

WSR 17-14-083
RULES OF COURT
STATE SUPREME COURT

[June 28, 2017]

IN THE MATTER OF THE ADOPTION ) ORDER
OF THE PROPOSED AMENDMENTS ) NO. 25700-A-1197
TO JuCR 7.7—STATEMENT ON PLEA )
OF GUILTY; CrRLJ 4.2(G)—STATE- )
MENT OF DEFENDANT ON PLEA OF )
GUILTY; AND CrRLJ 4.2(G)—"DUI" )
ATTACHMENT )

The Washington State Pattern Forms Committee, having recommended the adoption of the proposed amendments to JuCR 7.7—Statement on Plea of Guilty; CrRLJ 4.2(g)—Statement of Defendant on Plea of Guilty; and CrRLJ 4.2(g)—"DUI" Attachment, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as shown below is adopted.

(b) That the amendments will be published expeditiously in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 28th day of June, 2017.

Johnson, J. Fairhurst, C.J.
Owens, J. Wiggins, J.
Madsen, J. Gonzalez, J.
Stephens, J. Gordon McCloud, J.
Yu, J.

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

SUPERIOR COURT OF WASHINGTON COUNTY
OF
JUVENILE COURT

STATE OF WASHINGTON
v.
Respondent

NO:
STATEMENT ON PLEA OF GUILTY (STJOPG)

[ ] LOCAL SANCTIONS:

Table with 6 columns: COUNT, SUPERVISION, COMMUNITY RESTITUTION, FINE, DETENTION, RESTITUTION. Rows 1-3.

I understand that, if community supervision is imposed, I will be required to comply with various rules, which could include school attendance, curfew, law abiding behavior, associational restrictions, counseling, treatment, urinalysis, and/or other con-

1. My true name is:
I am also known as:
2. My age is. Date of Birth:
3. I have been informed and fully understand that I have the right to a lawyer, and that if I cannot afford to pay for a lawyer, the judge will provide me with one at no cost. I understand that a lawyer can look at the social and legal files in my case, talk to the police, probation counselor, and prosecuting attorney, tell me about the law, help me understand my rights, and help me at trial.

4. I understand that I am charged with Count 1
the elements of which are
Count 2
the elements of which are

And I have been given a copy of the charge(s).

5. I UNDERSTAND I HAVE THE FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM ALL UP BY PLEADING GUILTY:

- a. I have the right to a speedy and public trial in the county where the offense(s) allegedly occurred.
b. I have the right to remain silent before and during trial, and I need not testify against myself.
c. I have the right to hear and question witnesses who might testify against me.
d. I have the right to testify and to have witnesses testify for me. These witnesses may be required to appear at no cost to me.
e. I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty.
f. I have the right to appeal a finding of guilt after trial.

6. I have been informed that in order to determine an appropriate sentence regarding the charges to which I plead guilty in this matter, the judge will take into consideration my criminal history, which is as follows:

- a.
b.
c.
d.
e.
f.

7. The Standard Sentencing Range, which was calculated using my criminal history as referenced in Paragraph 6, above, is as follows:

ditions deemed appropriate by the judge. Failure to comply with the conditions of supervision could result in a violation being found and further confinement imposed for the violation up to 30 days.

In addition to these conditions, the court will order me to perform up to 7 hours of community restitution per offense involving a victim who suffered bodily injury or death and that is not a most serious offense as defined by RCW 9.94A.030, or a sex offense under RCW Chapter 9.44. I must perform this community restitution consecutively to any other community restitution imposed for the offense. RCW 7.68.035, 7.68.020.

JUVENILE REHABILITATION ADMINISTRATION (JRA) COMMITMENT:

COUNT	WEEKS AT JUVENILE REHABILITATION ADMINISTRATION (JRA) FACILITY	RESTITUTION
<input type="checkbox"/> 1	<input type="checkbox"/> 15 - 36 <input type="checkbox"/> 30 - 40 <input type="checkbox"/> 52 - 65 <input type="checkbox"/> 80 - 100 <input type="checkbox"/> 103 - 129 <input type="checkbox"/> 180 - Age 21	<input type="checkbox"/> As required <input type="checkbox"/> ___
<input type="checkbox"/> 2	<input type="checkbox"/> 15 - 36 <input type="checkbox"/> 30 - 40 <input type="checkbox"/> 52 - 65 <input type="checkbox"/> 80 - 100 <input type="checkbox"/> 103 - 129 <input type="checkbox"/> 180 - Age 21	<input type="checkbox"/> As required <input type="checkbox"/> ___
<input type="checkbox"/> 3	<input type="checkbox"/> 15 - 36 <input type="checkbox"/> 30 - 40 <input type="checkbox"/> 52 - 65 <input type="checkbox"/> 80 - 100 <input type="checkbox"/> 103 - 129 <input type="checkbox"/> 180 - Age 21	<input type="checkbox"/> As required <input type="checkbox"/> ___

I understand that, if I am committed to a Juvenile Rehabilitation Administration (JRA) facility, following my release I may be required to comply with a program of parole for a number of months. I understand that if placed on parole, I will be under the supervision of a parole officer. The conditions of parole will restrict my actions and may require me to participate in activities and programs including, but not limited to, evaluation, treatment, education, employment, community restitution, electronic monitoring, urinalysis, and, if I am adjudicated of certain offenses, a program applicable to juvenile firearm offenders. Failure to comply with the conditions of parole may result in parole revocation and further confinement. If the offense to which I am pleading guilty is a sex offense, failure to comply with the conditions of parole may result in further confinement of up to 24 weeks.

In addition to these conditions, the court will order me to perform up to 7 hours of community restitution per offense involving a victim who suffered bodily injury or death and which is **not** a most serious offense as defined by RCW 9.94A.030, or a sex offense under RCW Chapter 9.44. I must perform this community restitution consecutively to any other community restitution imposed for the offense. RCW 7.68.035, .020.

I understand that if I am pleading guilty to two or more offenses, the disposition terms shall run consecutively (one term after the other) subject to the limitations in RCW 13.40.180.

I understand that if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding.

8. RIGHT TO APPEAL SENTENCE: I understand, that the judge must impose a sentence within the standard range, unless the judge finds by clear and convincing evidence that the standard range sentence would amount to a manifest injustice. If the judge goes outside the standard range, either the state or I can appeal that sentence. If the sentence is within the standard range, no one can appeal the sentence.

9. MAXIMUM PUNISHMENT: I have been informed, and fully understand, that the maximum punishment I can receive is commitment until I am 21 years old, but that I may be incarcerated for no longer than the adult maximum sentence for this offense.

10. COUNTS AS CRIMINAL HISTORY: I understand that my plea of guilty and the judge's acceptance of my plea will become part of my criminal history. I understand that if I am pleading guilty to two or more offenses that arise out of the

same course of conduct, only the most serious offense will count as an offense in my criminal history. I understand that my guilty plea will remain part of my criminal history when I am an adult and may affect my ability to remain in the Juvenile Justice System should I re-offend. I understand that the judge will consider my criminal history when sentencing me for any offense that I commit in the future as an adult or juvenile.

11. GROUNDS FOR DEPORTATION: If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law may be grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

12. NOTIFICATION RELATING TO SPECIFIC CRIMES: IF ANY OF THE FOLLOWING PARAGRAPHS DO NOT APPLY, THEY SHOULD BE STRICKEN AND INITIALED BY THE DEFENDANT AND THE JUDGE.

[A] SUSPENSION/REVOCAION OF DRIVING PRIVILEGE: I have been informed that the Department of Licensing will be notified and my privilege to drive suspended or revoked:

**Over 13 & Alcohol, Drugs, UPFA <18, or Armed with F/A (not first offense):** (1) If the court finds me guilty of one of the following offenses and I was 13 years or older at the time I committed the offense: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA <18 RCW 9.41.040 (2)(iv); and/or, an offense while Armed with a Firearm RCW 13.40.196; AND, (2) I have a prior offense for the same offense. See, RCW 13.40.265.

**UPFA or Armed During Offense In Which Vehicle was Used (with priors):**

(1) If the court finds me guilty of one of the following offenses: UPFA 1 or 2 under RCW 9.41.040; and/or an offense while Armed with a Firearm RCW 13.40.196 during which the court found a motor vehicle served an integral function during the offense; AND, (2) I previously committed one or more of the following offenses: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA under RCW 9.41.040; and/or an offense while Armed with a Firearm RCW 13.40.196. See, RCW 9.41.040(5).

**Certain Motor Vehicle Offenses:** If the court finds me guilty of one of the following offenses: DUI; Physical Control; DWLS 1 & 2; Vehicular Assault/Homicide; Hit & Run Attended; Reckless Driving; any felony which a vehicle used in commission (except TMVOOP2 where the court finds I was a passenger only in committing the offense); False Statements under RCW 46; Felony Elude; Unattended Child in

Running Vehicle (2nd or subsequent conviction); Reckless Endangerment of Road Workers; and/or Theft of Motor Vehicle Fuel. See, RCW 46.20.285, 46.61.5055(9), 46.20.342(2), 46.61.524, 46.52.020(6), 46.61.500(2), 46.61.024(3), 46.61.685(2), 46.61.527(5), 46.61.740(2), and, 46.20.270.

[B] OFFENDER REGISTRATION FOR SEX OFFENSE OR KIDNAPPING OFFENSE: Because this crime involves a sex offense, or a kidnapping offense involving a minor as defined in RCW 9A.44.128, I will be required to register where I reside, study, or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.

[C] DNA TESTING: Pursuant to RCW 43.43.754, if this crime involves a felony, or an offense which requires sex or kidnapping offender registration, or any of the following offenses: stalking, harassment, communication with a minor for immoral purposes, assault in the fourth degree where domestic violence was pled and proven, assault in the fourth degree with sexual motivation, custodial sexual misconduct in the second degree, failure to register as a sex or kidnapping offender, patronizing a prostitute, sexual misconduct with a minor in the second degree, or violation of a sexual assault protection order, I will be required to have a biological sample collected for purposes of DNA identification analysis. This paragraph does not apply if it is established that the Washington State Patrol crime laboratory already has a sample from me for a qualifying offense.

[D] HIV TESTING: If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus. RCW 70.24.340.

[E] \$100 CVC Fee for Most Serious or sex Offense: I understand that if I am pleading guilty to a most serious offense as defined by RCW 9.94A.030 and/or a sex offense under RCW Chapter 9A.44, I will be required to pay a mandatory Crime Victim's Compensation Fee of \$100. RCW 7.68.035.

[F] SCHOOL NOTIFICATION: If I am enrolled in a common school, the court will notify the principal of my plea of guilty if the offense for which I am pleading guilty is a violent offense as defined in RCW 9.94A.030; a sex offense as defined in RCW 9.94A.030; inhaling toxic fumes under chapter 9.47A RCW; a controlled substance violation under chapter 69.50 RCW; a liquor violation under RCW 66.44.-270; or any crime under chapters 9.41, 9A.36, 9A.40, 9A.46, and 9A.48 RCW. RCW 13.04.155.

[G] SCHOOL ATTENDANCE WITH VICTIM PROHIBITED: I understand that if I am pleading guilty to a sex offense, I will not be allowed to attend the school attended by the victim or victim's siblings. RCW 13.40.160.

[H] FEDERAL BENEFITS: I understand that if I am pleading guilty to a felony drug offense, my eligibility for state and federal food stamps and welfare will be affected.

21 U.S.C. § 862a.

[I] MANDATORY MINIMUM SENTENCE: The crime of \_\_\_\_\_ has a mandatory minimum sentence of at least \_\_\_\_\_ weeks of total confinement. The law does not allow any reduction of this sentence.

[J] RIGHT TO POSSESS FIREARMS: [JUDGE MUST READ THE FOLLOWING TO OFFENDER] I have been informed that if I am

pleading guilty to any offense that is classified as a felony or any of the following crimes when committed by one family or household member against another: assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence; that I may not possess, own, or have under my control any firearm, and under federal law any firearm or ammunition, unless my right to do so has been restored by the court in which I am adjudicated or the superior court in Washington State where I live, and by a federal court if required.

[K] FIREARMS POSSESSION OR COMMISSION WHILE ARMED:

[i] Minimum 10 Days for Possession under Age 18: I understand that the offense I am pleading guilty to includes possession of a firearm in violation of RCW 9.41.040 (2)(a)(iii), and pursuant to RCW 13.40.193, the judge will impose a mandatory minimum disposition of 10 days of confinement, which must be served in total confinement without possibility of release until a minimum of 10 days has been served.

[ii] Unlawful Possession with Stolen Firearm: I understand that if the offenses I am pleading guilty to include both a conviction under RCW 9.41.040 for unlawful possession of a firearm in the first or second degree and one or more convictions for the felony crimes of theft of a firearm or possession of a stolen firearm, that the sentences imposed for these crimes shall be served consecutively to each other. A consecutive sentence will also be imposed for each firearm unlawfully possessed.

[iii] Armed during Commission of Any Offense: I understand that if the offense I am pleading guilty to includes a finding that either I or my accomplice was armed with a firearm during the commission of the offense, that the standard range disposition shall be determined pursuant to RCW 13.40.160, unless the judge finds a manifest injustice, in which case the disposition shall be determined pursuant to RCW 13.40.193(3). Such confinement will run consecutive to any other sentence that may be imposed.

[iv] Armed during Commission of a Felony: I further understand that the offense I am pleading guilty to includes a finding that either myself or my accomplice was armed with a firearm during the commission of a felony (other than possession of a machine gun, possession of a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first or second degree, or use of a machine gun in a felony) and, therefore, the following mandatory periods of total confinement will be added to my sentence: For a class A felony, six months; for a class B felony, four months; and for a class C felony, two months. Such confinement will run consecutive to any other sentence that may be imposed.

[v] Unlawful Possession of a Firearm in the 1st or 2nd degree. I understand that if I am pleading guilty to Unlawful Possession of a Firearm in the 1st or 2nd degree, I must participate in a "qualifying program" unless there is no such program available or the court makes a written finding based on the juvenile court risk assessment that participation in the program would not be appropriate. A qualifying program means an aggression replacement training program, a func-

tional family therapy program, or another cost-beneficial, evidence, or research based approved program applicable to the juvenile firearm offender population.

