

Washington State Register, Issue 17-09

OFFICE OF THE CODE REVISER
 Quarterly Rule-Making Report
 Covering Registers 17-01 through 17-06

Type of Activity	New	Amended	Repealed
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	74	17	20
Number of Rules Adopted as Emergency Rules	1	9	0
Number of Rules Proposed for Permanent Adoption	53	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	21	8	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	1	0
Number of Sections Adopted on the Agency's own Initiative	74	26	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	12	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
BELLEVUE COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	0	7
BIG BEND COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	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
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
BUILDING CODE COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	6	0
Number of Rules Adopted as Emergency Rules	1	2	0
Number of Rules Proposed for Permanent Adoption	1	34	0
Number of Rules Withdrawn	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	6	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	6	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	2
Number of Sections Adopted on the Agency's own Initiative	2	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
COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0

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Type of Activity	New	Amended	Repealed
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	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	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	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

COUNTY ROAD ADMINISTRATION BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	4	1

CRIMINAL JUSTICE TRAINING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
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	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	0	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

EARLY LEARNING, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Proposed for Permanent Adoption	17	2	4
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

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Type of Activity	New	Amended	Repealed
EASTERN WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	17	0
Number of Rules Proposed for Permanent Adoption	0	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	0	6	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	11	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
ECOLOGY, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	5	50	40
EDUCATION, STATE BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	0	2	0
EMPLOYMENT SECURITY DEPARTMENT			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	15	0
Number of Rules Adopted as Emergency Rules	0	1	0
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	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	2	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	8	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	8	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ENVIRONMENTAL AND LAND USE HEARINGS OFFICE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	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	0	0	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	0	0	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
EVERGREEN STATE COLLEGE, THE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	19	0	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	1	0	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0

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Type of Activity	New	Amended	Repealed
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	1	0	1
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	9	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	0	9	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	0	9	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
FINANCIAL INSTITUTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	5	4
Number of Rules Proposed for Permanent Adoption	0	4	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	5	4
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	5	3
Number of Sections Adopted on the Agency's own Initiative	2	5	1
Number of Sections Adopted using Negotiated Rule Making	2	1	4
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	0	1	0
Number of Rules Proposed for Permanent Adoption	8	1	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	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	1	0
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	2	216	10
Number of Rules Adopted as Emergency Rules	55	0	52
Number of Rules Proposed for Permanent Adoption	0	220	3
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	1	0	1

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Type of Activity	New	Amended	Repealed
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	7	5	10
Number of Sections Adopted in Order to Comply with Federal Statute	7	0	10
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	5	0	9
Number of Sections Adopted on the Agency's own Initiative	68	229	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

GAMBLING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	3	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	0	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

HEALTH CARE AUTHORITY

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	28	110	15
Number of Rules Adopted as Emergency Rules	1	3	0
Number of Rules Proposed for Permanent Adoption	0	24	0
Number of Rules Withdrawn	10	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	21	119	15
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	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	21	121	15
Number of Sections Adopted using Pilot Rule Making	0	1	0

HEALTH, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	17	105	39
Number of Rules Adopted as Emergency Rules	10	0	0
Number of Rules Proposed for Permanent Adoption	32	10	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	12	3	8
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	1	50	1
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	12	6	1
Number of Sections Adopted on the Agency's own Initiative	4	48	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	27	104	11
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
HORSE RACING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	7	0
Number of Rules Proposed for Permanent Adoption	1	6	1
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	7	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	7	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	7	0
Number of Sections Adopted using Negotiated Rule Making	0	7	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
INSURANCE COMMISSIONER, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	30	8	1
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	12	5	1
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	18	0	0
Number of Sections Adopted on the Agency's own Initiative	12	5	1
Number of Sections Adopted using Negotiated Rule Making	18	1	0
Number of Sections Adopted using Other Alternative Rule Making	12	5	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	1	31	61
Number of Rules Proposed for Permanent Adoption	2	45	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	1	31	61
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	15	61
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	1	30	61
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	3	0
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	0	4	0
Number of Rules Proposed for Permanent Adoption	1	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	4	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	4	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	4	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LIQUOR AND CANNABIS BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	0	0
Number of Rules Adopted as Emergency Rules	1	0	0
Number of Rules Proposed for Permanent Adoption	3	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	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	2	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
OLYMPIC COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
PROFESSIONAL EDUCATOR STANDARDS BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	5	0
Number of Rules Withdrawn	0	2	0
PUBLIC DISCLOSURE COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	17	5
Number of Sections Adopted at Request of a Nongovernmental Entity	2	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	6	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	3	8	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
PUBLIC INSTRUCTION, SUPERINTENDENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	18	0
Number of Rules Proposed for Permanent Adoption	0	2	0
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	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	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	12	0	0
Number of Sections Adopted on the Agency's own Initiative	0	4	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

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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	1	3	0
Number of Rules Proposed for Permanent Adoption	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	1	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	1	0
Number of Sections Adopted on the Agency's own Initiative	1	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
REVENUE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	8	0
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Rules Proposed for Permanent Adoption	2	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	1	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	1	0
Number of Sections Adopted on the Agency's own Initiative	1	10	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
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	6	0
Number of Rules Adopted as Emergency Rules	18	30	24
Number of Rules Proposed for Permanent Adoption	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	18	36	24
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	18	36	24
Number of Sections Adopted using Pilot Rule Making	0	0	0
SPOKANE, COMMUNITY COLLEGES OF			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	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	10	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	4	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	10	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
STUDENT ACHIEVEMENT COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	8	0
Number of Rules Proposed for Permanent Adoption	2	25	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	2	0
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	0	0
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	0	2	0
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	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	1	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	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	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	4	43	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	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WASHINGTON STATE UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	1	14	0
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	1	14	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	14	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

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	1	14	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WESTERN WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	7	23	1
Number of Rules Adopted as Emergency Rules	7	19	1
Number of Rules Proposed for Permanent Adoption	7	23	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	7	19	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	4	5	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	7	19	1
Number of Sections Adopted using Negotiated Rule Making	7	38	2
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	193	670	188
Number of Rules Adopted as Emergency Rules	95	110	77
Number of Rules Proposed for Permanent Adoption	136	497	59
Number of Rules Withdrawn	10	17	0
Number of Sections Adopted at Request of a Nongovernmental Entity	3	20	1
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	79	271	97
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	12	83	72
Number of Sections Adopted in Order to Comply with Federal Statute	8	18	10
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	67	64	39
Number of Sections Adopted on the Agency's own Initiative	178	435	134
Number of Sections Adopted using Negotiated Rule Making	27	50	6
Number of Sections Adopted using Other Alternative Rule Making	81	309	50
Number of Sections Adopted using Pilot Rule Making	0	1	0

WSR 17-08-057
RULES OF COURT
STATE SUPREME COURT

[March 29, 2017]

IN THE MATTER OF THE SUGGESTED) ORDER
AMENDMENTS TO GR 35(e)—OFFI-) NO. 25700-A-1180
CIAL CERTIFIED SUPERIOR COURT)
TRANSCRIPTS, RAP 9.2(c)—VERBA-)
TIM REPORT OF PROCEEDINGS, RAP)
9.5—FILING AND SERVICE OF)
REPORT OF PROCEEDINGS, RAP)
10.2—TIME FOR FILING BRIEFS, RAP)
11.3—DATE OF ARGUMENT, RAP)
15.2—DETERMINATION OF INDI-)
GENCY AND RIGHTS OF INDIGENT)
PARTY, RAP 15.4—CLAIM FOR PAY-)
MENT OF EXPENSE FOR INDIGENT)
PARTY, RAP 17.3—CONTENT OF)
MOTION, RAP 17.7—OBJECTION TO)
RULING—REVIEW OF DECISION ON)
MOTION, RAP 18.13—ACCELERATED)
REVIEW OF DISPOSITIONS IN JUVE-)
NILE OFFENSE PROCEEDINGS, RAP)
18.13A—ACCELERATED REVIEW OF)
JUVENILE DEPENDENCY DISPOSI-)
TION ORDERS, ORDERS TERMINAT-)
ING PARENTAL RIGHTS, AND)
DEPENDENCY GUARDIANSHIP)
ORDERS, RAP FORM 12—ORDER OF)
INDIGENCY, RAP FORM 15A—)
NOTICE OF FILING VERBATIM)
REPORT OF PROCEEDINGS (RAP 9.5))

