box 42488 Olympia, WA 98504-2488
Agriculture, Department of	Dannie McQueen dmcqueen@agr.wa.gov	P-(360) 902-1809 F-(360) 902-2092	P.O. Box 42560 Olympia, WA 98504-2560
Archaeology and Historic Preservation, Department of	Rick Anderson Rick.Anderson@dahp.wa.gov	P-(360) 586-3065 F-(360) 586-3067	P.O. Box 48343 Olympia, WA 98504-8343
Arts Commission	Mark Gerth markg@arts.wa.gov	P-(360) 586-8093 F-(360) 586-5351	P.O. Box 42675 Olympia, WA 98504-2675
Attorney General's Office	LaDona Jensen publicrecords@atg.wa.gov	P-(360) 586-2533 F-(360) 664-0228	P.O. Box 40100 Olympia, WA 98504-0100
Auditor, Office of State	Mary Leider leiderm@sao.wa.gov	P-(360) 902-0379 F-(360) 753-0646	P.O. Box 40021 Olympia, WA 98504-0021
Bellevue Community College	Kathi Hutchins khutchin@bcc.ctc.edu	P-(425) 564-2451 F-(425) 564-4187	3000 Landerholm Circle S.E. Bellevue, WA 98007-6484
Big Bend Community College	Ken Turner	P-(509) 793-2002 F-(509) 762-6329	7662 Chanute Street Moses Lake, WA 98837
Blind, Department of Services for the	Ellen Drumheller elldrums@dsb.wa.gov	P-(360) 586-7022 F-(360) 586-7627	P.O. Box 40933 Olympia, WA 98504-0933
Blind, Washington State School for the	Janet Merz janet.merz@wssb.wa.gov	P-(360) 696-6321 Ext. 120 F-(360) 737-2120	2214 East 13th Street Vancouver, WA 98661
Cascadia Community College	Dede Gonzales dgonzales@cascadia.ctc.edu	P-(425) 352-8252 F-(425) 352-8313	18345 Campus Way N.E. Bothell, WA 98011
Caseload Forecast Council	Kathleen Turnbow Kathleen.turnbow@cfc.wa.gov	P-(360) 902-0089 F-(360) 902-0084	PO Box 40962 Olympia, WA 98504-0962

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AGENCY	RECORDS OFFICER	PHONE/FAX	ADDRESS
Central Washington University	Bruce Porter porterb@cwu.edu	P-(509) 963-2324 F-(509) 963-1623	400 E. University Way Ellensburg, WA 98926-7474
Clover Park Technical College	Amy Goings amy.goings@cptc.edu	P-(253) 589-5782 F-(253) 589-5637	4500 Steilacoom Boulevard S.W. Lakewood, WA 98499-4098
Code Reviser's Office	Debbie Deibert CodeRev.WA@leg.wa.gov	P-(360) 786-6777 F-(360) 786-1529	P.O. Box 40551 Olympia, WA 98504-0551
Columbia River Gorge Commission	Nancy Andring andring@gorgecommission.org	P-(509) 493-3323 Ext. 0 F-(509) 493-2229	P.O. Box 730 White Salmon, WA 98672
Community and Technical Colleges, State Board for	Julie Walter jwalter@sbctc.ctc.edu	P-(360) 704-4313 F-(360) 586-6440	P.O. Box 42495 Olympia, WA 98504-2495
Community, Trade and Economic Development, Department of	Karen Dunn Karend@cted.wa.gov	P-(360) 725-4021 F-(360) 586-8440	P.O. Box 42525 Olympia, WA 98504-2525
Corrections, Department of	Barbara L. Parry blparry@doc1.wa.gov	P-(360) 753-2769 F-(360) 586-4469	410 West 5th Avenue Olympia, WA 98504-1118
County Road Administration Board	Karen Pendleton karen@crab.wa.gov	P-(360) 753-5989 F-(360) 586-0386	2404 Chandler Court SW, Suite 240 Olympia, WA 98504-0913
Criminal Justice Training Commission	Brian Elliott belliot@cjtc.state.wa.us	P-(360) 486-2436	P.O. Box 40905 Olympia, WA 98504-0905
Deaf, Washington State School for the	Judy Smith judy.smith@wsd.wa.gov	P-(360) 696-6525 Ext. 0401 F-(360) 696-6291	611 Grand Boulevard, S-26 Vancouver, WA 98661
Ecology, Department of	Diane Pratt dpra461@ecy.wa.gov	P-(360) 407-6046 F-(360) 407-7231	P.O. Box 47600 Olympia, WA 98504-7600
Education, State Board of	Laura Moore lmoore@ospi.wednet.edu	P-(360) 725-6025 F-(360) 586-2357	P.O. Box 47206 Olympia, WA 98504-7206
Employment Security Department	Robert Page rpage@esd.wa.gov	P-(360) 586-2132 F-(360) 586-2133	P.O. Box 9046 Olympia, WA 98507-9046
Evergreen State College, The	D. Lee Hoemann hoemannl@evergreen.edu	P-(360) 867-6116 F-(360) 867-6577	2700 Evergreen Parkway N.W. Olympia, WA 98505
Financial Institutions, Department of	Deborah Bortner dbortner@dfi.wa.gov	P-(360) 902-0511 F-(360) 704-7030	P.O. Box 41200 Olympia, WA 98504-1200
Financial Management, Office of	Hal Spencer hal.spencer@ofm.wa.gov	P-(360) 902-0525 F-(360) 644-2832	P.O. Box 43113 Olympia, WA 98504-3113
Fish and Wildlife, Department of	Carol Turcotte turcocmt@dwf.wa.gov	P-(360) 902-2253 F-(360) 902-2171	600 Capitol Way North Olympia, WA 98501-1091
Forest Practices Board	Patricia Anderson patricia.anderson@wadnr.gov	P-(360) 902-1413 F-(360) 902-1428	P.O. Box 47012 Olympia, WA 98504-7012
Gambling Commission	Jessica Quiles Jessicaq@wsgc.wa.gov	P-(360) 486-3529 F-(360) 486-3630	P.O. Box 42400 Olympia, WA 98504-2400
General Administration, Department of	Steve Valandra svaland@ga.wa.gov	P-(360) 902-7215 F-(360) 586-5898	P.O. Box 41000 Olympia, WA 98504-1000
Green River Community College	John Ramsey jramssey@greenriver.edu	P-(253) 288-3360 F-(253) 288-3460	12401 SE 320th Street Auburn, WA 98092
Growth Management Hearings Boards	Patricia Davis PatDavis@ww.gmhb.wa.gov	P-(360) 664-8966 F-(360) 664-8975	P.O. Box 40953 Olympia, WA 98504-0953
Health Care Authority	Pete Cutler pcut107@hca.wa.gov	P-(360) 923-2720 F-(360) 923-2614	P.O. Box 42702 Olympia, WA 98504-2702

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AGENCY	RECORDS OFFICER	PHONE/FAX	ADDRESS
Health Care Authority	Sheri Ammerman samm107@hca.wa.gov	P-(360) 923-2830 F-(360) 923-2606	PO Box 42700 Olympia, WA 98504-2700
Health Care Facilities Authority	Gary D. Wolfe garyw@whcfa.wa.gov	P-(360) 753-6185 F-(360) 586-9168	P.O. Box 40935 Olympia, WA 98504-0935
Health, Department of	Kathy Stout Kathy.Stout@doh.wa.gov	P-(360) 236-4221 F-(360) 236-3706	P.O. Box 47890 Olympia, WA 98504-7890
Higher Education Coordinating Board	Donald G. Alexander dona@hecb.wa.gov	P-(360) 753-7816 F-(360) 704-6216	P.O. Box 43430 Olympia, WA 98504-3430
Highline Community College	Office of the Registrar	P-(206) 878-3710 Ext. 3244 F-(206) 870-4855	P.O. Box 98000 Des Moines, WA 98198-9800
Hispanic Affairs, Commission on	Alicia Luna	P-(360) 725-5661 F-(360) 586-9501	P.O. Box 40924 Olympia, WA 98504-0924
Historical Society, Washington State	Marie DeLong mdelong@wshs.wa.gov	P-(253) 798-5901 F-(253) 272-9518	1911 Pacific Avenue Tacoma, WA 98402-3109
Horse Racing Commission	Robert Lopez rlopez@whrc.state.wa.us	P-(360) 459-6462 F-(360) 459-6461	P.O. Box 40906 Olympia, WA 98516-5578
Human Rights Commission	Tanya Calahan tcalahan@hum.wa.gov	P-(360) 753-4876 F-(360) 586-2282	P.O. Box 42490 Olympia, WA 98504-2490
Indeterminate Sentence Review Board	Robin Riley rriley@doc1.wa.gov	P-(360) 493-9274 F-(360) 493-9287	PO Box 40907 Olympia, WA 98504-0907
Information Services, Department of	Brian Jensen PublicDisclosure@dis.wa.gov	P-(360) 902-2299 F-(360) 586-5885	P.O. Box 42445 Olympia, WA 98504-2445
Insurance Commissioner, Office of	Al Papas pdr@oic.wa.gov	P-(360) 725-7003 F-(360) 664-2782	P.O. Box 40255 Olympia, WA 98504-0255
Interagency Committee, Office of the	Tammy Owings TammyO@iac.wa.gov	P-(360) 902-2637 F-(360) 902-3026	P.O. Box 40917 Olympia, WA 98504-0917
Investment Board, State	Liz Mendizabal Lmendiza-bal@SIB.WA.GOV	P-(360) 956-4616 F-(360) 956-4784	P.O. Box 40916 Olympia, WA 98504-0916
Jail Industries Board	Jill Will jwill@cjtc.state.wa.us	P-(360) 486-2432 F-(360) 486-2381	3060 Willamette Drive N.E. Lacey, WA 98516
Judicial Conduct, Commission on	J. Reiko Callner rcallner@cjtc.state.wa.us	P-(360) 753-4585 F-(360) 586-2918	PO Box 40928 Olympia, WA 98504-0928
Labor and Industries, Department of	Russell D. Johnson johz235@lni.wa.gov	P-(360) 902-6695 F-(360) 902-4202	7273 Linderson Way S.W. Olympia, WA 98504-4270
Lake Washington Technical College	Chuck McWilliams	P-(425) 739-8201 F-(425) 739-8299	11605 132nd Avenue NE Kirkland, WA 98034-8506
Legislative Evaluation and Accountability Program Committee	Teah Stockwell Stockwell.Teah@leg.wa.gov	P-(360) 786-6104 F-(360) 786-6130	P.O. Box 40934 Olympia, WA 98504-0934
Licensing, Department of	Hannah Fultz hfultz@dol.wa.gov	P-(360) 902-3625 F-(360) 586-1351	P.O. Box 9020 Olympia, WA 98507
Liquor Control Board	James Kauffman jdk@liq.wa.gov	P-(360) 664-1714 F-(360) 664-9689	P.O. Box 43075 Olympia, WA 98504-3075
Lottery, Washington State	Ceil Buddeke Cbuddeke@walottery.com	P-(360) 664-4833 F-(360) 586-6586	P.O. Box 43025 Olympia, WA 98504-3025
Lower Columbia College	Nolan Wheeler	P-(360) 442-2121	P.O. Box 3010 Longview, WA 98632-0310

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AGENCY	RECORDS OFFICER	PHONE/FAX	ADDRESS
Marine Employees' Commission	Elizabeth Ford mec@olywa.net	P-(360) 586-6354 F-(360) 586-0820	P.O. Box 40902 Olympia, WA 98504-0902
Military Department	Amy F. Cook Amy.Cook@mil.wa.gov	P-(253) 512-8108 F-(253) 512-8497	1 Militia Drive, Mailstop TA-20 Camp Murray, WA 98430-5000
Minority and Women's Business Enterprises, Office of	Tammi Hazlitt thazlitt@omwbe.wa.gov	P-(360) 753-9691 F-(360) 586-1463	406 South Water Street Olympia, WA 98504-1160
Natural Resources, Department of	Peggy Murphy peggy.murphy@wadnr.gov	P-(360) 902-1393 F-(360) 902-1789	P.O. Box 47014 Olympia, WA 98504-7014
Olympic College	Jennifer Hayes jhayes@oc.ctc.edu	P-(360) 475-7721 F-(360) 475-7232	1600 Chester Avenue Bremerton, WA 98337-1699
Parks and Recreation Commission	Antonette (Toni) Benham toni.benham@parks.wa.gov	P-(360) 902-8636 F-(360) 902-8695	P.O. Box 42650 Olympia, WA 98504-2650
Peninsula College	Barbara Martin barbaram@pcadmin.ctc.edu	P-(360) 417-6202 F-(360) 417-6218	1502 E. Lauridsen Boulevard Port Angeles, WA 98362
Personnel Appeals Board	Don Bennett dbennett@pab.state.wa.us	P-(360) 664-0373 F-(360) 753-0139	P.O. Box 40911 Olympia, WA 98504-0911
Pollution Liability Insurance Agency	Xyzlinda Marshall xmarshall@plia.wa.gov	P-(360) 586-1060 F-(360) 586-7187	P.O. Box 40930 Olympia, WA 98504-0930
Public Disclosure Commission	Suemary Trobaugh strobaugh@pdc.wa.gov	P-(360) 753-1111 F-(360) 753-1112	P.O. Box 40908 Olympia, WA 98504-0908
Public Employment Relations Commission	Kenneth J Latsch klatsch@perc.wa.gov	P-(360) 570-7320 F-(360) 570-7334	112 N.E. Henry Street, Suite 300 Olympia, WA 98504-0919
Public Employment Relations Commission	Kenneth J Latsch klatsch@perc.wa.gov	P-(360) 570-7320 F-(360) 570-7334	112 Henry Street NE Olympia, WA 98504-0919
Public Instruction, Superintendent of	Laura Russell lrussell@ospi.wednet.edu	P-(360) 725-6382 F-(360) 586-7251	P.O. Box 47200 Olympia, WA 98504-7200
Puget Sound Action Team	Stephanie Lidren slidren@psat.wa.gov	P-(360) 725-5441 F-(360) 725-5446	P.O. Box 40900 Olympia, WA 98504-0900
Retirement Systems, Department of	Patti Lee pattil@drs.wa.gov	P-(360) 664-7298 F-(360) 753-3166	P.O. Box 48380 Olympia, WA 98504-8380
Revenue, Department of	Maureen O'Connell MaureenO@dor.wa.gov	P-(360) 705-6647 F-(360) 705-6655	P.O. Box 47478 Olympia, WA 98504-7478
Salaries for Elected Officials, Washington Citizens' Commission on	Carol Sayer carols@salaries.wa.gov	P-(360) 725-5669 F-(360) 586-7544	P.O. Box 43120 Olympia, WA 98504-3120
Secretary of State	Brenda Galarza bgalarza@secstate.wa.gov	P-(360) 586-4556 F-(360) 586-0121	P.O. Box 40224 Olympia, WA 98504-0224
Sentencing Guidelines Commission	Stevie Lucas Steviel@sgc.wa.gov	P-(360) 407-1054 F-(360) 407-1043	4565 7th Avenue S.E. Olympia, WA 98504-0927
Shoreline Community College	Lee D. Lambert, J.D. llambert@shoreline.edu	P-(206) 546-4764 F-(206) 546-5850	16101 Greenwood Avenue North Shoreline, WA 98133
Social and Health Services, Department of	Kristal K. Wiitala DSHSPublicDisclosure@dshs.wa.gov	P-(360) 902-8484 F-(360) 902-7855	P.O. Box 45115 Olympia, WA 98504-5115
South Puget Sound Community College	Patricia Hutcherson phutcherson@spscc.ctc.edu	P-(360) 754-7711 Ext.5360	2011 Mottman Road S.W. Olympia, WA 98512
Southwest Clean Air Agency	Randy Peltier randy@swcleanair.org	P-(360) 574-3058 F-(360) 576-0925	11815 N.E. 99th Street, Suite 1294 Vancouver, WA 98682
Tacoma Community College	Kathryn Longfellow klongfellow@tcc.ctc.edu	P-(253) 566-5050 F-(253) 566-5376	6501 S. 19th Street, Building 27 Tacoma, WA 98466

