

Washington State Register, Issue 19-01

OFFICE OF THE CODE REVISER  
 Quarterly Rule-Making Report  
 Covering Registers 18-19 through 18-24

| Type of Activity  | New        | Amended        | Repealed        |
|---|------------|----------------|-----------------|
| <b>ACCOUNTANCY, BOARD OF</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 0          | 2              | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>AGRICULTURE, DEPARTMENT OF</b>   |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 48         | 19             | 88              |
| Number of Rules Proposed for Permanent Adoption   | 9          | 175            | 46              |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>ARCHAEOLOGY AND HISTORIC PRESERVATION, DEPARTMENT OF</b>                             |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Rules Proposed for Permanent Adoption   | 0          | 2              | 0               |
| <b>ARTS COMMISSION</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 0          | 1              | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>BIG BEND COMMUNITY COLLEGE</b>   |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Rules Proposed for Permanent Adoption   | 0          | 1              | 0               |
| <b>BUILDING CODE COUNCIL</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Rules Proposed for Permanent Adoption   | 17         | 17             | 0               |

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| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
|---|------------|----------------|-----------------|
| <b>CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF</b>                                     |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 8          | 0              | 0               |
| Number of Rules Adopted as Emergency Rules  | 77         | 39             | 15              |
| Number of Rules Proposed for Permanent Adoption   | 2          | 54             | 17              |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 14             | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 5              | 2               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>CLARK COLLEGE</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 6          | 1              | 8               |
| Number of Rules Proposed for Permanent Adoption   | 6          | 1              | 8               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>COMMERCE, DEPARTMENT OF</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 0          | 2              | 0               |
| Number of Rules Proposed for Permanent Adoption   | 1          | 22             | 3               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>COUNTY ROAD ADMINISTRATION BOARD</b>   |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Rules Proposed for Permanent Adoption   | 1          | 12             | 0               |
| <b>CRIMINAL JUSTICE TRAINING COMMISSION</b>   |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 0          | 2              | 0               |
| Number of Rules Proposed for Permanent Adoption   | 6          | 4              | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |

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| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
|---|------------|----------------|-----------------|
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>EASTERN WASHINGTON UNIVERSITY</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 9          | 3              | 0               |
| Number of Rules Proposed for Permanent Adoption   | 0          | 15             | 1               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>ECOLOGY, DEPARTMENT OF</b>   |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 1          | 12             | 0               |
| Number of Rules Proposed for Permanent Adoption   | 1          | 19             | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 1          | 12             | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 1          | 12             | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>EDMONDS COMMUNITY COLLEGE</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 2          | 8              | 4               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>EDUCATION, STATE BOARD OF</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 0          | 18             | 3               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 1              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 14             | 0               |

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| <b>Type of Activity</b>  | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
|--|------------|----------------|-----------------|
| Number of Sections Adopted on the Agency's own Initiative      | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making        | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making             | 0          | 0              | 0               |

**EMPLOYMENT SECURITY DEPARTMENT**

| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
|---|------------|----------------|-----------------|
| Number of Permanent Rules Adopted   | 33         | 6              | 1               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |

**ENTERPRISE SERVICES, DEPARTMENT OF**

| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
|---|------------|----------------|-----------------|
| Number of Permanent Rules Adopted   | 2          | 12             | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |

**EVERGREEN STATE COLLEGE, THE**

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

**EXECUTIVE ETHICS BOARD**

| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
|---|------------|----------------|-----------------|
| Number of Permanent Rules Adopted   | 0          | 6              | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |

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|---|-----|---------|----------|
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 0       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>FINANCIAL INSTITUTIONS, DEPARTMENT OF</b>  |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 6   | 18      | 0        |
| Number of Rules Proposed for Permanent Adoption   | 4   | 30      | 0        |
| Number of Rules Withdrawn   | 1   | 0       | 0        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 6   | 18      | 0        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 6   | 18      | 0        |
| Number of Sections Adopted on the Agency's own Initiative                               | 6   | 18      | 0        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 6   | 18      | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 0       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>FINANCIAL MANAGEMENT, OFFICE OF</b>  |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 5   | 2       | 0        |
| Number of Rules Proposed for Permanent Adoption   | 5   | 2       | 0        |
| Number of Rules Withdrawn   | 0   | 1       | 0        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0   | 1       | 0        |
| Number of Sections Adopted on the Agency's own Initiative                               | 0   | 1       | 0        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0   | 0       | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 1       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>FISH AND WILDLIFE, DEPARTMENT OF</b>   |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 2   | 14      | 0        |
| Number of Rules Adopted as Emergency Rules  | 99  | 0       | 84       |
| Number of Rules Proposed for Permanent Adoption   | 0   | 23      | 2        |
| Number of Rules Withdrawn   | 0   | 4       | 0        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 1   | 0       | 1        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 1   | 3       | 1        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 1   | 0       | 1        |
| Number of Sections Adopted on the Agency's own Initiative                               | 1   | 0       | 1        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0   | 0       | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 0       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>GAMBLING COMMISSION</b>  |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 0   | 3       | 0        |
| Number of Rules Proposed for Permanent Adoption   | 0   | 2       | 0        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0   | 0       | 0        |

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|--|-----|---------|----------|
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards      | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                 | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes | 0   | 0       | 0        |
| Number of Sections Adopted on the Agency's own Initiative                          | 0   | 0       | 0        |
| Number of Sections Adopted using Negotiated Rule Making                            | 0   | 0       | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                     | 0   | 0       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                 | 0   | 0       | 0        |

**HEALTH CARE AUTHORITY**

| Type of Activity  | New | Amended | Repealed |
|---|-----|---------|----------|
| Number of Permanent Rules Adopted   | 50  | 84      | 33       |
| Number of Rules Adopted as Emergency Rules  | 42  | 1       | 0        |
| Number of Rules Proposed for Permanent Adoption   | 110 | 56      | 33       |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 39  | 45      | 2        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0   | 0       | 0        |
| Number of Sections Adopted on the Agency's own Initiative                               | 0   | 0       | 0        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0   | 0       | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 39  | 45      | 2        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |

**HEALTH, DEPARTMENT OF**

| Type of Activity  | New | Amended | Repealed |
|---|-----|---------|----------|
| Number of Permanent Rules Adopted   | 151 | 74      | 75       |
| Number of Rules Adopted as Emergency Rules  | 119 | 0       | 1        |
| Number of Rules Proposed for Permanent Adoption   | 29  | 87      | 20       |
| Number of Rules Withdrawn   | 0   | 1       | 0        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 1   | 7       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 1   | 7       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 207 | 19      | 4        |
| Number of Sections Adopted on the Agency's own Initiative                               | 1   | 8       | 0        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0   | 0       | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 207 | 20      | 4        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |

**HISTORICAL SOCIETY, WASHINGTON STATE**

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

**HORSE RACING COMMISSION**

| Type of Activity                                | New | Amended | Repealed |
|---|-----|---------|----------|
| Number of Rules Proposed for Permanent Adoption | 2   | 13      | 0        |