The Court of Appeals' Rules Committee, having recom-
mended the suggested amendments to GR 35(e)—Official
Certified Superior Court Transcripts, RAP 9.2(c)—Verbatim
Report of Proceedings, RAP 9.5—Filing and Service of
Report of Proceedings, RAP 10.2—Time for Filing Briefs,
RAP 11.3—Date of Argument, RAP 15.2—Determination of
Indigency and Rights of Indigent Party, RAP 15.4—Claim
for Payment of Expense for Indigent Party, RAP 17.3—Con-
tent of Motion, RAP 17.7—Objection to Ruling—Review of
Decision on Motion, RAP 18.13—Accelerated Review of
Dispositions in Juvenile Offense Proceedings, RAP
18.13A—Accelerated Review of Juvenile Dependency Dis-
position Orders, Orders Terminating Parental Rights, and
Dependency Guardianship Orders, RAP Form 12—Order of
Indigency, RAP Form 15A—Notice of Filing Verbatim
Report of Proceedings (RAP 9.5), and the Court having con-
sidered the amendments and comments submitted thereto;

Now, therefore, it is hereby
ORDERED:

(a) That pursuant to the provisions of GR 9(g), the pro-
posed amendments as shown below are to be published for
comment in the Washington Reports, Washington Register,
Washington State Bar Association and Administrative Office
of the Court's websites expeditiously.

(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 July 28, 2017. Comments may be sent to the fol-

lowing addresses: P.O. Box 40929, Olympia, Washington
98504-0929, or supreme@courts.wa.gov. Comments submit-
ted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 29th day of March,
2017.

For the Court

Fairhurst, C.J.

CHIEF JUSTICE

GR 9 Cover Sheet
Suggested Changes to GR 35(e)

(A) Name of Proponent: Washington Court of Appeals
Rules Committee.

(B) Spokesperson: Honorable Kevin M. Korsmo, Chair,
Court of Appeals Rules Committee.

(C) Purpose: The Washington Court of Appeals Rules
Committee proposes an amendment to GR 35(e) to address
concerns expressed by court reporters about the last sentence
of the declaration filed by court reporters with official tran-
scripts (paragraph 5 of subsection (e).) Court reporters are
concerned with the language of that paragraph because they
believe that it could be argued that court reporters have a
financial interest in the litigation because the reporters are
paid for their services. The suggested change to the declara-
tion clarifies that the reporter or authorized transcriptionist
has no financial interest in the subject matter of the litigation.

(D) Hearing: None recommended.

(E) Expedited Consideration: Expedited consideration
is not requested.

[Suggested changes to GR 35(e)]

RULE 35. OFFICIAL CERTIFIED SUPERIOR COURT TRAN-
SCRIPTS

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

(e) The certified court reporter or authorized transcrip-
tionist shall attach to the official transcript filed with the court
a certificate in substantially the following form:

"I certify (or declare) under penalty of perjury under the
laws of the State of Washington that the following is true and
correct:

- 1. That I am a certified court reporter (or authorized tran-
scriptionist);
2. I received the electronic recording directly from the
trial court conducting the hearing;
3. This transcript is a true and correct record of the pro-
ceedings to the best of my ability, including any changes
made by the trial judge reviewing the transcript;
4. I am in no way related to or employed by any party in
this matter, nor any counsel in the matter; and
5. I have no financial interest in the outcome or end
result of the litigation.

(Date and Place)

(Signature)"

GR 9 Cover Sheet**Suggested Changes to RAP 9.2 (c) and (f)(2)(B)**

(A) Name of Proponent: Washington Court of Appeals Rules Committee.

(B) Spokesperson: Honorable Kevin M. Korsmo, Chair, Court of Appeals Rules Committee.

(C) Purpose: The Washington Court of Appeals Rules Committee proposes two amendments to RAP 9.2.

(1) The suggested change to RAP 9.2(c) is a clarification of the term to be used for the additional designation of the record requested by a party under this subsection. No substantive change to the rule is intended.

(2) The suggested change to RAP 9.2 (f)(2)(B) increases from 200 pages to 250 pages the limit on the maximum number of pages that one volume of the verbatim report of proceedings may contain. Court reporters will be able to include a full day's proceedings in one volume if the page length is expanded to 250 pages. Having fewer volumes of the record is more convenient, particularly for persons reviewing an electronic version of the verbatim report of proceedings.

(D) Hearing: None recommended.

(E) Expedited Consideration: Expedited consideration is not requested.

[Suggested Changes to RAP 9.2 (c) and (f)(2)(B)]
RAP 9.2 VERBATIM REPORT OF PROCEEDINGS

(a) - (b) [No changes.]

(c) Notice of Partial Report of Proceedings and Issues. If a party seeking review arranges for less than all of the verbatim report of proceedings, the party should include in the statement of arrangements a statement of the issues the party intends to present on review. Any other party who wishes to add to the verbatim report of proceedings should within 10 days after service of the statement of arrangements file and serve on all other parties and the court reporter or authorized transcriptionist a supplemental statement of arrangements which designates the ~~designation of~~ additional parts of the verbatim report of proceedings and file proof of service with the appellate court. If the party seeking review refuses to provide the additional parts of the verbatim report of proceedings, the party seeking the additional parts may provide them at the party's own expense or apply to the trial court for an order requiring the party seeking review to pay for the additional parts of the verbatim report of proceedings.

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

(f) Form.

(1) *Generally.* The verbatim report of proceedings shall be on 8-1/2-by 11-inch paper. Margins shall be lined 1-3/8 inches from the left and 5/8 inches from the right side of each page. Indentations from the left lined margin should be: 1 space for "Q" and "A"; 5 spaces for the body of the testimony; 8 spaces for commencement of a paragraph; and 10 spaces for quoted authority. Typing should be double spaced except that comments by the reporter should be single spaced. The page should have 25 lines of type. Type must be pica type or its equivalent with no more than 10 characters an inch.

(A) Witnesses Designated/Examination. Indicate at the top or bottom of each page the name of the witness and

whether the examination is on direct, cross, re-direct, re-cross, or rebuttal.

(B) Jury In/Out. Indicate when the jury is present, when the jury leaves, and when the jury returns.

(C) Bench/Side Bar Conferences. Designate whether a bench/side bar conference is on or off the record.

(D) Chamber Conferences. If the conference is recorded, note the presence or absence of persons participating in chamber conferences.

(E) Speaker/Event Identification. Identify speakers and events that occur throughout the proceedings in capital letters centered on the appropriate line. For example: recess/court reconvene; direct examination, cross examination, re-direct examination, re-cross examination, plaintiff rests; defendant's evidence: direct examination, cross examination, re-direct examination, re-cross examination, defense rests; instructions, conference, closing arguments: for plaintiff, for defense, and rebuttal.

(2) *Volume and Pages.*

(A) Pages in each volume of the verbatim report of proceedings shall be numbered consecutively and be arranged in chronologic order by date of hearing(s) requested in the statement of arrangements.