[L] FELONY FIREARM OFFENDER REGISTRATION: I am subject to court ordered felony firearm offender registration pursuant to RCW 9.41.330. The specific registration requirements are in the "Felony Firearm Offender Registration" Attachment.

13. I understand that the prosecuting attorney will make the following recommendation to the judge:

\_\_\_\_\_

14. I understand that the probation counselor will make the following recommendation to the judge:

\_\_\_\_\_

15. Although the judge will consider recommendations of the prosecuting attorney and the probation officer, the judge may impose any sentence he or she feels is appropriate, up to the maximum allowed by law.

16. The judge has asked me to state in my own words what I did that makes me guilty of this crime. This is my statement:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[ ] Instead of making a statement, I agree that the judge may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

17. I plead guilty to count \_\_\_ in the \_\_\_ Information. I have received a copy of that Information.

18. I make this plea freely. No one has threatened to harm me or anyone else to get me to plead guilty.

19. No one has made any promises to make me plead guilty, except as written in this statement.

20. I have read or someone has read to me everything printed above, and in Attachment "A," if applicable, and I understand it in full. I have been given a copy of this statement. I have no more questions to ask the judge.

Dated: \_\_\_\_\_

Respondent

I have read and discussed this statement with the respondent and believe that the respondent is competent and fully understands the statement.

Deputy Prosecuting Attorney

WSBA No.

Attorney for Respondent

WSBA No.

Type or Print Name

Type or Print Name

JUDGE'S CERTIFICATE

The foregoing statement was signed by the respondent in open court in the presence of his or her lawyer and the undersigned judge. The respondent asserted that [check appropriate box]:

- (a) The respondent had previously read the entire statement above and that the respondent understood it in full;
- (b) The respondent's lawyer had previously read to him or her the entire statement above and that the respondent understood it in full; or
- (c) An interpreter had previously read to the respondent the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is attached.

INTERPRETER'S DECLARATION: I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret, in the \_\_\_\_\_ language, which the respondent understands. I have interpreted this document for the respondent from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) \_\_\_\_\_, (state) \_\_\_\_\_, on (date) \_\_\_\_\_.

Interpreter

Print Name

I find the respondent's plea of guilty is knowingly, intelligently, and voluntarily made. Respondent understands the charge and the consequences of the plea. There is a factual basis for the plea. The respondent is guilty as charged.

Dated: \_\_\_\_\_

Judge/Commissioner

<b>Court of Washington</b>		<b>No.</b>	<b>Statement of Defendant on Plea of Guilty</b>
<b>for</b>			
_____			Plaintiff,
v.			
_____			Defendant.

1. My true name is \_\_\_\_\_.
2. My age is \_\_\_\_\_.
3. The last level of education I completed was: \_\_\_\_\_.
4. ***I Have Been Informed and Fully Understand that:***

(a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me.

(b) I am charged with:

Count	Crime	RCW or Ordinance (with subsection)
1.		
2.		
3.		
4.		

In count(s) \_\_\_\_\_, the defendant committed the offense against another family or household member as defined in RCW 10.99.020.

The elements are:

as set out in the charging document.

as follows: \_\_\_\_\_

***5. I Understand That I Have the Following Important Rights, and I Give Them All Up by Pleading Guilty:***

(a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;

(b) The right to remain silent before and during trial, and the right to refuse to testify against myself;

(c) The right at trial to hear and question the witnesses who testify against me;

(d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

(e) I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;

(f) The right to appeal a finding of guilt after a trial.

***6. In Considering the Consequences of My Guilty Plea, I Understand That:***

(a) My right to appeal is limited.

(b) The crime with which I am charged carries a maximum sentence of \_\_\_\_\_ days in jail and a \$ \_\_\_\_\_ fine.

(c) The prosecuting authority will make the following recommendation to the judge:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

(d) The judge does not have to follow anyone's recommendation as to sentence. The judge can give me any sentence up to the maximum authorized by law no matter what the prosecuting authority or anyone else recommends.

(e) The judge may place me on probation for up to five (5) years if I am sentenced for a domestic violence offense or under RCW 46.61.5055, or up to two (2) years for all other offenses and impose conditions of probation. If the court orders me to appear at a hearing regarding my compliance with probation and I fail to attend the hearing, the term of probation will be tolled until I appear before the court on the record.

(f) The judge may require me to pay costs, fees and assessments authorized by law. The judge may also order me to make restitution to any victims who lost money or property as a result of crimes I committed. The maximum amount of restitution is double the amount of the loss of all victims or double the amount of my gain.

(g) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law may be grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

***Notification Relating to Specific Crimes: If any of the Following Paragraphs Apply, the Box Should Be Checked and the Paragraph Initialed by the Defendant.***

(h) The crime of \_\_\_\_\_ has a mandatory minimum sentence of \_\_\_\_\_ days in jail and \$ \_\_\_\_\_ fine plus costs and assessments. The law does not allow any reduction of this sentence.

(i) The crime of prostitution, indecent exposure, permitting prostitution and patronizing a prostitute has a mandatory assessment of \$ \_\_\_\_\_. The court may reduce up to two-thirds of this assessment if the court finds that I am not able to pay the assessment. RCW 9A.88.120.

(j) If this crime involves patronizing a prostitute, a condition of my sentence will be that I not be subsequently arrested for patronizing a prostitute or commercial sexual abuse of a minor. The court will impose crime-related geographical restrictions on me, unless the court finds they are not feasible. If this is my first offense, the court will order me to attend a program designed to educate me about the negative costs of prostitution.

(k) If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.

(l) This plea of guilty will result in suspension or revocation of my driving license or privilege by the Department of Licensing for a minimum period of \_\_\_\_\_. DOL may impose a longer period of suspension or revocation based upon my record of conviction. This period may not include suspension or revocation based on other matters. RCW 46.61.5055(9).

[ ] (m) I understand that RCW 46.20.265 requires that my driver's license be revoked if (a) the current offense is a violation under RCW chapter 69.41 [Legend drug], 69.50 [VUCSA], or 69.52 [Imitation drugs], and I was under the age of 21 at the time of the offense OR (b) the current offense is a violation under RCW 9.41.040 (unlawful possession of firearm), and I was under the age of 18 at the time of the offense OR (c) the current offense is a violation under RCW chapter 66.44 [alcohol], and I was under the age of 18 at the time of the offense, AND if (a), (b), or (c) applies, the court finds that I previously committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW.

[ ] (n) If I am convicted under RCW 26.50.110, for a violation of a domestic violence protection order issued under chapter 26.50 RCW, the court shall impose a mandatory fine of \$15. RCW 26.50.110.

[ ] (o) I may not possess, own, or have under my control any firearm, and under federal law any firearm or ammunition, unless my right to do so is restored by the court of record that ordered the prohibition on possession of a firearm or the superior court in Washington State where I live, and by a federal court if required. I must immediately surrender any concealed pistol license.

[ ] (p) If this crime involves a violation of Title 77 RCW, the Department of Fish and Wildlife may, and in some cases shall, suspend or revoke my privileges under Fish and Wildlife licensing.

[ ] (q) If this crime involves a drug offense, my eligibility for state and federal education benefits will be affected. 20 U.S.C. § 1091(r).

[ ] (r) This plea of guilty is considered a conviction under RCW 46.25.010 and I will be disqualified from driving a commercial motor vehicle. RCW 46.25.090. I am required to notify the Department of Licensing and my employer of this guilty plea within 30 days after the judge signs this document. RCW 46.25.030.

[ ] (s) If this case involves driving while under the influence of alcohol and/or being in actual physical control of a vehicle while under the influence of alcohol and/or drugs, I have been informed and understand that I will be subject to:

[ ] the penalties described in the "DUI" Attachment or the "Washington State Misdemeanor DUI Sentencing Attachment."

OR

[ ] these penalties: Mandatory minimum sentence:

- \_\_\_\_\_ days in jail.
- \_\_\_\_\_ days of electronic home monitoring.
- \$ \_\_\_\_\_ monetary penalty.
- If 24/7 sobriety program is available, if I have 2 ~~or 3~~ prior offenses, a 6-month period of 24/7 sobriety program monitoring; or 6 months of ignition interlock device requirement; or both.
- Comply with the rules and requirements of the Department of Licensing regarding the installation and use of a functioning ignition interlock device on all motor vehicles that I operate.

• The Department of Licensing will suspend or revoke my driving privilege for the period of time stated in paragraph 6(~~kl~~).

If I have no prior offenses: Instead of the minimum jail term, the judge may order me to serve \_\_\_\_\_ days in electronic home monitoring or \_\_\_\_\_ days on 24/7 sobriety program monitoring.

If I have prior offense(s):

• ~~the~~ The judge may shall order me to submit to an expanded alcohol assessment and comply with treatment deemed appropriate by that assessment.

• If I have 1 prior offense, instead of mandatory jail and electronic home monitoring, the judge may order me to serve not less than \_\_\_\_\_ days in jail, and either \_\_\_\_\_ days of electronic home monitoring or a 120 day period of 24/7 sobriety program monitoring or a 120 day period of ignition interlock device requirement, or both. instead of mandatory electronic home monitoring, the judge may order me to serve additional jail time. If 24/7 sobriety program is available, if I have one prior offense, instead of additional jail time, the judge may order a 6-month period of 24/7 sobriety program monitoring; or 6 months ignition interlock requirement; or both.

• If I have 2 prior offenses, instead of mandatory electronic home monitoring, the judge may order me to serve additional jail time.

~~If I have no prior offenses, instead of the minimum jail term, the judge may order me to serve \_\_\_\_\_ days in electronic home monitoring or \_\_\_\_\_ days on 24/7 sobriety program monitoring.~~

If the judge orders me to refrain from consuming any alcohol, the judge may order me to submit to alcohol monitoring. I shall be required to pay for the monitoring unless the judge specifies that the cost will be paid with funds from another source.

The judge may waive electronic home monitoring or order me to obtain an alcohol monitoring device with wireless reporting technology, if that device is reasonably available, if I do not have a dwelling, telephone service, or any other necessity to operate electronic home monitoring. The judge may waive electronic home monitoring if I live out of state, or if the judge determines I would violate the terms of electronic home monitoring. If the judge waives electronic home monitoring, he or she will impose an alternative sentence which may include use of an ignition interlock device, additional jail time, work crew, work camp, or 24/7 sobriety program.

I understand that the 24/7 sobriety program is a program which requires tests of my blood, breath, urine or other bodily substances to find out if I have alcohol, marijuana, or any controlled substance in my body. Testing must take place at designated location/s. I may be required to pay the fees and costs for the program.

The judge will order as conditions of probation that I: (i) shall not drive a motor vehicle without a valid license; (ii) shall not drive a motor vehicle without proof of liability insurance or other financial responsibility; (iii) shall not drive or be in physical control of a motor vehicle with an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; (iv) shall submit to a breath or blood alco-

hol test upon the reasonable request of a law enforcement officer; (v) shall not drive a motor vehicle without a functioning ignition interlock device as required by the Department of Licensing. For each violation of the above mandatory conditions, the court shall order my confinement for a minimum of 30 days, which may not be suspended or deferred. For each incident involving a violation, the court shall suspend my license for 30 days. If I violate any one of these conditions, the court shall order me confined for no less than 30 days and my driving privilege will be suspended for 30 days.

[ ] (t) If this case involves reckless driving and the original charge was driving while under the influence of alcohol and/or being in actual physical control of a vehicle while under the influence of alcohol and/or drugs and I have one or more prior offenses, as defined in RCW 46.61.5055(14), within 7 years; or if the original charge was vehicular homicide (RCW 46.61.520) or vehicular assault (RCW 46.61.522) committed while under the influence of intoxicating liquor or any drug, I have been informed and understand that I will be subject to the penalties for Reckless Driving described in the "DUI" Attachment or the "Washington State Misdemeanor DUI Sentencing Attachment."

[ ] (u) If this case involves negligent driving in the first degree, and I have one or more prior offenses, as defined in RCW 46.61.5055(14), within 7 years, I have been informed and understand that I will be subject to the penalties for Negligent Driving - 1st Degree described in the "DUI" Attachment or the "Washington State Misdemeanor DUI Sentencing Attachment."

[ ] (v) If this case involves a conviction for operating a vehicle without an ignition interlock device under RCW 46.20.740, then my sentence will run consecutive to any sentences imposed under RCW 46.20.750, 46.61.502, 46.61.504, or 46.61.5055. RCW 46.20.740(3).

[ ] (w) If this case involves a conviction for tampering with or circumventing an ignition interlock device under RCW 46.20.750, then my sentence will run consecutive to any sentences imposed under RCW 46.20.740(3), 46.61.502, 46.61.504, 46.61.5055, 46.61.520(1) or 46.61.522 (1)(b).

[ ] (x) If this crime involves sexual misconduct with a minor in the second degree, communication with a minor for immoral purposes, or attempt, solicitation, or conspiracy to commit a sex offense, or a kidnapping offense involving a minor, as defined in RCW 9A.44.128, I will be required to register with the county sheriff as described in the "Offender Registration" Attachment.

[ ] (y) Pursuant to RCW 43.43.754, if this crime is an offense which requires sex or kidnapping offender registration, or is one of the following offenses: assault in the fourth degree where domestic violence was pled and proven, assault in the fourth degree with sexual motivation, communication with a minor for immoral purposes, custodial sexual miscon-

Date: \_\_\_\_\_

duct in the second degree, failure to register, harassment, patronizing a prostitute, sexual misconduct with a minor in the second degree, stalking, or violation of a sexual assault protection order granted under chapter 7.90 RCW, I will be required to have a biological sample collected for purposes of DNA identification analysis, unless it is established that the Washington State Patrol crime laboratory already has a sample from me for a qualifying offense.

[ ] (z) **Travel Restrictions:** I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if I am placed on probation for one year or more and this crime involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; (iv) a sexual offense that requires the offender to register as a sex offender in the sending state. I understand that I will be required to pay an application fee with my travel or transfer request.