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| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
|---|------------|----------------|-----------------|
| <b>INDUSTRIAL INSURANCE APPEALS, BOARD OF</b>   |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 0          | 11             | 0               |
| Number of Rules Proposed for Permanent Adoption   | 0          | 11             | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>INSURANCE COMMISSIONER, OFFICE OF THE</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 16         | 11             | 0               |
| Number of Rules Proposed for Permanent Adoption   | 7          | 9              | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>LABOR AND INDUSTRIES, DEPARTMENT OF</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 7          | 393            | 6               |
| Number of Rules Proposed for Permanent Adoption   | 1          | 183            | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 7          | 365            | 7               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>LICENSING, DEPARTMENT OF</b>   |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 3          | 32             | 0               |
| Number of Rules Proposed for Permanent Adoption   | 1          | 18             | 2               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |

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| Type of Activity  | New | Amended | Repealed |
|---|-----|---------|----------|
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 0       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>LIQUOR AND CANNABIS BOARD</b>  |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 4   | 34      | 1        |
| Number of Rules Proposed for Permanent Adoption   | 7   | 3       | 0        |
| Number of Rules Withdrawn   | 0   | 1       | 0        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0   | 0       | 0        |
| Number of Sections Adopted on the Agency's own Initiative                               | 0   | 0       | 0        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0   | 0       | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 0       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>NATURAL RESOURCES, DEPARTMENT OF</b>   |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Rules Proposed for Permanent Adoption   | 1   | 6       | 0        |
| <b>PARAEDUCATOR BOARD</b>   |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Rules Proposed for Permanent Adoption   | 2   | 3       | 0        |
| <b>PARKS AND RECREATION COMMISSION</b>  |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 0   | 2       | 0        |
| Number of Rules Proposed for Permanent Adoption   | 0   | 2       | 0        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0   | 0       | 0        |
| Number of Sections Adopted on the Agency's own Initiative                               | 0   | 0       | 0        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0   | 0       | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 0       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>PILOTAGE COMMISSIONERS, BOARD OF</b>   |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 0   | 2       | 0        |
| Number of Rules Proposed for Permanent Adoption   | 0   | 3       | 0        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 2       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0   | 0       | 0        |
| Number of Sections Adopted on the Agency's own Initiative                               | 0   | 1       | 0        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0   | 0       | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 2       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>PROFESSIONAL EDUCATOR STANDARDS BOARD</b>  |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 1   | 17      | 1        |



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| Type of Activity  | New | Amended | Repealed |
|---|-----|---------|----------|
| Number of Rules Proposed for Permanent Adoption   | 2   | 3       | 0        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 1   | 3       | 1        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0   | 0       | 0        |
| Number of Sections Adopted on the Agency's own Initiative                               | 0   | 1       | 0        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 1   | 2       | 1        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 1       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>PUBLIC DISCLOSURE COMMISSION</b>   |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 17  | 121     | 15       |
| Number of Rules Adopted as Emergency Rules  | 7   | 55      | 3        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0   | 0       | 0        |
| Number of Sections Adopted on the Agency's own Initiative                               | 0   | 0       | 0        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0   | 0       | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 0       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>PUBLIC EMPLOYMENT RELATIONS COMMISSION</b>   |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Rules Withdrawn   | 1   | 0       | 0        |
| <b>PUBLIC INSTRUCTION, SUPERINTENDENT OF</b>  |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 0   | 2       | 9        |
| Number of Rules Adopted as Emergency Rules  | 1   | 4       | 0        |
| Number of Rules Proposed for Permanent Adoption   | 4   | 42      | 9        |
| Number of Rules Withdrawn   | 1   | 0       | 19       |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0   | 0       | 0        |
| Number of Sections Adopted on the Agency's own Initiative                               | 0   | 0       | 0        |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0   | 0       | 0        |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0   | 0       | 0        |
| Number of Sections Adopted using Pilot Rule Making                                      | 0   | 0       | 0        |
| <b>REVENUE, DEPARTMENT OF</b>   |     |         |          |
| Type of Activity  | New | Amended | Repealed |
| Number of Permanent Rules Adopted   | 1   | 12      | 0        |
| Number of Rules Adopted as Emergency Rules  | 0   | 2       | 0        |
| Number of Rules Proposed for Permanent Adoption   | 3   | 20      | 1        |
| Number of Rules Withdrawn   | 1   | 3       | 0        |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0   | 0       | 0        |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0   | 0       | 0        |

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| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
|---|------------|----------------|-----------------|
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>SECRETARY OF STATE</b>   |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 0          | 2              | 0               |
| Number of Rules Proposed for Permanent Adoption   | 6          | 19             | 1               |
| Number of Rules Withdrawn   | 0          | 1              | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>SHORELINE COMMUNITY COLLEGE</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 13         | 0              | 13              |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>SOCIAL AND HEALTH SERVICES, DEPARTMENT OF</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 60         | 88             | 34              |
| Number of Rules Adopted as Emergency Rules  | 0          | 21             | 0               |
| Number of Rules Proposed for Permanent Adoption   | 38         | 67             | 0               |
| Number of Rules Withdrawn   | 1          | 0              | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>STUDENT ACHIEVEMENT COUNCIL</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Rules Proposed for Permanent Adoption   | 2          | 12             | 0               |

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| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
|---|------------|----------------|-----------------|
| <b>TRANSPORTATION, DEPARTMENT OF</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 0          | 1              | 0               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>UNIVERSITY OF WASHINGTON</b>   |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Rules Proposed for Permanent Adoption   | 0          | 1              | 0               |
| <b>UTILITIES AND TRANSPORTATION COMMISSION</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 22         | 12             | 1               |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>WALLA WALLA COMMUNITY COLLEGE</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Rules Proposed for Permanent Adoption   | 0          | 14             | 2               |
| <b>WASHINGTON STATE PATROL</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Rules Proposed for Permanent Adoption   | 1          | 9              | 22              |
| <b>WASHINGTON STATE UNIVERSITY</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 77         | 32             | 19              |
| Number of Rules Proposed for Permanent Adoption   | 23         | 23             | 19              |
| Number of Rules Withdrawn   | 23         | 23             | 19              |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 0          | 0              | 0               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 0          | 0              | 0               |
| Number of Sections Adopted on the Agency's own Initiative                               | 0          | 0              | 0               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 0          | 0              | 0               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 0          | 0              | 0               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |
| <b>TOTALS FOR THE QUARTER:</b>  |            |                |                 |
| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
| Number of Permanent Rules Adopted   | 555        | 1059           | 311             |
| Number of Rules Adopted as Emergency Rules  | 345        | 122            | 103             |