(B) Each volume of the verbatim report of proceedings shall include no more than ~~200~~ 250 pages. The page numbers in the first volume should start with page 1 and continue to ~~200~~ 250, as needed, regardless of how many hearing dates are included in the volume. In the second volume of the verbatim report of proceedings and subsequent volume page numbers should start with the next page number in sequence where the previous volume ended. The volumes shall be either bound or fastened securely.

(3) *Copies.* The verbatim report of proceedings should be legible, clean and reproducible.

References

Form 15, Statement of Arrangements; Title 6, Acceptance of Review.

GR 9 Cover Sheet**Suggested Changes to RAP 9.5(a)**

(A) Name of Proponent: Washington Court of Appeals Rules Committee.

(B) Spokesperson: Honorable Kevin M. Korsmo, Chair, Court of Appeals Rules Committee.

(C) Purpose: The Washington Court of Appeals Rules Committee proposes an amendment to RAP 9.5(a) to correspond to current practice. The Court of Appeals no longer requires that the court reporter/transcriptionist file a Notice of Filing Verbatim Report with the Court. It is the responsibility of the reporter or transcriptionist to notify the parties directly that the report of proceedings has been filed.

(D) Hearing: None recommended.

(E) Expedited Consideration: Expedited consideration is not requested.

*[Suggested Change to RAP 9.5(a)]***RAP 9.5 FILING AND SERVICE OF REPORT OF PROCEEDINGS—
OBJECTIONS**

(a) Generally. The party seeking review must file an agreed or narrative report of proceedings with the appellate court within 60 days after the statement of arrangements is filed. The court reporter or authorized transcriptionist preparing a verbatim report of proceedings must file it in the appellate court within 60 days after the statement of arrangements is filed and all named court reporters or authorized transcriptionists are served. The court reporter or authorized transcriptionist shall promptly ~~notify~~ serve notice of filing on all parties that the report of proceedings has been filed with the appellate court and shall provide a copy of the report of proceedings to the party who arranged for the transcript.

(1) A party filing a brief must promptly forward a copy of the verbatim report of proceedings with a copy of the brief to the party with the right to file the next brief. If more than one party has the right to file the next brief, the parties must cooperate in the use of the report of proceedings. The party who files the last brief should return the copy of the report of proceedings to the party who paid for it.

(2) A searchable PDF electronic copy of the verbatim report of proceedings shall be filed with the original verbatim report of proceedings, with a copy provided to the party who caused the verbatim report of proceedings to be filed. The report of proceedings may be electronically filed with the appellate court in accordance with the court's filing procedures.

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

References

Title 6, Acceptance of Review

GR 9 Cover Sheet**Suggested Changes to RAP 10.2 (f)(2) and (h)**

(A) Name of Proponent: Washington Court of Appeals Rules Committee.

(B) Spokesperson: Honorable Kevin M. Korsmo, Chair, Court of Appeals Rules Committee.

(C) Purpose: The Washington Court of Appeals Rules Committee proposes three amendments to RAP 10.2.

(1) The first suggested change to RAP 10.2 (f)(2) revises how to count the date by which an amicus brief must be filed. At present, the time for filing of an amicus brief is measured from the due date of the last brief that respondent is permitted to file under the court rules. However, the due date for respondent's brief often changes during the course of the appeal. The suggested rule change designates the actual filing date of the respondent's brief as the date on which time starts to run for the filing of an amicus brief. The change will make it easier for both the court and interested parties to determine when an amicus brief is due.

(2) The suggested change to RAP 10.2 (f)(2) also shortens the time for filing an amicus brief from 45 days to 30 days, which will be sufficient in most cases, and will allow the case to proceed in an expeditious manner. If more time is needed, amicus curiae may request an extension of time.

(3) The suggested change to RAP 10.2(h) is a clarification. The suggested change clarifies that appellant's counsel is required to serve the appellant's brief on the appellant pursuant to this subsection; no substantive change to the rule is intended. Appellant's counsel is required to serve the appellant's brief on the appellant under this subsection. No substantive change is intended.

(D) Hearing: None recommended.

(E) Expedited Consideration: Expedited consideration is not requested.

*[Suggested changes to RAP 10.2 (f)(2) and (h)]***RAP 10.2 TIME FOR FILING BRIEFS**

(a) - (e) [No changes.]

(f) Brief of Amicus Curiae. Unless the court sets a different date, or allows a later date upon a showing of particular justification, a brief of amicus curiae should be filed as follows.

(1) *Supreme Court.* A brief of amicus curiae should be received by the court and counsel of record for the parties and any other amicus curiae not later than 45 days before oral argument or consideration of the merits.

(2) *Court of Appeals.* A brief of amicus curiae should be received by the court and counsel of record for the parties and any other amicus curiae not later than ~~45~~ 30 days after the ~~due date for filing of~~ the last brief of respondent permitted under rule 10.2(b) or 10.2(c).

(g) [No changes.]

(h) Service of Briefs. At the time a party files a brief, the party should serve one copy on every other party and on any amicus curiae, and file proof of service with the appellate court. In a criminal case in which the defendant is the appellant, appellant's counsel ~~shall~~ should serve the appellant's brief on appellant and file proof of service with the appellate court. Service and proof of service should be made in accordance with rules 18.5 and 18.6.

(i) [No changes.]

References

Rule 18.6, Computation of Time, (c) Filing by mail.

GR 9 Cover Sheet**Suggested Change to RAP 11.3(b)**

(A) Name of Proponent: Washington Court of Appeals Rules Committee.

(B) Spokesperson: Honorable Kevin M. Korsmo, Chair, Washington Court of Appeals Rules Committee.

(C) Purpose: The suggested change requires a party to file a motion requesting a change in the date set for oral argument within 10 days, instead of 15 days. This will allow the court to make calendar changes more quickly, resulting in more efficient use of court resources. It is likely that counsel already check their calendars immediately to determine if they have a conflict with the date set by the court; the suggested change only requires that they notify the court more promptly when there is such a conflict.

(D) Hearing: None recommended.

(E) Expedited Consideration: Expedited consideration is not requested.

[Suggested changes to RAP 11.3(b)]
RULE 11.3 DATE OF ARGUMENT

(a) **Notice.** [No changes.]

(b) **Rescheduling.** A request to reschedule oral argument must be made by motion filed within ~~15~~ 10 days of receipt of the letter setting the date for oral argument, except upon a showing of good cause.

GR 9 Cover Sheet
Suggested Changes to RAP 15.2(h)

(A) **Name of Proponent:** Washington Court of Appeals Rules Committee.

(B) **Spokesperson:** Honorable Kevin M. Korsmo, Chair, Washington Court of Appeals Rules Committee.

(C) **Purpose:** The suggested amendments to RAP 15.2(h) permit a party to object to an indigency decision of the trial court by motion in the appellate court. The issue does not come up often, but when it does it can be problematic from a procedural standpoint. Either the appellate court must assign a new case number to the matter and go through a discretionary review process before the appeal goes forward, or else the court ends up with a motion for discretionary review within an appeal. Both options are awkward and inefficient.

Several other rules of appellate procedure, such as RAP 8.1(h) (supersedeas), and RAP 8.2(b) (release or stay of execution of sentence), provide that a party may object to these decisions by motion in the appellate court. The suggested changes to RAP 15.2(h) allow that same procedure to be used for review of decisions of the trial court on indigency.

(D) **Hearing:** None recommended.

(E) **Expedited Consideration:** Expedited consideration is not requested.

[Suggested changes to RAP 15.2(h).]

Rule 15.2

DETERMINATION OF INDIGENCY AND RIGHTS OF INDIGENT PARTY

(a) - (g) [No changes.]