7. I plead guilty to the crime(s) of \_\_\_\_\_ as charged in the complaint(s) or citation(s) and notice. I have received a copy of that complaint or citation and notice.

[ ] The complaint or citation and notice was orally amended and I waive filing of a written amended complaint or citation and notice.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. **Statement of Facts:** The judge has asked me to state in my own words what I did that makes me guilty of the crime(s). This is my statement (state the specific facts that support each element of the crime(s)):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[ ] I committed this crime against a family or household member as defined in RCW 10.99.020.

[ ] Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, or I have read, all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

\_\_\_\_\_  
Defendant

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

Prosecuting Authority

Defendant's Lawyer

Type or Print Name

WSBA No. Type or Print Name

WSBA No.

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer, if represented, and the undersigned judge. The defendant asserted that (check the appropriate box):

[ ] (a) The defendant had previously read; or

[ ] (b) The defendant's lawyer had previously read to him or her; or

[ ] (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full.

**Interpreter Declaration:** I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret in the \_\_\_\_\_ language, which the defendant understands. I have translated this document for the defendant from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) \_\_\_\_\_, (state) \_\_\_\_\_, on (date) \_\_\_\_\_.

Interpreter

Print Name

I find the defendant's plea of guilty to be knowingly, intelligently, and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: \_\_\_\_\_

Judge

Case Name: \_\_\_\_\_ Cause No.: \_\_\_\_\_

**"DUI" Attachment:** Driving under the influence of alcohol and/or actual physical control of a vehicle while under the influence of alcohol and/or drugs. (If required, attach to Statement of Defendant on Plea of Guilty.)

**Court - DUI Sentencing Grid (RCW 46.61.5055 as amended by statute effective ~~June 9, 2016~~ July 23, 2017)**

BAC Result < .15 or No Test Result	No Prior Offense <sup>1</sup>	One Prior Offense <sup>1</sup>	Two <del>or Three</del> Prior Offenses <sup>1</sup>
Mandatory Minimum/ Maximum Jail Time <sup>2</sup>	24 Consecutive Hours/364 Days	30/364 Days	90/364 Days
If Passenger Under 16 Mandatory Jail	Additional 24 Hours	Additional 5 Days	Additional 10 Days
EHM <sup>2</sup> or Jail Alternative <sup>2</sup>	15 Days in Lieu of Jail	60 Days Mandatory/ <del>4 Days Jail Min.</del>	120 Days Mandatory/8 Days Jail Min.
Alternative to Mandatory Jail + EHM	N/A	At least 4 Days jail +180 Days EHM <sup>2</sup>	N/A
Mandatory Minimum/ Maximum Fine <sup>3****</sup>	<del>\$940</del> 990.50/\$5,000	\$1,195 <del>245</del> .50/\$5,000	\$2,045 <del>095</del> .50/\$5,000
If Passenger Under 16 Minimum/Maximum <sup>4****</sup>	\$1,000/\$1,000-\$5,000 + assessments	\$1,000/\$2,000-\$5,000 + assessments	\$1,000/\$3,000-\$10,000 + assessments
Driver's License**	90-Day Suspension <sup>5</sup>	2-Year Revocation <sup>5</sup>	3-Year Revocation
<del>H Driver's License*</del> <del>H Device</del>	<del>DOL imposed</del>	<del>DOL imposed</del>	<del>DOL imposed.</del>
If Passenger Under 16 II Device	Additional 6 Months	Additional 6 Months	Additional 6 Months
24/7 Sobriety Program <sup>2</sup>	<del>As Ordered</del> If available	<del>As Ordered</del> If available	<del>As Ordered</del> If available
Alcohol/Drug Ed./Victim Impact or Treatment	As Ordered	As Ordered	As Ordered



<b>BAC Result &lt; .15 or No Test Result</b>	<i>No Prior Offense<sup>1</sup></i>	<i>One Prior Offense<sup>1</sup></i>	<i>Two <del>or Three</del> Prior Offenses<sup>1</sup></i>
Expanded alcohol assessment/treatment	N/A	<del>As Ordered</del> <u>Mandatory/treatment if appropriate</u>	Mandatory/treatment if appropriate
<u>II Device</u>	<u>DOL imposed in all cases.</u>		

<b>BAC Result ≥ .15 or Test Refusal</b>	<i>No Prior Offense<sup>1</sup></i>	<i>One Prior Offense<sup>1</sup></i>	<i>Two <del>or Three</del> Prior Offenses<sup>1</sup></i>
Mandatory Minimum/ Maximum Jail Time <sup>2</sup>	48 Consecutive Hours/364 Days	45/364 Days	120/364 Days
If passenger under 16 Mandatory Jail	Additional 24 Hours	Additional 5 Days	Additional 10 Days
EHM/ <u>or</u> Jail Alternative <sup>2</sup>	30 Days in Lieu of Jail	90 Days Mandatory/ <del>6 Days Jail Min.</del>	150 Days Mandatory/10 Days Jail Min.
<u>Alternative to Mandatory Jail + EHM</u>	N/A	<u>At least 6 Days Jail + 6 Months EHM<sup>2</sup></u>	N/A
Mandatory Minimum/ Maximum Fine <sup>3***</sup>	<del>\$1,195</del> <u>245</u> /\$5,000	<del>\$1,620</del> <u>670</u> /\$5,000	<del>\$2,895</del> <u>945</u> /\$5,000
If Passenger Under 16 Minimum/Maximum <sup>4***</sup>	\$1,000/\$1,000-\$5,000 + assessments	\$1,000/\$2,000-\$5,000 + assessments	\$1,000/\$3,000-\$10,000 + assessments
Driver's License <sup>**</sup>	1-Year Revocation <sup>5</sup> 2 Years if BAC refused	900-Days Revocation 3 Years if BAC refused	4-Year Revocation
<del>H</del> <u>II</u> Driver's License* <del>H</del> <u>II</u> Device	<del>DOL imposed</del>	<del>DOL imposed</del>	<del>DOL imposed</del>
If Passenger Under 16 <u>II</u> Device	Additional 6 Months	Additional 6 Months	Additional 6 Months
24/7 Sobriety Program <sup>2</sup>	<del>As Ordered</del> <u>If available</u>	<del>As Ordered</del> <u>If available</u>	<del>As Ordered</del> <u>If available</u>
Alcohol/Drug Ed./Victim Impact or Treatment	As Ordered	As Ordered	As Ordered
Expanded alcohol assessment/treatment	N/A	<u>Mandatory/treatment if appropriate</u> <del>As Ordered</del>	Mandatory/treatment if appropriate

\* See Court and Department of Licensing (DOL) Ignition Interlock Requirements, page 5.

\*\* Driver's license minimum suspension/revocation. See note 5 for exceptions. DOL may impose more.

\*\*\* Mandatory Minimum fines may be reduced, waived, or suspended if defendant is indigent, as provided by law.

**Prior Offenses:** Count all prior offenses where the arrest date of the prior offense occurred within seven years before or after the arrest date on the current offense. RCW 46.61.5055 (14)(b). "Prior offense" is defined by RCW 46.61.5055 (14)(a) to include-

- **Original Convictions for the following** (including equivalent local ordinances): (1) DUI (RCW 46.61.502); (2) Phys. Cont. (RCW 46.61.504); (3) Commercial Vehicle DUI/Phys. Cont., RCW 46.25.110; (4) Watercraft DUI, RCW 79A.60.040(2); (5) Aircraft DUI, RCW 47.68.220, committed under the influence of intoxicating liquor or any drug; (6) Nonhighway vehicle DUI, RCW 46.09.470(2); (7) Snowmobile DUI, RCW 46.10.490(2); (8) Veh. Homicide (RCW 46.61.520) or Veh. Assault (RCW 46.61.522) if either committed while under the influence; (9) Equiv. out-of-state statute for any of the above offenses.

- **Deferred Prosecution Granted for the following:** (1) DUI (RCW 46.61.502) (or equivalent local ordinance); (2) Phys. Cont. (RCW 46.61.504) (or equiv. local ordinance); (3) Neg. Driving 1st (RCW 46.61.5249, or equiv. local ord.), *if the person was originally charged with DUI or Phys. Cont. (or an equiv. local ord.), or Veh. Hom. (RCW 46.61.520) or Veh. Assault (RCW 46.61.522).* An equivalent out-of-state deferred prosecution for DUI or Phys. Cont., including a chemical dependency treatment program. If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in RCW 46.61.5055 (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing.
- **Amended Convictions for the following:** *If originally charged with DUI or Phys. Cont. or an equivalent local ordinance, or Veh. Hom. (RCW*

46.61.520) or Veh. Assault (RCW 46.61.522); but convicted of (1) Neg. Driving 1st (RCW 46.61.-5249), (2) Reckless Driving (RCW 46.61.500), (3) Reckless Endangerment (RCW 9A.36.050), (4) Equiv. out-of-state or local ordinance for the above offenses. *If originally charged with Veh. Hom. (RCW 46.61.520) or Veh. Assault (RCW 46.61.522) committed while under the influence of intoxicating liquor or any drug; but convicted of Veh. Hom. or Veh. Assault committed in a reckless manner or with the disregard for the safety of others. If originally charged with Watercraft DUI (RCW 79A.60.-040(2); but convicted of Operating a Watercraft in a reckless manner, RCW 79A.60.040(1), or an equivalent local ordinance. If originally charged with Aircraft DUI (RCW 47.68.220), but convicted of Operating an Aircraft in a careless or reckless manner, RCW 47.68.220, or an equivalent local ordinance.*

→ **Deferred Sentences for the following:** *If originally charged with DUI or Phys. Cont. or an equivalent local ordinance, or Veh. Hom. (RCW 46.61.520) or Veh. Assault (RCW 46.61.522); but deferred sentence was imposed for (1) Neg. Driving 1st (RCW 46.61.5249), (2) Reckless Driving (RCW 46.61.-500), (3) Reckless Endangerment (RCW 9A.36.-050), (4) Equiv. out-of-state or local ordinance for the above offenses.*

#### **Mandatory Jail, Electronic Home Monitoring (EHM), and 24/7 Sobriety Program:**

**No prior offenses:** Where there are no prior offenses with an arrest date within seven years before or after the arrest date of the current offense, the mandatory imprisonment may not be suspended unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. The court may grant EHM instead of mandatory minimum jail. Instead of jail time or EHM in lieu of jail time, and when the alcohol concentration is: 1) less than 0.15, the court may order a 90-day period of 24/7 sobriety program monitoring; 2) at least 0.15, the court may order a 120-day period of 24/7 sobriety program monitoring.

**One prior offense:** Where there is one prior offense with an arrest date within seven years before or after the arrest date of the current offense, the mandatory imprisonment and EHM may not be suspended unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. In lieu of the mandatory term of imprisonment and EHM, when alcohol concentration is: 1) less than 0.15, the court may order a minimum of 4 days in jail, and either 180 days of EHM or a 120-day period of 24/7 sobriety program monitoring; 2) at least 0.15, the court may order a minimum of 6 days in jail and either 6 months of EHM or a 120-day period of 24/7 sobriety program monitoring, or a 120-day ignition interlock device requirement, or both.

**Two prior offenses:** If there are two prior offenses with an arrest date within seven years before or after the arrest date of the current offense, the mandatory jail shall be served by imprisonment for the minimum statutory term and may not be suspended unless the court finds that imposition of this

mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. The mandatory statutory term may not be converted to EHM. If the 24/7 sobriety program is available, the court shall order 6-month 24/7 sobriety program monitoring, or a 6-month ignition interlock device requirement, or both.

~~If there are prior offenses within seven years before or after the arrest date of the current offense, the mandatory jail shall be served by imprisonment for the minimum statutory term and may not be suspended unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. The mandatory statutory term may not be converted to EHM. *City of Bremerton v. Bradshaw*, 121 Wn.App. 410, 88 P.3d 438 (2004). Where there are no prior offenses within seven years, the court may grant EHM instead of mandatory minimum jail. If there are prior offenses, the mandatory EHM may not be suspended unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Instead of mandatory EHM, the court may order additional jail time.~~

~~If the 24/7 sobriety program is available: Where there is no prior offense, instead of jail time or EHM in lieu of jail time, and when the alcohol concentration is: 1) less than 0.15, the court may order a 90-day period of 24/7 sobriety program monitoring; 2) at least 0.15, the court may order a 120-day period of 24/7 sobriety program monitoring. Where there is one prior offense, instead of mandatory EHM or additional jail time, the court may order 6-month 24/7 sobriety program monitoring, or a 6-month ignition interlock device requirement, or both. Where there are two or three prior offenses, the court shall order 6-month 24/7 sobriety program monitoring, or a 6-month ignition interlock device requirement, or both. The 24/7 sobriety program is a program which requires tests of the defendant's blood, breath, urine, or other bodily substances to find out if there is alcohol, marijuana, or any controlled substance in his/her body. Testing must take place at designated location(s). The defendant may be required to pay the fees and costs for the program. RCW 46.61.5055 (1), (2), (3), (5); RCW 36.28A.330.~~

**Mandatory Conditions of Probation for any Suspended Jail Time:** The individual is not to: (i) drive a motor vehicle without a valid license to drive, (ii) drive a motor vehicle without proof of liability insurance or other financial responsibility (SR 22), (iii) drive or be in physical control of a vehicle while having an alcohol concentration of .08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher within two hours after driving, (iv) refuse to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor or drug, (v) drive a motor vehicle without a functioning ignition interlock device as required by DOL. ~~Except for ignition interlock driver's license and device or alcohol monitoring requirements under RCW 46.61.5055(5), For each violation of any the above mandatory conditions requires a minimum penalty the court shall order a minimum of 30 days' confine-~~

ment, which may not be suspended or deferred. For each incident involving a violation, the court shall suspend the license for and an additional 30-days license suspension. RCW 46.61.5055(11). Courts are required to report violations of mandatory conditions requiring confinement or license suspension to DOL. RCW 46.61.5055.