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| <b>Type of Activity</b>   | <b>New</b> | <b>Amended</b> | <b>Repealed</b> |
|---|------------|----------------|-----------------|
| Number of Rules Proposed for Permanent Adoption   | 291        | 983            | 186             |
| Number of Rules Withdrawn   | 28         | 34             | 38              |
| Number of Sections Adopted at Request of a Nongovernmental Entity                       | 0          | 2              | 0               |
| Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures | 48         | 86             | 3               |
| Number of Sections Adopted in Order to Comply with Federal Rules or Standards           | 1          | 0              | 1               |
| Number of Sections Adopted in Order to Comply with Federal Statute                      | 2          | 24             | 1               |
| Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes      | 214        | 57             | 7               |
| Number of Sections Adopted on the Agency's own Initiative                               | 16         | 406            | 8               |
| Number of Sections Adopted using Negotiated Rule Making                                 | 7          | 20             | 1               |
| Number of Sections Adopted using Other Alternative Rule Making                          | 246        | 69             | 6               |
| Number of Sections Adopted using Pilot Rule Making                                      | 0          | 0              | 0               |

**AGENCY RULES COORDINATORS  
Designations as of 12/19/2018**

| <b>AGENCY</b>  | <b>RULES COORDINATOR</b>                        | <b>PHONE/FAX</b>                               | <b>ADDRESS</b>                                      |
|--|---|--|---|
| Accountancy, Board of                                | Kirsten Donovan<br>Kirstend@cpaboard.wa.gov     | P-(360)664-9191<br>F-(360)664-9190             | PO Box 9131<br>Olympia, WA 98507-9131               |
| Administrative Hearings, Office of                   | Barb Cleveland<br>barb.cleveland@oah.wa.gov     | P-(360)407-2711<br>F-(360)664-8721             | P.O. Box 42488<br>Olympia, WA 98504-2488            |
| Advanced Tuition Payment, Commission on              | Betty Lochner<br>bettyl@hecb.wa.gov             | P-(360)753-7875<br>F-(360)704-6260             | P.O. Box 43450<br>Olympia, WA 98504-3450            |
| African American Affairs, Commission on              | Rosalund Jenkins<br>rjenkins@caa.wa.gov         | P-(360)725-5663<br>F-(360)586-9501             | PO Box 40926<br>Olympia, WA 98504-0926              |
| Agriculture, Department of                           | Gloriann Robinson<br>grobins@agr.wa.gov         | P-(360)902-1802<br>F-(360)902-2092             | P.O. Box 42560<br>Olympia, WA 98504-2560            |
| Alfalfa Seed Commission                              | Teresa Norman<br>TNorman@agr.wa.gov             | P-(360)902-2043<br>F-(360)902-2092             | 1111 Washington Street SE<br>Olympia, WA 98504      |
| Apple Commission                                     | Teresa Norman<br>TNorman@agr.wa.gov             | P-(360)902-2043<br>F-(360)902-2092             | 1111 Washington Street SE<br>Olympia, WA 98504      |
| Archaeology and Historic Preservation, Department of | Lance Wollwage<br>lance.wollwage@dahp.wa.gov    | P-(360)586-3536                                | P.O. Box 48343<br>Olympia, WA 98504-8343            |
| Arts Commission                                      | Karen Hanan<br>karen.hanan@arts.wa.gov          | P-(360)586-2423<br>F-(360)586-5351             | P.O. Box 42675<br>Olympia, WA 98504-2675            |
| Asian Pacific American Affairs, Commission on        | Michael Itti<br>michael.itti@capaa.wa.gov       | P-(360)725-5666                                | P.O. Box 40925<br>Olympia, WA 98504-0925            |
| Attorney General's Office                            | Melissa Brearty<br>MelB@atg.wa.gov              | P-(360)534-4849<br>F-(360)664-0228             | 1125 Washington St. SE<br>Olympia, WA 98504-0100    |
| Auditor, Office of State                             | Al Rose<br>rosea@sao.wa.gov                     | P-(360)902-0372                                | P.O. Box 40021<br>Olympia, WA 98504-0021            |
| Bates Technical College                              | Becky Welch<br>bwelch@bates.ctc.edu             | P-(253)680-7100<br>F-(253)680-7101             | 1101 S Yakima Avenue<br>Tacoma, WA 98405-4895       |
| Beef Commission                                      | Teresa Norman<br>tnorman@agr.wa.gov             | P-(360)902-2043<br>F-(360)902-2092             | 1111 Washington Street SE<br>Olympia, WA 98504      |
| Bellevue College                                     | Tracy Biga MacLean<br>rules@bellevuecollege.edu | P-(425)564-2035                                | 3000 Landerholm Circle SE<br>Bellevue, WA 98007     |
| Bellingham Technical College                         | Ronda Laughin<br>rlauchli@btc.ctc.edu           | P-(360)738-3105<br>Ext. 334<br>F-(360)676-2798 | 3028 Lindbergh Avenue<br>Bellingham, WA 98225-1599  |
| Big Bend Community College                           | Linda Schoonmaker<br>LindaS@bigbend.edu         | P-(509)793-2002<br>F-(509)762-6329             | 7662 Chanute Street NE<br>Moses Lake, WA 98837-3293 |