(h) **Review of Order or Finding of Indigency.** A party in a case of a type listed in section (b)(1) of this rule may seek review of an order of indigency or an order denying an order of indigency entered by a trial court. A party may also seek review of written findings under section (c)(1) of this rule that the party is not indigent. ~~Review must be sought by a motion for discretionary review. A party may object to an indigency decision of the trial court by motion in the appellate court.~~

(i) [No changes.]

GR 9 Cover Sheet
Suggested Changes to RAP 15.4(d)

(A) **Name of Proponent:** Washington Court of Appeals Rules Committee.

(B) **Spokesperson:** Honorable Kevin M. Korsmo, Chair, Washington Court of Appeals Rules Committee.

(C) **Purpose:** The suggested amendments to RAP 15.4(d) add "authorized transcriptionists" to a subsection concerning invoices for transcripts. The suggested changes are a "clean-up" to make that subsection consistent with other

changes adopted by the Supreme Court in 2015 concerning authorized transcriptionists, e.g. GR 35.

(D) **Hearing:** None recommended.

(E) **Expedited Consideration:** Expedited consideration is not requested.

[Suggested changes to RAP 15.4(d)]

RULE 15.4

CLAIM FOR PAYMENT OF EXPENSE FOR INDIGENT PARTY

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

(d) **Invoice of Court Reporter or ~~Typist~~ Authorized Transcriptionist.**

(1) An invoice submitted by the court reporter or authorized transcriptionist should be titled "Invoice of Court Reporter or ~~Typist~~ Authorized Transcriptionist—Indigent Case." The invoice must state the number of pages transcribed and the billing rate per page. The billing rate must be at the rate per page or line page equivalent set by the Supreme Court for the original and one copy of that portion of the report of proceedings ordered by the superior court. Additional copies which have been authorized and ordered from the reporter or authorized transcriptionist must be charged for as though reproduced by the most economical method available to the reporter or authorized transcriptionist.

(e) **Invoice of Superior Court Clerk.** [No changes.]

GR 9 Cover Sheet
Suggested change to RAP 17.3 (b)(8)

A. **Name of Proponent:** Washington Court of Appeals Rules Committee.

B. **Spokesperson:** Honorable Kevin M. Korsmo, Chair, Washington Court of Appeals Rules Committee.

C. **Purpose:** The suggested change requires that parties include a table of contents in the appendix to a motion for discretionary review filed pursuant to Title 17 and that the appendix pages be consecutively numbered.

In 2014, the Supreme Court amended RAP 6.2(c), which applies to motions for discretionary review filed pursuant to Title 6, to require that appendices include a table of contents and consecutively-numbered pages. This requirement has been very helpful when reviewing those motions. It would be equally helpful to the appellate courts if the appendices to motions filed pursuant to RAP 17.3 also included a table of contents and consecutively-numbered pages.

D. **Hearing:** None recommended.

E. **Expedited Consideration:** Expedited consideration is not requested.

[Suggested change to RAP 17.3 (b)(8).]

RULE 17.3

CONTENT OF MOTION

(a) [No changes.]

(b) **Motion for Discretionary Review.** A motion for discretionary review should contain under appropriate headings and in the order here indicated:

(1) *Cover.* A title page, which is the cover.

(2) *Identity of Petitioner.* A statement of the name and designation of the person filing the motion.

(3) *Decision Below.* A statement of the decision which petitioner wants reviewed, the court entering or filing the decision, the date entered or filed, and the date and a description of any order granting or denying motions made after the decision.

(4) *Issues Presented for Review.* A concise statement of the issues presented for review.

(5) *Statement of the Case.* A statement of the facts and procedure below relevant to the issues presented for review, with appropriate reference to the record.

(6) *Argument.* A direct and concise statement of the reasons why review should be granted, with supporting argument.

(7) *Conclusion.* A short conclusion stating the precise relief sought.

(8) *Appendix.* An appendix containing a copy of the decision which the party wants reviewed, a copy of any order granting or denying motions made with respect to that decision, and a copy of parts of the record relevant to the motion. In addition, the appendix may include copies of statutes and constitutional provisions relevant to the issues presented for review, and other material which would assist the court in determining whether the motion should be granted. The appendix should include a table of contents and the pages should be consecutively numbered.

(c) [No changes.]

References

Form 3, Motion for Discretionary Review; Form 4, Statement of Grounds for Direct Review; Form 18, Motion; Form 20, Motion To Modify Ruling; Rule 6.2, Discretionary Review; Rule 12.4, Motion for Reconsideration of Decision Terminating Review.

GR 9 Cover Sheet

Suggested Changes to RAP 17.7, 18.13(c), and 18.13A(d)

(A) Name of Proponent: Washington Court of Appeals Rules Committee.

(B) Spokesperson: Honorable Kevin M. Korsmo, Chair, Washington Court of Appeals Rules Committee.

Purpose: At present, the procedure used by the parties for a motion to modify a commissioner's ruling terminating review of a motion for accelerated review in a juvenile case is the general motion procedure in RAP 17.7. The suggested amendments to RAP 17.7, 18.13(c), and 18.13A(d) create a new procedure for these motions in juvenile cases, with a shortened time frame, which is consistent with the expedited review process in RAP 18.13 (Accelerated Review of Dispositions in Juvenile Offense Proceedings) and 18.13A (Accelerated Review of Juvenile Dependency Disposition Orders, Orders Terminating Parental Rights, and Dependency Guardianship Orders.)

The suggested changes to RAP 17.7 states that the procedure for a motion to modify a Court of Appeals commissioner's ruling terminating review of a motion for accelerated review filed pursuant to RAP 18.13 or RAP 18.13A is governed by the provisions of those rules.

The suggested changes to RAP 18.13 provide that the motion filed pursuant to that rule to modify a Court of

Appeals commissioner's ruling terminating review of a motion for accelerated review must be served and filed within 15 days after the commissioner's ruling is filed. An answer to the motion must be filed within 15 days after the motion is filed. No reply should be filed unless requested by the Court.

The suggested changes to RAP 18.13A add a subsection on the procedure for motions to the rule identical to the subsection in RAP 18.13, including the suggested accelerated motion procedure for motions to modify a Court of Appeals commissioner's ruling terminating review of a motion for accelerated review.

(C) Hearing: None recommended.

(D) Expedited Consideration: Expedited consideration is not requested.

[Suggested changes to RAP 17.7(a) and new subsection (b)] RULE 17.7 OBJECTION TO RULING—REVIEW OF DECISION ON MOTION

(a) Motion to modify. An aggrieved person may object to a ruling of a commissioner or clerk, including transfer of the case to the Court of Appeals under rule 17.2(c), only by a motion to modify the ruling directed to the judges of the court served by the commissioner or clerk. Except as set forth in subsection (b), the motion to modify the ruling must be served on all persons entitled to notice of the original motion and filed in the appellate court not later than 30 days after the ruling is filed. A motion to the Justices in the Supreme Court will be decided by a panel of five Justices unless the court directs a hearing by the court en banc.

(b) RAP 18.13 and RAP 18.13A. A motion to modify a Court of Appeals commissioner's ruling terminating review of a motion for accelerated review filed pursuant to RAP 18.13 or RAP 18.13A is governed by the provisions of those rules.

References

Form 20, Motion To Modify Ruling.

[Suggested change to RAP 18.13.]

RULE 18.13 ACCELERATED REVIEW OF DISPOSITION IN JUVENILE OFFENSE PROCEEDINGS

(a) - (b) Generally. [No changes.]

(c) Motion procedure controls.

(1) Unless otherwise specified in this rule, the motion procedure, including a party's response, is governed by ~~rule~~ Title 17.