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AGENCY	RECORDS OFFICER	PHONE/FAX	ADDRESS
Tax Appeals, Board of	Jeanette Nelson jnelson@bta.state.wa.us	P-(360) 753-5446 F-(360) 586-9020	P.O. Box 40915 Olympia, WA 98504-0915
Traffic Safety Commission	Michelle Nicholls mnicholls@wtsc.wa.gov	P-(360) 753-6197 F-(360) 586-6489	P.O. Box 40944 Olympia, WA 98504-0944
Transportation Improvement Board	Eileen Bushman eileenb@tib.wa.gov	P-(360) 586-1146 F-(360) 586-1165	P.O. Box 40901 Olympia, Wa 98504-0901
Transportation, Department of	Marilyn S. Bowman	P-(360) 705-7761 F-(360) 705-6808	P.O. Box 47410 Olympia, WA 98504-7410
Treasurer, Office of the State	Barton Potter	P-(360) 902-9033 F-(360) 902-9044	P.O. Box 40200 Olympia, WA 98504-0200
University of Washington	Eliza A. Saunders pubrec@u.washington.edu	P-(206) 543-9180	4311 11th Avenue NE, Suite 360 Seattle, WA 98105
Veterans Affairs, Department of	Heidi Audette heidia@dva.wa.gov	P-(360) 725-2154 F-(360) 586-4393	P.O. Box 41150 Olympia, WA 98504-1150
Walla Walla Community College	Sherry Hartford sharon.hartford@wwcc.edu	P-(509) 527-4323 F-(509) 527-4249	500 Tausick Way Walla Walla, WA 99362-9267
Washington State Patrol	Gretchen Dolan Gretchen.Dolan@wsp.wa.gov	P-(360) 438-5866 F-(360) 407-0175	P.O. Box 42631 Olympia, WA 98504-2631
Washington State University	Ralph Jenks jenks@wsu.edu	P-(509) 335-2004 F-(509) 335-3969	P.O. Box 641225 Pullman, WA 99164-1225
Western Washington University	Bela Foltin Bela.Foltin@wwu.edu	P-(360) 650-3051 F-(360) 650-3044	516 High Street, Haggard Hall 231 Bellingham, WA 98225-9103
Whatcom Community College	Keri Parriera kparriera@whatcom.ctc.edu	P-(360) 676-2170 Ext. 3205 F-(360) 676-2171	237 West Kellogg Road Bellingham, WA 98226
Workforce Training and Education Coordinating Board	'cita Waller cwaller@wtb.wa.gov	P-(360) 753-5673 F-(360) 586-5862	P.O. Box 43105 Olympia, WA 98504-3105
Yakima Regional Clean Air Authority	Patty Walker patty@yrcaa.org	P-(509) 834-2050 Ext. 113 F-(509) 834-2060	6 South Second Street, Suite 1016 Yakima, WA 98901
Yakima Valley Community College	Suzanne M. West swest.yvcc.edu	P-(509) 574-4635 F-(509) 574-4638	P.O. Box 22520 Yakima, WA 98907-2520

**OFFICE OF THE CODE REVISER
Quarterly Rule-Making Report
Covering Registers 05-19 through 05-24**

Type of Activity	New	Amended	Repealed
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	6	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	19	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted on the Agency's own Initiative	0	7	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	4	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ARCHAEOLOGY AND HISTORIC PRESERVATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	12	41	1
Number of Rules Proposed for Permanent Adoption	12	41	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	12	44	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	58	0	0
Number of Sections Adopted on the Agency's own Initiative	58	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ATTORNEY GENERAL'S OFFICE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	45	0	0
BUILDING CODE COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	14	0
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	5	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	2	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	2	0
Number of Sections Adopted on the Agency's own Initiative	0	9	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	9	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CENTRAL WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	6	0	0
COLUMBIA BASIN COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	23	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	21	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	14	0
Number of Rules Proposed for Permanent Adoption	0	14	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	14	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	9	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	9	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CORRECTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	24	2
Number of Rules Proposed for Permanent Adoption	3	24	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	23	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	3	23	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	23	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
COUNTY ROAD ADMINISTRATION BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CRIMINAL JUSTICE TRAINING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	15	2
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	4	15	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	4	15	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ECOLOGY, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	16	0	0
Number of Rules Proposed for Permanent Adoption	47	5	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	2	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	16	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EDUCATION, STATE BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	32	28
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Rules Proposed for Permanent Adoption	2	11	27
Number of Rules Withdrawn	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	8	23	17
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	4	0
Number of Sections Adopted on the Agency's own Initiative	9	31	17
Number of Sections Adopted using Negotiated Rule Making	9	31	17
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
EMPLOYMENT SECURITY DEPARTMENT			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	7	5	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	7	4	1
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	7	5	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
ENVIRONMENTAL HEARINGS OFFICE			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EXECUTIVE ETHICS BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
FINANCIAL INSTITUTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	85	0	24
Number of Sections Adopted at Request of a Nongovernmental Entity	3	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	5	8	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	1	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	25	60	24
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	25	60	24

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FINANCIAL MANAGEMENT, OFFICE OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	2	5
Number of Rules Proposed for Permanent Adoption	3	2	5
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	2	5
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	3	2	5
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	2	5
Number of Sections Adopted using Pilot Rule Making	0	0	0

FISH AND WILDLIFE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	2	0
Number of Rules Adopted as Emergency Rules	66	0	61
Number of Rules Proposed for Permanent Adoption	7	46	2
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	71	2	61
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FOREST PRACTICES BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Rules Proposed for Permanent Adoption	1	9	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

GAMBLING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	5	3
Number of Rules Proposed for Permanent Adoption	1	9	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	4	3
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	5	3
Number of Sections Adopted using Pilot Rule Making	0	0	0

HEALTH, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	12	31	1
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	258	70	65
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	16	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	10	2	0
Number of Sections Adopted on the Agency's own Initiative	8	23	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	11	19	1
Number of Sections Adopted using Pilot Rule Making	0	5	0

HIGHER EDUCATION COORDINATING BOARD

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	15	0
Number of Rules Proposed for Permanent Adoption	0	15	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	8	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

HORSE RACING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	1	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Pilot Rule Making	0	0	0
INDETERMINATE SENTENCE REVIEW BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
INSURANCE COMMISSIONER, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Proposed for Permanent Adoption	16	0	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
JUDICIAL CONDUCT, COMMISSION ON			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LABOR AND INDUSTRIES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	35	77	19
Number of Rules Proposed for Permanent Adoption	122	127	132
Number of Rules Withdrawn	0	13	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	27	51	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	30	8	2
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	27	76	1
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	34	49	2
Number of Sections Adopted using Pilot Rule Making	0	0	0
LICENSING, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	6	7	2
Number of Rules Proposed for Permanent Adoption	2	12	0

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Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	0	4	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	3	0
Number of Sections Adopted on the Agency's own Initiative	5	3	2
Number of Sections Adopted using Negotiated Rule Making	3	4	0
Number of Sections Adopted using Other Alternative Rule Making	3	3	2
Number of Sections Adopted using Pilot Rule Making	0	0	0

LIQUOR CONTROL BOARD

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	10	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	10	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	10	3
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	10	3
Number of Sections Adopted using Pilot Rule Making	0	0	0

NATURAL RESOURCES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Proposed for Permanent Adoption	0	15	0
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PARKS AND RECREATION COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	27	8	1
Number of Rules Proposed for Permanent Adoption	27	8	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	12	17	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	15	0	0
Number of Sections Adopted on the Agency's own Initiative	12	17	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	15	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PERSONNEL, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	13	35	0
Number of Rules Proposed for Permanent Adoption	4	15	0
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	13	36	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	13	36	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
POLLUTION LIABILITY INSURANCE AGENCY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	9	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	9	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	9	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	9	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC DISCLOSURE COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	3	0
PUBLIC INSTRUCTION, SUPERINTENDENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	10	41	9
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	1	12	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	6	11	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	8	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	8	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	6	11	0
Number of Sections Adopted using Negotiated Rule Making	6	8	0
Number of Sections Adopted using Other Alternative Rule Making	0	3	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
RETIREMENT SYSTEMS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	7	8	3
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	5	11	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	4	6	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	4	0
Number of Sections Adopted on the Agency's own Initiative	4	5	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	5	9	2
Number of Sections Adopted using Pilot Rule Making	0	0	0
REVENUE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	39	8	53
Number of Rules Adopted as Emergency Rules	2	9	0
Number of Rules Proposed for Permanent Adoption	7	23	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	9	12	7
Number of Sections Adopted on the Agency's own Initiative	41	17	5
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	41	17	5
Number of Sections Adopted using Pilot Rule Making	0	0	0
SALARIES FOR ELECTED OFFICIALS, WASHINGTON CITIZENS' COMMISSION ON			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	3	0
SECRETARY OF STATE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	19	8	11
Number of Rules Adopted as Emergency Rules	0	4	0
Number of Rules Proposed for Permanent Adoption	24	24	10
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	13	7	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	18	9	1
Number of Sections Adopted on the Agency's own Initiative	1	1	1
Number of Sections Adopted using Negotiated Rule Making	6	2	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
SKAGIT VALLEY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	10	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	9	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	9	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	9	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	53	69	27
Number of Rules Adopted as Emergency Rules	131	26	0
Number of Rules Proposed for Permanent Adoption	49	104	26
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	17	43	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	133	25	1
Number of Sections Adopted in Order to Comply with Federal Statute	0	5	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	34	22	1
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	184	95	5
Number of Sections Adopted using Pilot Rule Making	0	0	0
TAX APPEALS, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	3
Number of Sections Adopted using Pilot Rule Making	0	0	0
TRANSPORTATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	32	18	7
Number of Rules Proposed for Permanent Adoption	37	55	25
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	15	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	32	17	7
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
UNIVERSITY OF WASHINGTON			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	7	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	8	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	8	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	7	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
UTILITIES AND TRANSPORTATION COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	17	0
Number of Rules Proposed for Permanent Adoption	24	6	18
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	18	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WASHINGTON STATE PATROL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Proposed for Permanent Adoption	1	0	0
Number of Rules Withdrawn	1	4	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	2	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

Type of Activity	New	Amended	Repealed
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	402	531	204
Number of Rules Adopted as Emergency Rules	211	92	62
Number of Rules Proposed for Permanent Adoption	723	671	318
Number of Rules Withdrawn	2	25	0
Number of Sections Adopted at Request of a Nongovernmental Entity	3	9	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	119	357	41
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	163	43	3
Number of Sections Adopted in Order to Comply with Federal Statute	35	34	7
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	220	179	34
Number of Sections Adopted on the Agency's own Initiative	256	315	104
Number of Sections Adopted using Negotiated Rule Making	59	108	41
Number of Sections Adopted using Other Alternative Rule Making	321	320	33
Number of Sections Adopted using Pilot Rule Making	0	5	0

WSR 05-24-063
RULES OF COURT
STATE SUPREME COURT
 [December 1, 2005]

IN THE MATTER OF THE ADOPTION) ORDER
 OF THE AMENDMENTS TO APR 15,) NO. 25700-A-836
 APR 19 AND ADOPTION OF NEW RULE)
 APR 26)

The Washington State Bar Association having recommended the adoption of the proposed amendments to APR 15, APR 19 and adoption of the proposed new rule APR 26, and the Court having approved the proposed amendments and proposed new rule for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments and proposed new rule as attached hereto are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Office of the Administrator for the Court's websites in January 2006.

(b) The purpose statement as required by GR 9(e), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 28, 2006. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 1st day of December 2005.

For the Court
 Gerry L. Alexander

 CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment to
ADMISSION TO PRACTICE RULES (APR)

Rule 19: Lawyer Services Department

Submitted by the Board of Governors of the Washington State Bar Association

Purpose: APR 19, adopted in 2001, relates to the functioning of WSBA's Lawyer Services Department (LaSD). The mission of LaSD as a whole is to protect the public, to assist lawyers in the performance of their duties and responsibilities in the representation of clients, to maintain and improve the integrity of the legal profession, and to promote the interests of justice. See APR 19(a). LaSD accomplishes this mission through a number of specific programs, namely, the Alternative Dispute Resolution Program, the Professional Responsibility Program, the Lawyers' Assistance Program, the Law Office Management Assistance Program, and the Lawyer-to-Lawyer Program. See <http://www.wsba.org/lawyers/services/default.htm>.

APR 19 includes provisions expressly authorizing the Lawyers' Assistance Program (APR 19(b)) and the Law Office Management Assistance Program (APR 19(d)). These provisions provide for the confidentiality of information obtained by staff in the course of administering those programs, and, in the case of the Lawyers' Assistance Program, exonerate those acting under the authority of the rule from liability for actions taken in good faith.

Although LaSD at present administers a Professional Responsibility Program, there is no concomitant provision in APR 19 pertaining to that program. (Paragraph (e) of APR

19, titled "Ethics Program," is at present "Reserved.") The program is staffed by professional responsibility counsel, WSBA staff lawyers with substantial experience in the field of legal ethics and professional responsibility. A key feature of the program is the Ethics Line, a WSBA telephone line dedicated to ethics inquiries. Washington lawyers with questions about the ethics of a prospective or hypothetical course of conduct may call the Ethics Line and speak directly with professional responsibility counsel, who will discuss the situation with the caller to help clarify the ethical issues involved so that the inquirer is able to make a decision consistent with applicable ethical requirements. Historically, these inquiries have concerned all aspects of the Rules of Professional Conduct, for example, handling trust accounts, maintaining client confidences and secrets, avoiding conflicts of interest, resolving problems caused by the termination of a lawyer's services, and advertising.

Ethics Line policies and procedures are governed by departmental and/or WSBA policy, but they are not formally codified in the fashion ordinarily applicable to such issues. For example, the confidentiality of Ethics Line calls is critical to the success of the program, because the risk that a lawyer might be subject to discipline or liability based on information provided in the course of obtaining guidance would loom as a significant disincentive to prospective callers. Additionally, the informal guidance provided on the Ethics Line is not designed as a substitute for the lawyer's own professional judgment. Professional responsibility counsel routinely advise callers that only informal guidance is being provided, that no legal advice is given, and that the caller is responsible for making decisions about his or her course of conduct. At present, however, there is nothing in the court rules addressing these important aspects of the Ethics Line program.

For these reasons, the Board of Governors recommends adoption of a provision parallel to APR 19 (b) and (d), expressly authorizing and defining the Ethics Line component of the Professional Responsibility Program, providing for the confidentiality of a lawyer's communications to professional responsibility counsel in the course of obtaining Ethics Line guidance, and limiting the use that may be made in other contexts of information relating to Ethics Line inquiries.