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| AGENCY   | RULES COORDINATOR                                  | PHONE/FAX                                       | ADDRESS   |
|--|--|---|---|
| Blind, Department of Services for the                | Kristina Cox<br>Kristina.cox@dsb.wa.gov            | P-(360)725-3836<br>F-(360)407-3101              | P.O. Box 40933<br>Olympia, WA 98504-0933              |
| Blind, Washington State School for the               | Scott McCallum<br>scott.mccallum@wssb.wa.gov       | P-(360)947-3301<br>F-(360)737-2120              | 2214 E 13th Street<br>Vancouver, WA 98661             |
| Building Code Council                                | Tim Nogler<br>tim.nogler@des.wa.gov                | P-(360)725-2969<br>F-(360)586-9383              | P.O. Box 48300<br>Olympia, WA 98504-8300              |
| Cascadia College                                     | Vicki Newton<br>vnewton@cascadia.edu               | P-(425)352-8252<br>F-(425)352-8313              | 18345 Campus Way NE<br>Bothell, WA 98011              |
| Central Washington University                        | Kim Dawson<br>dawsonk@cwu.edu                      | P-(509)963-2159<br>F-(509)963-3206              | 400 E University Way<br>Ellensburg, WA 98926          |
| Centralia College                                    | Stephen Ward<br>sward@centralia.edu                | P-(360)736-9391<br>Ext. 233<br>F-(360)330-7501  | 600 W Locust Street<br>Centralia, WA 98531-4099       |
| Charter School Commission                            | Amanda Martinez<br>Amanda.martinez@k12.wa.us       | P-(360)725-5511                                 | 1068 Washington Street SE<br>Olympia, WA 98504        |
| Childhood Deafness and Hearing Loss,<br>Center for   | Richard Hauan<br>rick.hauan@cdhl.wa.gov            | P-(360)418-0400<br>F-(360)696-6291              | 611 Grand Boulevard<br>Vancouver, WA 98661            |
| Children, Youth, and Families, Department<br>of      | Brenda Villarreal<br>brenda.villarreal@dshs.wa.gov | P-(360)902-7956                                 | 1115 Washington Street SE<br>Olympia, WA 98504-5715   |
| Clark College  | Theresa Heaton<br>theaton@clark.edu                | P-(360)992-2289<br>F-(360)992-2884              | 1933 Fort Vancouver Way<br>Vancouver, WA 98663        |
| Clover Park Technical College                        | Lisa Beach<br>lisa.beach@cptc.edu                  | P-(253)589-5603<br>F-(253)589-5784              | 4500 Steilacoom Boulevard SW<br>Lakewood, WA 98499    |
| Code Reviser, Office of the                          | Kerry Radcliff<br>Radcliff.Kerry@leg.wa.gov        | P-(360)786-6697<br>F-(360)786-1529              | P.O. Box 40551<br>Olympia, WA 98504-0551              |
| Columbia Basin College                               | Camilla Glatt<br>cglatt@columbiabasin.edu          | P-(509)542-5548<br>Ext. 2202<br>F-(509)546-0401 | 2600 N 20th Avenue<br>Pasco, WA 99301                 |
| Columbia River Gorge Commission                      | Nancy Andring<br>andring@gorgecommission.org       | P-(509)493-3323<br>F-(509)439-2229              | P.O. Box 730<br>White Salmon, WA 98672                |
| Commerce, Department of                              | Jaime Rossman<br>jaime.rossman@commerce.wa.gov     | P-(360)725-2717<br>F-(360)586-8440              | 1011 Plum Street SE<br>Olympia, WA 98504-2525         |
| Community and Technical Colleges, State<br>Board for | Beth Gordon<br>bgordon@sbctc.edu                   | P-(360)704-4309<br>F-(360)704-4415              | 1300 Quince Street SE<br>Olympia, WA 98504-2495       |
| Conservation Commission                              | Ron Shultz<br>Ron.Shultz@scc.wa.gov                | P-(360)407-6200<br>F-(360)407-6215              | P.O. Box 47721<br>Olympia, WA 98504-7721              |
| Consolidated Technology Services                     | Rebekah O'Hara<br>Rebekah.ohara@cts.wa.gov         | P-(360)407-8818<br>F-(360)586-1414              | 1500 Jefferson Street SE<br>Olympia, WA 98504-1501    |
| Corrections, Department of                           | Maria Puccio<br>Maria.Puccio@doc.wa.gov            | P-(360)725-8362                                 | P.O. Box 41114<br>Olympia, WA 98504-1114              |
| County Road Administration Board                     | Karen Pendleton<br>karen@crab.wa.gov               | P-(360)753-5989<br>F-(360)586-0386              | P.O. Box 40913<br>Olympia, WA 98504-0913              |
| Criminal Justice Training Commission                 | Sonja Peterson<br>speterson@cjtc.state.wa.us       | P-(206)835-7356<br>F-(206)835-7313              | 19010 1st Avenue South<br>Burien, WA 98148            |
| Dairy Products Commission                            | Celeste Piette<br>celeste@havemilk.com             | P-(425)672-0687<br>F-(425)672-0674              | 4201 198th Street SW, Suite 101<br>Lynnwood, WA 98036 |
| Early Learning, Department of                        | Lori Anderson<br>Lori.Anderson@del.wa.gov          | P-(360)725-4670<br>F-(360)586-0052              | 1110 Jefferson Street SE<br>Olympia, WA 98501         |
| Eastern Washington University                        | Joseph Fuxa<br>jfuxa@ewu.edu                       | P-(509)359-7496<br>F-(509)359-2874              | 526 5th Street<br>Cheney, WA 99004                    |
| Ecology, Department of                               | Bari Schreiner<br>Bari.Schreiner@ecy.wa.gov        | P-(360)407-6998<br>F-(360)407-6989              | P.O. Box 47600<br>Olympia, WA 98504-7600              |
| Edmonds Community College                            | Dennis Curran<br>dennis.curran@edcc.edu            | P-(425)640-1647<br>F-(425)640-1359              | 20000 68th Avenue W<br>Lynnwood, WA 98036-5999        |
| Education, State Board of                            | Parker Teed<br>parker.teed@k12.wa.us               | P-(360)725-6047<br>F-(360)586-2357              | 600 Washington Street S.E.<br>Olympia, WA 98504       |
| Employment Security Department                       | Scott Michael<br>rules@esd.wa.gov                  | P-(360)902-9587<br>F-(360)902-9662              | 212 Maple Park Avenue SE<br>Olympia, WA 98507         |