(2) A motion to modify a Court of Appeals commissioner's ruling terminating review of a motion for accelerated review filed pursuant to RAP 18.13 must be served on all persons entitled to notice of the original motion and filed in the appellate court not later than 15 days after the commissioner's ruling is filed in the Court of Appeals. An answer to the motion to modify should be filed not later than 15 days after the motion to modify is filed. A party should not file a reply to an answer unless requested by the appellate court.

(d) Accelerated review of other issues. [No changes.]

(e) Supreme Court review. [No changes.]

(f) Schedule. [No changes.]

[Suggested new subsection (j) to RAP 18.13A.]

RULE 18.13A

ACCELERATED REVIEW OF JUVENILE DEPENDENCY DISPOSITION ORDERS, ORDERS TERMINATING PARENTAL RIGHTS, AND DEPENDENCY GUARDIANSHIP ORDERS

(a) - (i) [No changes.]

(j) **Motion procedure controls.**

(1) Unless otherwise specified in this rule, the motion procedure, including a party's response, is governed by Title 17.

(2) A motion to modify a Court of Appeals commissioner's ruling terminating review of a motion for accelerated review filed pursuant to RAP 18.13 must be served on all persons entitled to notice of the original motion and filed in the appellate court not later than 15 days after the commissioner's ruling is filed in the Court of Appeals. An answer to the motion to modify should be filed not later than 15 days after the motion to modify is filed. A party should not file a reply to an answer unless requested by the appellate court.

(k) **Supreme Court Review.** [No changes.]

(l) Termination Appeals - Notice of Intent to Deliver Consent to Adoption. When an order terminating parental rights is under review, the department of social and health services or supervising agency having the right to consent to an adoption should serve a written notice of its intent to deliver consent to adoption. The notice of intent should specify the intended delivery date, and should be served on all parties to the appeal and on anyone appointed to represent the interests of the child, no fewer than 30 days before the intended delivery date. A copy of the notice of intent and a proof of service should be filed in the appellate court. After service of the notice of intent, any party may move the court in which the appeal is pending to stay the order terminating parental rights, but only to the extent it authorized consent to adoption. The department or supervising agency should not deliver its consent to adoption if any party seeks a stay before the intended delivery date, pending a ruling on the motion to stay. The appellate court will hear the motion to stay on an expedited basis. Any stay of enforcement shall terminate upon issuance of the mandate as provided in Rule 12.5, unless otherwise directed by the appellate court.

See Form 15D.

**GR 9 Cover Sheet
Suggested Change to RAP Form 12**

(A) Name of Proponent: Washington Court of Appeals Rules Committee.

(B) Spokesperson: Honorable Kevin M. Korsmo, Chair, Court of Appeals Rules Committee.

(C) Purpose: The suggested changes clarify the form used by the superior courts for orders of indigency for appellate review. The changes are also intended to reduce the frequency of the superior court's need to amend the order of indigency by deleting the requirement that the order state with specificity which parts of the verbatim report of proceedings and clerk's papers are necessary for review. Instead, the order states that the indigent party is entitled to copies of the verbatim report of proceedings and the clerk's papers that are "reasonably necessary for review."

(D) Hearing: None recommended.

(E) Expedited Consideration: Expedited consideration is not requested.

[Suggested changes to RAP Form 12]
FORM 12. ORDER OF INDIGENCY

(Rule 15.2)

SUPERIOR COURT OF WASHINGTON
FOR _____ COUNTY

[Name of plaintiff],)
)
Plaintiff,) No. (trial court)
)
v.) ORDER OF INDIGENCY
)
[Name of defendant],)
Defendant.)

[Set forth finding of indigency and state that applicable law grants review wholly or partially at public expense. For example: "The court finds that the defendant lacks sufficient funds to prosecute an appeal and applicable law grants defendant a right to review at public expense to the extent defined in this order."] The court orders as follows:

- 1. The filing fee is waived.
- 2. [Name of indigent] is entitled to counsel for review wholly at public expense. When review is discretionary, counsel will be provided and the expenses detailed below will be paid if review is accepted or as applicable law permits.
- 3. The appellate court shall appoint counsel for review pursuant to RAP 15.2 [If applicable: "Trial counsel must assist appointed counsel for review in preparing the record."]
- 4. [Name of indigent] is entitled to the following at public expense:
 - (a) ~~Those portions of the~~ verbatim report of proceedings reasonably necessary for review, as follows: ~~[Designate parts of report.]~~
 - (b) A copy of the ~~following~~ clerk's papers reasonably necessary for review. ~~[Designate papers by name and trial court clerk's sub-number.]~~
 - (c) Preparation of original documents to be reproduced by the clerk as provided in rule

**GR 9 Cover Sheet
Suggested Change to RAP Form 15A**

(A) Name of Proponent: Washington Court of Appeals Rules Committee.

(B) Spokesperson: Honorable Kevin M. Korsmo, Chair, Court of Appeals Rules Committee.

(C) Purpose: The suggested changes revise the notice filed by the court reporter or transcriber with a transcript. Consistent with current technology, the changes specify that (1) a computer-generated transcript must be filed in PDF format, (2) may be saved and filed on a flash drive, and (3) can no longer be saved and filed on an ASCII diskette.

(D) Hearing: None recommended.

(E) Expedited Consideration: Expedited consideration is not requested.

[Suggested change to RAP Form 15A.]

FORM 15A. NOTICE OF FILING VERBATIM REPORT OF PROCEEDINGS

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ___

_____)
_____) No.
v. _____) NOTICE OF FILING VERBA-
_____) TIM REPORT OF PROCEED-
_____) INGS (RAP 9.5)

DECLARATION

I, _____ (name), court reporter/transcriber, filed the verbatim report of proceedings on _____, 20____, for the following dates and provided a copy to the party who arranged for transcription:

The transcript (check one): ___ was computer-generated ___ was not computer-generated.

If it was computer-generated, I filed a copy of the ASCH diskette or transcript in PDF format on compact disk or flash drive on the same date as the transcript was filed and provided a copy to the party who arranged for transcription

CERTIFICATE OF SERVICE

I certify that on the _____ day of _____, 20____, I caused a true and correct copy of this Notice to be served on the following in the manner indicated below:

- _____) () U.S. Mail
_____) () Hand Delivery
_____) () _____
_____) () U.S. Mail
_____) () Hand Delivery
_____) () _____
_____) () U.S. Mail
_____) () Hand Delivery
_____) () _____

By: _____

[December 24, 2002; amended effective September 1, 2010]

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 spelling errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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 17-09-001

HEALTH CARE AUTHORITY

[Filed April 5, 2017, 2:02 p.m.]

NOTICE

Title or Subject: Two Medicaid State Plan Amendments (SPAs) - 17-0021 Medicaid Personal Care (MPC) Services Updates and 17-0022 Community First Choice (CFC) Updates.

Effective Date: April 6, 2017.

Description: The health care authority (the agency) in conjunction with the department of social and health services (DSHS) intends to submit two medicaid SPAs for approval by the Centers for Medicare and Medicaid Services. SPA 17-0021 will update optional state plan personal care services, known in Washington as MPC, as described below. SPA 17-0022 will amend the CFC program state plan option available under section 1915(k) of the Social Security Act, as described below.

SPA 17-0021 will amend MPC services to:

- Replace outdated language and terminology about adult residential care providers and payment procedures. The state will remove the term boarding home and replace it with assisted living facility and clarify that licensing functions have transferred from the department of health to the aging and long-term support administration within DSHS. The reference to the social system payment system will also be removed.
• Clarify that all personal care providers must remain free of disqualifying crimes and/or negative actions.
• Add language to the definition of an individual provider's wages and benefits to clarify that benefits are not limited to health insurance, training, and industrial insurance and may include other employee benefits.
• Include information that individual providers of personal care may not work more hours in a work week than has been approved by DSHS. Program participants who have been approved for personal care hours that exceed their individual provider's work week limit may need to select an additional provider(s) to deliver the remaining hours.