**3Mandatory Monetary Penalty:** Criminal Conviction Fee, RCW 3.62.085. Fine, RCW 46.61.5055 (1) - (3), mandatory minimum may not be suspended unless defendant is indigent. PSEA 1, RCW 3.62.090(1) if applicable, shall not be suspended or waived; Alcohol Violators Fee, RCW 46.61.5054, may suspend all or part of fee if defendant does not have ability to pay; Criminal Justice Funding (CJF) Penalty, RCW 46.64.055, may not be reduced, waived, or suspended unless the defendant is indigent (Note: RCW 3.62.090 (1) and (2) apply to CJF penalty. If applicable, shall not be suspended or waived.)

**4If Passenger Under 16:** The interpretation of RCW 46.61.5055(6), regarding the fines, is unsettled. Some interpret it as setting a new mandatory minimum and maximum fine, replacing a fine in RCW 46.61.5055 (1) - (3). Some interpret it as setting a fine that is in addition to one of those fines. Apply applicable assessments. The court may not suspend the minimum fine unless defendant is indigent.

**5Driver's License and 24/7 Sobriety Program:** *If there are no prior offenses*, and the person's alcohol concentration is:

1) less than 0.15, the person's driving privilege is suspended for 90-days or until the person is evaluated by an alcoholism agency or probation department and completes or is enrolled in a 90-day period of 24/7 sobriety program monitoring. The license suspension must not be fewer than 2 days.

2) at least 0.15, the person's driving privilege is revoked for one year or until the person is evaluated by an alcoholism agency or probation department and completes or is enrolled in a 120-day period of 24/7 sobriety program monitoring. The license revocation must not be fewer than 4 days.

If there is one prior offense and the person's alcohol concentration is less than 0.15, the person's driving privilege is revoked for 2 years or until the person is evaluated by an alcoholism agency or probation department and the person completes or is enrolled in a 6-month period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for less than one year.

**Felony DUI and Felony Physical Control:** A current offense is a Class B felony punished under ch. 9.94A RCW if the defendant has (a) four prior convictions within ten years, or (b) one prior conviction of Veh. Homicide or Veh. Assault, or (c) a prior felony resulting from (a) or (b). "Within ten years" means that the arrest for the prior offense occurred within ten years before or after the arrest for the current offense. RCW 46.61.5055 (14)(c).

**Jurisdiction:** Court has five years jurisdiction.

**Court and Department of Licensing (DOL) Ignition Interlock Requirements, RCW 46.20.720**

**Court Order to Comply with Rules and Requirements of DOL:** The court orders the person to comply with the rules and requirements of DOL regarding the installation and use of a functioning II device on all motor vehicles oper-

ated by the person. If the court orders the person to refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring and to pay for the monitoring unless the court specifies the cost will be paid with funds available from an alternative source identified by the court. RCW 46.61.5055(5).

**DOL Ignition Interlock Device (IID) Requirements RCW 46.20.720:**

**Restriction and duration:**

**Post Conviction:** After any applicable period of suspension, revocation, or denial of driving privilege due to conviction for DUI, Phys. Control, or an equivalent local or out-of-state statute or ordinance.

No Previous Restriction:	Previous 1-Year Restriction:	Previous 5-Year Restriction:
1 Year	5 Years	10 Years

**Passenger Under Age 16:** DOL shall extend the ignition interlock restriction an additional six months as required by RCW 46.61.5055 (6)(a).

**Tolling:** For incidents occurring on or after June 9, 2016, the restriction is tolled for any period in which the person does not have an IID installed on a vehicle owned or operated by the person unless DOL determines the person is unable to operate an IID due to a physical disability.

**Court Order:** If the court orders that a person may drive only a motor vehicle equipped with a functioning IID, the court sets the duration of the restriction, up to the five years jurisdictional limit of the court, and the calibration level. RCW 46.20.720 (1)(e).

**Calibration:** Unless otherwise ordered, the calibration level for any IID shall be .025%.

**IID Costs:** \$20 fee per month and any other costs associated with the use of an IID. DOL may waive the monthly fee if the person is indigent under RCW 10.101.010.

**Requirements for removal:** Restriction effective until IID vendor certifies to DOL that none of the following occurred within ~~four months~~ 180 days prior to date of release: any attempt to start the vehicle with a BAC of .04 or more unless another test performed within 10 minutes registers a breath alcohol concentration lower than .04 and the digital image confirms the same person provided both samples; failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test; failure to pass any random retest with a breath alcohol concentration of 0.025 or lower unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.025, and the digital image confirms the same person provided both samples; failure of the person to appear at the IID vendor when required.

**Day-for-Day credit:** All time during which a required IID is installed applies on a day-for-day basis toward a post-conviction IID requirement for the same incident. If day-for-day credit exceeds the post-conviction requirement, DOL may waive requirements.

**Employer Exemption:** The installation of an IID is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or mainte-

nance is the temporary responsibility of the employer and driven at the direction of a person's employer as a requirement of employment during business hours upon providing an Employer Exemption declaration to DOL. However, the

employer exemption does not apply when the employer's vehicle is assigned exclusively to the restricted driver and used solely for commuting to and from employment.

**Court - Reckless Driving/Negligent Driving - 1st Degree Sentencing Grid**  
**(RCW 46.61.500, RCW 46.61.5249, RCW 46.20.720 as amended through ~~June 9, 2016~~ July 23, 2017)**

<b>Reckless Driving</b>	
<b>Conviction</b>	<b>Qualifications</b>
Reckless Driving (RCW 46.61.500 (3)(a))	<ul style="list-style-type: none"> <li>• Original charge: Violation of DUI (RCW 46.61.502) or Phys. Control (RCW 46.61.504) or equivalent local ordinance.</li> <li>• One or More Prior Offenses within 7 years as defined above.</li> </ul>
Reckless Driving (RCW 46.61.500 (3)(b))	<ul style="list-style-type: none"> <li>• Original charge; Violation of Veh. Homicide (RCW 46.61.520) or Veh. Assault (RCW 46.61.522) committed while under the influence of intoxicating liquor or any drug.</li> </ul>
<b>Consequences</b>	
II Device	<ul style="list-style-type: none"> <li>• 6 Months.</li> <li>• Restriction remains in effect, until IID vendor certifies to DOL that none of the following incidents occurred within four months before date of release: any attempt to start the vehicle with a BAC of .04 or more unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples; failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test; failure to pass any random retest with a breath alcohol concentration of 0.025 or lower unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.025, and the digital image confirms the same person provided both samples; failure of the person to appear at the IID vendor when required.</li> <li>• For incidents occurring on or after June 9, 2016, the restriction is tolled for any period in which the person does not have an IID installed on a vehicle owned or operated by the person.</li> <li>• DOL will give day-for-day credit as allowed by law.</li> <li>• Costs associated with the use of the ignition interlock device, and \$20 fee per month.</li> </ul>
Maximum Jail Time	<ul style="list-style-type: none"> <li>• 364 Days if convicted of reckless driving.</li> </ul>
Maximum Fine	<ul style="list-style-type: none"> <li>• \$5,000 if convicted of reckless driving.</li> </ul>
EHM	<ul style="list-style-type: none"> <li>• As ordered.</li> </ul>
Driver's License	<ul style="list-style-type: none"> <li>• 30-day suspension.</li> <li>• DOL will give day-for-day credit as allowed by law.</li> </ul>
II Driver's License	<ul style="list-style-type: none"> <li>• As imposed by DOL. May apply for II driver's license if original charge was violation of DUI (RCW 46.61.502) or Phys. Control (RCW 46.61.504) or equivalent local ordinance. If the Defendant is eligible to apply, but does not have a Washington driver's license, the defendant may apply for an II license. DOL may require the defendant to take a licensing examination and apply and qualify for a temporary restricted driver's license.</li> <li>• During any period of suspension, revocation or denial, a person who has obtained an II driver's license under RCW 46.20.385 may continue to drive without getting a separate temporary restricted driver's license.</li> </ul>
Alcohol/Drug Ed./Victim Impact or Treatment	<ul style="list-style-type: none"> <li>• As ordered.</li> </ul>
24/7 Sobriety Program	<ul style="list-style-type: none"> <li>• As ordered by the court, if use of alcohol or drugs was a contributing factor in the commission of the crime.</li> </ul>

<b>Negligent Driving - 1st Degree</b>	
<b>Conviction</b>	<b>Qualifications</b>
Negligent Driving - 1st Degree (RCW 46.61.5249)	<ul style="list-style-type: none"> <li>• One or More Prior Offenses within 7 years as defined above.</li> </ul>

<b>Consequences</b>	
II Device	<ul style="list-style-type: none"> <li>• 6 Months.</li> <li>• Restriction remains in effect, until IID vendor certifies to DOL that none of the following incidents occurred within four months before date of release: any attempt to start the vehicle with a BAC of .04 or more unless another test performed within 10 minutes registers a breath alcohol concentration lower than .04 and the digital image confirms the same person provided both samples; failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test; failure to pass any random retest with a breath alcohol concentration of 0.025 or lower unless another test performed within 10 minutes registers a breath alcohol concentration lower than 0.025, and the digital image confirms the same person provided both samples; failure of the person to appear at the IID vendor when required.</li> <li>• For incidents occurring on or after June 9, 2016, the restriction is tolled for any period in which the person does not have an IID installed on a vehicle owned or operated by the person.</li> </ul>
Maximum Jail Time	• 90 Days if convicted of negligent driving in the 1st degree.
Maximum Fine	• \$1,000 if convicted of negligent driving in the 1st degree.
EHM	• As ordered.
Driver's License	• As imposed by DOL.
Alcohol/Drug Ed./Victim Impact or Treatment	• As ordered.
24/7 Sobriety Program	• As ordered by the court, if use of alcohol or drugs was a contributing factor in the commission of the crime.

**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 error in the above material occurred in the copy filed by the State Supreme Court and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 17-15-001**  
**AGENDA**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
 [Filed July 5, 2017, 12:13 p.m.]

Rules Development Agenda  
 July to December 2017

WAC CHAPTER OR SECTION	PURPOSE OF RULE BEING DEVELOPED OR AMENDED
332-24	Rule change to ensure fire protection rules are clearly written and provide appropriate protection regarding regulation of forest operations and spark emitting equipment requirements. The changes will also update references to department of ecology WAC and 70.94 RCW.
332-08	The department of natural resources has the discretion to consider rule-making changes related to insurance and security requirements;

WAC CHAPTER OR SECTION	PURPOSE OF RULE BEING DEVELOPED OR AMENDED
	the program is currently evaluating whether or not this is necessary.
332-18-05004	Amending rule governing fines, base penalties schedule in relation to surface mine reclamation.
New WAC	A new rule will be written to implement RCW 78.44.087 (5)(c) developing a standardized performance security formula.
New WAC	RCW 39.04.155 directs state agencies awarding small works contract[s] to have procedures in place to solicit bids and award contracts.
New WAC	A new rule will be written to provide a standard for a topographic map that can stand on its own apart from boundary standards.

## WSR 17-15-002

## AGENDA

## EASTERN WASHINGTON UNIVERSITY

[Filed July 5, 2017, 1:26 p.m.]

**Semi-Annual Agenda for Rules Under Development  
July through December 2017**

Following is Eastern Washington University's (EWU) semi-annual rule-making agenda for Washington Administrative Code (WAC) rules under development for publication in the Washington State Register pursuant to RCW 34.05.314.

WAC Citation	Subject Matter	Current Activity		
		CR-101	CR-102	CR-103
172-121	These changes will better conform to the state appellate court case <i>Ari-shi v. Washington State University</i> , which require full adjudicative hearings if a sanction could lead to suspension or expulsion from the university or if charges were filed [filed] for felony level sexual misconduct.	WSR 17-01-111	WSR 17-07-052	WSR 17-02-051 filed for CR-103E.  Refiled to extend the emergency period WSR 17-10-025.  Will refile CR-103 one more time in August.
172-10	These changes will allow EWU to better conform to the two bills passed by legislature that go into effect July 23, 2017. The major changes include imposing actual cost of customized service charges and allow EWU to charge for copying, scanning, uploading, sending e-records, digital storage devices and postage.			Will file a CR-103E before July 23, 2017.
172-191	These changes will include removing student net identification number as part of the directory information. Other changes may follow.	Will file the CR-101 soon.		

There may be additional rule-making activity not on the agenda as conditions warrant.

If you have questions about this rule-making agenda, please contact Chelsea L. Goss, University Compliance Officer, Policy Administrator and Title IX Coordinator, 214 Showalter Hall, Cheney, WA 99004, phone (509) 359-6322, fax (509) 359-7036, email [clamberson@ewu.edu](mailto:clamberson@ewu.edu).

## WSR 17-15-003

**PUBLIC RECORDS OFFICER  
FREIGHT MOBILITY  
STRATEGIC INVESTMENT BOARD**

[Filed July 5, 2017, 1:46 p.m.]

Pursuant to RCW 42.56.580, the public records officer for the freight mobility strategic investment board is Gena Saelid, 505 Union Avenue S.E., Olympia, WA 98504, phone (360) 586-9695, email [saelidg@fmsib.wa.gov](mailto:saelidg@fmsib.wa.gov).

Brian Ziegler

## WSR 17-15-004

**RULES COORDINATOR  
FREIGHT MOBILITY  
STRATEGIC INVESTMENT BOARD**

[Filed July 5, 2017, 1:46 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the freight mobility strategic investment board is Gena Saelid, 505 Union Avenue S.E., Olympia, WA 98504, phone (360) 586-9695, email [saelidg@fmsib.wa.gov](mailto:saelidg@fmsib.wa.gov).

Brian Ziegler

**WSR 17-15-005**  
**NOTICE OF PUBLIC MEETINGS**  
**UNIVERSITY OF WASHINGTON**

[Filed July 5, 2017, 2:24 p.m.]

On Thursday, September 14, 2017, the University of Washington (UW) board of regents will hold its meetings at UW's Global Innovation Exchange (GIX) Building, 12280 District Way N.E., Bellevue, WA, beginning at 8:30 a.m.

The prior published notice of this meeting was dated November 14, 2016.