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| AGENCY                                       | RULES COORDINATOR                                      | PHONE/FAX                          | ADDRESS  |
|--|--|------------------------------------|--|
| Energy Facility Site Evaluation Council      | Stephen Posner<br>sposner@utc.wa.gov                   | P-(360)664-1903                    | P.O. Box 43172<br>Olympia, WA 98504-3172             |
| Enterprise Services, Department of           | Jack Zeigler<br>jack.zeigler@des.wa.gov                | P-(360)407-9209<br>F-(360)586-5898 | 1500 Jefferson<br>Olympia, WA 98504-1401             |
| Environmental and Land Use Hearings Office   | Nancy Coverdell<br>Nancy.Coverdell@eluh.wa.gov         | P-(360)664-9171<br>F-(360)586-2253 | 1111 Israel Road SW, Suite 301<br>Tumwater, WA 98501 |
| Everett Community College                    | Jennifer Howard<br>jhoward@everettcc.edu               | P-(425)388-9232<br>F-(425)388-9228 | 2000 Tower Street<br>Everett, WA 98201               |
| Evergreen State College, The                 | John Carmichael<br>carmichj@evergreen.edu              | P-(360)867-5100<br>F-(360)867-6577 | 2700 Evergreen Parkway NW<br>Olympia, WA 98505       |
| Executive Ethics Board                       | Kate Reynolds<br>kater@atg.wa.gov                      | P-(360)586-6759<br>F-(360)586-3955 | 2425 Bristol Court SW<br>Olympia, WA 98504           |
| Financial Institutions, Department of        | Susan Putzier<br>sputzier@dfi.wa.gov                   | P-(360)902-8764<br>F-(360)586-5068 | P.O. Box 41200<br>Olympia, WA 98504-1200             |
| Financial Management, Office of              | Roselyn Marcus<br>roselyn.marcus@ofm.wa.gov            | P-(360)902-0434<br>F-(360)664-2832 | P.O. Box 43113<br>Olympia, WA 98504-3113             |
| Fish and Wildlife, Department of             | Scott Bird<br>Scott.Bird@dfw.wa.gov                    | P-(360)902-2403<br>F-(360)902-2155 | 600 Capitol Way N<br>Olympia, WA 98501               |
| Forest Practices Board                       | Patricia Anderson<br>patricia.anderson@dnr.wa.gov      | P-(360)902-1413<br>F-(360)902-1428 | P.O. Box 47012<br>Olympia, WA 98504-7012             |
| Freight Mobility Strategic Investment Board  | Gena Saelid<br>saelidg@fmsib.wa.gov                    | P-(360)586-9695                    | 505 Union Avenue SE<br>Olympia, WA 98504             |
| Fruit Commission                             | Teresa Norman<br>TNorman@agr.wa.gov                    | P-(360)902-2043<br>F-(360)902-2092 | 1111 Washington Street SE<br>Olympia, WA 98504       |
| Gambling Commission                          | Ashlie Laydon<br>rules.coordinator@wsge.wa.gov         | P-(360)486-3473<br>F-(360)486-3629 | PO Box 42400<br>Olympia, WA 98504-2400               |
| Grain Commission                             | Teresa Norman<br>tnorman@agr.wa.gov                    | P-(360)902-2043<br>F-(360)902-2092 | 1111 Washington Street SE<br>Olympia, WA 98504       |
| Grays Harbor College                         | Sandy Zelasko<br>szelasko@ghc.edu                      | P-(360)538-4000<br>F-(360)538-4299 | 1620 Edward P Smith Drive<br>Aberdeen, WA 98520-7599 |
| Green River College                          | George Frasier<br>gfrasier@greenriver.edu              | P-(253)288-3338<br>F-(253)288-3460 | 12401 SE 320th Street<br>Auburn, WA 98092-3622       |
| Hardwoods Commission                         | David Sweitzer<br>whc@wahardwoodscomm.com              | P-(360)835-7100<br>F-(360)835-1910 | PO Box 1095<br>Camas, WA 98607                       |
| Health Care Authority                        | Wendy Barcus<br>wendy.barcus@hca.wa.gov                | P-(360)725-1306<br>F-(360)586-9727 | P.O. Box 42716<br>Olympia, WA 98504-2716             |
| Health Care Facilities Authority             | Donna Murr<br>DonnaM@whcfa.wa.gov                      | P-(360)753-6185<br>F-(360)586-9168 | 410 11th Ave. SE, Suite201<br>Olympia, WA 98504-0935 |
| Health, Department of                        | Tami Thompson<br>tami.thompson@doh.wa.gov              | P-(360)236-4044<br>F-(360)586-7424 | P.O. Box 47890<br>Olympia, WA 98504-7890             |
| Highline Community College                   | Vice-pres., Admin.<br>mpham@highline.edu               | P-(206)592-3701<br>F-(206)870-3754 | P.O. Box 98000<br>Des Moines, WA 98198-9800          |
| Hispanic Affairs, Commission on              | Lisa van der Lugt<br>lisa.vanderlugt@cha.wa.gov        | P-(360)725-5660                    | 210 11th Avenue<br>Olympia, WA 98504                 |
| Historical Society, Eastern Washington State | Betsy Godlewski<br>betsy.godlewski@northwestmuseum.org | P-(509)363-5304<br>F-(509)363-5303 | 2316 W First Avenue<br>Spokane, WA 99201             |
| Historical Society, Washington State         | Misty Reese<br>mreese@wsns.wa.gov                      | P-(253)798-5901<br>F-(253)272-9518 | 1911 Pacific Avenue<br>Tacoma, WA 98402-3109         |
| Horse Racing Commission                      | Douglas Moore<br>doug.moore@whrc.state.wa.us           | P-(360)459-6462<br>F-(360)459-6461 | 6326 Martin Way, Suite 209<br>Olympia, WA 98516-5578 |
| Human Rights Commission                      | Laura Lindstrand<br>llindstrand@hum.wa.gov             | P-(360)359-4923<br>F-(360)586-2282 | P.O. Box 42490<br>Olympia, WA 98504-2490             |
| Indeterminate Sentence Review Board          | Margaret McKinney<br>mmmckinney@doc1.wa.gov            | P-(360)407-0671<br>F-(360)493-9287 | P.O. Box 40907<br>Olympia, WA 98504-0907             |
| Industrial Insurance Appeals, Board of       | David Threedy<br>dave.threedy@biia.wa.gov              | P-(360)753-6823<br>F-(360)586-5611 | P.O. Box 42401<br>Olympia, WA 98504-2401             |