SPA 17-0022 will amend the CFC state plan option to:

- Include information that individual providers of personal care and relief care may not work more hours in a work week than has been approved by DSHS. Program participants who have been approved for personal care and/or relief care hours that exceed their individual provider's work week limit may need to select an additional provider(s) to deliver the remaining hours.
• Clarify the timing and approval process of person centered service planning and program eligibility.

Both SPA 17-0021 and 17-0022 are in the development process; therefore a copy is not yet available for review. The agency would appreciate any input or concerns regarding either SPA. To request a copy when it becomes available, you may contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

NOTE: Effective March 20, 2017, official public notice of proposed medicaid SPAs is published on the agency's web site at the Public Notices link. As a convenience, the agency will continue to publish copies of SPA notices in the Washington State Register through June 30, 2017.

CONTACT: Jamie Tong, Home and Community Services, 4450 10th Avenue S.E., Lacey, WA 98503, phone (360) 725-3293, TDD/TTY 1-877-905-0454, fax (360) 438-8633, email Jamie.tong@dshs.wa.gov.

To obtain copies of the proposed SPA changes once it becomes available, you may also contact the agency in your county listed below:

County Contacts

Adams County

Adams County Health Department
108 West Main
Ritzville, WA 99169
Phone (509) 659-3315

Asotin County

Clarkston Home and Community Services Office
525 Fifth Street
Clarkston, WA 99403
Web site <http://www.altcWashington.com>
Phone (509) 751-4672
Alt. Phone 1-800-310-4881
Fax (509) 758-4593

Benton County

Tri-Cities Home and Community Services Office
500 North Morain Street
Suite 2210
Kennewick, WA 99336
Phone (509) 374-2100
Alt. Phone 1-800-310-4833
Fax (509) 374-7559

Chelan County

Chelan Community Services Office
805 South Mission Street
Wenatchee, WA 98801
Phone (509) 667-6000

Clallam County

Port Angeles Home and Community Services Office
235 West 1st Street
Port Angeles, WA 98362
Phone (360) 565-2160
Alt. Phone 1-800-280-9891
TTY (360) 417-5651
Fax (360) 417-1416

Clark County

Vancouver Home and Community Services Office
800 N.E. 136th Avenue
Suite 220
Vancouver, WA 98684
Phone (360) 397-9500
Alt. Phone 1-800-280-0586
TTY (360) 750-4079
Fax (360) 992-7949

Columbia County

Aging and Disability Resource Center
410 East Main
Dayton, WA 99328
Web site <http://www.altcWashington.com/>
Phone (509) 382-4787

Cowlitz County

Kelso Home and Community Services Office
711 Vine Street
Kelso, WA 98626
Phone (360) 501-2500
Alt. Phone 1-800-605-7322
TTY (360) 577-7591
Fax (360) 578-4106

Douglas County

Wenatchee Home and Community Services Office
50 Simon Street S.E.
Suite B
East Wenatchee, WA 98802
Phone (509) 886-6140
Alt. Phone 1-800-670-8874
Fax (509) 886-6221

Ferry County

Republic Home and Community Services Office
89 East Delaware
Republic, WA 99166
Phone (509) 775-2227
Alt. Phone 1-888-437-0516
TTY (509) 775-2661
Fax (509) 775-2401

Franklin County

Franklin County Commissioners Office
1016 North 4th Avenue
Pasco, WA 99301
Phone (509) 545-3535

Garfield County

Garfield County District Court
789 West Main Street
P.O. Box 817 or 819
Pomeroy, WA 99347
Phone (509) 843-1002

Grant County

Moses Lake Home and Community Services Office
1651 South Pilgrim Street
Moses Lake, WA 98837
Phone (509) 764-5657
Alt. Phone 1-800-671-8902

TTY 1-800-833-6388
Fax (509) 764-5656

Grays Harbor County

Aberdeen Home and Community Services Office
415 West Wishkah Street
Suite A2
Aberdeen, WA 98520
Phone (360) 533-9222
Alt. Phone 1-800-487-0119
TTY (360) 533-9730
Fax (360) 533-9782

Island County

Oak Harbor Home and Community Services Office
900 East College Way
Suite 210
Mt. Vernon, WA 98273
Phone (360) 429-2961
Alt. Phone 1-866-608-0836
Fax (360) 429-2958

Jefferson County

Port Townsend Home and Community Services Office
915 Sheridan Street
Suite 201
Port Townsend, WA 98368
Phone (360) 379-4326
Alt. Phone 1-800-280-9991
Fax (360) 344-4600

King County

King County Home and Community Services Office
1737 Airport Way South
Suite 130
P.O. Box 24847
Seattle, WA 98134
Phone (206) 341-7750
Alt. Phone 1-800-346-9257
TTY 1-800-833-6384

Kitsap County

Bremerton Home and Community Services Office
4710 Auto Center Boulevard
Bremerton, WA 98312
Phone (360) 473-2299
Alt. Phone 1-800-422-7114
TTY (360) 478-4928
Fax (360) 478-6467

Kittitas County

Ellensburg Home and Community Services Office
100 East Jackson Avenue
Suite 100
Ellensburg, WA 98926
Phone (509) 925-0433
Alt. Phone 1-800-310-4999
Fax (509) 962-7755

Klickitat County

White Salmon Home and Community Services Office
221 North Main Street
White Salmon, WA 98672

Phone (509) 493-6157
Alt. Phone 1-800-504-1180

Lewis County

Chehalis Home and Community Services Office
3451 Galvin Road
Centralia, WA 98531
Phone (360) 807-7150
Alt. Phone 1-800-487-0360
Fax (360) 330-7552

Lincoln County

Lincoln County Health Department
90 Nicholls Street
Davenport, WA 99122
Phone (509) 725-1001

Mason County

Shelton Home and Community Services Office
2505 Olympic Highway North
Suite 440
Shelton, WA 98584
Phone (360) 664-9050
Alt. Phone 1-800-462-4957
Fax (360) 432-2045

Okanogan County

Omak Home and Community Services Office
130 South Main
Omak, WA 98841
Phone (509) 846-2103
Alt. Phone 1-888-437-0529
TTY (509) 826-7389
Fax (509) 826-7439

Pacific County

South Bend Home and Community Services Office
307 East Robert Bush Drive
P.O. Box 87
South Bend, WA 98586
Phone (360) 875-4222
Alt. Phone 1-800-458-3747
Fax (360) 875-0590

Pend Oreille County

Newport Home and Community Services Office
1600 West First Avenue
Newport, WA 99156
Phone (509) 447-6223
Alt. Phone 1-888-437-0516
Fax (509) 447-5256

Pierce County

Tacoma Home and Community Services Office
1949 South State Street
Tacoma, WA 98405
Phone (253) 476-7200
Alt. Phone 1-800-442-5129
TTY (253) 593-5471
Fax (253) 597-4161

San Juan County

San Juan County Health Services
145 Rhone Street

Friday Harbor, WA 98250
Phone (360) 378-4474
Fax (360) 378-7036

Skagit County

Mount Vernon Home and Community Services Office
900 East College Way
Suite 210
Mt. Vernon, WA 98273
Phone (360) 429-2961
Alt. Phone 1-866-608-0836
Fax (360) 416-7401

Skamania County

Stevenson Home and Community Services Office
266 S.W. Second Street
P.O. Box 817
Stevenson, WA 98648
Phone (509) 427-5611
Alt. Phone 1-800-505-4203
Fax (509) 427-4604