Date	Location and Time	Meeting
Thursday September 14, 2017	UW GIX 12280 District Way N.E. Bellevue, WA at 8:30 a.m.	Standing Committee and Board Meetings

**WSR 17-15-008**  
**NOTICE OF PUBLIC MEETINGS**  
**PARKS AND RECREATION**  
**COMMISSION**

[Filed July 6, 2017, 7:09 a.m.]

As required by RCW 42.30.075, Open Public Meetings Act, the following change to the regular meeting schedule of the Washington state parks and recreation commission is submitted for publishing in the Washington State Register.

The date of the September 2017 commission meetings location has been changed. The Washington state park[s] and recreation commission work session (September 27) and regular meeting on September 28 will convene at Center Place Regional Event Center, 2426 North Discovery Place, Spokane Valley, WA 99216, beginning at 9 a.m.

The meeting locations' special American Disability Act [Americans with Disabilities Act] accommodations 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) 902-8502.

**WSR 17-15-009**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE**  
**REHABILITATION COUNCIL**

[Filed July 6, 2017, 8:48 a.m.]

The following is a change in the schedule of regular meetings for the Washington state rehabilitation council (WSRC) for 2017.

The meeting was previously determined as:

Date	Time	Location
August 24, 2017	9 a.m. - 5 p.m.	Everett, Washington
August 25, 2017	9 a.m. - 4 p.m.	Everett, Washington
November 2, 2017	9 a.m. - 5 p.m.	Seattle, Washington
November 3, 2017	9 a.m. - 4 p.m.	Seattle, Washington

The meetings have been changed to:

Date	Time	Location
August 24, 2017	9 a.m. - 5 p.m.	Hampton Inn Seattle/Everett 2931 West Marine View Drive Everett, WA 98201
August 25, 2017	9 a.m. - 3 p.m.	Hampton Inn Seattle/Everett 2931 West Marine View Drive Everett, WA 98201
November 2, 2017	9 a.m. - 5 p.m.	Radisson Hotel Seattle Airport 18118 International Boulevard Seattle, WA 98118
November 3, 2017	9 a.m. - 3 p.m.	Radisson Hotel Seattle Airport 18118 International Boulevard Seattle, WA 98118

ASL interpreters will be available. For other accommodation requests, please contact WSRC, 866-252-2939.

If you need further information contact WSRC, 866-252-2939.

**WSR 17-15-010**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed July 6, 2017, 9:09 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.

**Economic Services Administration**  
**Division of Child Support (DCS)**

Document Title: Policy Clarification Memo 17-007: Servicemembers Civil Relief Act.

Subject: Servicemembers Civil Relief Act.

Effective Date: May 11, 2017.

Document Description: This policy clarification memo provides clarification of the steps necessary to comply with the Servicemembers Civil Relief Act.

To receive a copy of the interpretive or policy statements, contact Karen Sundahl, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5194, TDD/TTY 800-833-6384, fax (360) 664-5342, email sundaka@dshs.wa.gov, web site <http://www.dshs.wa.gov/dcs/>.

**WSR 17-15-011**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**  
**(Real Estate Appraiser Commission)**

[Filed July 6, 2017, 9:32 a.m.]

The real estate appraiser commission will meet on a regular basis per WAC 308-125-225. Regular meetings are usually scheduled for 9:00 a.m. in February, May, August and

November on the third Friday. Following is the schedule for the year 2017:

- February 17, 2017 City of Bellingham  
Council Chambers  
210 Lottie Street  
Bellingham, WA 98225
- May 19, 2017 Quality Inn Oakwood  
Oakridge Conference Room  
7919 North Division Street  
Spokane, WA 99208
- August 18, 2017 City of University Place  
Council Chambers  
3715 Bridgeport Way West  
Suite B-1  
University Place, WA 98466
- November 17, 2017 Department of Labor and Industries  
7273 Linderson Way S.E.  
Room South 117  
Tumwater, WA 98501

**WSR 17-15-012**  
**RULES OF COURT**  
**STATE SUPREME COURT**  
[July 5, 2017]

IN THE MATTER OF THE ADOPTION ) ORDER  
 OF THE PROPOSED AMENDMENT TO ) NO. 25700-A-1199  
 APR 5—RECOMMENDATION FOR )  
 ADMISSION; ORDER ADMITTING TO )  
 PRACTICE; PAYMENT OF MEMBER- )  
 SHIP FEE; OATH OF ATTORNEY; RES- )  
 IDENT AGENT )

The Washington State Bar Association, having recommended the adoption of the proposed amendment to APR 5—Recommendation for Admission; Order Admitting to Practice; Payment of Membership Fee; Oath of Attorney; Resident Agent, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby  
ORDERED:

(a) That the amendment as shown below is adopted.

(b) That the amendment will be published in the Washington Reports and will become effective September 1, 2017.

DATED at Olympia, Washington this 5th day of July, 2017.

	Fairhurst, C.J.
Johnson, J.	Wiggins, J.
Madsen, J.	Gonzalez, J.
Owens, J.	Gordon McCloud, J.
Stephens, J.	Yu, J.

**SUGGESTED AMENDMENTS TO APR 5 (Redline)**

TITLE  
 ADMISSION AND PRACTICE RULES (APR)  
**RULE 5. ~~RECOMMENDATION FOR PRE-ADMISSION REQUIREMENTS; OATH; RECOMMENDATION FOR ADMISSION; ORDER~~**

**~~ADMITTING TO PRACTICE LAW; PAYMENT OF MEMBERSHIP FEE; OATH OF ATTORNEY; RESIDENT AGENT~~**

~~(a) **Recommendation for Admission.** The Board of Governors shall recommend to the Supreme Court the admission or rejection of each applicant who has passed the bar examination or been approved for admission by motion, and, who has complied with the preadmission requirements set forth in this rule. A recommendation for admission shall be based upon the Board of Governors determination, after investigation, that the applicant appears to be of good moral character and in all respects qualified to engage in the practice of law. All recommendations of the Board of Governors shall be accompanied by the applicant's application for admission and any other documents deemed pertinent by the Board of Governors or requested by the Supreme Court. The recommendation and all accompanying documents and papers shall be kept by the Clerk of the Supreme Court in a separate file which shall not be a public record.~~

~~(b) **Preadmission Requirements.** Before an applicant who has passed the bar an examination for admission, or who qualifies for admission without passing the bar an examination, may be admitted, the applicant must:~~

~~(1) pay to the Bar the annual license fee and any mandatory assessments ordered by the Supreme Court for the current year;~~

~~(2) file any and all licensing forms required of active lawyers, LLLTs or LPOs;~~

~~(3) take the Oath of Attorney for the Practice of Law, the Oath for Limited Practice Officers, or the Oath of Limited License Legal Technician; and~~

~~(4) designate a resident agent if required to do so by APR 13.~~

~~(b) **Lawyer applicants.** In addition to the requirements in section (a) above, lawyer applicants must:~~

~~(1) take and pass the Washington Law Component (WLC). The duration, form and manner of the WLC shall be as prescribed by the Bar. The WLC minimum pass score is 80 percent; and~~

~~(2) complete a minimum of 4 hours of education in a curriculum and under circumstances approved by the Bar Board of Governors;~~

~~(3) pay to the Bar Association the annual license fee and any assessments for the current year;~~

~~(4) file any and all licensing forms required of active members;~~

~~(5) take the Oath of Attorney; and~~

~~(6) designate a resident agent if required to do so by section (f).~~

~~(c) **LLLT Applicants.** In addition to the requirements in section (a) above, LLLT applicants must:~~

~~(1) demonstrate financial responsibility pursuant to APR 28I; and~~

~~(2) demonstrate completion of 3,000 hours of substantive law-related work experience pursuant to APR 28 Regulation 9.~~

~~(d) **LPO Applicants.** In addition to the requirements in section (a) above, LPO applicants must demonstrate financial responsibility pursuant to APR 12(f).~~

~~(e) **Expiration of Preadmission Requirements.** The preadmission requirements must be completed within:~~



- (1) 40 months from the date of the administration of the examination for lawyer applicants;
- (2) 40 months from the date of the administration of the examination for LLLT applicants;
- (3) 12 months from the date of the administration of the examination for LPO applicants;
- (4) 12 months from the date of filing the application, for lawyer applicants who apply by motion or UBE score transfer, except for good cause shown.

~~For applicants who take and pass the bar examination, the preadmission requirements must be completed within 40 months from the date of the administration of the bar examination in which the score was earned. For applicants who apply by motion, the preadmission requirements must be completed within one year from the date of filing the application, except for good cause shown.~~

**(fe) Oath of Attorney.** The Oath of Attorney must be taken before an elected or appointed judge, excluding judges pro tempore, sitting in open court in the state of Washington. In the event a successful applicant is outside the state of Washington and the Chief Justice is satisfied that it is impossible or impractical for the applicant to take the oath before an elected or appointed judge in this state, the Chief Justice may, upon proper application setting forth all the circumstances, designate a person authorized by law to administer oaths, before whom the applicant may appear and take said oath.

**(gd) Contents of Oath of Attorney.** The oath which all applicants shall take is as follows:

OATH OF ATTORNEY

State of Washington, County of \_\_\_\_\_ ss.

I, \_\_\_\_\_, do solemnly declare:

- 1. I am fully subject to the laws of the State of Washington and the laws of the United States and will abide by the same.
- 2. I will support the constitution of the State of Washington and the constitution of the United States.
- 3. I will abide by the Rules of Professional Conduct approved by the Supreme Court of the State of Washington.
- 4. I will maintain the respect due to the courts of justice and judicial officers.
- 5. I will not counsel, or maintain any suit, or proceeding, which shall appear to me to be unjust, or any defense except as I believe to be honestly debatable under the law, unless it is in defense of a person charged with a public offense. I will employ for the purpose of maintaining the causes confided to me only those means consistent with truth and honor. I will never seek to mislead the judge or jury by any artifice or false statement.
- 6. I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with the business of my client unless this compensation is from or with the knowledge and approval of the client or with the approval of the court.
- 7. I will abstain from all offensive personalities, and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged.

8. I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay unjustly the cause of any person.

\_\_\_\_\_  
(signature)

SUBSCRIBED AND SWORN TO before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Judge

(h) Oath for Limited Practice Officers - Contents of Oath.

OATH FOR LIMITED PRACTICE OFFICERS

STATE OF WASHINGTON

COUNTY OF

I, \_\_\_\_\_, do solemnly declare:

- 1. I am fully subject to the laws of the State of Washington and Rule 12 of the Admission and Practice Rules and APR 12 Regulations adopted by the Washington State Supreme Court and will abide by the same.
  - 2. I will support the constitutions of the state of Washington and of the United States of America.
  - 3. I will abide by the Limited Practice Officer Rules of Professional Conduct and Rules for Enforcement of LPO Conduct approved by the Supreme Court of the State of Washington.
  - 4. I will confine my activities as a Limited Practice Officer to those activities allowed by law, rule and regulation and will only utilize documents approved pursuant to APR 12.
  - 5. I will faithfully disclose the limitations of my services, that I am not able to act as the advocate or representative of any party, that documents prepared will affect legal rights of the parties, that the parties' interests in the documents may differ, that the parties have a right to be represented by a lawyer of their own selection, and that I cannot give legal advice regarding the manner in which the documents affect the parties.
- I understand that I may incur personal liability if I violate the applicable standard of care of a Limited Practice Officer. Also, I understand that I only have authority to act as a Limited Practice Officer during the times that my financial responsibility coverage is in effect. If I am covered under my employer's errors and omissions insurance policy or by my employer's certificate of financial responsibility, my coverage is limited to services performed in the course of my employment.

\_\_\_\_\_  
Signature Limited Practice Officer

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
JUDGE

(i) Oath of Limited License Legal Technician. The Oath of Limited License Legal Technician shall be taken before an elected or appointed judge, excluding judges pro tempore, sitting in open court in the State of Washington.

(j) Contents of Oath of Limited License Legal Technician. The oath which all applicants shall take is as follows:

**OATH OF LIMITED LICENSE LEGAL TECHNICIAN**  
STATE OF WASHINGTON  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, do solemnly declare:

1. I am fully subject to the laws of the State of Washington, the laws of the United States, Rule 28 of the Admission to Practice Rules, and APR 28 Regulations adopted by the Washington State Supreme Court and will abide by the same;

2. I will support the constitutions of the State of Washington and of the United States of America;

3. I will abide by the Limited License Legal Technician Rules of Professional Conduct approved by the Supreme Court of the State of Washington;

4. I will confine my activities as a Limited License Legal Technician to those activities allowed by law, rule and regulation and will only utilize documents approved pursuant to APR 28;

5. I will faithfully disclose the limitations of my services and that I am not a lawyer;

6. I will maintain the confidence and preserve inviolate the secrets of my client and will accept no compensation in connection with the business of my client unless this compensation is from or with the knowledge and approval of the client or with the approval of the court;

7. I will abstain from all offensive personalities and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged;

8. I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay unjustly the cause of any person.

\_\_\_\_\_  
Signature Limited License Legal Technician  
Subscribed and sworn to before me this day of \_\_\_\_\_

\_\_\_\_\_  
JUDGE

**(kk) Recommendation for Admission.** The Bar shall recommend to the Supreme Court the admission or rejection of each applicant who has passed an examination for admission or who qualifies for and has been approved for admission without passing an examination, and who has complied with the preadmission requirements set forth in this rule. A recommendation for admission shall be based upon the Bar's determination, after investigation, that the applicant has met all the requirements for admission and appears to be of good moral character and fit to engage in the practice of law. All recommendations of the Bar shall be accompanied by the applicant's application for admission and any other documents deemed pertinent by the Bar or requested by the Supreme Court. The recommendation and all accompanying documents shall be kept by the Clerk of the Supreme Court in a record which shall not be a public record.

**(lie) Order Admitting to Practice.** After examining the recommendation and accompanying documentation papers transmitted by the Bar Board of Governors, the Supreme

Court may enter such order in each case as it deems advisable. For those applicants it deems qualified, the Supreme Court shall enter an order admitting them to the practice of law.