Portions of the rule are considered necessary in light of the potential adoption of proposed amendments to Rule of Professional Conduct 8.3. At present, Washington lawyers have discretion to report another lawyer's professional misconduct. If the proposed amendments are adopted, RPC 8.3 will require a lawyer who knows of another lawyer's professional misconduct to inform the appropriate professional authority (i.e., the WSBA Office of Disciplinary Counsel). Because Ethics Line callers sometimes disclose acts of apparent misconduct in connection with an inquiry, and because the Ethics Line is staffed by WSBA lawyers, professional responsibility counsel would be required in some instances to file disciplinary grievances against lawyers who have called the Ethics Line seeking guidance. This is not a desirable outcome and it would have an adverse impact on the effectiveness and value of this program.

The suggested provisions are based in part on similar rules in force in Georgia (Rule 4-401, Georgia Rules of Pro-

fessional Conduct and Enforcement Thereof), Kentucky (Rule 3.530, Rules of the Supreme Court of Kentucky), Illinois (Rules 601 - 606 of the Attorney Registration & Disciplinary Commission of the Supreme Court of Illinois), and New Jersey (Rule 1:19-9 of the New Jersey Rules of General Application).

In addition, paragraph (b)(3) of the existing rule, containing Exoneration from Liability provisions applicable only to the Lawyers' Assistance Program, is renumbered as paragraph (f) so that the provisions would apply to the three programs authorized by APR 19, including the Professional Responsibility Program and the Law Office Management Assistance Program. Like the Lawyers' Assistance Program (APR 19(b)) and the Mediation Program (APR 16), both of which are shielded by Exoneration from Liability provisions, the Professional Responsibility Program and the Law Office Management Assistance Program constitute discretionary Bar Association services expressly authorized by the Supreme Court. These programs are designed to provide practice assistance of high quality at no or de minimis cost to members, thereby enhancing the quality of legal services delivered in Washington and helping to improve the integrity of the legal profession. A great many of the users of these services are recently admitted lawyers and lawyers experiencing ethical or other problems that may detrimentally affect their performance and adversely affect their clients and the public. If the Bar Association is subject to lawsuits and potential liability on account of these programs, this may require the Bar Association to limit services or to offer them at a cost that would be prohibitive for many of the intended lawyer-recipients.

SUGGESTED AMENDMENT

ADMISSION TO PRACTICE RULES (APR)
RULE 19

LAWYER SERVICES DEPARTMENT

(a) [Unchanged.]

(b) **Lawyers' Assistance Program (LAP)**

(1) - (2) [Unchanged.]

~~(3) Exoneration from Liability.~~

~~(i) Bar Association and Its Agents. No cause of action shall accrue in favor of any person, arising from any action or proceeding pursuant to these rules, against the Bar Association, or its officers or agents (including but not limited to its staff, members of the Board of Governors, or any other individual acting under the authority of these rules) provided only that the Bar Association, officer or agent shall have acted in good faith. The burden of proving bad faith in this context shall be upon the person asserting it. The Bar Association shall provide defense to any action brought against an officer or agent of the Bar Association for actions taken in good faith under these rules and shall bear the costs of that defense and shall indemnify the officer or agent against any judgment taken therein.~~

~~(ii) Other persons. Communications to the Bar Association, Board of Governors, staff, or any other individual acting~~

under the authority of these rules, are absolutely privileged, and no lawsuit predicated thereon may be instituted against them or other person providing information.

(c) - (d) [Unchanged.]

(e) **Ethics Professional Responsibility Program**, [Reserved.]

(1) Authorization. The Washington State Bar Association is authorized to maintain a program to assist lawyers in complying with their obligations under the Rules of Professional Conduct, thereby enhancing the quality of legal representation provided by Washington lawyers.

(2) Professional Responsibility Counsel. "Professional responsibility counsel" denotes a lawyer employed or appointed by the Bar Association to act as counsel on the Bar Association's behalf in performing duties under part (e) of this rule, and any other lawyer employed or appointed by the Bar Association, including but not limited to disciplinary counsel or general counsel, whenever such lawyer is temporarily performing those duties.

(3) Ethics Inquiries. Any member of the Bar Association, or any lawyer or legal intern permitted by rule to practice law in this state, may direct an ethics inquiry to professional responsibility counsel. Such inquiries should be made by telephone to the Bar Association's designated ethics inquiry telephone line. The provisions of this rule also apply to ethics inquiries initially submitted in writing, including facsimile, e-mail, or other electronic means, but do not apply to requests for written ethics opinions directed to the Bar Association's Rules of Professional Conduct Committee or its equivalent.

(4) Scope. An inquirer may request the guidance of professional responsibility counsel in identifying, interpreting or applying the Rules of Professional Conduct as they relate to his or her prospective ethical conduct. If the inquiry presents a set of facts, those facts should ordinarily be presented in hypothetical format. Professional responsibility counsel provides only informal guidance. Professional responsibility counsel provides no legal advice or opinions, and the inquirer is responsible for making his or her own decision about the ethical issue presented. The inquiry shall be declined if it (i) requires analysis or resolution of legal issues other than those arising under the Rules of Professional Conduct; (ii) seeks an opinion about the ethical conduct of a lawyer other than the inquirer; or (iii) seeks an opinion about the ethical propriety of the inquirer's past conduct.

(5) Limitations and Inadmissibility. Neither the making of an inquiry nor the providing of information by professional responsibility counsel under this rule creates a client-lawyer relationship. Any information or opinion provided during the course of an ethics inquiry is the informal, individual view of professional responsibility counsel only. No information relating to an ethics inquiry, including the fact that an inquiry has been made, its content, or the response thereto, may be asserted in response to any grievance or complaint under the Rules for Enforcement of Lawyer Conduct, nor is such information admissible in any proceeding under the Rules for Enforcement of Lawyer Conduct.

(6) Records. Professional responsibility counsel shall not make or maintain any permanent record of the identity of an inquirer or the substance of a specific inquiry or response.

Professional responsibility counsel may keep records of the number of inquiries and the nature and type of inquiries and responses. Such records shall be used solely to aid the Bar Association in developing the Professional Responsibility Program and developing additional educational programs. Such records shall be exempt from public inspection and copying and shall not be subject to discovery or disclosure in any proceeding.

(7) Confidentiality. Communications between an inquirer and professional responsibility counsel are confidential and shall be privileged against disclosure except by consent of the inquirer or as authorized by the Supreme Court. Professional responsibility counsel shall not use or reveal information learned during the course of an ethics inquiry except as RPC 1.9 would permit with respect to information of a former client. The provisions of RPC 8.3 do not apply to information received by professional responsibility counsel during the course of an ethics inquiry.

(f) Exoneration From Liability.

(1) Bar Association and Its Agents. No cause of action shall accrue in favor of any person, arising from any action or proceeding pursuant to this rule, against the Bar Association, or its officers or agents (including but not limited to its staff, members of the Board of Governors, or any other individual acting under the authority of this rule) provided only that the Bar Association, officer or agent shall have acted in good faith. The burden of proving bad faith in this context shall be upon the person asserting it. The Bar Association shall provide defense to any action brought against an officer or agent of the Bar Association for actions taken in good faith under this rule and shall bear the costs of that defense and shall indemnify the officer or agent against any judgment taken therein.

(2) Other persons. Communications to the Bar Association, Board of Governors, staff, or any other individual acting under the authority of this rule, are absolutely privileged, and no lawsuit predicated thereon may be instituted against them or other person providing information.

GR 9 COVER SHEET

Suggested Amendment
ADMISSION TO PRACTICE RULES (APR)

APR 15 Lawyers' Fund for Client Protection

Submitted by the Board of Governors of the Washington State Bar Association

Purpose: The rules of the Supreme Court relating to admissions, discipline, and the Lawyers' Assistance Program provide that the Washington State Bar Association and its officers, employees and volunteers, acting as agents of the Supreme Court, are immune and exonerated from civil liability. The purpose of this rule amendment is to extend that same immunity and exoneration from liability to the Association and its officers and agents in carrying out their investigative and adjudicative duties under Supreme Court rules

with regard to the Lawyers' Fund for Client Protection. It is modeled on the exoneration from liability provision of the Rules for Enforcement of Lawyer Conduct, ELC 2.12.

This is consistent with settled law which provides that judicial officers, whether acting in their judicial or legislative capacities, enjoy absolute immunity from civil rights damages actions. *Supreme Court of Virginia v. Consumers Union*, 446 U.S. 719, 100 S.Ct. 1967, 64 L.Ed. 2d 641 (1980); *Stump v. Sparkman*, 435 U.S. 349, 98 S.Ct. 1099, 55 L.Ed. 2d 331 (1978). Case law in the Ninth Circuit holds that immunity extends to the WSBA in carrying out the functions of the Supreme Court pursuant to court rule. *Clark v. State of Washington*, 366 F.2d 678 (9th Cir., 1966); *Hirsh v. Justices of the Supreme Court of California*, 67 F. 3d 708 (1995).

When the WSBA conducts admissions, disciplinary or disability proceedings, it does so as the agent of the Supreme Court. *Hahn v. Boeing Company*, 95 Wn. 2d 28, 621 P.2d 1263 (1980); *State ex rel. Schwab v. State Bar Association*, 80 Wn. 2d 266, 493 P.2d 1237 (1972). The same is true for proceedings relating to applications to the Fund.

Although many of the applications to the Fund are also the subject of disciplinary investigations, in many instances the Fund and its staff, Committee members and Trustees have to conduct an independent investigation, for example where applications are submitted after a lawyer has been disbarred. The investigation is conducted in the same manner as a disciplinary investigation, and the Lawyers' Fund for Client Protection Committee and the Fund Trustees are charged with the duty to determine whether the applicant has been the victim of dishonest conduct by a lawyer. This is a comparable adjudicatory function to that conducted by the Disciplinary Board.

The American Bar Association *Model Rules for Lawyers' Fund for Client Protection* comment that "As a matter of public policy, immunity should attach to the Fund's activities and proceedings in the same way that absolute immunity attaches in lawyer disciplinary proceedings." The comment notes, "Immunity from civil liability encourages lawyers and nonlawyers to serve on the [Fund Committee], and protects their independent judgment in the evaluation of claims. Immunity also protects the fiscal integrity of the Fund, and encourages claimants and lawyers to participate in seeking reimbursement for eligible losses."

For these reasons, exoneration from liability provided for persons operating under the court rules relating to lawyer disciplinary proceedings should be extended to persons operating under court rules relating to the Fund.

SUGGESTED AMENDMENT
ADMISSION TO PRACTICE RULES (APR)
APR 15 LAWYERS' FUND FOR CLIENT PROTECTION

- (a) Purpose.** [No change].
- (b) Establishment.** [No change].
- (c) Funding.** [No change].
- (d) Enforcement.** [No change].
- (e) Restitution.** [No change].
- (f) Administration.** [No change].
- (g) Subpoenas.** [No change].
- (h) Reports.** [No change].
- (i) Exoneration from Liability.**

(1) Bar Association and Its Agents. No cause of action accrues in favor of a lawyer or any other person, arising from an investigation or proceeding under these rules, against the Association, or its officers or agents (including but not limited to its staff, members of the Board of Governors (Fund Trustees), members of the Committee, or any other individual acting under authority of these rules) provided only that the Association or individual acted in good faith. The burden of proving bad faith in this context is on the person asserting it. The Association must defend any action against an officer or agent of the Association for actions taken in good faith under these rules, bear the costs of that defense, and indemnify the officer or agent against any such judgment.

(2) Applicants and Other Persons. Communications to the Association, Board of Governors (Trustees), Committee, Association staff, or any other individual acting under authority of these rules, are absolutely privileged, and no lawsuit predicted thereon may be instituted against any applicant or other person providing information.

GR 9 COVER SHEET

SUGGESTED AMENDMENT
ADMISSION TO PRACTICE RULES (APR)

APR 26 INSURANCE DISCLOSURE

Submitted by the Board of Governors of the Washington State Bar Association

Purpose: The purpose of the Insurance Disclosure rule is client protection. Under the Washington Rules of Professional Conduct, one of the basic principles of the lawyer-client relationship is that the lawyer will give the client sufficient information regarding material facts to allow the client to make an informed decision in matters relating to the representation. See, e.g., RPC 1.4; 1.7. Whether a lawyer maintains professional liability insurance may be a material fact for some persons in considering whether to hire a lawyer, and it should be easily available to a client or prospective client.

This rule would require that each active status lawyer certify on the annual license registration form (a) whether the lawyer is in private practice; (b) if so, whether the lawyer maintains professional liability insurance; (c) whether the lawyer intends to continue to maintain insurance; and (d) whether the lawyer is a full-time government lawyer or house counsel and does not represent clients outside that capacity. The form would also require notification to the WSBA within 30 days if the lawyer in private practice ceases to be insured.

This is Admission to Practice Rule requiring disclosure, and not a disciplinary rule. It does not mandate that lawyers be insured. However, failure to comply with the disclosure requirement would result in administrative suspension from practice until the information is disclosed, in the same way that lawyers may be suspended for failure to comply with the continuing legal education reporting requirements.

This insurance information would be available to clients or prospective clients by such means as the Board of Gover-

nors designates, such as posting on the WSBA website or by contacting the WSBA. In practice, this would operate similarly to the contractor insurance and bonding information available to the public through the Department of Labor and Industries by contacting the Department or searching the Department's website.

Fourteen states currently require disclosure of insurance, either through the lawyer licensing or regulatory agency (Delaware, Illinois, Kansas, Michigan, Nebraska, New Mexico, North Carolina, Virginia, and West Virginia), or in writing directly to clients (Alaska, New Hampshire, Ohio, and South Dakota). The experience in states that have had a disclosure rule in effect for some time has shown no increase in either frequency of insurance claims or in increased premium rates. There has also been no indication of any disproportionate impact on new lawyers, solo and small firm lawyers, or minority lawyers, nor that it has made legal services more expensive or reduced lawyers' willingness to provide pro bono services.

This suggested rule was circulated for comment among the WSBA members. It was e-mailed to approximately 15,000 active WSBA members, it was posted on the WSBA website, and it was published in the July 2005 *Bar News*. The WSBA received e-mail responses from about 90 members and a few letters, both pro and con. One concern that was expressed is that such disclosure is misleading because professional liability insurance is "claims made," and the disclosure does not indicate policy limits, deductibles, whether defense costs are within or without the policy limits, etc. If the rule is adopted and this information is posted on the WSBA website and otherwise made available, there will be additional information about professional liability insurance and suggested questions that a client may want to ask. The website information would note that lawyers may make a responsible decision not to maintain insurance because the lawyer may choose to be financially responsible (self-insured), or is an in-house or government lawyer whose employer has chosen to bear the risk of errors, or for other reasons.

Another issue that was raised concerned government lawyers and in-house counsel who provide pro bono work through qualified legal services providers that maintain professional liability insurance. It was suggested that the rule should specifically address this. However, as the rule is written, if a government lawyer or in-house counsel represents clients outside of that employment, but does so in a context where he/she is insured, then the answer to (a)(2) would be "yes" and the answer to (a)(4) would be "no."

Lawyers take their responsibility to the public seriously, and this is one simple means to make this information available.