Snohomish County

Smokey Point Home and Community Services Office
3906 172nd Street N.E.
Suite 101
Arlington, WA 98223
Phone (360) 651-6800
Alt. Phone 1-800-827-2984
Fax (360) 651-6832

Spokane County

Spokane Home and Community Services Office
1330 North Washington Street
Suite 3000
Spokane, WA 99201
Phone (509) 568-3700
Alt. Phone 1-800-459-0421
TTY (509) 568-3697
Fax (509) 568-3771

Stevens County

Colville Home and Community Services Office
1100 South Main
Colville, WA 99114
Phone (509) 685-5644
Alt. Phone 1-800-437-0516
Fax (509) 684-7430

Thurston County

Tumwater Home and Community Services Office
6639 Capitol Boulevard S.W.
Tumwater, WA 98512
Phone (360) 664-9050
Alt. Phone 1-800-462-4957
TTY (360) 407-1678
Fax (360) 664-9107

Wahkiakum County

Health and Human Services
42 Elochoman Valley Road
Cathlamet, WA 98612

Phone (360) 795-8630
Alt. Phone 1-800-635-5989

Walla Walla County

Walla Walla Home and Community Services Office
206 West Poplar
Walla Walla, WA 99362
Phone (509) 524-4960
Alt. Phone 1-800-310-5678
Fax (509) 527-4142

Whatcom County

Bellingham Home and Community Services Office
600 Lakeway Drive
Bellingham, WA 98225
Phone (360) 756-5750
Alt. Phone 1-800-239-8292
Fax (360) 676-2239

Whitman County

Colfax Home and Community Services Office
418 South Main Street
Suite 3
Colfax, WA 99111
Phone (509) 397-5091
Alt. Phone 1-800-459-0421
Fax (509) 397-4323

Yakima County

Yakima Home and Community Services Office
1002 North 16th Avenue
Yakima, WA 98902
Phone (509) 225-4400
Alt. Phone 1-800-822-2097
Fax (509) 575-2286

WSR 17-09-007

**NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE**

(Invasive Species Council)

[Filed April 6, 2017, 9:19 a.m.]

The Washington invasive species council (WISC) is changing the **location** of the regular quarterly meeting scheduled for June 8, 2016:

FROM: June 8, 2017, from 9:00 a.m. to 3:00 p.m.

Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA 98501.

TO: June 8, 2017, from 9:00 a.m. to 3:00 p.m.

Stillaguamish Tribe of Indians Natural Resources Department Meeting Room, 22712 6th Avenue N.E., Arlington, WA 98223.

For further information, please contact Justin Bush, 1111 Washington Avenue [Street] S.E., P.O. Box 40917, Olympia, WA 98504-0917, justin.bush@rco.wa.gov, phone (360) 902-3088, fax (360) 902-3026.

Meeting information is available at the WISC web site www.InvasiveSpecies.wa.gov. WISC schedules all public meetings at barrier free sites. Persons who need special assis-

tance may contact Leslie Frank at (360) 902-0220 or email leslie.frank@rco.wa.gov.

WSR 17-09-011
RULES COORDINATOR
SHORELINE COMMUNITY COLLEGE

[Filed April 6, 2017, 11:08 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for Shoreline Community College is Veronica Zura, 16101 Greenwood Avenue North, Shoreline, WA 98133, phone (206) 546-7858, fax (206) 546-5850, email vzura@shoreline.edu.

Cheryl Roberts
 President

WSR 17-09-012
NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE

[Filed April 7, 2017, 9:52 a.m.]

Pursuant to RCW 42.30.080, Olympic College hereby gives notice that a special meeting of the board of trustees of Olympic College, District Three, will be held on Thursday, April 13, 2017, at 5:00 p.m. at Olympic College in the CSC Building, Room 521. The board will be meeting with the consultant to advise the board of trustees through the presidential search process.

WSR 17-09-016
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
JUDICIAL CONDUCT

[Filed April 7, 2017, 3:05 p.m.]

The commission on judicial conduct (CJC) will hold its 2017 business meetings at 11:00 a.m. on the following dates at Crowne Plaza Hotel, 17338 International Boulevard, SeaTac, WA 98188. Additional information can be obtained by calling (360) 753-4585 or visiting the CJC's web site at www.cjc.state.wa.us.

- Friday, February 24, 2017*
- Friday, May 12, 2017
- Friday, July 14, 2017
- Friday, September 29, 2017
- Friday, December 8, 2017

*The CJC's Friday, February 24, 2017, business meeting will be at Cedarbrook Lodge, 18525 36th Avenue South, Seattle, WA 98188, at 1 p.m. The CJC's 2017 education session will be at this location also on Saturday, February 25, 2017, starting at 9 a.m.

WSR 17-09-019
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION

[Filed April 11, 2017, 8:41 a.m.]

The following date, time and location is for the May 25, 2017, commission meeting: Washington State Human Rights Commission, Commission Meeting and Community Meeting, on May 25, 2017, at 5:30 p.m. to 8:00 p.m., 2600 North 20th Avenue, Building L, Room L-102, Pasco, WA 99301.

WSR 17-09-026
AGENDA
DEPARTMENT OF
ENTERPRISE SERVICES

[Filed April 12, 2017, 12:31 p.m.]

Following is the department of enterprise services' semi-annual rules development agenda for publication in the Washington State Register. This list identifies rules that are under active development and rules that the agency anticipates starting some rule-making action on during the next six months.

This agenda also is available at www.des.wa.gov/about/LawsRules. The information on the website is continually updated as rule-making notices are filed. If rule-making activities are started that are not listed on this agenda or listed rule-making activities are stopped, that information also will be posted.

If you have questions about this agenda, email jack.zeigler@des.wa.gov or phone (360) 407-9209.

Semi-Annual Rule-Making Agenda
January 1 through June 30, 2017

WAC Citation	Subject Matter/ Purpose of Rule	Current Activity/ Approximate Filing Date
Chapter 200-305 WAC, Debarment fines	Amend rules to implement SHB 1447 by establishing the process to fine a contractor when a finding for cause is made.	WSR 15-18-112 (CR-101) filed September 2, 2015. CR-101 cancelled. WSR 17-17-137 (CR-101) filed March 22, 2017. Anticipate filing proposed rules (CR-102) in May 2017.
Chapter 200-110 WAC, Local government self-insurance health and welfare program	Amend rules in order to resolve incorrect references, address other statutory impacts, and add rigor to solvency requirements.	WSR 17-17-138 (CR-101) filed March 22, 2017. Anticipate filing proposed rules (CR-102) in May 2017.

WSR 17-09-027

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Midwifery Advisory Committee)**

[Filed April 12, 2017, 1:00 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedures [Procedure] Act (chapter 34.05 RCW), the following is the revised schedule of regular meetings for the department of health, midwifery advisory committee, for the year 2017. The midwifery advisory committee meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via listserv and the department of health web site (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the midwifery advisory committee reserves the right to change or amend agendas at the meeting.

Date	Time	Location
March 7, 2017	9 a.m.	Department of Health Creekside Two at CenterPoint 20425 72nd Avenue South Suite 310 Room 306 Kent, WA 98032
June 6, 2017	9 a.m.	Department of Health Creekside Two at CenterPoint 20425 72nd Avenue South Suite 310 Room 309 Kent, WA 98032
September 12, 2017	9 a.m.	Department of Health Creekside Two at CenterPoint 20425 72nd Avenue South Suite 310 Room 306 Kent, WA 98032
December 5, 2017	9 a.m.	Department of Health Creekside Two at CenterPoint 20425 72nd Avenue South Suite 310 Room 306 Kent, WA 98032

If you need further information, please contact Kathy Weed, Program Manager, Washington Department of Health, Midwifery Advisory Committee, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4883, fax (360) 236-2901, email kathy.weed@doh.wa.gov, web www.doh.wa.gov.