**(mjf) Nonresident Lawyers, LLLTs or LPOs; Resident Agent.** There shall be no requirement that an applicant, lawyer, LLLT or LPO or a member of the Bar Association be a resident in the state of Washington. Every member, except a judicial member, of the Bar Association who does not live or maintain an office in the state of Washington shall file with the Bar Association the name and address of an agent within this state for the purpose of receiving service of process or of any other document required or permitted by statute or court rule to be served or delivered to a resident lawyer. Service or delivery to such agent shall be deemed service upon or delivery to the lawyer.

**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 17-15-017**

**NOTICE OF PUBLIC MEETINGS  
CASCADIA COLLEGE**

[Filed July 6, 2017, 4:32 p.m.]

**2017-2018 Board of Trustees - Meeting Dates  
Third Wednesday of Each Month  
(with the exception of December and June)**

All meetings will begin at 4:00 p.m. and will take place in Room 260 at Cascadia College, 18345 Campus Way N.E., Bothell, WA 98011.

**2017-2018 Board Meeting Dates**

- Wednesday, September 20, 2017
- Wednesday, October 18, 2017
- Wednesday, November 15, 2017
- \*Wednesday, December 13, 2017
- Wednesday, January 17, 2018
- Wednesday, February 21, 2018
- Wednesday, March 21, 2018
- Wednesday, April 18, 2018
- Wednesday, May 16, 2018
- \*Wednesday, June 13, 2018
- No regular meeting scheduled July 2018
- \*\*Wednesday, August 15, 2018  
(summer board retreat)
- Wednesday, September 19, 2018

\* This is the second week of the month, not the third week.  
\*\* Summer board retreat - no regular board meeting.

**WSR 17-15-029**  
**NOTICE OF PUBLIC MEETINGS**  
**HORSE RACING COMMISSION**

[Filed July 10, 2017, 11:27 a.m.]

The Washington horse racing commission is revising its published notice of 2017 meeting dates and locations.

The meeting scheduled for August 11, 2017, at 9:30 a.m. will now start at 8:30 a.m. The meeting will be at the Auburn City Council Chambers, 25 West Main, Auburn, WA 98002.

**WSR 17-15-030**  
**NOTICE OF PUBLIC MEETINGS**  
**COLUMBIA BASIN COLLEGE**

[Filed July 10, 2017, 12:01 p.m.]

The Columbia Basin [College] board of trustees will be having a *special* meeting on July 5, 2017, beginning at 3:30 p.m. and will be held in the Beers Board Room.

If you have any questions, please contact Amanda Bragg at (509) 542-4486.

**WSR 17-15-035**  
**PUBLIC RECORDS OFFICER**  
**CRIMINAL JUSTICE**  
**TRAINING COMMISSION**

[Filed July 11, 2017, 7:42 a.m.]

Effective immediately, Sonja Peterson, human resources manager, will serve as the records officer for the Washington state criminal justice training commission. Sonja can be reached at the Washington State Criminal Justice Training Commission, 19010 1st Avenue South, Burien, WA 98148, phone (206) 835-7356, fax (206) 835-7313, email speterson@cjtc.state.wa.us.

Susan L. Rahr  
 Executive Director

**WSR 17-15-038**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed July 11, 2017, 9:10 a.m.]

Under RCW 34.05.230, following is one policy and interpretive statement amended by the department of labor and industries field services and public safety division.

If you have any questions or need additional information, please contact Maggie Leland, rules coordinator, at (360) 902-4504.

Title: Policy 07-16-104A - *Renewal Extension for Temporary Elevator Mechanic License (Category 09)*.

Date Issued: January 1, 2015, updated July 1, 2017.

Description: This policy, originally adopted in January 2015 and last amended in October 2016, extends the renewal of temporary elevator mechanic licenses (category 09) up to twelve licenses in twelve consecutive months due to an abnormally high rate of construction. Applicants and elevator contractors must meet the licensing requirements specified in policy to qualify for renewal extension for a temporary elevator mechanic license. This renewal extension remains in effect from July 1, 2017, to July 1, 2018, or until rescinded, modified, or withdrawn by the director or his or her designee.

Contact: Dotty Stanlaske, Elevator Chief, P.O. Box 44480, Olympia, WA 98504-4480, (360) 902-6456, Dotty.Stanlaske@Lni.wa.gov.

Maggie A. Leland  
 Rules Coordinator

**WSR 17-15-041**  
**NOTICE OF PUBLIC MEETINGS**  
**BATES TECHNICAL COLLEGE**

[Filed July 11, 2017, 10:28 a.m.]

**Schedule for Board of Trustee Meetings**  
**Fiscal Year 2017-18**

Date	Time	Location
July 13, 2017	5 p.m.-9 p.m.	Cedar Brook Lodge
July 14, 2017	8 a.m.-3:30 p.m.	18525 36th Avenue South
Retreat		SeaTac, WA 98188
August 22, 2017		Bates South Campus
Regular meeting	3 p.m.	2201 South 78th Street
		Tacoma, WA 98409
September 19, 2017		Bates Downtown Campus
Work session	2:30 p.m.	1101 South Yakima Avenue
Regular meeting	4 p.m.	Tacoma, WA 98405
October 24, 2017		Bates Central/Mohler Campus
Regular meeting	3 p.m.	2320 South 19th Street
		Tacoma, WA 98405
November 28, 2017		Bates Downtown Campus
Work session	2:30 p.m.	1101 South Yakima Avenue
Regular meeting	4 p.m.	Tacoma, WA 98405
December 19, 2017		Bates Downtown Campus
Regular meeting	3:00 p.m.	1101 South Yakima Avenue
		Tacoma, WA 98405
January 23, 2018		Bates Downtown Campus
Regular meeting	3:00 p.m.	1101 South Yakima Avenue
		Tacoma, WA 98405
February 27, 2018		Bates Downtown Campus
Regular meeting	3:00 p.m.	1101 South Yakima Avenue
		Tacoma, WA 98405
March 27, 2018		Bates Downtown Campus
Work session	2:30 p.m.	1101 South Yakima Avenue
Regular meeting	4:00 p.m.	Tacoma, WA 98405
April 24, 2018		Bates South Campus
Regular meeting	3:00 p.m.	2201 South 78th Street
		Tacoma, WA 98409

Date	Time	Location
May 22, 2018 Work session Regular meeting	2:00 p.m. 4:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
June 26, 2018 Regular meeting	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405

**WSR 17-15-046**  
**NOTICE OF PUBLIC MEETINGS**  
**HUMAN RIGHTS COMMISSION**  
 [Filed July 11, 2017, 2:30 p.m.]

The following date and time is for the July 27, 2017, commission meeting: Washington State Human Rights Commission, Commission Meeting, on July 27, 2017, at 5:30 p.m., conference call, (319) 527-3510, Access Code: 833014#.

**WSR 17-15-052**  
**NOTICE OF PUBLIC MEETINGS**  
**EDMONDS COMMUNITY COLLEGE**  
 [Filed July 12, 2017, 2:13 p.m.]

Following is a revision to the 2017 regular meeting schedule of the Edmonds Community College board of trustees.

A special meeting will be held on July 19, 2017, at 8:20 a.m. - 1:00 p.m. The meeting will be held in Gateway Hall 352, 6600 196th Street S.W., Lynnwood, WA.

If you have any questions, please feel free to contact Patty Michajla at (425) 640-1516.

**WSR 17-15-055**  
**AGENDA**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed July 13, 2017, 9:53 a.m.]

**Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 17-16 issue of the Register.

**WSR 17-15-071**  
**AGENDA**  
**ATTORNEY GENERAL'S OFFICE**  
 [Filed July 14, 2017, 11:46 a.m.]

**Semi-Annual Rule-Making Agenda**  
**July 1 through December 31, 2017**

This is the office of the attorney general's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314. The office may have additional rule making as conditions warrant.

Should you have questions about this rule-making agenda, please contact Melissa Brearty, Rules Coordinator, P.O. Box 40100, Olympia, WA 98504-0100, (360) 534-4849, melb@atg.wa.gov. Additional contact information for particular rules is provided below.

WAC Citation	Subject Matter	Current Activity (In 2017)			Additional Contacts
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)	
44-14	Public Records Act—Model rules. Consider possible updates. CR-101 Filed November 9, 2016, WSR 16-23-038.		CR-102 Anticipated filing fall 2017		Nancy Krier phone (360) 586-7842 email Nancyk1@atg.wa.gov
44-10	Lemon law—Consider possible technological and efficiency updates to the arbitration hearing and arbitration process.	CR-101 Filed February 15, 2017 WSR 17-05-111	CR-102 Anticipated filing fall 2017		Marc Worthy phone (206) 464-6388 email marcw@atg.wa.gov
44-02-010	Medicaid fraud control unit - implementing RCW 74.66.020(5) by adjusting Washington Medicaid False Claims Act (FCA) civil penalties to be equivalent to Federal False Claims Act civil penalties in order to remain compliant with the Deficit Reduction Act mandate that our state FCA be at least as effective in rewarding and facilitating qui tam actions for false and fraudulent claims as those in the federal act. See, section 1909 (b)(2), sections 3730 through 3732 of the Federal False Claims Act. Public hearing was held June 29, 2017.	CR-101 Filed February 15, 2017 WSR 17-05-110	CR-102 Filed May 19, 2017 WSR 17-11-087	Anticipate filing CR-103 and final rule on July 21, 2017, to be effective 31 days later	Doug Walsh phone (360) 586-8872 email dougw@atg.wa.gov

WAC Citation	Subject Matter	Current Activity (In 2017)			Additional Contacts
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)	
44-66	Adopting rule to comply with ESHB [EHB] 1595 regarding copying fees and payment procedures for public records.		Anticipated filing of CR-103E in July 2017		Christina Beusch email ChristinaB@atg.wa.gov

Melissa Brearty  
Rules Coordinator

**WSR 17-15-074**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 [Filed July 14, 2017, 1:09 p.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: Postponing Public Comment Period, Notice Filed Under WSR 17-14-108, for Proposed DDA HCBS Waiver Amendments.

Subject: Basic plus, core, community protection, children's intensive in-home behavioral support, and individual and family services HCBS waiver amendments comment period is withdrawn until further notice.

Effective Date: July 13, 2017.

Document Description: DDA within DSHS, in cooperation with the health care authority, is postponing the public comment period for amendments to the basic plus, core, community protection, children's intensive in-home behavioral support, and individual and family services waivers. A future notice will announce a new date for public comment on waiver amendments.

To receive a copy of the interpretive or policy statements, contact Bob Beckman, Developmental Disabilities Administration, 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 www.dshs.wa.gov/dda.

**WSR 17-15-081**  
**NOTICE OF PUBLIC MEETINGS**  
**PARKS AND RECREATION**  
**COMMISSION**  
 [Filed July 17, 2017, 7:38 a.m.]

2017 Schedule of Regular Meetings  
 REVISED

As required by RCW 42.30.075, Open Public Meetings Act, the following schedule is submitted for publishing in the Washington State Register.

Date(s)	Meeting Location
January 24, 25	Montesano City Hall 112 North Main Street Montesano, WA 98563
March 21, 22	Parks and Recreation Office Snohomish
May 16, 17	Hotel RL Spokane at the Park 303 West North River Drive Spokane, WA 99201
July 11, 12	Work Session Fort Vancouver Red Cross Building 605 Barnes Street Vancouver, WA 98661 Commission Meeting Vancouver City Hall Council Chambers 416 West 6th Street Vancouver, WA 98660
September 19, 20	Okanogan PUD 1331 2nd Avenue Okanogan, WA 98840
November 14, 15	Auburn City Hall Council Chambers 25 West Main Street Auburn, WA 98001

Date(s)	Meeting Location
December 5, 6 Commission planning meeting for 2019	Cama Beach State Park 1880 S.W. Camano Drive Camano Island, WA 98282 No requested actions/reports/awards/etc.

The Washington state parks and recreation commission has adopted the following [above] 2018 regular meeting schedule and locations.

Regular meetings run from 9 a.m. to 5 p.m. and include an opportunity for public comment. The December meeting is specifically for planning 2019 agenda. Staff will not present to the commission any requested actions or reports.

The commission typically meets in a work session from 9 a.m. to 5:00 p.m. the day prior to the regular meeting in the same location or at a location near the regular meeting location. Work sessions are educational sessions on park opera-

tions and issues that eventually may go before the commission.

The commission may also tour area sites or parks the day before or following the regular meeting. No public comment and/or formal action are taken at work sessions and tours. The commission chair may call special meetings at any time; all special meetings are announced in advance.

The public is welcome to attend all state park[s] 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.

Agendas are posted on the agency web site at least one week in advance of meetings, and commission action posted <http://parks.state.wa.us>.

**WSR 17-15-088**

**AGENDA**

**OFFICE OF**

**INSURANCE COMMISSIONER**

[Filed July 18, 2017, 8:48 a.m.]

**Rule Development Agenda**

July 31, 2017, through January 31, 2018

The commissioner has introduced the following rule makings. Each rule making is currently between the CR-101, CR-102, and CR-103 stage. They are currently under review and there may be further rule-making activity before January 31, 2018. If you have any questions regarding any of these rule makings, please contact Jim Keogh, rulescoordinator @oic.wa.gov or (360) 725-7056.