**SUGGESTED AMENDMENT
ADMISSION TO PRACTICE RULES (APR)
APR 26 INSURANCE DISCLOSURE
(NEW RULE)**

(a) Each active member of the Bar Association shall certify annually in a form approved by the Board of Governors by the date specified by the form (1) whether the lawyer is engaged in the private practice of law; (2) if engaged in the private practice of law, whether the lawyer is currently covered by professional liability insurance; (3) whether the lawyer intends to maintain insurance during the period of time the lawyer is engaged in the private practice of law; and (4) whether the lawyer is engaged in the practice of law as a full-time government lawyer or is counsel employed by an organizational client and does not represent clients outside that capacity. Each lawyer admitted to the active practice of law who reports being covered by professional liability insurance shall notify the Bar Association in writing within 30 days if the insurance policy providing coverage lapses, is no longer in effect or terminates for any reason.

(b) The information submitted pursuant to this rule will be made available to the public by such means as may be designated by the Board of Governors, which may include publication on the website maintained by the Bar Association.

(c) Any lawyer admitted to the active practice of law who fails to comply with this rule by the date specified in section (a) may be ordered suspended from the practice of law by the Supreme Court until such time as the lawyer complies. Supplying false information in response to this rule shall subject the lawyer to appropriate disciplinary action.

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.

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

**WSR 05-24-067
RULES OF COURT
STATE SUPREME COURT**

[December 1, 2005]

IN THE MATTER OF THE ADOPTION)	ORDER
OF THE AMENDMENTS TO IRLJ 1.2,)	NO. 25700-A-843
2.1, 2.2, 2.4, 2.6, 3.1, 3.3, 3.4, 3.5, 4.2, 6.6)	
AND 6.7)	

The District and Municipal Court Judges' Association having recommended the adoption of the proposed amendments to IRLJ 1.2, 2.1, 2.2, 2.4, 2.6, 3.1, 3.3, 3.4, 3.5, 4.2, 6.6 and 6.7, and the Court having determined that the proposed amendments will aid in the prompt and orderly administration of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as attached hereto are adopted.

(b) That pursuant to the emergency provisions of GR 9 (j)(1), the amendments will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 1st day of December 2005.

	Alexander, C.J.
C. Johnson, J.	Chambers, J.
	Owens, J.
	Fairhurst, J.
Bridge, J.	

INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

RULE 1.2 DEFINITIONS

For the purposes of these rules:

(a) **Infraction Case.** "Infraction case" means a civil proceeding initiated in a court of limited jurisdiction pursuant to a statute that authorizes offenses to be punished as infractions.

(b) **Notice of Infraction.** "Notice of infraction" means a document initiating an infraction case when issued and filed pursuant to statute and these rules.

(c) **Defendant.** "Defendant" means a person ~~named in a notice of~~ cited for an infraction, a registered owner of a vehicle cited for a parking infraction, or the person who responds to the parking infraction or requests a hearing.

(d) **Court.** "Court" means a court of limited jurisdiction organized pursuant to RCW Title 3, RCW Title 35, or RCW Title 35A.

(e) **Judgment.** "Judgment" means any final decision in an infraction case, including but not limited to, a finding entered after a hearing governed by these rules or after payment of a monetary penalty in lieu of a hearing.

(f) **Plaintiff.** "Plaintiff" means the governmental unit issuing the notice of infraction, including, but not limited to, the state, a county, or a municipality.

(g) **Department.** "Department" means the Washington State Department of Licensing.

(h) **Lawyer.** "Lawyer" means any person authorized by Supreme Court rule to practice law.

(i) **Statute.** "Statute" means any state statute, local or county ordinance, resolution, or regulation, or agency regulation.

(j) **Citing Officer.** "Citing officer" means a law enforcement officer or other official authorized by law to issue a notice of infraction.

(k) **Prosecuting Authority.** "Prosecuting authority" includes prosecuting attorneys, city attorneys, corporation counsel, and their deputies, and assistants, or such other persons as may be designated by statute.

(l) **Judge.** "Judge" means any judge of any court of limited jurisdiction and shall include every judicial officer authorized to preside over infraction cases.

(m) **Community Restitution.** "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the defendant.

INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

RULE 2.1 NOTICE OF INFRACTION

(a) **Traffic Infraction Form Prescribed by ~~Administrator for the Courts~~ the Administrative Office of the Courts.** Traffic infraction cases shall be filed on a form entitled "Notice of Traffic Infraction" prescribed by the ~~Administrator for the Courts~~ Administrative Office of the Courts; except that the form used to file cases alleging the commission of a parking, standing or stopping infraction shall be approved by the ~~Administrator for the Courts~~ Administrative Office of the Courts. Traffic infraction forms prescribed by the Administrative Office of the Courts are presumed valid and shall not be deemed insufficient by reason of defects or imperfections which do not prejudice substantial rights of the defendant.

(b) **Contents.** [Unchanged.]

INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

RULE 2.2 INITIATION OF INFRACTION CASES

(a) **Generally.** An infraction case is initiated by the issuance, service, and filing of a notice of infraction in accordance with this rule. An infraction is issued on the date the infraction is signed by the citing officer or prosecuting authority.

(b) **Who May Issue.** A notice of infraction may be issued, upon certification that the issuer has probable cause to believe, and does believe, that a person has committed an infraction contrary to law:

(1) By a citing officer. The infraction need not have been committed in the officer's presence, except as provided by statute;

(2) By the prosecuting authority.

(c) **Service of Notice.** A notice of infraction may be served either by:

(1) The citing officer serving the notice of infraction on the person named in the notice of infraction at the time of issuance;

(2) The citing officer affixing to a vehicle in a conspicuous place the notice of a traffic infraction if it alleges the violation of a parking, standing, or stopping statute; or

(3) The citing officer or the prosecuting authority filing the notice of infraction with the court, in which case the court shall have the notice served either personally or by mail, postage prepaid, on the person named in the notice of infraction at his or her address. If a notice of infraction served by mail is returned to the court as undeliverable, the court shall issue a summons.

(d) **Filing of Notice.** When a notice of infraction has been issued, the notice shall be filed with a court having jurisdiction over the infraction or with a violations bureau subject to such court's supervision. The notice must be filed within ~~two~~ five days of issuance of the notice, excluding Saturdays, Sundays, and holidays. A ~~In the absence of good cause shown,~~ a notice of infraction not filed within the time limits of this section ~~may shall, upon motion,~~ be dismissed ~~without~~ with prejudice.

**INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION
(IRLJ)**

RULE 2.4 RESPONSE TO NOTICE

(a) Generally. A person who has been served with a notice of infraction must respond to the notice within 15 days of the date the notice is personally served or, if the notice is served by mail, within 18 days of the date the notice is mailed.

(b) Alternatives. A person may respond to a notice of infraction by:

(1) Paying the amount of the monetary penalty in accordance with applicable law, in which case the court shall enter a judgment that the defendant has committed the infraction;

(2) Contesting the determination that an infraction occurred by requesting a hearing in accordance with applicable law;

(3) Requesting a hearing to explain mitigating circumstances surrounding the commission of the infraction in accordance with applicable law; or

(4) Submitting a written statement either contesting the infraction or explaining mitigating circumstances, if this alternative is authorized by local court rule. The statement shall contain the person's promise to pay the monetary penalty authorized by law if the infraction is found to be committed. For contested hearings ~~the~~ statement shall be executed in compliance with RCW 9A.72.085, in substantially the following form:

I hereby state as follows: certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true:

I promise that if it is determined that I committed the infraction for which I was cited, I will pay the monetary penalty authorized by law and assessed by the court.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

_____ [Date and Place] _____ [Signature]

(I understand that if this form is submitted by e-mail, my typed name on the signature line will qualify as my signature for purposes of the above certification.)

For mitigation hearings, the statement shall be executed in substantially the following form:

I hereby state as follows:

I promise to pay the monetary penalty authorized by law or, at the discretion of the court, any reduced penalty that may be set.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

_____ (Date and Place) _____ (Signature)

(I understand that if this form is submitted by e-mail, my typed name on the signature line will qualify as my signature for purposes of the above certification.)

(c) Method of Response. A person may respond to a notice of infraction either personally, or if allowed by local rule by mail or by e-mail. If the response is mailed or e-mailed, it must be ~~mailed~~ postmarked or e-mailed not later than midnight of the day the response is due.

**INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION
(IRLJ)**

RULE 2.6 SCHEDULING OF HEARINGS

(a) Contested Hearings.

(1) Except as provided in sections (1)(i) and (ii), upon receipt of a response submitted pursuant to rule 2.4 (b)(2), the court shall schedule a hearing to determine whether the defendant committed the infraction. The hearing shall be scheduled for not less than 14 days from the date the written notice of hearing is sent by the court, nor more than 120 days from the date of the notice of infraction or the date a default judgment is set aside, ~~unless otherwise agreed by the defendant in writing.~~

(i) If authorized by local court rule, a defendant who requests a contested hearing may first be scheduled for a prehearing conference, which shall be scheduled for not less than 14 days from the date the written notice of the hearing is sent by the court nor more than 45 days from the date of the notice of infraction or the date a default judgment is set aside, unless otherwise agreed to by the defendant in writing.

(ii) The prehearing conference may be waived by the defendant in writing if the waiver is received by the court before the time set for the prehearing conference. If the prehearing conference is waived, the case will be set for contested hearing. The contested hearing shall be scheduled for not more than 90 days from the date of the prehearing conference or, if the prehearing conference is waived, from the date the waiver of the prehearing conference is received by the court.

(2) The court shall send the defendant written notice of the time, place, and date of the hearing within ~~14~~ 21 days of the request for a hearing. The notice shall also include statements advising the defendant of the defendant's rights at the hearing and stating that failure to appear may be a crime for which the defendant may be arrested, and, in a traffic infraction case, the defendant's privilege to operate a motor vehicle may be suspended.

(3) The court may schedule the hearing on a contested infraction for the same time as the hearing on another infraction alleged to have been committed by the defendant. The court may schedule the hearing on a contested infraction for the same time as the trial on a misdemeanor arising out of the same occurrence as the infraction.

(4) The infraction may be dismissed upon a showing of prejudice if the court does not send a defendant written notice of a hearing within 21 days of receipt of the request for a hearing.

(b) Mitigation Hearings.

(1) Upon receipt of a response submitted pursuant to rule 2.4 (b)(3) the court shall schedule a hearing to determine whether there were mitigating circumstances surrounding the commission of the infraction. The hearing shall be scheduled for not less than 14 days from the date the written notice of

hearing is sent by the court, nor more than 120 days from the date of the notice of infraction or the date a default judgment is set aside, unless otherwise agreed by the defendant in writing.

(2) The court shall send the defendant written notice of the time, place, and date of the hearing within ~~14~~ 21 days of the request for a hearing. The notice shall also include statements advising the defendant of the defendant's rights at the hearing and stating that failure to appear may be a crime for which the defendant may be arrested, and, in a traffic infraction case, the defendant's privilege to operate a motor vehicle may be suspended.

(3) The court may schedule the mitigation hearing for the same time as the mitigation hearing on another infraction alleged to have been committed by the defendant.

(c) Decisions on Written Statements. If the court has adopted a local rule authorizing decisions on written statements submitted by mail, and/or e-mail, it shall, upon receipt of a statement pursuant to rule 2.4 (b)(4), consider the case in accordance with rule 3.5. The requirements of GR 30.5 are not applicable to e-mail statements submitted pursuant to rule 2.4 (b)(4). The court is not required to notify the parties of a date for the examination of the statements.

(d) Objection to Hearing Date. A defendant who objects to the hearing date set by the court upon the ground that it is not within the time limits prescribed by this rule shall file with the court and serve upon the prosecuting authority a written motion for a speedy hearing date within 10 days after the notice of hearing is mailed or otherwise given to the defendant. Failure of a party, for any reason, to make such a motion shall be a waiver of the objection that a hearing commenced on such a date is not within the time limits prescribed by this rule. The written notice of the hearing date shall contain a copy of IRLJ 2.6(d).

(e) Time for Hearing; Effect of Delay or Continuances. A motion for dismissal for the failure to hold a hearing within the time period provided by this rule shall not be granted if the failure to hold the hearing was attributable to the defendant or the defendant's counsel.

(f) Dismissal With Prejudice. An infraction not brought to hearing within the time period provided by this rule shall, upon motion, be dismissed with prejudice.

(g) Change of Judge. The provisions of CRLJ 40(f) apply.

INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

RULE 3.1 CONTESTED HEARINGS—PRELIMINARY PROCEEDINGS

(a) Subpoena. The defendant and the plaintiff may subpoena witnesses necessary for the presentation of their respective cases. Witnesses should be served at least 7 days before the hearing. The subpoena may be issued by a judge, court commissioner, or clerk of the court or by a party's lawyer. If a party's lawyer issues a subpoena, a copy shall be filed with the court and with the office of the prosecuting authority assigned to the court in which the infraction is filed on the same day it is sent out for service. A request that an officer appear at a contested hearing pursuant to rule 3.3(c)

shall be filed on a separate pleading. A subpoena may be directed for service within their jurisdiction to the sheriff of any county or any peace officer of any municipality in the state in which the witness may be or it may be served as provided in CR 45(c), or it may be served by first-class mail, postage prepaid, sent to the witnesses' last known address. Service by mail shall be deemed complete upon the third day following the day upon which the subpoena was placed in the mail. If the subpoena is for a witness outside the county, a judge must approve of the subpoena.

(b) Discovery. Upon written demand of the defendant at least 14 days before a contested hearing, filed with the court and served on the office of the prosecuting authority assigned to the court in which the infraction is filed, the plaintiff's lawyer shall at least 7 days before the hearing provide the defendant or the defendant's lawyer with ~~a list of the witnesses the plaintiff intends to call at the hearing~~ and a copy of the citing officer's sworn statement if it will be offered into evidence at the hearing and with the names of any witnesses not identified in the citing officer's sworn statement ~~a list of the witnesses the defendant intends to call at the hearing.~~ If the prosecuting authority provides the citing officer's sworn statement less than 7 days before the hearing but not later than one day before the hearing, the citing officer's sworn statement shall be suppressed only upon a showing of prejudice in the presentation of the defendant's case. If the prosecuting authority, without reasonable excuse or justification, fails to provide the citing officer's sworn statement, the statement shall be suppressed. No other discovery shall be required. Neither party is precluded from investigating the case, and neither party shall impede another party's investigation. A request for discovery pursuant to this section shall be filed on a separate pleading.

(c) Amendment of Notice. The court may permit a notice of infraction to be amended at any time before judgment if no additional or different infraction is charged, and if substantial rights of the defendant are not thereby prejudiced. A continuance shall be granted if the defendant satisfies the court that the additional time is needed to defend against the amended notice of infraction.

(d) Sufficiency. No notice of infraction shall be deemed insufficient for failure to contain a definite statement of the essential facts constituting the specific infraction which the defendant is alleged to have committed, nor by reason of defects or imperfections which do not tend to prejudice substantial rights of the defendant.

INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

RULE 3.3 PROCEDURE AT CONTESTED HEARING

(a) - (d) [Unchanged.]

(e) Disposition. If the court determines that the infraction has been committed, it may assess a monetary penalty against the defendant. The monetary penalty assessed may not exceed the monetary penalty provided for the infraction by law. The court may waive or suspend a portion of the monetary penalty, or provide for time payments, or in lieu of monetary payment provide for the performance of community ~~service~~ restitution as provided by law. The court has con-

tinuing jurisdiction and authority to supervise disposition for not more than 1 year.

INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

RULE 3.4 HEARING ON MITIGATING CIRCUMSTANCES

(a) - (b) [Unchanged.]