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| Insurance Commissioner, Office of the                | Candice Myrum<br>CandiceM@oic.wa.gov             | P-(360)725-7056                    | P. O. Box 40258<br>Olympia, WA 98504-0258             |
| Investment Board, State                              | Phil Brady<br>Phil.Brady@sib.wa.gov              | P-(360)956-4600<br>F-(360)956-4775 | PO Box 40916<br>Olympia, WA 98504-0916                |
| Judicial Conduct, Commission on                      | Tanya Calahan<br>tcalahan@cjc.state.wa.us        | P-(360)753-4585<br>F-(360)586-2918 | 210 11th Avenue SW, Suite 400<br>Olympia, WA 98507    |
| Labor and Industries, Department of                  | Maggie Leland<br>maggie.leland@lni.wa.gov        | P-(360)902-4504<br>F-(360)902-4202 | P.O. Box 44001<br>Olympia, WA 98504-4001              |
| Lake Washington Institute of Technology              | Vice-president<br>dennis.long@lwtech.edu         | P-(425)739-8100<br>F-(425)739-8299 | 11605 132nd Avenue NE<br>Kirkland, WA 98034-8506      |
| Licensing, Department of                             | Damon Monroe<br>dmonroe@dol.wa.gov               | P-(360)902-3843                    | PO Box 9020<br>Olympia, WA 98507-9020                 |
| Life Sciences Discovery Fund Authority               | Alden Jones<br>aldenj2@u.washington.edu          | P-(206)221-7919<br>F-(206)543-3639 | Box 356340<br>Seattle, WA 98195-6340                  |
| Liquor and Cannabis Board                            | Janette Benham<br>Janette.Benham@lcb.wa.gov      | P-(360)664-1760<br>F-(360)664-9689 | 3000 Pacific Avenue SE<br>Olympia, WA 98504           |
| Lottery, Washington State                            | Kristi Weeks<br>KWeeks@walottery.com             | P-(360)810-2881<br>F-(360)515-0416 | 814 4th Avenue E<br>Olympia, WA 98506                 |
| Lower Columbia College                               | Linda Clark<br>lclark@lowercolumbia.edu          | P-(360)442-2100<br>F-(360)442-2109 | P.O. Box 3010<br>Longview, WA 98632-0310              |
| Military Department                                  | Cynthia Whaley<br>Cynthia.whaley@mil.wa.gov      | P-(253)512-8110<br>F-(253)512-8497 | Building 1<br>Camp Murray, WA 98430                   |
| Minority and Women's Business Enterprises, Office of | Sarah Erdmann<br>SarahE@omwbe.wa.gov             | P-(360)664-9771<br>F-(360)586-7079 | 1110 Capitol Way S, Suite 150<br>Olympia, WA 98501    |
| Mint Commission                                      | Teresa Norman<br>TNorman@agr.wa.gov              | P-(360)902-2043<br>F-(360)902-2092 | 1111 Washington Street SE<br>Olympia, WA 98504        |
| Natural Resources, Department of                     | Elizabeth O'Neal<br>elizabeth.oneal@dnr.wa.gov   | P-(360)902-1739<br>F-(360)902-1789 | P.O. Box 47015<br>Olympia, WA 98504-7015              |
| Oilseeds Commission                                  | Teresa Norman<br>TNorman@agr.wa.gov              | P-(360)902-2043<br>F-(960)902-2092 | 1111 Washington Street SE<br>Olympia, WA 98504        |
| Olympic College                                      | Laurie Harmon<br>lharmon@olympic.edu             | P-(360)475-7502<br>F-(360)475-7505 | 1600 Chester Avenue<br>Bremerton, WA 98337            |
| Parks and Recreation Commission                      | Valeria Veasley<br>valeria.veasley@parks.wa.gov  | P-(360)902-8597<br>F-(360)664-8112 | 1111 Israel Road SW<br>Tumwater, WA 98504             |
| Peninsula College                                    | Kelly Griffith<br>kgriffith@pencol.edu           | P-(360)417-6201<br>F-(360)417-6220 | 1502 E Lauridsen Boulevard<br>Port Angeles, WA 98362  |
| Pierce College                                       | Marie Harris<br>mharris@pierce.ctc.edu           | P-(253)864-3104<br>F-(253)864-3123 | 1601 39th Avenue SE<br>Puyallup, WA 98374             |
| Pilotage Commissioners, Board of                     | Jaimie Bever<br>BeverJ@wsdot.wa.gov              | P-(206)515-3887<br>F-(206)515-3906 | 2901 Third Avenue, Suite 500<br>Seattle, WA 98121     |
| Pollution Liability Insurance Agency                 | Cassandra Garcia<br>cassandra.garcia@plia.wa.gov | P-(360)407-0514<br>F-(360)407-0509 | P.O. Box 40930<br>Olympia, WA 98504-0930              |
| Potato Commission                                    | Matt Harris<br>mharris@potatoes.com              | P-(509)765-8845<br>F-(509)765-8845 | 108 S Interlake Road<br>Moses Lake, WA 98837          |
| Prevention of Child Abuse and Neglect, Council for   | Joan Sharp<br>sharpjd@dshs.wa.gov                | P-(206)464-5493<br>F-(206)464-6642 | 318 First Avenue S, Suite 310<br>Seattle, WA 98104    |
| Professional Educator Standards Board                | David Brenna<br>David.Brenna@k12.wa.us           | P-(360)725-6238<br>F-(360)586-4548 | P.O. Box 47236<br>Olympia, WA 98504-7236              |
| Prosecuting Attorneys, Association of                | Thomas McBride<br>tmcbride@waprosecutors.org     | P-(360)753-2175<br>F-(360)753-3943 | PO Box 50952<br>Olympia, WA 98504-0952                |
| Public Disclosure Commission                         | Barbara (BG) Sandahl<br>pdc@pdc.wa.gov           | P-(360)586-1042                    | 711 Capitol Way S, Room 206<br>Olympia, WA 98504-0908 |
| Public Employment Relations Commission               | Dario de la Rosa<br>dario.delarosa@perc.wa.gov   | P-(360)570-7328<br>F-(360)570-7334 | P.O. Box 40919<br>Olympia, WA 98504-0919              |
| Public Instruction, Superintendent of                | Kristin Murphy<br>kristin.murphy@k12.wa.us       | P-(360)725-6133<br>F-(360)753-6712 | P.O. Box 47200<br>Olympia, WA 98504-7200              |

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| Public Works Board   | Cecilia Gardner<br>cecilia.gardener@commerce.wa.gov             | P-(360)725-3166<br>F-(360)568-8440              | 1011 Plum Street SE<br>Olympia, WA 98504                 |
| Puget Sound Partnership  | James (Jim) Bolger<br>jim.bolger@psp.wa.gov                     | P-(360)464-4845<br>F-(253)830-2353              | 326 East D Street<br>Tacoma, WA 98421-1801               |
| Recreation and Conservation Office                                 | Wyatt Lundquist<br>wyatt.lundquist@rco.wa.gov                   | P-(360)902-2956<br>F-(360)902-3026              | P.O. Box 40917<br>Olympia, WA 98504-0917                 |
| Red Raspberry Commission   | Teresa Norman<br>TNorman@agr.wa.gov                             | P-(360)902-2043<br>F-(360)902-2092              | 1111 Washington Street SE<br>Olympia, WA 98504           |
| Red Raspberry Commission   | Teresa Norman<br>TNorman@agr.wa.gov                             | P-(360)902-2043<br>F-(360)902-2092              | 1111 Washington Street SE<br>Olympia, WA 98504           |
| Renton Technical College   | Melinda Merrell<br>mmerrell@rtc.edu                             | P-(425)235-5846<br>F-(425)235-7865              | 3000 NE 4th St.<br>Renton, WA 98056                      |
| Retirement Systems, Department of                                  | Jilene Siegel<br>Rules@drs.wa.gov                               | P-(360)664-7291<br>F-(360)753-5397              | P.O. Box 48380<br>Olympia, WA 98504-8380                 |
| Revenue, Department of   | Erin Lopez<br>ErinL@dor.wa.gov                                  | P-(360)534-1577<br>F-(360)534-1606              | 6400 Linderson Way SW<br>Tumwater, WA 98504-7453         |
| Salaries for Elected Officials, Washington Citizens' Commission on | Teri Wright<br>Teri.Wright@salaries.wa.gov                      | P-(360)725-5669<br>F-(360)586-7544              | P.O. Box 43120<br>Olympia, WA 98504-3120                 |
| Seattle Colleges   | Charles Sims<br>wacinput@seattlecolleges.edu                    | P-(206)934-3873<br>F-(206)934-3803              | 1500 Harvard Avenue<br>Seattle, WA 98122                 |
| Secretary of State   | Mark Neary<br>mark.neary@sos.wa.gov                             | P-(360)902-4186<br>F-(360)586-5629              | P.O. Box 40220<br>Olympia, WA 98504-0220                 |
| Seed Potato Commission   | Teresa Norman<br>TNorman@agr.wa.gov                             | P-(360)902-2043<br>F-(360)902-2092              | 1111 Washington Street SE<br>Olympia, WA 98504           |
| Shoreline Community College  | Veronica Zura<br>vzura@shoreline.edu                            | P-(206)546-7858<br>F-(206)546-5850              | 16101 Greenwood Avenue N<br>Shoreline, WA 98133          |
| Skagit Valley College  | Lisa Radeleff<br>Lisa.Radeleff@skagit.edu                       | P-(360)416-7995<br>F-(360)416-7773              | 2405 E College Way<br>Mt. Vernon, WA 98273               |
| Social and Health Services, Department of                          | Katherine Iyall Vasquez<br>DSHSRPAURulesCoordinator@dshs.wa.gov | P-(360)664-6097<br>F-(360)664-6185              | P.O. Box 45850<br>Olympia, WA 98504-5850                 |
| South Puget Sound Community College                                | Diana Toledo<br>dtoledo@spscc.ctc.edu                           | P-(360)754-7711<br>Ext. 5202<br>F-(360)586-3570 | 2011 Mottman Road SW<br>Olympia, WA 98512                |
| Southwest Clean Air Agency   | Paul Mairose<br>paul@swcleanair.org                             | P-(360)574-3058<br>Ext. 30<br>F-(360)576-0925   | 11815 NE 99th Street, Suite 1294<br>Vancouver, WA 98682  |
| Spokane Regional Clean Air Agency                                  | Margee Chambers<br>mchambers@spokanecleanair.org                | P-(509)477-4727<br>Ext. 114<br>F-(509)459-6828  | 3104 East Augusta Avenue<br>Spokane, WA 99207            |
| Spokane, Community Colleges of                                     | John O'Rourke<br>John.ORourke@ccs.spokane.edu                   | P-(509)434-5185<br>F-(509)434-5279              | PO Box 6000<br>Spokane, WA 99217-6000                    |
| Student Achievement Council  | Kristin Ritter<br>kristinr@wsac.wa.gov                          | P-(360)753-7810<br>F-(360)704-6210              | P.O. Box 43430<br>Olympia, WA 98504-3430                 |
| Tacoma Community College   | Kelly Maxfield<br>kmaxfield@tacomacc.edu                        | P-(253)566-5169                                 | 6501 S 19th Street<br>Tacoma, WA 98466                   |
| Tax Appeals, Board of  | Stephen Saynisch<br>ssaynisch@bta.state.wa.us                   | P-(360)753-5446<br>F-(360)586-9020              | P.O. Box 40915<br>Olympia, WA 98504-0915                 |
| Tobacco Settlement Authority                                       | Paul Edwards<br>pedwards@wshfc.org                              | P-(206)287-4462<br>F-(206)587-5113              | 1000 Second Avenue, Suite 2700<br>Seattle, WA 98104-1046 |
| Traffic Safety Commission  | Pam Pannkuk<br>ppannkuk@wtsc.wa.gov                             | P-(360)725-9884<br>F-(360)586-6489              | P.O. Box 40944<br>Olympia, WA 98504-0944                 |
| Transportation Commission  | Grant Heap<br>heapg@wsdot.wa.gov                                | P-(360)705-7760<br>F-(360)705-6808              | PO Box 47410<br>Olympia, WA 98504-7410                   |
| Transportation Improvement Board                                   | Kelsey Davis<br>kelseyd@tib.wa.gov                              | P-(360)586-1146<br>F-(360)586-1165              | P.O. Box 40901<br>Olympia, WA 98504-0901                 |
| Transportation, Department of                                      | Grant Heap<br>heapg@wsdot.wa.gov                                | P-(360)705-7760<br>F-(360)705-6808              | P.O. Box 47410<br>Olympia, WA 98504-7410                 |