WAC	RCW Authority	Subject	Current Activity			
			CR-103E	CR-101	CR-105	CR-102
	48.02.060, 48.44.050, 48.46.200	Issuer disclosures, notices, and processes to protect privacy of health care information.		13-11-144 5/22/13		
	48.02.060, 48.18.120(2), 48.20.450, 48.44.050, 48.46.200	Health plan special enrollment rules.		15-23-064 11/13/15		
	48.02.060, 48.29.005	Title insurance agent escrow practices and accounts.		16-07-083 3/17/16		
	48.02.060, 34.05.220, and 34.05.250	Administrative hearings.		16-12-081 5/31/16		
284-20C	48.02.060, 48.110.150	Service contract providers and protection product guarantee providers.		16-18-065 9/2/16		
	48.02.060	Safe harbor for the use of the federal model privacy form.		17-12-062 6/2/17		

WAC	RCW Authority	Subject	Current Activity			
			CR-103E	CR-101	CR-105	CR-102
	48.02.060, 48.13.171	Repeal obsolete citations to insurer investments under chapter 48.13 RCW.		17-12-063 6/2/17		
	48.02.060, 87.03.810	Interest rate to be used by Washington state department of transportation pursuant to RCW 87.03.810.		17-12-064 6/02/17		
	48.02.060, 48.17.005	Adjuster licensing requirements.		17-13-079 6/16/17		
	48.02.060, 42.56.070, 42.56.120	Public records requests copy costs.		17-13-080 6/16/17		
	48.02.060, 48.29.005, sections 13 and 23, chapter 103, Laws of 2017	Title insurance rating and advisory organizations.		17-13-081 6/16/17		
	48.02.060, 48.43.510, 48.43.520	Contractual arrangements to minimize prior authorization requirements at the point of care.		17-14-024 6/23/17		
284-50-330(8)	48.02.060	Changing language in WAC 284-50-330(8) to align with RCW 48.20.420.			17-14-025 6/23/17	
284-198	48.02.060, 48.02.210	K-12 study elimination.		17-15-085 7/17/17		
284-15-010	48.02.060, 48.15.015	Surplus line broker licensing.		17-15-086 7/17/17		

**Possible Rule Makings:** In addition to the rules listed above, the commissioner continues the effort to update and clarify the code as well as implement recent legislation. In the period before January 31, 2018, subjects that may be considered for rule making in this effort include:

- Annuity marketing and disclosure requirements
- Barriers to patient care access resulting from contracting practices
- Coordination of benefits
- Dental insurance practices
- Discontinuation and renewal of health plan coverage
- Discrimination in health plan design
- Electronic filing of state specific reporting
- Electronic notices and document delivery of insurance products
- Essential health benefits - pharmacy/formulary tiers
- Essential health benefits - clarifications, as needed, of pediatric dental and other provisions
- Federal financial reform implementation
- Federal health care reform implementation
- Health care coverage for dependent and incapacitated children
- Health insurance market stabilization measures

Implementation of rules required for compliance with state or federal legislation, recent court decisions or administrative hearing decisions

- Licensing of surplus line brokers
- Minimum valuation standards
- NAIC model act implementation (dependent on legislation)
- Pharmacy benefit manager appeals process fixes
- Prelicensing insurance education
- Producer commissions for special enrollment periods
- Repeal K-12 study rules
- Ride-sharing or autonomous vehicle insurance coverage
- Rules in response to any citizen petitions received
- Summary of health insurance benefits coverage
- Updating rules with obsolete references
- Wellness programs (health plans).

Mike Kreidler

**WSR 17-15-102**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed July 18, 2017, 11:01 a.m.]

**NOTICE OF PUBLIC HEARING**  
**WAC 392-123-010**  
**SCHOOL DISTRICT ACCOUNTING MANUAL**

**Public Hearing/Written Comments:** A public hearing of proposed changes relating to the 2016-2017 Accounting Manual for School Districts, and publication of the 2017-2018 School District Accounting Manual in accordance with WAC 392-123-010 will be held on **August 22, 2017, at 1:00**

**p.m.**, Office of Superintendent of Public Instruction, Wana-maker Conference Room, 600 Washington Street, Olympia, WA 98504-7200.

Written comments may be submitted on or before August 22, 2017, to Paul Stone, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, Paul.Stone@k12.wa.us.

Chris P. S. Reykdal  
 State Superintendent  
 of Public Instruction

**WSR 17-15-104**

**AGENDA**

**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed July 18, 2017, 11:32 a.m.]

Following is the Washington department of fish and wildlife's (WDFW) semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

If you have questions about this rule-making agenda, please contact Scott Bird, WDFW Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2403, fax (360) 902-2155, email scott.bird@dfw.wa.gov.

**Semi-Annual Rule-Making Agenda**  
**July through December 2017**

<b>WAC Citation</b>	<b>Subject Matter</b>	<b>Preproposal (CR-101)</b>	<b>Proposed (CR-102) or Expedited (CR-105)</b>	<b>Permanent (CR-103P)</b>
220-312-030 220-312-050 220-312-060	North of Falcon rule making—Recreational salmon fishery—Columbia River—Freshwater	WSR 17-03-042 filed on 1/7/2017	WSR 17-13-110 filed on 6/20/2017	Expected in August 2017
220-47-307 220-47-311 220-47-411	North of Falcon rules—Puget Sound commercial salmon fishery	WSR 17-03-076 filed on 1/11/2017	Supplemental WSR 17-13-075 filed on 6/16/2017	Expected in August 2017
220-354-250	North of Falcon coastal commercial salmon fisheries—Willapa Bay	WSR 17-02-079 filed on 1/4/2017	WSR 17-11-129 filed on 5/23/2017	Expected in August 2017
220-340-070	Geoduck divers licenses	WSR 17-13-085 filed on 6/17/2017	Expected in August 2017	Expected in November 2017
220-312-020 220-312-050 220-312-060 220-312-030 220-312-040	Recreational fishing rules	WSR 16-16-114 filed on 8/2/2016	Expected in September 2017	Expected in December 2017
220-415	Spring black bear seasons and regulations	WSR 17-10-070 filed on 5/3/2017	WSR 17-13-132 filed on 6/21/2017	Expected in September 2017
220-413	Reducing the spread of elk hoof disease	WSR 17-10-070 filed on 5/3/2017	WSR 17-13-132 filed on 6/21/2017	Expected in August 2017



<b>WAC Citation</b>	<b>Subject Matter</b>	<b>Preproposal (CR-101)</b>	<b>Proposed (CR-102) or Expedited (CR-105)</b>	<b>Permanent (CR-103P)</b>
220-412-070 220-413-200 220-415-080	Auction, raffle, and special incentive permits	WSR 17-10-070 filed on 5/3/2017	WSR 17-13-132 filed on 6/21/2017	Expected in August 2017
220-200-100 220-610-010	Loggerhead sea turtle and yellow billed cuckoo (species listing changes)	WSR 16-13-044 filed on 6/8/2016	WSR 17-13-131 filed on 6/21/2017	Expected in September 2017
220-500	Compensation for livestock damage by wolves	WSR 17-12-115 filed on 6/7/2016 [2017]	Expected in August 2017	Expected in November 2017
220-610	Sea otter and Columbia sharp-tailed grouse (species listing changes)	Expected December 2017	Pending	Pending
New section in 220-120	Charging copy costs for public records	WSR 17-15-048 filed on 7/11/2017	Expected in September 2017	Expected in November 2017
220-310-150 220-413-140 220-220-240	Americans with Disabilities Act	WSR 17-09-096 filed on 4/19/2017	WSR 17-13-077 filed on 6/16/2017	Expected in August 2017
220-340-430 220-340-440	Dungeness crab rules	WSR 17-10-071 filed on 5/3/2017	WSR 17-13-074 filed on 6/16/2017	Expected in August 2017
New section in 220-354	Trial fishery in Willapa Bay	WSR 17-13-047 filed on 6/14/2017	Expected in September 2017	Expected in December 2017
220-314-020 220-314-030 220-314-040 220-310-120 220-305-010	Bottomfish and halibut rules		WSR 17-12-102 filed on 6/6/2017	Expected in August 2017
220-330-110 220-330-120 220-330-140	Recreational clam and oyster seasons	WSR 16-20-106 filed on 10/5/2016	WSR 17-12-008 filed on 5/25/2017	Expected in August 2017
220-220-160 220-300-160 220-300-220 220-310-030 220-310-210 220-312-040 220-313-060 220-313-020	North of Falcon rule making—Recreational salmon fishery—Puget Sound freshwater and saltwater	WSR 17-03-042 filed on 1/7/2017	WSR 17-11-122 filed on 5/23/2017	Expected in July 2017
220-312-020	North of Falcon rule making—Recreational salmon fishery—Coastal	WSR 17-03-041 filed on 1/7/2017	WSR 17-11-109 filed on 5/22/2017	Expected in August 2017
220-313-070	North of Falcon rule making—Recreational salmon fishery—Ocean and coastal saltwater	WSR 17-03-042 filed on 1/7/2017	WSR 17-11-108 filed on 5/22/2017	Expected in August 2017
220-354-290	North of Falcon rules—Coastal commercial salmon fisheries—Grays Harbor	WSR 17-02-079 filed on 1/4/2017	WSR 17-11-072 filed on 5/17/2017	Expected in August 2017

WAC Citation	Subject Matter	Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103P)
220-314-050 220-355-070 220-355-090 220-355-100 220-355-130	Commercial and charter vessels logbooks—Fixing technical references		WSR 17-13-084 filed on 6/17/2017	Expected in August 2017
220-400	Records maintained by commercial fish and shellfish license holders and commercial wildlife vendors	WSR 17-04-102 filed on 2/1/2017	Pending	Pending
New section in 220-352	Interpreting SB 5306	WSR 17-13-086 filed on 6/17/2017	Expected in August 2017	Expected in November 2017

Scott Bird  
Rules Coordinator

**WSR 17-15-106**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE BOARD OF HEALTH**

[Filed July 18, 2017, 12:35 p.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the revised schedule of regular meetings for the Washington state board of health (SBOH), for the year 2017. The board's 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 board's web site (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board reserves the right to change or amend agendas at the meeting.

Date	Location
Wednesday August 9, 2017	Capitol Campus John A. Cherberg Building SHR3 304 15th Avenue S.W. Olympia, WA 98501
Wednesday October 11, 2017	Yakima Convention Center Suites #300 & #400 10 North 8th Street Yakima, WA 98901
Wednesday November 8, 2017	Clallam County Courthouse Conference Room #160 223 East 4th Street Port Angeles, WA 98362

\*updated 7/18/2017

If you need further information, please contact Melanie Hisaw, Executive Assistant, SBOH, P.O. Box 47990, Olympia, WA 98504-7990, phone (360) 236-4104, fax (360) 236-4088, email melanie.hisaw@sboh.wa.gov, web www.sboh.wa.gov.

Please be advised SBOH is required to comply with the Public 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 17-15-107**  
**RULES COORDINATOR**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed July 18, 2017, 12:43 p.m.]

Pursuant to RCW 3405.312 [34.05.312], the rules coordinator for the deoartment [department] of fish and wildlife is Scott Bird, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2403, fax (360) 902-2155, email Scott.Bird@dfw.wa.gov.

J. W. Unsworth, Ph.D.  
Director

## WSR 17-15-110

## AGENDA

## HEALTH CARE AUTHORITY

[Filed July 18, 2017, 12:56 p.m.]

Following is the Washington health care authority's semi-annual rule-making agenda for rules under development to be published in the Washington State Register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant. If you have questions about this rule-making agenda, contact Wendy Barcus, Rules Coordinator, P.O. Box 42716, Olympia, WA 98504-2716, phone (360) 725-1306, email wendy.barcus@hca.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		CR-101	CR-102 or CR-105	CR-103E
182-08 182-12 182-16	Public employees benefits—Annual rule making	WSR 17-09-051 Filed 04/17/17		
182-60	Health care authority—General— Patient decision aids	WSR 17-07-125 Filed 3/22/17	CR-102 WSR 17-14-057 Filed 6/29/17 Public hearing to be held on 8/8/17	
182-502-0006	Washington apple health—Enrollment for nonbilling individual providers	WSR 17-07-049 Filed 3/9/17		
182-502A	Washington apple health—Program integrity	WSR 17-10-057 Filed 5/2/17		
182-504-0125 182-523-0100	Washington apple health—Effect of reported changes and medical extension	WSR 17-11-044 Filed 5/11/17		
182-512-0350	Washington apple health—SSI-related medical—Property and contracts excluded as resources	WSR 17-15-094 Filed 7/18/17		
182-513-1205 182-513-1225 182-513-1380 182-515-1507 182-515-1509 182-515-1512 182-515-1514	Washington apple health—Personal needs allowance based social security COLA	WSR 17-15-095 Filed 7/18/17		
182-513-1350	Washington apple health—Community spouse resources	WSR 17-11-043 Filed 5/11/17	CR-102 WSR 17-15-020 Filed 7/7/17 Public hearing to be held on 8/22/17	
182-513-1505 182-513-1510 182-513-1515 182-513-1520 182-513-1525	Washington apple health—Guardianship fees	WSR 16-19-045 Filed 9/14/16		
182-515-1540 182-515-1550	Washington apple health—Medically needy housing waiver	WSR 17-14-107 Filed 7/5/27[17]		
182-516-0100	Washington apple health—21st Century Cures Act	WSR 17-05-062 Filed 2/13/17		WSR 17-12-108 Filed 6/7/17

WAC Citation	Subject Matter	Current Activity		
		CR-101	CR-102 or CR-105	CR-103E
182-516-0001 182-516-0100 182-516-0105 182-516-0110 182-516-0115 182-516-0120 182-516-0125 182-516-0130 182-516-0135 182-516-0145 182-516-0200 182-516-0201 182-516-0300 182-516-0400	Washington apple health—Trusts, annuities, and life estates—Effects on medical program	WSR 16-01-014 Filed 12/4/15		
182-526-0070 182-526-0155 182-526-0200	Washington apple health—Administrative hearings	WSR 17-12-091 Filed 6/6/17		
182-526-100	Washington apple health—New rule for expedited administrative hearings for urgent health care needs	WSR 17-08-089 Filed 4/5/17		WSR 17-08-087 Filed 4/4/17
182-526-0280	Washington apple health—Continuing a hearing when an appellant is an applicant or recipient	WSR 17-08-089 Filed 4/5/17		
182-526-0290	Washington apple health—Reinstating a hearing after an order of default or an order of dismissal	WSR 17-08-089 Filed 4/5/17		WSR 17-08-088 Filed 4/4/17
182-531-0050 182-531-0950 182-531-1850	Washington apple health—Physician related services	WSR 17-13-071 Filed 6/16/17		
182-531-1675	Washington apple health—Physician related services	WSR 17-05-084 Filed 2/14/17	CR-102 WSR 17-11-140 Filed 5/24/17 Public hearing held on 6/27/17	
182-531A-0800	Washington apple health—Applied Behavioral Health	WSR 17-11-029 Filed 5/10/17		WSR 17-14-064 Filed 6/29/17
182-535 182-535A	Washington apple health—Dental-related services and orthodontic services	WSR 17-04-099 Filed 2/1/17		
182-538-040 182-538-050 182-538-110 182-538-140 182-538A-110 182-538B-110	Washington apple health—Managed care—Grievance and appeal system for MCO; quality of care; FIMC grievance and appeal system	WSR 16-23-149 Filed 11/22/16	CR-102 WSR 17-08-092 Filed 4/5/17 Public hearing held on 5/9/17	
182-538C-040 182-538C-110	Washington apple health—Behavioral health services; grievance and appeal system and agency administrative hearing for behavioral health administrative services organizations	WSR 16-23-149 Filed 11/22/16	CR-102S WSR 17-15-060 Filed 7/13/17 Public hearing to be held on 8/22/17	