(c) Disposition. The court shall determine whether the defendant's explanation of the events justifies reduction of the monetary penalty. The court shall enter an order finding the defendant committed the infraction and may assess a monetary penalty. The court may not impose a penalty in excess of the monetary penalty provided for the infraction by law. The court may waive or suspend a portion of the monetary penalty, or provide for time payments, or in lieu of monetary payment provide for the performance of community service restitution as provided by law. The court has continuing jurisdiction and authority to supervise disposition for not more than 1 year.

INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

RULE 3.5 DECISION ON WRITTEN STATEMENTS [LOCAL OPTION]

(a) Generally Contested Hearings. The court shall examine the citing officer's report and any statement submitted by the defendant. The examination shall take place within 120 days after the defendant filed the response to the notice of infraction. The examination may be held in chambers and shall not be governed by the Rules of Evidence.

(b) (1) Factual Determination. The court shall determine whether the plaintiff has proved by a preponderance of all evidence submitted that the defendant has committed the infraction.

(c) (2) Disposition.- If the court determines that the infraction has been committed, it may assess a penalty in accordance with rule 3.3.

(d) (3) Notice to Parties. The court shall notify the parties in writing whether an infraction was found to have been committed and what penalty, if any, was imposed.

(e) (4) No Appeal Permitted. There shall be no appeal from a decision on written statements.

(b) Mitigation Hearings. Mitigation hearings based upon written statements may be held in chambers.

INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

RULE 4.2 FAILURE TO PAY OR COMPLETE COMMUNITY SERVICE RESTITUTION FOR TRAFFIC INFRACTION

(a) Failure to Pay or Complete Community Service Restitution. Unless the traffic infraction is a parking, standing, stopping, or pedestrian infraction, the court shall notify the Department within 10 days:

(1) If the defendant fails to pay the monetary penalty assessed after a hearing to contest the traffic infraction or a hearing to explain mitigating circumstances, or after a deci-

sion on written statements, if authorized by local court rule, or

(2) If the defendant fails to meet a time payment authorized by the court or fails to complete community service restitution approved by the court.

(b) Notice to Department. The notice to the Department shall be in the form prescribed by the Department.

(c) Removal of the Failure to Pay or Complete Community Service Restitution. When the defendant has paid all monetary penalties owing, including completion of community service restitution, the court shall notify the Department within 10 days of payment or of completion of community service restitution on a form prescribed by the Department.

INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

Rule 6.6 SPEED MEASURING DEVICE: DESIGN AND CONSTRUCTION CERTIFICATION

(a) [No change.]

(b) Speed Measuring Device Certificate; Form. In the absence of proof of a request on a separate pleading to produce an electronic or laser speed measuring device (SMD) expert served on the prosecuting authority and filed with the clerk of the court at least 30 days prior to trial or such lesser time as the court deems proper, a certificate in substantially the following form is admissible in lieu of an expert witness in any court proceeding in which the design and construction of an electronic or laser speed measuring device (SMD) is an issue:

CERTIFICATION CONCERNING DESIGN AND CONSTRUCTION OF ELECTRONIC SPEED MEASURING DEVICES OR LASER SPEED MEASURING DEVICES

I, _____ do certify under penalty of perjury as follows:

I am employed with _____ as a _____. I have been employed in such a capacity for _____ years. Part of my duties include supervising the maintenance and repair of all electronic and laser speed measuring devices (SMD's) used by _____ (name of agency).

This agency currently uses the following SMD's:

(List all SMD's used and their manufacturers and identify which SMDs use laser technology.)

I have the following qualifications with respect to the above stated SMD's:

(List all degrees held and any special schooling regarding the SMD's listed above.)

This agency maintains manuals for all of the above stated SMD's. I am personally familiar with those manuals and how each of the SMD's are designed and operated. On _____ (date) testing of the SMD's was performed under my direction. The units were evaluated to meet or exceed existing performance standards. This agency maintains a testing and certification program. This program requires:

(State the program in detail.)

Based upon my education, training, and experience and my knowledge of the SMD's listed above, it is my opinion that each of these electronic pieces of equipment is so designed and constructed as to accurately employ the Doppler effect in such a manner that it will give accurate measurements of the speed of motor vehicles when properly calibrated and operated by a trained operator or, in the case of the laser SMDs, each of these pieces of equipment is so designed and constructed as to accurately employ measurement techniques based on the velocity of light in such a manner that it will give accurate measurements of the speed of motor vehicles when properly calibrated and operated by a trained operator.

(c) - (d) [No changes.]

INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

6.7 RELIEF FROM JUDGMENT

A motion to waive or suspend a fine, or to convert a penalty to community ~~service~~ restitution, or to vacate a judgment is governed by CRLJ 60(b).

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

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.

(Signature)

Dated:

WSR 05-24-084
AGENDA
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed December 6, 2005, 9:35 a.m.]

In accordance with RCW 34.05.314 following is the Department of Labor and Industries' Semi-annual Rules Development Agenda for January 1, 2006 - July 31, 2006.

Please contact Carmen Moore at (360) 902-4206 or e-mail at moog235@lni.wa.gov, if you have any questions.

The Department of Labor and Industries Semi-annual Rules Development Agenda (January 1 - July 31, 2006)

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
DIVISION: INSURANCE SERVICES (WORKERS' COMPENSATION)						
Chapter 296-14 WAC	Industrial insurance—Mortality assumptions	Valerie Grimm Policy and Quality Coordination (360) 902-5005	6/20/01	To be determined	To be determined	This rule making will provide updates to mortality assumptions used to determine pension reserves and actuarial benefit reductions.
Chapter 296-14 WAC	Industrial insurance—Worker employment patterns	Valerie Grimm Policy and Quality Coordination (360) 902-5005	8/21/02	To be determined	To be determined	This rule making will provide clarification on how to determine a worker's employment pattern at the time of injury or on the date of disease manifestation for the purpose of calculating the worker's wage. This rule will impact crime victims' compensation.
Chapter 296-14 WAC	Industrial insurance—Transitional/light duty job	Valerie Grimm Policy and Quality Coordination (360) 902-5005	4/2006	To be determined	To be determined	This rule making will provide clarification on: <ul style="list-style-type: none"> The required elements of a valid transitional/light duty job offered from the employer of record. What is expected of the employer and worker? How to determine a worker's entitlement to time-loss compensation and loss of earning power benefits when a transitional/light duty job is offered.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapter 296-14 WAC	Industrial insurance—Confidentiality of worker's compensation claim files	Valerie Grimm Policy and Quality Coordination (360) 902-5005	11/6/04	12/2005	4/2006	This rule making will define the responsibility of employers, workers, and other parties who have access to worker's compensation claim files for confidentiality and release of claim information.
Chapter 296-14 WAC	Industrial insurance—Definitions	Valerie Grimm Policy and Quality Coordination (360) 902-5005	5/3/05	To be determined	To be determined	This rule making will define terms used in chapter 296-14 WAC and move definitions currently in chapter 296-20 WAC to chapter 296-14 WAC. The rule making will amend the definition of temporary partial disability. This rule making will impact crime victims' compensation.
Chapter 296-14 WAC	Industrial insurance—Residence modification	Valerie Grimm Policy and Quality Coordination (360) 902-5005	5/3/05	11/1/05	2/27/06	This rule making will implement the provisions of chapter 411, Laws of 2005 (EHB 2185), by establishing guidelines and processes for providing residence modification benefits to workers who have sustained catastrophic injury.
Chapter 296-19A WAC	Vocational rehabilitation	Valerie Grimm Policy and Quality Coordination (360) 902-5005	9/20/05	To be determined	To be determined	This rule making may include amendments pertaining to forensic services and other issues as appropriate.
Chapter 296-14 WAC	Industrial insurance—Pension discount rates	Valerie Grimm Policy and Quality Coordination (360) 902-5005	1/3/06	To be determined	To be determined	This rule making will amend the pension discount rate used to determine pension reserves.
Chapter 296-17 WAC	2006 Worker's compensation premium rates	Tammy Turner Employer Services (360) 902-4777	5/2006	9/2006	11/2006	This rule making will adjust classification rates to reflect appropriate risk costs.
Chapter 296-17 WAC	Reciprocal agreements	Tammy Turner Employer Services (360) 902-4777	1/17/06	To be determined	To be determined	This rule making will update reciprocal agreements with Oregon and Idaho and possibly other states.
Chapter 296-17 WAC	Classification descriptions	Bill Moomau Employer Services (306) 902-4774	1/17/06	3/22/06	5/23/06	This rule making proposes to revise classifications descriptions to reflect industry changes.
Chapter 296-17 WAC	Classification rules—Farm labor contractor	Bill Moomau Employer Services (360) 902-4774	12/6/05	2/1/06	4/4/06	This rule making will amend classification descriptions to reflect industry changes and accommodate farm labor contractor provisions.
Chapter 296-17 WAC	Retrospective rating program rules	Diane Doherty Retrospective Rating (360) 902-4835	11/3/04	4/2006	8/2006	L&I may engage in rule making to clarify existing retro rules such as reenrollment of businesses grandfathered in a specific group, enrollment requirement of all like businesses, change in due dates, and revision of applications and agreement forms.
Chapter 296-20 WAC	Medical aid rules	Jami Lifka Office of the Medical Director (360) 902-4941	N/A	To be determined Expedited Rule CR-105	To be determined	This expedited rule making will make housekeeping changes, primarily correcting references to WAC numbers.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapter 296-20 WAC	Medical aid rules	Jami Lifka Office of the Medical Director (360) 902-4941	12/20/05	2/14/06	4/18/06	L&I is reviewing the need for additional rules or rule changes to provide specificity concerning treatments and devices that are or are not covered for injured workers.
Chapter 296-20 WAC	Medical aid rules—What general limitations are in place for medications?	Jaymie Mai Office of the Medical Director (360) 902-6792	To be determined	To be determined	To be determined	This rule making will clarify that all pharmacy bills will receive drug utilization review (DUR) screening for potential drug therapy problems and allow injured workers to seek NCPDP override codes from pharmacy for medically appropriate fill.
WAC 296-20-135	Conversion factors	Tom Davis Health Services Analysis (360) 902-6687	12/20/05	2/14/06	4/18/06	This rule making will update the conversion factors used by the department for calculating reimbursement rates for most professional health care and anesthesia services.
WAC 296-23-220	Physical therapy rules	Tom Davis Health Services Analysis (360) 902-6687	12/20/05	2/14/06	4/18/06	Update the maximum daily reimbursement level for physical therapy services so the department may, if necessary, give cost-of-living increases to affected providers.
WAC 296-23-230	Occupational therapy rules—Maximum daily reimbursement	Tom Davis Health Services Analysis (360) 902-6687	12/20/05	2/14/06	4/18/06	Update the maximum daily reimbursement level for occupational therapy services so the department may, if necessary, give cost-of-living increases to affected providers.
Chapter 296-23A WAC	Hospital payment policy	Dee Hahn Health Services Analysis (360) 902-6828	N/A	1/3/06 Expedited Rule CR-105	3/7/06	L&I pays hospital inpatient and outpatient claims by grouping hospitals into "peer groups," which are defined in the Department of Health's (DOH) Washington Administrative Codes. Effective July 1, 2005, DOH will no longer use peer groups. This rule making will amend L&I's rules which refer to these peer groups.
Chapter 296-15 WAC	Housekeeping and clarifying self-insured employers responsibilities	Margaret Conley Self Insurance (360) 902-6906	7/24/02	11/22/05	2/28/05	This rule making will make housekeeping and clarification changes and new sections will be added clarifying the responsibilities of self-insured employers.
Chapter 296-15 WAC	Defining "default" and "financial watch" in the workers' compensation self-insurance rules and regulations	Margaret Conley Self Insurance (360) 902-6906	11/22/05	1/17/06	3/21/06	In response to a request from the self-insured community, this rule making will define the term "default" and the steps it will take when a "default" occurs. The definition of "financial watch" and factors which affect it will also be defined.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapter 296-15 WAC	Claim administrator certification and continuing education requirements in the workers' compensation self-insurance rules and regulations	Margaret Conley Self Insurance (360) 902-6906	4/2006	Fall 2006	To be determined	In response to a request from the self-insured community, this rule making will address claim administrator certification and continuing education requirements for self-insured claim administrators.
Chapter 296-15 WAC	Electronic claim data in the workers' compensation self-insurance rules and regulations	Margaret Conley Self Insurance (360) 902-6906	9/2006	12/2007	Spring 2008	Pursuant to chapter 145, Laws of 2005 (SHB 1310), the department will implement rules to enable self-insured employers to provide claim data electronically by July 1, 2008.
DIVISION: WASHINGTON INDUSTRIAL SAFETY AND HEALTH (WISHA)						
Chapter 296-24 WAC, General safety and health standards	Abrasive blasting	Cindy Ireland (360) 902-5522 Kimberly Johnson (360) 902-5008	11/22/05	3/21/06	7/5/06	The abrasive blasting rules are being rewritten and organized for clarity and ease of use.
Chapter 296-24 WAC, General safety and health standards	Cranes	Cindy Ireland (360) 902-5522 Kimberly Johnson (360) 902-5008	7/20/04	3/21/06	6/2006	The crane rules are being rewritten and organized for clarity and ease of use. These rules will also be updated to reflect current American National Standards Institute (ANSI) requirements. The project will include bridge style, mobile, tower/portal, personnel lifting, hoists, and derricks.
Chapter 296-24 WAC, General safety and health standards	Elevated platforms	Jim Hughes (360) 902-4504 Kimberly Johnson (360) 902-5008	8/16/05	2/15/06	4/19/06	The powered platform rules are being rewritten and organized for clarity and ease of use, and split into two separate rules: Elevated platforms and powered platforms.
Chapter 296-24 WAC, General safety and health standards	Fire brigades	Cindy Ireland (360) 902-5522 Kimberly Johnson (360) 902-5008	5/31/05	9/20/05	12/20/05	The fire brigade rules are being rewritten and organized for clarity and ease of use, and split into two separate rules: Fire brigades and fire protection.
Chapter 296-24 WAC, General safety and health standards	Fire protection	Cindy Ireland (360) 902-5522 Kimberly Johnson (360) 902-5008	5/3/05	1/17/06	4/17/06	The fire protection rules are being rewritten and organized for clarity and ease of use.
Chapter 296-24 WAC, General safety and health standards	Fixed ladders	Cindy Ireland (360) 902-5522 Kimberly Johnson (360) 902-5008	12/6/05	3/21/06	6/06	The fixed ladders rules are being rewritten and organized for clarity and ease of use.
Chapter 296-24 WAC, General safety and health standards	Powered platforms	Jim Hughes (360) 902-4504 Kimberly Johnson (360) 902-5008	To be determined	To be determined	To be determined	The powered platform rules are being rewritten and organized for clarity and ease of use, and split into two separate rules: Powered platforms and elevated platforms.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapter 296-24 WAC, General safety and health standards and chapter 296-155 WAC, Safety standards for construction	Protecting employees from falls	Beverly Clark (360) 902-5516 Kimberly Johnson (360) 902-5008	3/23/04	3/2006	6/2006	The rules for providing protection from falls in both general industry and construction are being combined, rewritten and organized for clarity and ease of use.
Chapter 296-24 WAC, General safety and health standards and chapter 296-155 WAC, Safety standards for construction	Rigging	Kimberly Johnson (360) 902-5008	2/17/04	3/2006	6/2006	The rigging rules are being rewritten and organized for clarity and ease of use. Requirements from both general industry and construction are being combined into one rule and updated to the current American National Standards Institute (ANSI).
Chapter 296-52 WAC, Explosives, and chapter 296-59 WAC, Safety standards for ski area facilities and operations	Avalanche control	Beverly Clark (360) 902-5516 Kimberly Johnson (360) 902-5008	11/22/05	3/21/06	7/06	The requirements for avalanche control are being removed from the ski facility standards and placed into the explosives standard.
Chapter 296-62 WAC, General occupational health standards	Anhydrous ammonia	Beverly Clark (360) 902-5516 Kimberly Johnson (360) 902-5008	2/15/05	1/17/06	3/28/06	The anhydrous ammonia rules are being rewritten and organized for clarity and ease of use.
Chapter 296-62 WAC, General occupational health standards	Formaldehyde	Carol Stevenson (360) 902-4568 Kimberly Johnson (360) 902-4778	4/19/05	11/22/05	4/4/06	The formaldehyde rules are being rewritten and organized for clarity and ease of use.
Chapter 296-62 WAC, General occupational health standards	Hazardous chemicals in labs	Kimberly Johnson (360) 902-5008	5/24/05	10/18/05	12/20/05	The carcinogens and lab rules are being rewritten and organized for clarity and ease of use.
Chapter 296-62 WAC, General occupational health standards	Heat stress	Jamie Scibelli (360) 902-4568 Kimberly Johnson (360) 902-5008	11/29/05	5/3/06	5/3/06	The heat stress rule is a new rule to address working under certain temperature and humidity conditions that could cause heat related illness or death. This rule will be called the physical health hazards rule and will include the current requirements in chapter 296-62 WAC for working in a cold environment indoors.
Chapter 296-62 WAC, General occupational health standards and chapter 296-155 WAC, Safety standards for construction	Lead	Jamie Scibelli (360) 902-4568 Kimberly Johnson (360) 902-5008	12/21/04	1/17/06	7/06	The lead rules from general industry and construction are being combined, rewritten and organized for clarity and ease of use.
Chapter 296-350 WAC, WISHA administrative rules and chapter 296-800 WAC, Safety and health core rules	Administrative rules	Jim Hughes (360) 902-4504 Kimberly Johnson (360) 902-5008	5/3/05	11/22/05	2/07/06	The administrative rules are being updated in order to make the rules at-least-as-effective-as the federal rule.
Chapter 296-800 WAC, Safety and health core rules	Exit routes	Kimberly Johnson (360) 902-5008	11/4/03	To be determined	To be determined	The exit route rules are being updated in order to make the rules at-least-as-effective-as the federal rule.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
DIVISION: SPECIALTY COMPLIANCE SERVICES						
Chapter 296-46B WAC	Electrical	Sally Elliott (360) 902-6411	6/21/05	12/6/05	2/7/06	The department plans to review the electrical rule for additions or revisions. The department developed an advisory committee to review suggested changes from the electrical industry and will propose rules as a result.
Chapter 296-96 WAC	Elevators	Sally Elliott (360) 902-6411	11/23/04	To be determined	To be determined	As a result of the new licensing requirements for elevator contractor and elevator mechanics, the department is working with stakeholders to identify areas where the rule needs substantive, house-keeping, and clarifying changes.
Chapter 296-104 WAC	Board of boiler rules	Sally Elliott (360) 902-6411	12/7/05	4/4/06	5/30/06	The purpose of this rule making is to review the fees for possible changes.
Chapter 296-104 WAC	Board of boiler rules	Sally Elliott (360) 902-6411	2/14/06	To be determined	To be determined	The purpose of this rule making is to clarify the rule and to make technical changes.
Chapter 296-125 WAC	Nonagricultural employment of minors	Sally Elliott (360) 902-6411	9/19/01	To be determined	To be determined	The purpose of this rule making is to review these rules for possible changes to ensure conformity with federal laws pertaining to employment of minors where those laws are more restrictive. We will also integrate administrative policies into the rule.
Chapter 296-126 WAC	Standards of labor for the protection of the safety, health and welfare of employees for all occupations subject to chapter 49.12 RCW	Sally Elliott (360) 902-6411	9/20/05	To be determined	To be determined	The purpose of this rule making is to integrate administrative policies into the rule.
Chapter 296-127 WAC	Prevailing wage	Sally Elliott (360) 902-6411	7/19/00	To be determined	To be determined	The purpose of this rule making is to make substantive changes to the scope of work description rules that were adopted July 19, 2000, (WSR 00-15-077) with the assistance of an advisory committee.
Chapter 296-128 WAC	Minimum wages	Sally Elliott (360) 902-6411	9/20/05	To be determined	To be determined	The purpose of this rule making is to integrate administrative policies into the rule.
Chapter 296-130 WAC	Family care	Sally Elliott (360) 902-6411	6/21/05	12/6/05	1/31/06	As a result of section 2, chapter 243, Laws of 2005 (SSB 5850), which passed the 2005 legislature; the department is updating the definition of sick leave to be consistent with the statute.
Chapter 296-131 WAC	Agricultural employment standards	Sally Elliott (360) 902-6411	9/20/05	To be determined	To be determined	The purpose of this rule making is to integrate administrative policies into the rule.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapters 296-46B, 296-96, 296-150C, 296-150F, 296-150M, 296-150P, 296-150R, 296-150T, 296-150V, 296-200A, and 296-400A WAC	Annual fee increase for specialty compliance services programs	Sally Elliott (360) 902-6411	12/6/05	2/14/06	5/2/05	The purpose of this rule making is to review the fees for possible changes.
DIVISION: WASHINGTON INDUSTRIAL SAFETY AND HEALTH (WISHA)						
Chapters 296-08, 296-14 WAC	Practice and procedure, Industrial insurance	Joseph Molenda (360) 902-4714	N/A	Expedited Rule CR-105	1/24/06	This rule making will repeal chapter 296-08 WAC, Practice and procedure. However, WAC 296-08-025 Attorney's fees, will be incorporated into existing chapter 296-14 WAC, Industrial insurance.