Please be advised the midwifery advisory committee is required to comply with the Public Disclosure [Records] Act, chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the board, including personal information, may ultimately be subject to disclosure as a public record.

WSR 17-09-037

**NOTICE OF PUBLIC MEETINGS
LIQUOR AND CANNABIS
BOARD**

[Filed April 13, 2017, 1:23 p.m.]

**Special Meeting Notice
April 18, 2017**

SPECIAL MEETING on April 18, 2017, at 2:30 p.m. to 4:00 p.m., at the Board Office, Liquor and Cannabis Board (LCB) Headquarters, 3000 Pacific Avenue S.E., Olympia, WA 98501.

2:30 p.m., EXECUTIVE SESSION, board members will meet to interview candidates for executive assistant position.

SPECIAL MEETING ATTENDEES: Chair Jane Rushford, Member Ollie Garrett, Member Russ Hauge, Cindy Doughty, Board Administrative Assistant.

Please note - meeting agendas are subject to change to accommodate LCB business needs.

Meeting information is available online <http://lcb.wa.gov/boardmeetings/boardmeetings>.

WSR 17-09-044

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed April 17, 2017, 9:26 a.m.]

Notice of Interpretive or Policy Statement

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services (DSHS).

Developmental Disabilities Administration (DDA)

Document Title: Public Comment Notice for Proposed Developmental Disabilities Administration HCBS Waiver Amendment.

Subject: Individual and family services HCBS waiver amendment #2 is available for thirty days of public comment from May 3, 2017, to June 3, 2017.

Effective Date: May 3, 2017.

Document Description: DDA within DSHS, in cooperation with the health care authority (agency), is posting for thirty days of public comment a second amendment for the individual and family services waiver. The amendment proposes changes to: Service names, service definitions, provider qualifications, and performance measures. Amendment removes specialized nutrition and adds service providers. The amendment is available at <https://www.dshs.wa.gov/dda/2017-draft-waiver-amendments>.

To receive a copy of the interpretive or policy statements, contact Bob Beckman, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 407-1555, TDD/TTY 711 or 1-800-833-6388, fax (360) 407-0955, email bob.beckman@dshs.wa.gov, web site <https://www.dshs.wa.gov/dda>.

WSR 17-09-045
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGES
OF SPOKANE

[Filed April 17, 2017, 11:04 a.m.]

The board of trustees of Washington State Community College District 17 (Community Colleges of Spokane) has changed the location for its October 17, regular meeting:

From: Tuesday, October 17, 2017, at 8:30 a.m., at the Pullman Center, 1125 N.E. Washington Street, Pullman, WA.

To: Tuesday, October 17, 2017, at 8:30 a.m., at the Newport Center, 501 North Newport Avenue, Newport, WA.

If you need further information contact Linda Graham, Community Colleges of Spokane, 501 North Riverpoint Boulevard, Spokane, WA 99217, phone (509) 434-5006, fax (509) 434-5025, email linda.graham@ccs.spokane.edu.

WSR 17-09-070
NOTICE OF PUBLIC MEETINGS
LIQUOR AND CANNABIS
BOARD

[Filed April 18, 2017, 12:34 p.m.]

Special Meeting Notice
April 19, 2017

SPECIAL MEETING on April 19, 2017, at 11:00 a.m. to 12:00 p.m., at the Board Office, Liquor and Cannabis Board Headquarters, 3000 Pacific Avenue S.E., Olympia, WA 98501.

11:00 a.m., EXECUTIVE SESSION, board members will meet to interview candidates for executive assistant position.

WSR 17-09-080
DEPARTMENT OF AGRICULTURE

[Filed April 19, 2017, 9:29 a.m.]

2017 Petitions for Rule Making

The following information is being sent in order to implement RCW 1.08.112 (1)(g) and WAC 1-21-180. The Washington state department of agriculture received two petitions for rule making during the first quarter of 2017.

Date	Requestor	Subject
1ST QUARTER (JANUARY THROUGH MARCH)		
3/8/2017	Gary R. Cox, Vigeron-Cox Canyon Vineyards and Ellensburg Canyon Winery, LLC	Amend chapter 16-232 WAC by expanding the restrictions for 2,4-D use in Kittitas County.

Date	Requestor	Subject
3/9/2017	Washington hop commission	Amend chapter 16-532 WAC (their marketing order) by increasing the assessment and clarifying definitions.

WSR 17-09-090
INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE

[Filed April 19, 2017, 10:56 a.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue has issued the following excise tax advisory (ETA):

ETA 3200.2017 - Use Tax on Tangible Personal Property Temporarily Used in Washington for Business Purposes

This ETA addresses how to determine liability for use tax on tangible personal property temporarily brought into Washington for business purposes on multiple occasions.

A copy of this document is available via the internet at [Rule and Tax Advisory Adoptions and Repeals](#).

Kevin Dixon
 Tax Policy Manager
 Rules Coordinator

WSR 17-09-091
INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE

[Filed April 19, 2017, 10:59 a.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue has issued the following excise tax advisory (ETA):

ETA 3201.2017 - Disclosure of Confidential Taxpayer Information at the Board of Tax Appeals or a Court

This ETA addresses the department of revenue's policy and process with respect to the disclosure of confidential taxpayer information when such disclosure is required by the board of tax appeals or a court in the context of a hearing or trial.

A copy of this document is available via the internet at [Rule and Tax Advisory Adoptions and Repeals](#).

Kevin Dixon
 Tax Policy Manager
 Rules Coordinator

WSR 17-09-092
NOTICE OF PUBLIC MEETINGS
LOTTERY COMMISSION
 [Filed April 19, 2017, 11:02 a.m.]

Meeting Dates and Locations
2017

Work session meetings will start at 8:30 a.m. Formal meetings will follow the work session after a short break.

February 16, 2017	Washington Association of Sheriffs and Police Chiefs Training Room 3060 Willamette Drive N.E. Lacey, WA 98516	Olympia, Washington
April 27, 2017	Washington Association of Sheriffs and Police Chiefs Training Room 3060 Willamette Drive N.E. Lacey, WA 98516	Olympia, Washington
June 22, 2017	Washington Association of Sheriffs and Police Chiefs Training Room 3060 Willamette Drive N.E. Lacey, WA 98516	Olympia, Washington
August 23 and 24, 2017	Icicle Village Resort 505 Highway 2	Leavenworth, Washington
October 26, 2017	Lottery Headquarters Drawing Studio	Olympia, Washington
December 14, 2017	Lottery Headquarters Drawing Studio	Olympia, Washington

WSR 17-09-093
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed April 19, 2017, 11:04 a.m.]

Prevailing Rate of Wage Corrections - Electricians - Power Line Construction and Power Line Clearance Tree Trimmers in all Washington State Counties

Pursuant to RCW 39.12.015, 39.12.020 and WAC 296-127-011, on April 13, 2017, the industrial statistician made a correction to the prevailing rates of wage. The corrected rates will become effective thirty days from the publication on May 13, 2017.

The prevailing wage program has made a wage rate correction to the trades electricians - power line construction and power line clearance tree trimmers. The correction will affect all Washington state counties.

For more information on prevailing wage or a copy of the rates, please visit www.lni.wa.gov/TradesLicensing/PrevailingWage/ or call (360) 902-5335. Please see details of this correction at <https://fortress.wa.gov/lni/wagelookup/correctionpublication.aspx?PubCtlId=137>.

Maggie A. Leland
 Rules Coordinator