## Washington State Register, Issue 19-01

| AGENCY   | RULES COORDINATOR                                  | PHONE/FAX                          | ADDRESS  |
|--|--|------------------------------------|--|
| Treasurer, Office of the State                         | Catherine Mele-Hetter<br>catherine.mele@tre.wa.gov | P-(360)902-8912<br>F-(360)704-5181 | P.O. Box 40202<br>Olympia, WA 98504                            |
| Tree Fruit Research Commission                         | Teresa Norman<br>TNorman@agr.wa.gov                | P-(360)902-2043<br>F-(360)902-2092 | 1111 Washington Street SE<br>Olympia, WA 98504                 |
| Turfgrass Seed Commission                              | Teresa Norman<br>TNorman@agr.wa.gov                | P-(360)902-2043<br>F-(360)902-2092 | 1111 Washington Street SE<br>Olympia, WA 98504                 |
| University of Washington                               | Barbara Lechtanski<br>rules@uw.edu                 | P-(206)543-9219                    | Box 351210<br>Seattle, WA 98195                                |
| Utilities and Transportation Commission                | Paige Doyle<br>pdoyle@utc.wa.gov                   | P-(360)664-1140<br>F-(360)586-1150 | P.O. Box 47250<br>Olympia, WA 98504-7250                       |
| Veterans Affairs, Department of                        | Heidi Audette<br>heidia@dva.wa.gov                 | P-(360)725-2154<br>F-(360)725-2197 | P.O. Box 41150<br>Olympia, WA 98504-1150                       |
| Volunteer Firefighters and Reserve Officers, Board for | Hailey Blankenship<br>haileyb@bvff.wa.gov          | P-(360)753-7318<br>F-(360)586-1987 | 605 11th Avenue SE<br>Olympia, WA 98507                        |
| Walla Walla Community College                          | Jerri Ramsey<br>jerri.ramsey@wwcc.edu              | P-(509)527-4274<br>F-(509)527-4249 | 500 Tausick Way<br>Walla Walla, WA 99362-9267                  |
| Washington State Patrol                                | Kimberly Mathis<br>Kimberly.Mathis@wsp.wa.gov      | P-(360)596-4017<br>F-(360)596-4015 | P.O. Box 42600<br>Olympia, WA 98504-2600                       |
| Washington State School Directors' Association         | Kelsey Winters<br>k.winters@wssda.org              | P-(360)252-3018<br>F-(360)252-3022 | 211 College Street NE<br>Olympia, WA 98516                     |
| Washington State University                            | Deborah Bartlett<br>dbartl@wsu.edu                 | P-(509)335-2004<br>F-(509)335-3969 | 3089 Information Technology Building<br>Pullman, WA 99164-1225 |
| Wenatchee Valley College                               | Suzie Benson<br>sbenson@wvc.edu                    | P-(509)682-6515<br>F-(509)682-6401 | 1300 Fifth Street<br>Wenatchee, WA 98801                       |
| Western Washington University                          | Jennifer Sloan<br>Jennifer.Sloan@wwu.edu           | P-(360)650-3117<br>F-(360)650-6197 | 516 High Street, Old Main 331<br>Bellingham, WA 98225-3117     |
| Whatcom Community College                              | Barbara Nolze<br>bnolze@whatcom.edu                | P-(360)383-3077<br>F-(360)383-4000 | 237 W Kellogg Road<br>Bellingham, WA 98226                     |
| Wine Commission  | Teresa Norman                                      | P-(360)902-2043<br>F-(360)902-2092 | 1111 Washington Street SE<br>Olympia, WA 98504                 |
| Women's Commission                                     | Marie Vela<br>Marie.Vela@swsc.wa.gov               | P-(360)902-8015<br>F-(360)902-0662 | PO Box 43113<br>Olympia, WA 98504                              |
| Workforce Training and Education Coordinating Board    | Erica Hansen<br>Erica.Hansen@wtb.wa.gov            | P-(360)709-4600<br>F-(360)586-5862 | P.O. Box 43105<br>Olympia, WA 98504-3105                       |
| Yakima Regional Clean Air Agency                       | Gary Pruitt<br>gary@yrcaa.org                      | P-(509)834-2050<br>F-(509)834-2060 | 329 N First Street<br>Yakima, WA 98901                         |
| Yakima Valley Community College                        | Megan Jensen<br>mjensen@yvcc.edu                   | P-(509)574-4635<br>F-(509)574-4638 | PO Box 22520<br>Yakima, WA 98908                               |