Carmen Moore
Rules Coordinator

WSR 06-01-001
NOTICE OF PUBLIC MEETINGS
INDETERMINATE SENTENCE
REVIEW BOARD

[Memorandum—December 6, 2005]

In accordance with chapter 42.30 RCW, this is to advise that the indeterminate sentence review board has scheduled the following meetings:

- January 9, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.
- February 13, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.
- March 13, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.
- April 10, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.
- May 15, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.
- June 12, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.
- July 10, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.

- August 14, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.
- September 11, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.
- October 16, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.
- November 13, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.
- December 11, 2006 Board Conference Room
Third Floor
4317 Sixth Avenue S.E.
Lacey, WA
commencing at 1:30 p.m.

WSR 06-01-002
ATTORNEY GENERAL'S OPINION

[Filed December 7, 2005, 3:21 p.m.]

NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL

The Washington attorney general issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the attorney general's office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this vol-

ume of the register, you should notify the attorney general's office of your interest by January 11, 2006. This is not the due date by which comments must be received. However, if you do not notify the attorney general's office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the attorney general's office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the attorney general's opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The attorney general's office seeks public input on the following opinion request(s).

**05-12-01 Request by Norm Maleng
King County Prosecutor**

1. Does RCW 29A.08.830 require a voter challenger to provide the voter's residential address when the challenger is not challenging the voter's residency, but is instead alleging that the voter is either unqualified to vote or has provided legally deficient information at the time of registration? 2. Do county auditors and elections directors have the inherent authority to administratively address a known deficiency in the voter rolls by canceling a registration without a hearing after contacting the voter and receiving no response, or is the only manner to correct the voter rolls the voter challenge hearing process set forth in RCW 29A.08.830?

WSR 06-01-006

**NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE PATROL
(Fire Protection Policy Board)
[Memorandum—December 7, 2005]**

2006
MEETING/WORK SESSION SCHEDULE

January 25, 2006 9:00 a.m.	Work Session	General Administration Building 210 11th Street S.W. Olympia, WA
February 22, 2006 9:00 a.m.	Regular Meeting	General Administration Building 210 11th Street S.W. Olympia, WA
April 26, 2006 9:00 a.m.	Work Session	General Administration Building 210 11th Street S.W. Olympia, WA

May 24, 2006 9:00 a.m.	Regular Meeting	General Administration Building 210 11th Street S.W. Olympia, WA
July 26, 2006 9:00 a.m.	Work Session	General Administration Building 210 11th Street S.W. Olympia, WA
August 23, 2006 9:00 a.m.	Regular Meeting	General Administration Building 210 11th Street S.W. Olympia, WA
October 25, 2006 9:00 a.m.	Work Session	General Administration Building 210 11th Street S.W. Olympia, WA
*November 29, 2006 9:00 a.m.	Regular Meeting	General Administration Building 210 11th Street S.W. Olympia, WA

For information regarding fire protection policy board meetings, please contact Ellen Tombleson, Washington state patrol, fire protection bureau, at (360) 753-0411.

WSR 06-01-007

**NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON
GROWTH MANAGEMENT HEARINGS BOARD
[Memorandum—December 8, 2005]**

The regularly monthly meeting, required by law, of the western Washington growth management hearings board is cancelled for the month of January 2006.

This information will be posted on our door and also on our web page.

WSR 06-01-009

**NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD
[Memorandum—December 16, 2005]**

Notice of 2006 Regular and Special Meetings

Per WAC 222-08-040, the forest practices board will hold meetings on:

February 8, 2006 9 a.m. - 5 p.m. Regular Meeting	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia
May 10, 2006 9 a.m. - 5 p.m.	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia

August 9, 2006 9 a.m. - 5 p.m.	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia
September 13 and 14, 2006 9 a.m. - 5 p.m. Special Meeting	Location undetermined at this time
November 1, 2006 9 a.m. - 5 p.m. Regular Meeting <i>(Rescheduled from November 8, 2006)</i>	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia

Mailing agendas to all individuals and groups on the board's mailing list also provides notice of these meetings. To be added to this distribution list, please contact the Board Coordinator, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1758, fax (360) 902-1413, e-mail forest.practicesboard@wadnr.gov.

To view this and other board related information on-line, log on to the forest practices board's web site at www.wa.gov/dnr.

WSR 06-01-010
PUBLIC RECORDS OFFICER
COMMISSION ON
JUDICIAL CONDUCT
 [Filed December 9, 2005, 9:01 a.m.]

The public records officer designation is J. Reiko Callner, 210 11th Avenue S.W., #400, Olympia, WA 98504, Mailstop 40928, phone (360) 753-4585, fax (360) 586-2918, e-mail rcallner@cj.state.wa.us.

J. Reiko Callner
 Executive Director

WSR 06-01-016
NOTICE OF PUBLIC MEETINGS
WENATCHEE VALLEY COLLEGE
 [Memorandum—December 9, 2005]

BOARD OF TRUSTEE MEETING SCHEDULE
 2006

UNLESS OTHERWISE NOTIFIED, WOK SESSIONS WILL BEGIN AT 12 P.M. AND BOARD OF TRUSTEE MEETINGS AT 3 P.M.

This schedule is subject to change

- January 18, 2006
- February 15, 2006
- March 15, 2006
- April 19, 2006 (at Omak campus)

- May 17, 2006
- June 21, 2006
- July 19, 2006
- August 16, 2006
- September 20, 2006
- October 18, 2006 (at Omak campus)
- November 15, 2006
- December 20, 2006

WSR 06-01-023
NOTICE OF PUBLIC MEETINGS
CASCADIA COMMUNITY COLLEGE
 [Memorandum—December 7, 2005]

December 21, 2005 Meeting Cancelled

Please be advised that the board of trustees is cancelling their regularly scheduled meeting on December 21, 2005.

WSR 06-01-025
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 [Filed December 13, 2005, 11:41 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: DCS Administrative Policy 1.01 Requesting Written Opinions from DCS's Assigned Assistant attorney General.

Subject: Requesting written opinions from DCS's assigned assistant attorney general.

Effective Date: November 30, 2005.

Document Description: This DCS administrative policy provides staff with the division of child support's procedures to request written opinions from the assistant attorney general assigned to handle DCS cases and issues.

To receive a copy of the interpretive or policy statement, contact Fran Ferry, DCS Policy and Handbook Manager, Division of Child Support, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5322, TDD (360) 753-9122, fax (360) 586-3274, e-mail fferry@dshs.wa.gov.

December 8, 2005
 Fran Ferry

WSR 06-01-027

**NOTICE OF PUBLIC MEETINGS
LAW ENFORCEMENT OFFICERS' AND
FIRE FIGHTERS' PLAN 2 RETIREMENT BOARD**
[Memorandum—December 12, 2005]

Special Meeting of the LEOFF Plan 2 Retirement Board

This is to notify you that a special meeting of the law enforcement officers' and fire fighters' plan 2 retirement board has been scheduled for Tuesday, January 3, 2005 [2006], beginning at 10:30 a.m. The meeting will take place at 2100 Evergreen Park Drive in the Washington state investment boardroom.

Please fee free to contact Jessica Burkhart at (360) 586-2322 or by e-mail at jessica.burkhart@leoff.wa.gov should you have any questions.

WSR 06-01-028

**NOTICE OF PUBLIC MEETINGS
COMMISSION ON
JUDICIAL CONDUCT**
[Memorandum—December 12, 2005]

Year 2005 [2006] Meeting Schedule

The commission on judicial conduct will hold their year 2006 business meetings at 11:00 a.m. on the following dates at the Holiday Inn Express Hotel and Suites, 19621 International Boulevard, SeaTac, WA 98188.

- February 3, 2006
- April 7, 2006
- June 2, 2006
- August 4, 2006
- October 6, 2006
- December 1, 2006

WSR 06-01-029

**NOTICE OF PUBLIC MEETINGS
WASHINGTON WINE COMMISSION**
[Memorandum—December 9, 2005]

The Washington wine commission 2006 meeting dates, times, and locations are as follows:

- | | |
|-------------|------------|
| February | No meeting |
| March 3 | Seattle |
| April 7 | Seattle |
| May 5 | Tri-cities |
| June 2 | Tri-cities |
| July 7 | Seattle |
| August 4 | Seattle |
| September 8 | Tri-cities |
| October | No meeting |

- | | |
|------------|------------|
| November 3 | Tri-cities |
| December 1 | Seattle |

All meetings begin at 10:00 a.m. and end at 1:00 p.m.
Tri-cities location: WSU Consolidated Information Center, 2770 University Avenue, Richland, WA 99354.

Seattle location: Goodwin Library, 93 Pike Street, Seattle, WA 98101.

If you need any additional information, please feel free to call Kim Abello at (206) 667-9463 ext. 200 or via e-mail kabello@washingtonwine.org.

WSR 06-01-030

**NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE**
[Memorandum—December 12, 2005]

Pursuant to RCW 42.30.075, the regular meeting of the board of trustees of Olympic College, District Three, will beheld on the fourth Tuesday of the month, beginning at 7:00 p.m. in the 5th Floor Board Room, College Service Center, Olympic College Campus, 1530 Ohio Street, Bremerton, WA. The board will meet on the following dates for calendar year 2006:

- January 24, 2006
- February 28, 2006
- March 28, 2006
- April 25, 2006
- May 23, 2006
- June 27, 2006
- No meeting in July
- August 22, 2006 (held annually at the OC Shelton Campus, 937 Alpine Way, Shelton Way [WA])
- September 26, 2006
- October 24, 2006
- November 28, 2006
- No meeting in December

In the event it is necessary to change any of these meeting dates, the appropriate notification will take place.