WAC Citation	Subject Matter	Current Activity		
		CR-101	CR-102 or CR-105	CR-103E
182-543-0500 182-543-2000 182-543-5000 182-545-200	Washington apple health—Durable medical equipment, complex rehabilitation technology, prosthetics/orthotics, outpatient rehabilitation	WSR 16-13-009 Filed 6/2/16	CR-102 WSR 16-19-032 Filed 9/13/16	
182-543-2000 182-543-5000	Washington apple health—Durable medical equipment, complex rehabilitation technology, prosthetics/orthotics, outpatient rehabilitation	WSR 16-13-009 Filed 6/2/16	CR-102 WSR 17-12-107 Filed 6/7/17 Public hearing to be held on 7/11/17	
182-546-0001 182-546-0100 182-546-0200 182-546-0250 182-546-0300 182-546-0400 182-546-0425 182-546-0450 182-546-0500 182-546-0600 182-546-0700 182-546-0800 182-546-0900 182-546-1000 182-546-1500 182-546-2500 182-546-4000	Washington apple health—Ambulance transportation services	WSR 14-03-080 Filed 1/15/14		
182-546-4600	Washington apple health—Ambulance transportation—Involuntary substance use disorder treatment—Ricky Garcia Act	WSR 16-14-040 Filed 6/28/16		WSR 17-14-002 Filed 6/21/17
New section in 182-546	Washington apple health—Ground emergency medical transportation program	WSR 15-24-129 Filed 12/2/15		
182-549-1450	Washington apple health—Rural health clinics—General payment information	WSR 17-15-036 Filed 7/11/17		
182-551-2010 182-551-2030 182-551-2125 182-551-2130 182-551-2210	Washington apple health—Home health services	WSR 16-11-094 Filed 5/18/16	CR-102 WSR 16-19-033 Filed 9/13/16	
182-551-3000 through 182-551-3400	Washington apple health—Private duty nursing	WSR 17-08-008 Filed 3/24/17		

Wendy Barcus  
Rules Coordinator

**WSR 17-15-114**  
**HEALTH CARE AUTHORITY**

[Filed July 18, 2017, 1:07 p.m.]

**NOTICE**

Title or Subject: Medicaid State Plan Amendment (SPA)  
 17-0027 Dental Health Aide Therapists.

Effective Date: July 23, 2017.

Description: The health care authority (HCA) intends to submit medicaid SPA 17-0027 in order to authorize reimbursement for dental health aide therapists (DHAT) in accordance with SSB 5079, signed into law on February 22, 2017.

The agency estimates that SPA 17-0027 may increase annual aggregate expenditures by an average of \$525,000 for dental services within DHAT scope of practice, including oral examinations, preventive dental services, simple restorations, stainless steel crowns, extractions, and x-rays. However, SPA 17-0027 is expected to have no impact on the state portion of annual aggregate expenditures as the services authorized by this SPA will be eligible for one hundred percent federal medical assistance participation under Section 1905 of the Social Security Act.

A copy of SPA 17-0027 is available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy of the SPA, you may contact the agency in your county listed in the table or the person named below. To submit comments, please 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.

Contact Casey Zimmer, Dental Program Supervisor, 626 8th Avenue S.E., Olympia, WA 98504-2710, phone (360) 725-1822, fax (360) 725-1328, email Casey.Zimmer@hca.wa.gov.

**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 17-15-116**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF HEALTH**

(Dental Hygiene Examining Committee)

[Filed July 18, 2017, 3:43 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 schedule of regular meetings for the department of health, dental hygiene examining committee, for the year 2017. The dental hygiene examining 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 GovDelivery and the department of health web site (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the dental hygiene examining committee reserves the right to change or amend agendas at the meeting.

Date	Time	Location
February 17, 2017	9:00 a.m.	Department of Health 111 Israel Road S.E. Room 158 Tumwater, WA
June 23, 2017	9:00 a.m.	TBD
August 18, 2017	9:00 a.m.	Cancelled
October 13, 2017	9:00 a.m.	TBD - Spokane, Washington

If you need further information, please contact Bruce Bronoske, Jr., Program Manager, Dental Hygiene Examining Committee, Washington Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4843, fax (360) 236-2901, [bruce.bronoske@doh.wa.gov](mailto:bruce.bronoske@doh.wa.gov), [www.doh.wa.gov](http://www.doh.wa.gov).

Please be advised the dental hygiene examining 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 17-15-125**

**NOTICE OF PUBLIC MEETINGS  
WENATCHEE VALLEY COLLEGE**

[Filed July 19, 2017, 9:23 a.m.]

The Wenatchee Valley College board of trustees has made the following changes to their 2017 meeting schedule: The previously scheduled board of trustees meeting on September 20, 2017, has been changed to September 13, 2017.

**BOARD OF TRUSTEE[S] MEETING SCHEDULE**

2017

UNLESS OTHERWISE NOTIFIED, WORK SESSIONS WILL BEGIN AT 10 A.M. AND BOARD OF TRUSTEE[S] MEETINGS AT 3 P.M.

**This schedule is subject to change**

- January 18, 2017
- February 15, 2017
- March 15, 2017
- April 18, 2017 (board retreat)
- April 19, 2017 (at Omak Campus)
- May 17, 2017
- June 21, 2017
- July (no meeting)
- August 16, 2017 (board retreat)
- September 13, 2017
- October 18, 2017 (at Omak Campus)
- November 15, 2017
- December (no meeting)

**WSR 17-15-134**

**DEPARTMENT OF AGRICULTURE**

[Filed July 19, 2017, 10:27 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 three petitions for rule making during the second quarter of 2017.

Date	Requestor	Subject
<b>1ST QUARTER (JANUARY THROUGH MARCH)</b>		
3/8/2017	Gary R. Cox, Vigneron-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.
3/9/2017	Washington hop commission	Amend chapter 16-532 WAC (their marketing order) by increasing the assessment and clarifying definitions.
<b>2ND QUARTER (APRIL THROUGH JUNE)</b>		
4/20/2017	Catherine Jones, Clean Plant Center NW, Washington State University	Amend chapter 16-462 WAC by correcting the link to the clean plant center's web site.

Date	Requestor	Subject
5/23/2017	Washington strawberry commission	Repeal chapter 16-555 WAC (the commission's marketing order).
6/1/2017	Washington seed potato commission	Amend chapter 16-520 WAC to reduce the board size.

**WSR 17-15-137**

**AGENDA**

**DEPARTMENT OF AGRICULTURE**

[Filed July 19, 2017, 11:15 a.m.]

**Semi-Annual Rules Development Agenda**

**July 1 - December 31, 2017**

**P.O. Box 42560**

**Olympia, WA 98504-2560**

WAC Chapter	Rule Title or Subject	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
New	Standards for the production of marijuana	Brenda Book Organic Program Phone (360) 902-2090	August 2017	November 2017	February 2018	Establishes in rule standards for the production of marijuana that would be consistent with the requirements of the United States Department of Agriculture's (USDA) National Organic Program as provided for in chapter 317, Laws of 2017.
New	Marijuana-infused edibles	Claudia Coles Food Safety and Consumer Services Division Phone (206) 321-1124	July 2017	January 2018	February 2018	Establishes in rule processing and licensing endorsement requirements for processors of marijuana-infused edibles; and a penalty schedule for violations as provided for in chapter 138, Laws of 2017.
16-06	Public records	Elizabeth McNagny Administrative Regulations Program Phone (360) 902-1809	July 2017	Expedited	September 2017	Updates procedures regarding disclosure of electronic records as a result of recent changes to the Public Records Act; adds exemptions to the list of records exempt from public disclosure that are specified in 2017 chapter law.
16-30	Restricted feedlots and restricted holding facilities	Jodi Jones Animal Services Division Phone (360) 902-1889	October 2017	November 2017	February 2018	Removes the certificate of veterinary inspection exemption for category two restricted holding facilities; changes the category two type of holding facility to allow for cattle to feed on grass; removes the no provision for grazing statement; and includes additional audit and notification requirements for category one and category three facilities.
16-54	Animal importation	Jodi Jones Animal Services Division Phone (360) 902-1889	October 2017	November 2017	February 2018	Removes the certificate of veterinary inspection exemption for category two restricted holding facilities.
16-70	Animal disease—Reporting	Jodi Jones Animal Services Division Phone (360) 902-1889	October 2017	November 2017	February 2018	Includes high mortality and uncommon diseases as reportable.
16-157	Organic food standards and certification	Brenda Book Organic Program Phone (360) 902-2090	August 2017		October 2017	Eliminates specific mushroom production standard and updates reference to USDA organic regulations.

WAC Chapter	Rule Title or Subject	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
16-230	Use of chemicals and chemically treated materials in certain counties	Joel Kangiser Pesticide Management Division Phone (360) 902-2013	February 2017	August 2017	September 2017	Updates nozzle/pressure requirements, adds maximum wind speed requirement, and repeals certain outdated requirements.
16-231	Use restricted herbicides	Joel Kangiser Pesticide Management Division Phone (360) 902-2013	February 2017	August 2017	September 2017	Updates nozzle/pressure requirements and repeals certain outdated requirements.
16-232	Use restricted herbicides in certain counties	Joel Kangiser Pesticide Management Division Phone (360) 902-2013	February 2017	August 2017	September 2017	Updates nozzle/pressure requirements and repeals certain outdated requirements.
16-233	Worker protection standards	Joel Kangiser Pesticide Management Division Phone (360) 902-2013	October 2016	December 2016	December 2017	Adopts the recently updated federal Environmental Protection Agency standards.
16-240	WSDA grain inspection program—Definitions, standards, and fees	Philip Garcia Grain Inspection Program Phone (360) 902-1921	April 2017	July 2017	September 2017	Amends the fee structure to address the fund balance being higher than necessary to cover program expenses; adds an inspection-only barge fee; and clarifies language.
16-250	Commercial feed rules	Claudia Coles Food Safety and Consumer Services Division Phone (206) 321-1124	April 2017	August 2017	September 2017	Adopts recent changes to federal regulations and the current Association of American Feed Control Officials (AAFCO) official publication regarding feed safety.
16-252	Commercial feed rules—Pet food and specialty pet food	Claudia Coles Food Safety and Consumer Services Division Phone (206) 321-1124	April 2017	August 2017	September 2017	Adopts recent changes to federal regulations and the current AAFCO official publication regarding feed safety.
16-301	General seed regulations (publications adopted)	Victor Shaul Seed Inspection Program Phone (509) 249-6950	May 2017	Expedited	July 2017	Adopts the 2016 version of the AOSCA rules and procedures, AOSA [AOSCA] rules for testing, and revisions to the Federal Seed Act.
16-301	General seed regulations (seed arbitration)	Victor Shaul Seed Inspection Program Phone: (509) 249-6950	July 2017	September 2017	November 2017	Amends the rule to reflect recent changes enacted by the legislature regarding dispute resolution between seed buyers and dealers (chapter 33, Laws of 2017).
16-303	Seed assessment, fees for seed services and seed certification	Victor Shaul Seed Inspection Program Phone (509) 249-6950	August 2017	October 2017	December 2017	Amends the fee schedule in order to recover the costs of providing service.
16-305	Industrial hemp research program	Emily Febles Industrial Hemp Program Phone (509) 249-6950	August 2017	September 2017	November 2017	Establishes in rule monetary penalties and other sanctions for violations of statutory or regulatory requirements as provided for in chapter 317, Laws of 2017.
16-350	Registration and certification of fruit tree planting stock	Cindy Cooper Plant Services Program Phone (360) 902-2062	September 2017	November 2017	December 2017	Recognizes the Clean Plant Center Northwest as the primary foundation source, aligns program terminology with the National Clean Plant Network-Fruit Tree State Level Model Regulatory Standard, modifies the eligibility requirements for registered <i>Prunus</i> trees, and clarifies eligibility requirements for imported propagation material.

WAC Chapter	Rule Title or Subject	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
16-501	WSDA procedures rules—Commodity boards or commissions	Teresa Norman Phone (360) 902-2043	March 2017	June 2017	August 2017	Modifies the method the department uses to calculate the amount of money paid to the department by commodity boards and commissions to recover the cost of providing administrative staff support.
16-662	Weights and measures—National handbooks and retail sale of motor fuel	Jerry Buendel Weights and Measures Program Phone (360) 902-1856	June 2017	August 2017	September 2017	Adopts the 2017 version of multiple NIST handbooks; establishes a civil penalty matrix for violations of chapters 19.94 and 15.80 RCW; and modifies and incorporates sections of chapters 16-663 and 16-674 WAC.
16-663	Service agents—Reporting, test procedures, standards and calibration of weighing and measuring devices	Jerry Buendel Weights and Measures Program Phone (360) 902-1856	June 2017	August 2017	September 2017	Modifies and incorporates relevant sections into chapter 16-662 WAC and repeals chapter.
16-674	Weights and measures—Exemptions, weighmasters and device registration	Jerry Buendel Weights and Measures Program Phone (360) 902-1856	June 2017	August 2017	September 2017	Modifies and incorporates relevant sections into chapter 16-662 WAC and repeals chapter.

Henri Gonzales  
Rules Coordinator