WSR 06-01-031

**NOTICE OF PUBLIC MEETINGS
SKAGIT VALLEY COLLEGE**
[Memorandum—December 8, 2005]

At the November 8, 2005, board meeting, the Skagit Valley College (SVC) board of trustees approved cancelling the December 13, 2005, regular board meeting. The next regular meeting of the SVC board of trustees will be held on January 10, 2006, 4:30 p.m., on the Mount Vernon campus.

WSR 06-01-033**NOTICE OF PUBLIC MEETINGS
PARKS AND RECREATION
COMMISSION**

[Memorandum—December 14, 2005]

The Washington state parks and recreation commission has adopted the following 2006 regular meeting schedule. All commission meetings will begin at 9:00 a.m.

January 26	Hoodsport
March 16	Cle Elum
May 18	Fort Worden State Park - Port Townsend
June 22	Spokane
August 24	Chelan
October 12	San Juans/Friday Harbor
November 30	Stevenson

The public meeting dates listed above are on Thursdays. A tour of nearby state parks or other recreational facilities may be held on the day following the meeting.

The locations of the meetings have not yet been determined and will be announced at the close of each regular meeting. The meeting locations may be obtained by writing to the director, Washington State Parks and Recreation Commission, P.O. Box 42650, Olympia, WA 98504-2650, or by calling (360) 902-8505.

The public is welcome to attend all state parks and recreation commission meetings. Meeting sites will be barrier free to the greatest extent feasible. The commission will provide Braille or taped agenda items for the visually impaired and interpreters for those with hearing impairments if a request is received at the appropriate address shown above at least ten working days in advance of the scheduled meeting date.

WSR 06-01-035**NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY**

[Memorandum—December 14, 2005]

BOARD OF TRUSTEES

December 14, 2005
Executive Session 12:00 p.m.
Open Session at approximately 2:00 p.m.
Spokane Center, Room 206

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling the president's office, (509) 359-6598.

WSR 06-01-036**NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE**

[Memorandum—December 13, 2005]

The board of trustees of Bates Technical College will have a special meeting on December 21, 2005, from 2:00 p.m. to approximately 3:00 p.m. in the president's office conference room (1101 South Yakima Avenue, Tacoma). The board will meet for the purpose of discussing the exit conference for our audit. No action will be taken.

WSR 06-01-037**PUBLIC RECORDS OFFICER
GREEN RIVER
COMMUNITY COLLEGE**

[Memorandum—December 9, 2005]

The public records officer at Green River Community College is John Ramsey, Director Public Information, Green River Community College, 12401 S.E. 320th Street, Auburn, WA 98092, (253) 288-3360 (direct line), (253) 288-3460 (fax), jramsey@greenriver.edu.

Richard A. Rutkowski
President

WSR 06-01-038**PUBLIC RECORDS OFFICER
LAKE WASHINGTON
TECHNICAL COLLEGE**

[Memorandum—December 9, 2005]

The public records officer for Lake Washington Technical College is Mr. Chuck McWilliams, Vice President for Administrative Services, Lake Washington Technical College, 11605 132nd Avenue N.E., Kirkland, WA 98034, phone (425) 739-8201, fax (425) 739-8299.

L. Michael Metke, Ed.D.
President

WSR 06-01-040**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION**

(Capital Projects Advisory Review Board)

[Memorandum—December 15, 2005]

Please record the following capital projects advisory review board (CPARB) meeting dates, time and location in the Washington State Register:

Dates	Time	Location
January 12, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332

Dates	Time	Location
February 9, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332
March 9, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332
April 13, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332
May 11, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332
June 8, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332
July 13, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332
August 10, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332
September 14, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332
October 12, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332
November 9, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332
December 14, 2006	9:00 a.m. - 12:00 noon	General Administration Building, Conference Room 332

WSR 06-01-051

AGENDA

DEPARTMENT OF RETIREMENT SYSTEMS

[Filed December 16, 2005, 9:04 a.m.]

SEMI-ANNUAL
RULE DEVELOPMENT AGENDA
(RCW 34.05.314)

JANUARY 1, 2006 - JUNE 30, 2006

This agenda shows anticipated rule-making activity by the department of retirement systems (DRS) for January 1, 2006, through June 30, 2006. Rules may be added or deleted from the work schedule as a result of legislative action, court decisions, and employer, member, and agency requests.

If you have questions about this rule-making agenda or the DRS rule-making process, please contact Leslie L. Saege, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Tumwater, WA 98504-8380, phone (360) 664-7291, TTY (360) 586-5450, LeslieS@drs.wa.gov.

Subject	Description	Anticipated Rule-Making Actions by June 30, 2006
Chapter 415-08 WAC, Appeals	Revise rules governing the department of retirement systems' appeal process.	CR-102
Chapter 415-110 WAC, School employees' retirement system (SERS)	Amend the SERS chapter in response to comments received during the department's four-year regulatory review.	CR-102, Public hearing
Chapter 415-112 WAC, Teachers' retirement system (TRS)	TRS chapter, most of the TRS rules were amended during the January - June 2005 agenda period. This phase addresses rules that require extensive revisions and new rules needed to implement statute.	CR-102, Public hearing, adoption
Chapter 415-113 WAC, Portability of public employment benefits	Amend and expand upon rules for people who are members of more than one retirement system.	CR-102, Public hearing
Disability benefits	New and amended rules pertaining to disability benefits for members of LEOFF ¹ Plan 2, and PERS ² Plan 1.	CR-102, Public hearing, adoption
Minor beneficiaries	Codify the department's policy for dispersing funds to minors.	CR-102
Post thirty-year program	New rules to implement the program established by RCW 41.32.4986 for TRS Plan 1 members and RCW 41.40.191 for PERS Plan 1 members.	CR-102, Public hearing, adoption

Subject	Description	Anticipated Rule-Making Actions by June 30, 2006
Public safety employees' retirement system (PSERS)	New chapter to implement PSERS, a new retirement system created by 2004 legislation. The implementation date is July 1, 2006.	CR-102, Public hearing, adoption
Purchased service credit	New rules to implement 2004 and 2005 legislation that allows PERS, SERS, TRS, and LEOFF members to purchase up to five additional years of service credit at retirement.	CR-102, Public hearing, adoption
Other	Implement legislation enacted during the 2005 and 2006 legislative sessions.	CR-101s, Possible CR-102s

¹ Law enforcement officers and fire fighters' retirement system.
² Public employees' retirement system.

WSR 06-01-052
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF CORRECTIONS
 (Correctional Industries)
 [Memorandum—December 16, 2005]

March 17 and 18	Olympia	Tour of New CI Headquarters/Warehouse
June 16 and 17	Spokane	Tour of Pine Lodge Corrections Center and Airway Heights Corrections Center
September 15 and 16	Walla Walla	Tour of Washington State Penitentiary
December 8 and 9	Olympia	

Contact Danielle Wiles, (360) 586-7551.

WSR 06-01-053
NOTICE OF PUBLIC MEETINGS
HIGHLINE COMMUNITY COLLEGE
 [Memorandum—December 13, 2005]

Listed below is the meeting schedule for 2006 for the board of trustees of Community College District 9. All meetings are held in Building 25 and begin with a study session

followed by the regular meeting. These meeting dates were approved by the board at their December 8, 2005, meeting.

DATE	STUDY SESSION	MEETING
January 19, 2006	8:00 a.m.	10:00 a.m.
February 9, 2006	8:00 a.m.	10:00 a.m.
March 9, 2006	8:00 a.m.	10:00 a.m.
April 2006 - NO MEETING		
May 11, 2006	8:00 a.m.	10:00 a.m.
June 8, 2006	8:00 a.m.	10:00 a.m.
July 20, 2006	10:00 a.m.	11:30 a.m.
August 2006 - NO MEETING		
September 14, 2006	8:00 a.m.	10:00 a.m.
October 17, 2006	8:00 a.m.	10:00 a.m.
November 9, 2006	8:00 a.m.	10:00 a.m.
December 14, 2006	8:00 a.m.	10:00 a.m.

WSR 06-01-056
NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON GROWTH
MANAGEMENT HEARINGS BOARD
 [Memorandum—December 15, 2005]

The regular monthly meeting, required by law, of the western Washington growth management hearings board for February 8, 2006, is changed to February 9, 2006. This information will be posted on our door and also on our web page.

WSR 06-01-057
RULES COORDINATOR
DEPARTMENT OF COMMUNITY,
TRADE AND ECONOMIC DEVELOPMENT
 [Filed December 19, 2005, 7:28 a.m.]

This letter is to officially designate the department of community, trade and economic development's (CTED) rules coordinator, Marie Sullivan, Director of Intergovernmental Relations, Washington State of Community, Trade and Economic Development, P.O. Box 42525, Olympia, WA 98504-2520, office (360) 725-4010, fax (360) 586-8440, e-mail Maries@cted.wa.gov.

This designation is effective immediately and supersedes all previous rules coordinator designations for CTED. Should you have any questions, please contact Karen Dunn at (360) 725-4021.

Juli Wilkerson
 Director

WSR 06-01-058
NOTICE OF PUBLIC MEETINGS
BELLEVUE COMMUNITY COLLEGE

[Memorandum—December 15, 2005]

The 2006 meetings of the board of trustees of Community College District VIII will be held at 12:30 p.m. in the Board Room (B201), Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA, on the following dates:

- Wednesday, January 25
- Wednesday, March 8
- Wednesday, April 19
- Wednesday, May 17
- Wednesday, June 14
- Wednesday, June 28
- Wednesday, September 13
- Wednesday, November 1
- Wednesday, December 13

Please contact Sigrid Olsen, (425) 564-2303, solsen@bcc.ctc.edu, if you have any questions.

WSR 06-01-059
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
INFORMATION SERVICES

[Memorandum—December 14, 2005]

The following 2006 meeting notices are to be published in the Washington State Register.

Customer advisory board, all meetings are held from 1:30 - 3:30 p.m. in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- January 23
- February 27
- March 27
- April 24
- May 22
- June 26
- July 24
- August 28
- September 25
- October 23
- November 27

Information services board, all meetings are held from 1:00 - 5:00 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA. The board will meet informally for lunch prior to the meeting at the academy classroom, located in the same building.

- January 12
- March 9
- May 11
- July 13
- September 14
- November 9

K-20 network board, all meetings are held from 1:30 - 4:00 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- March 14
- June 13
- September 12
- December 12

State interoperability executive committee, all meetings are held from 1:30 - 3:30 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- February 16
- April 20
- June 7
- August 17
- October 19
- December 21

State interoperability executive committee advisory working group, all meetings are held from 8:30 - 12:30 p.m., at the department of information services in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA. Meetings are scheduled for first Thursday of each month to begin on January 5, 2006.

Washington state geographic information council, all meetings are held from 10:00 a.m. - 12:00 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- February 16
- April 20
- June 15
- August 17
- October 19
- December 14

Washington integrated justice information board, all meetings are held from 10:00 a.m. - 12:00 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- January 17
- February 21

March 21
 April 18
 May 16
 June 20
 July 18
 August 15
 September 19
 October 17
 November 21
 December 19

For further information please contact Laurel McMillan at (360) 902-3566.

WSR 06-01-066
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed December 20, 2005, 9:43 a.m.]

In accordance with RCW 34.05.230(12), below is a list of policy and interpretive statements issued by the department of labor and industries for January - August 2005.

If you have any questions or need additional information, please call Carmen Moore at (360) 902-4206.

POLICY AND INTERPRETIVE STATEMENTS
Insurance Services Division

Provider Bulletin 05-02 Coverage Decisions (October 2004 to December 2004)

This provider bulletin describes recent coverage decisions from the office of the medical director. The following coverage decisions are effective on March 1, 2005, and pertain to state fund and self-insured employers in all locations. The noncoverage decision on artificial discs is currently in effect and pertains to state fund claims and self-insured employers in all locations. Each treatment modality includes a brief description about it.

- Botulinum toxin - explains when these injections will be authorized or denied and provides the billing codes.
- Electrical stimulation - explains when electrical stimulation is covered and what type of devices.
- Hyperbaric oxygen therapy - explains when the therapy will be authorized and the billing codes.
- Negative pressure wound therapy or wound vacuum assisted closure (VAC) - explains when the therapy will be authorized or denied and the billing codes.
- Artificial discs and implantations for degenerative disc disease - explains these are noncovered devices because they are considered investigational and experimental. This portion of the provider bulletin replaces the artificial disc replacement for degenerative disc disease of the lumbar region coverage decision memo dated December 20, 2004.

This provider bulletin was issued January 2005.

Contact Person: Gary Franklin MD, MPH, phone (360) 902-6500.

Provider Bulletin 05-04 Interpretive Services Payment Policy

This coverage and payment policy including new fees, codes, service descriptions, limits and provider qualification standards is effective on and after July 1, 2005.

This policy applies to interpretive services provided for healthcare and vocational services in all geographic locations to injured workers and crime victims (collectively referred to as "insured") having limited English proficiency or sensory impairments; and receiving benefits from the following insurers:

- The state fund (L&I),
- Self-insured employers, or
- The crime victim's compensation program.

This provider bulletin updates coverage and payment policies for interpretive services as required in WAC 296-20-02700 and 296-23-165. The purpose of this bulletin is to notify providers and insurers of the following changes:

- Revised coverage and payment policy.
- Interpretive services provider qualifications.
- Revised interpretive services codes and descriptions.
- New fees for interpretive services.
- Limits on interpretive services.
- Verification of interpretive services requirement.

This provider bulletin was issued March 2005.

Contact Person: Karen Jost, phone (360) 902-6803.

Provider Bulletin 05-07 Durable Medical Equipment (DME) Coverage and Payment Policy

The provider bulletin pertains to claims made against both the state fund and self-insured employers (insurers) by injured workers and to the crime victim's compensation program. The bulletin describes the department's new durable medical equipment (DME) program. The new DME program changes the way that the department pays for both purchased and rented DME. Effective July 1, 2005, DME will be paid per a maximum fee schedule. Codes and fees schedules will be posted by June 1, 2005. This provider bulletin was issued May 2005.

Contact Person: John Elshaw, phone (360) 902-5131.

Provider Bulletin 05-08 Chiropractic Consultant Program

This bulletin replaces provider bulletin 03-06 "Chiropractic Consultation Program." The bulletin applies to both state fund and self-insured claims. The bulletin is in effect for dates of service on or after June 1, 2005. The provider bulletin describes the department's policies on consultation referrals for the chiropractic consultation program (second opinion consultations) and department rating examinations. This provider bulletin was issued June 2005.

Contact Person: Joanne McDaniel, phone (360) 902-6817.

Policy Bulletin 05-10 Antiepileptic Drugs Guideline for Chronic Pain

The purpose of this guideline is to provide guidance to treating physicians in the use of antiepileptic drugs (AEDs) in the management of neuropathic pain. This provider bulletin was issued August 2005.

Contact Person: Jaymie Mai, phone (360) 902-6792.

Provider Bulletin 05-11 Guideline on Diagnostic Facet Medial Nerve Branch Blocks and Facet Neurotomy

The purpose of this provider bulletin is to clarify the department's payment policy on the number of joint levels for diagnostic medial nerve branch blocks and facet neurotomies that may be performed on the same day. The medical treatment guideline in this provider bulletin also contains information on the diagnosis and treatment criteria for cervical or lumbar facet joint pain. This provider bulletin was issued August 2005.

Contact Person: LaVonda McCandless, phone (360) 902-6163.

Carmen Moore
Legislative and
Governmental Affairs Office

WSR 06-01-067**INTERPRETIVE OR POLICY STATEMENT****DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed December 20, 2005, 9:43 a.m.]

In accordance with RCW 34.05.230(12), below is a list of policy and interpretive statements issued by the department of labor and industries for August 2005.

If you have any questions or need additional information, please call Carmen Moore at (360) 902-4206.

POLICY AND INTERPRETIVE STATEMENTS**Insurance Services Division**

Contact person for all policies: Suzy Campbell, phone (360) 902-4583.

Permanent Partial Disability Overpayments

This memo advises staff of management's decision to issue overpayment orders for permanent partial disability (PPD) when a PPD closure is reversed and the claim remains open for further medical or vocational benefits. This new policy was issued September 2, 2005.

Policy 2.10 Paying Time-Loss Compensation Benefits on Occupational Disease Claims

This new policy applies to state fund and self-insured workers' compensation claims. This policy does not apply to crime victim claims. This policy provides guidelines for adjudicators provisional or interlocutory time-loss compensation benefits are payable on an occupational disease claim. This new policy was issued August 1, 2005.

Policy 2.95 Processing Multiple Employer Occupational Disease Claims

This policy has been deleted and repealed August 1, 2005. It has been replaced by policy 3.06 which provides guidelines for determining liability for occupational disease claims.

Interim Policy 3.06 Determining Employer Liability for Occupational Disease Claims

This policy replaces policy 2.95 and applies to allowed state fund occupational disease claims. This policy does not apply to crime victims and self-insured claims. This policy provides guidelines for determining liability for occupational disease claims. This new policy was issued August 1, 2005.

Interim Policy 3.02 Adjudicating the Validity of Occupational Disease Claims

This policy applies to state fund and self-insured workers' compensation claims and was updated to reflect the current process. This policy does not apply to crime victim claims. This policy provides guidelines for adjudicators when they must determine whether to allow or deny a claim as an occupational disease. This policy was amended August 1, 2005.

Interim Policy 3.04 Establishing Date of Disease Manifestation for Occupational Disease Claims

This new policy applies to state fund and self-insured workers' compensation claims. This policy does not apply to crime victim claims. This policy applies to all occupational disease claims except for occupational hearing loss claims. This policy provides guidelines for establishing the date of disease manifestation for occupational disease claims. This new policy was issued August 1, 2005.

Policy 7.02 Cruciate Ligament Repair; Gore-Tex Prosthesis

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

Protocol 7.03 Trigger Point Injections

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

Protocol 7.04 Vertebral Facet Joint Injection

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

Protocol 7.05 Epidural Diagnostic Therapeutic Injection

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

Policy 7.07 Videotaping of Arthroscopic Surgeries

This policy has been deleted because the content does not meet the definition of a policy and the information is

available in other reference materials. This policy was repealed August 1, 2005.

Policy 7.08 Grievance Process for Workers Regarding Pain Management Programs

This policy has been deleted. The information contained in this document does not meet the definition of a policy and is available to claims staff in other reference materials. This policy was repealed August 1, 2005.

Policy 7.09 Rabies Prophylactic Treatment

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

Policy 7.10 Isokinetic Back Evaluations

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

Policy 7.21 Groin Strains

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

10.101 Requests for Provider Numbers for Nonroutine Services

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

Policy 11.40 University of Florida Immobilizer

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

Policy 14.20 PPD Awards for Back Injuries

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

Policy 16.30 The 7(10) Year Limitation for Reopening Claims

This policy has been deleted because the content does not meet the definition of a policy and the information is available in other reference materials. This policy was repealed August 1, 2005.

Carmen Moore
Legislative and
Governmental Affairs Office

WSR 06-01-076

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE**

(Hop Commission)

[Memorandum—December 15, 2005]

The Washington hop commission has scheduled its 2006 regular meetings, as follows. This information is being filed as required by RCW 42.30.075:

Thursday, February 21	Moxee
Thursday, April 18	Moxee
Thursday, June 20	Prosser
Thursday, October 17	Mabton

Interested individuals may contact the Washington hop commission at (509) 453-4749 prior to each scheduled date for the specific time and location of each meeting.

WSR 06-01-077

**NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY**

[Memorandum—December 15, 2005]

This is to notify you that the Eastern Washington University board of trustees' meeting schedule for 2006 (adopted at the December 2, 2005, meeting of the board) is as follows:

Friday, February 3	9:00 a.m.	Tawanka 215 B&C
Thursday, March 23	1:15 p.m.	Tawanka 215 B&C
Committee of the Whole, Friday, May 19	9:00 a.m.	Tawanka 215 B&C
Friday, June 23	9:00 a.m.	Tawanka 215 B&C
Board Retreat, August 15 and 16	9:00 a.m.	Tawanka 215 B&C
Thursday, August 17	9:00 a.m.	Tawanka 215 B&C
Friday, October 13	9:00 a.m.	Tawanka 215 B&C
Friday, December 1	9:00 a.m.	Tawanka 215 B&C

Committee meetings will be held the afternoon and evening prior to the board meetings. No committee meetings for the August date.

Executive session will be held from approximately 12:00 - 1:00 p.m. on the day of the board meetings.

If you have questions concerning this schedule, please contact Julie Thayer at (509) 359-6362.

WSR 06-01-078

**NOTICE OF PUBLIC MEETINGS
BENTON CLEAN
AIR AUTHORITY**

[Memorandum—December 15, 2005]

We would like to publish our regular board meetings schedule for 2006 in the state register as provided for in RCW 34.08.040. The meetings are held on the third Thursday of each month. The meetings begin at 7:00 p.m.

The location for the meetings will be the conference room at 114 Columbia Point Drive, Richland, WA 99352.

Terry Flores is the contact person for information and can be reached at (509) 943-3396.

WSR 06-01-085
OFFICE OF THE GOVERNOR

[Filed December 20, 2005, 3:59 p.m.]

NOTICE OF APPEAL
 RCW 34.05.350(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On November 1, 2005, the Governor received an appeal from Kathleen Benedict of Olympia, Washington, relating to the Department of Health's denial of a petition to it concerning a Pilot Project Rule.

December 16, 2005

Kathleen D. Benedict, Esq.
 Benedict Garratt, PLLC
 1235 Fourth Avenue East, Suite 200
 Olympia, WA 98506

RE: Request for Review of Denial of Pilot Rule Making Project

Dear Ms. Benedict:

As you know, the Governor's Office has been considering whether or not the Governor has jurisdiction to review your petition under RCW 34.05.330(3) of the Administrative Procedure Act (APA). We have concluded that jurisdiction does not exist. Therefore, the Governor will refrain from any consideration of the petition's merits.

The APA specifically allows persons to petition to agencies for the "adoption, amendment, or repeal of any rule." RCW 34.05.330(1). Subsequent appeal to the Governor, however, is only permitted after "an agency denies a petition to repeal or amend a rule." RCW 34.05.330(3). As noted in your correspondence dated December 9, 2005, the word "adopt" is omitted in Subsection (3). This omission is carried through in RCW 34.05.330(4), further underscoring the distinction between petitions for the adoption of a new rule, on the one hand, as opposed to those for the repeal or amendment of an existing rule, on the other.

The word "adopt" is not defined in the APA. See RCW 34.05.010. Nonetheless, in order to give it meaning, it must be reasonably construed in the context of petitions to the Governor as pertaining to anything other than the repeal or amendment of an existing rule.

Your request to the Governor to review the Department of Health's (Department) denial of your August 2005 petition to it for a pilot project rule does not concern - at least initially - the repeal or amendment of an existing rule. Rather, it concerns the *development* of a proposed pilot project rule under RCW 34.05.313(1). Whether or not the development of a rule should be considered encompassed by the word "adopt"

must be addressed before the secondary question of whether or not an existing rule should be waived for a pilot project rule (e.g. Certificate of Need rule). See RCW 43.05.313(2). Without being able to answer the first question in the negative, the Governor is without authority to address the second.

Before a proposed rule, including a pilot project rule, can be implemented, the Department must comply with the APA's rule making process requirements. "Rule making" is defined as "the *process* for formulation and adoption of a rule." RCW 34.05.010(18) (emphasis added). That singular process accommodates two tracks, one for adopting entirely new rules and one for adopting amendments to existing rules. Along the spectrum of developing or initiating the amendment of a rule under RCW 34.05.310(1) to the filing of the Order of Adoption under RCW 34.05.360, all rules are being formulated and ultimately finalized for adoption.

In the context of petitions to the Governor, however, the distinction is whether or not an existing rule is currently in place addressing the substance of the rule questioned in the petition. Where there is no existing rule in place, the petition and APA process required does not concern the repeal, amendment, or adoption of an amendment to an existing rule - whether or not it is pilot rule making project. It concerns, as in this instance, the development, formulation and *adoption* of a new rule.

Consequently, without a statutory mandate to review petitions involving pilot rule making projects (or the adoption or "formulation and adoption of a rule"), the Governor is without clear statutory authority to consider the merits of your petition. It is therefore neither granted nor denied under RCW 34.05.330(3). Rather, it is simply denied for lack of jurisdiction.

Sincerely,
 Richard E. Mitchell
 General Counsel

cc: Tom Fitzsimmons, Chief of Staff
 Marty Brown, Legislative Director
 Laurie Dolan, Policy Office Director
 Mary Selecky, Secretary, Department of Health
 Christina Hulet, Executive Policy Advisor
 Mark Rupp, Executive Policy Advisor

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

WSR 06-01-091
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed December 20, 2005, 4:35 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Billing instructions.
 Subject: Family planning.
 Effective Date: January 2006.

Document Description: These are billing instructions for enteral nutrition providers to use when billing for services rendered to medical assistance clients. Included in this document are definitions, provider requirements, client eligibility, coverage information, prior authorization criteria, modifiers, product list/classification, reimbursement, fee schedule, billing instructions, and claim form instructions and samples.

To receive a copy of the interpretive or policy statement, contact Amelia Holl, Rules and Publication Section, DSHS, Medical Assistance Administration, Division of Policy and Analysis, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1349 or go to web site <http://maa.dshs.wa.gov/download/publicationsfees.htm> (Click on "Billing Instructions"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail hollag@dshs.wa.gov.

December 16, 2005

Amelia Holl
for Ann Myers, Manager
Rules and Publications Section

WSR 06-01-092

INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed December 20, 2005, 4:36 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: HRSA Numbered Memorandums.

Subject: 05-107 MAA; 05-108 MAA; 05-109 MAA; 05-110 MAA; 05-111 MAA.

Effective Date: 05-107 January 1, 2006, 05-108 January 1, 2006, 05-109 January 1, 2006, 05-110 January 1, 2006, 05-111 December 1, 2005.

Document Description: Numbered Memorandum 05-107 MAA, Prescription drug program: EPA; Numbered Memorandum 05-108 MAA, Prosthetic and orthotic devices; Numbered Memorandum 05-109 MAA, Year 2006 healthy options, basic health plus, maternity benefit program, primary care case management, and SCHIP updates; Numbered Memorandum 05-110 MAA, Ambulatory surgery centers; Numbered Memorandum 05-111 MAA, Prescription drug program: Eligibility criteria and authorization requirements for administering Synagis®.

To receive a copy of the interpretive or policy statement, contact Amelia Holl, Office of Rules and Publications, DSHS, Health and Recovery Services Administration, Division of Policy and Analysis, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1349 or go to web site <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memos," "Year 2005"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail hollag@dshs.wa.gov.

December 16, 2005

Amelia Holl
for Ann Myers, Manager
Rules and Publications Section

WSR 06-01-093

INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed December 20, 2005, 4:36 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: HRSA Numbered Memorandums.

Subject: 05-103 MAA; 05-104 MAA; 05-105 MAA; 05-106 MAA.

Effective Date: 05-103 January 1, 2006, 05-104 December 1, 2005, 05-105 January 1, 2006, 05-106 January 1, 2006.

Document Description: Numbered Memorandum 05-103 MAA, Enteral nutrition; Numbered Memorandum 05-104 MAA, Prescription drug program: Changes to prior authorization and expedited prior authorization (EPA); Numbered Memorandum 05-105 MAA, Modifier change and updated billing instructions for family practice physicians in rural counties; Numbered Memorandum 05-106 MAA, Prescription drug program: Maximum allowable cost (MAC) updates.

To receive a copy of the interpretive or policy statement, contact Amelia Holl, Office of Rules and Publications, DSHS, Health and Recovery Services Administration, Division of Policy and Analysis, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1349 or go to web site <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memos," "Year 2005"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail hollag@dshs.wa.gov.

December 16, 2005

Amelia Holl
for Ann Myers, Manager
Rules and Publications Section

WSR 06-01-095

PUBLIC RECORDS OFFICER OLYMPIC COLLEGE

[Memorandum—December 16, 2005]

The public records officer for Olympic College is Jennifer Hayes, Communications Director, Olympic College, College Service Center, Room 544, 1600 Chester Avenue, Bremerton, WA 98337-1699, phone (360) 475-7721, fax (360) 475-7232, e-mail jhayes@oc.ctc.edu.

Dr. David Mitchell, Ph.D.
President

WSR 06-01-107

DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Aging and Disability Services Administration) (Division of Developmental Disabilities)

[Filed December 21, 2005, 11:06 a.m.]

The department of social and health services, aging and disability services administration, division of developmental

disabilities requests that the following Washington Administrative Code section numbers be recodified:

Current WAC	New WAC
388-826-0100	388-826-0200
388-826-0105	388-826-0210
388-826-0110	388-826-0220
388-826-0115	388-826-0230
388-826-0120	388-826-0240
388-826-0125	388-826-0250

Andy Fernando, Manager
Rules and Policies Assistance Unit

ments (payments) only by specific assigned personnel. It also identifies the procedures for authorizing approval authority. This revision is due to sunset review.

To receive a copy of the interpretive or policy statement, contact Fran Ferry, Division of Child Support, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5322, TDD (360) 753-9122, fax (360) 586-3274, e-mail fferry@dshs.wa.gov.

December 20, 2005
Fran Ferry

WSR 06-01-108
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed December 21, 2005, 11:08 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: DCS Administrative Policy 1.07 - Security, Safes and Combinations, and File Cabinets for Personnel Files in Field Offices.

Subject: Security, safes and combinations, and file cabinets for personnel files in field offices.

Effective Date: November 10, 2005.

Document Description: This administrative policy explains to staff the procedures that the division of child support has established to protect building security, office safes and combinations, and personnel files. DCS established this policy February 22, 1999, and revised it on November 10, 2005, as a result of sunset review.

To receive a copy of the interpretive or policy statement, contact Fran Ferry, Division of Child Support, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5322, TDD (360) 753-9122, fax (360) 586-3274, e-mail fferry@dshs.wa.gov.

December 20, 2005
Fran Ferry

WSR 06-01-109
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed December 21, 2005, 11:09 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: DCS Administrative Policy 3.02 Authorization of Disbursements.

Subject: Authorization of disbursement.

Effective Date: November 1, 2005.

Document Description: This notice explains to division of child support (DCS) staff that DCS authorizes disburse-