### AGENCY PUBLIC RECORDS OFFICER Designations as of 12/19/2018

| AGENCY                             | RECORDS OFFICER                                | PHONE/FAX                          | ADDRESS   |
|------------------------------------|--|------------------------------------|---|
| Accountancy, Board of              | Charles Sutterlund<br>charless@cpaboard.wa.gov | P-(360)586-0785<br>F-(360)664-9190 | P.O. Box 9131<br>Olympia, WA 98507              |
| Administrative Hearings, Office of | Josh Sundt<br>publicrecords@oah.wa.gov         | P-(360)407-2700<br>F-(360)664-8721 | P.O. Box 42488<br>Olympia, WA 98504-2488        |
| Agriculture, Department of         | Pamela Potwin<br>publicdisclosure@agr.wa.gov   | P-(360)902-1935<br>F-(360)902-2092 | P.O. Box 42560<br>Olympia, WA 98504-2560        |
| Alfalfa Seed Commission            | Shane Johnson<br>shanej@agmtg.com              | P-(509)585-5460<br>F-(509)585-2671 | 100 N Fruitland, Suite B<br>Kennewick, WA 99336 |
| Apple Commission                   | Robin Mooney<br>robin.mooney@waapple.org       | P-(509)663-9600<br>F-(509)662-5824 | 2900 Euclid Avenue<br>Wenatchee, WA 98801       |

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| AGENCY  | RECORDS OFFICER                                 | PHONE/FAX                                       | ADDRESS  |
|---|---|---|--|
| Archaeology and Historic Preservation,<br>Department of | Rick Anderson<br>Rick.Anderson@dahp.wa.gov      | P-(360)586-3065<br>F-(360)586-3067              | P.O. Box 48343<br>Olympia, WA 98504-8343               |
| Arts Commission   | Glenda Carino<br>glenda.carino@arts.wa.gov      | P-(360)586-8093<br>F-(360)586-5351              | P.O. Box 42675<br>Olympia, WA 98504-2675               |
| Asian Pacific American Affairs, Commission on           | Michael Itti<br>michael.itti@capaa.wa.gov       | P-(360)725-5666                                 | PO Box 40925<br>Olympia, WA 98504                      |
| Asparagus Commission                                    | Alan Schreiber<br>aschreib@centurytel.net       | P-(509)266-4304<br>F-(509)266-4317              | 2621 Ringold Road<br>Eltopia, WA 99330                 |
| Attorney General's Office                               | LaDona Jensen<br>publicrecords@atg.wa.gov       | P-(360)586-2533<br>F-(360)664-0228              | P.O. Box 40100<br>Olympia, WA 98504-0100               |
| Auditor, Office of State                                | Mary Leider<br>leiderm@sao.wa.gov               | P-(360)902-0379<br>F-(360)753-0646              | P.O. Box 40021<br>Olympia, WA 98504-0021               |
| Bates Technical College                                 | Holly Woodmansee<br>hwoodmansee@bates.ctc.edu   | P-(253)680-7123<br>F-(253)680-7121              | 1101 S Yakima Avenue<br>Tacoma, WA 98405               |
| Beef Commission   | April Budinich<br>abudinich@wabeeff.org         | P-(206)444-2902<br>F-(206)444-2910              | 14240 Interurban Avenue S. #224<br>Seattle, WA 98168   |
| Beer Commission   | Eric Radovich<br>eric@washingtonbeer.com        | P-(206)795-5072                                 | 1501 N 200th Street, Suite 111<br>Shoreline, WA 98133  |
| Bellevue College  | Kathi Hutchins<br>khutchin@bcc.ctc.edu          | P-(425)564-2451<br>F-(425)564-4187              | 3000 Landerholm Circle S.E.<br>Bellevue, WA 98007-6484 |
| Big Bend Community College                              | Kimberly Garza<br>king@bigbend.edu              | P-(509)793-2010<br>F-(509)762-6355              | 7662 Chanute Street NE<br>Moses Lake, WA 98837         |
| Blind, Department of Services for the                   | Kristina Cox<br>Kristina.cox@dsb.wa.gov         | P-(360)725-3836<br>F-(360)407-3101              | P.O. Box 40933<br>Olympia, WA 98504-0933               |
| Blind, Washington State School for the                  | Janet Merz<br>janet.merz@wssb.wa.gov            | P-(360)696-6321<br>Ext. 120<br>F-(360)737-2120  | 2214 East 13th Street<br>Vancouver, WA 98661           |
| Blueberry Commission                                    | Alan Schreiber<br>aschreib@centurytel.net       | P-(509)266-4304<br>F-(509)266-4317              | 2621 Ringold Road<br>Eltopia, WA 99330                 |
| Bulb Commission   | Brandon Roozen<br>broozen@westag.org            | P-(360)391-2414<br>F-(360)424-9343              | 2017 Continental Place #6<br>Mount Vernon, WA 98273    |
| Cascadia College  | Samantha Brown<br>sbrown@cascadia.edu           | P-(425)352-8514<br>F-(425)352-8225              | 18345 Campus Way N.E.<br>Bothell, WA 98011             |
| Caseload Forecast Council                               | Kathleen Turnbow<br>Kathleen.turnbow@cfc.wa.gov | P-(360)902-0089<br>F-(360)902-0084              | PO Box 40962<br>Olympia, WA 98504-0962                 |
| Central Washington University                           | Toni Burvee<br>Toni.Burvee@cwu.edu              | P-(509)963-2335<br>F-(509)963-2336              | 400 E. University Way<br>Ellensburg, WA 98926-7474     |
| Charter School Commission                               | Mark Brown<br>PublicRecordsRequest@k12.wa.us    | P-(360)725-6372<br>F-(360)753-4201              | 600 Washington Street SE<br>Olympia, WA 98504-7200     |
| Childhood Deafness and Hearing Loss,<br>Center for      | Judy Smith<br>judy.smith@wsd.wa.gov             | P-(360)696-6525<br>Ext. 0401<br>F-(360)696-6291 | 611 Grand Boulevard, S-26<br>Vancouver, WA 98661       |
| Children, Youth, and Families, Department<br>of         | Jody Arndt<br>jody.arndt@dcyf.wa.gov            | P-(360)407-5520<br>F-(360)407-5571              | 1310 Jefferson Street SE<br>Olympia, WA 98501          |
| Clark College   | Bob Williamson<br>bwilliamson@clark.edu         | P-(360)992-2289<br>F-(360)992-2884              | 1933 Fort Vancouver Way<br>Vancouver, WA 98663         |
| Clover Park Technical College                           | Lisa Beach<br>lisa.beach@cptc.edu               | P-(253)589-5603<br>F-(253)589-5784              | 4500 Steilacoom Boulevard S.W.<br>Lakewood, WA 98499   |
| Code Reviser, Office of the                             | Kevin Shotwell<br>kevin.shotwell@leg.wa.gov     | P-(360)786-6777<br>F-(360)786-1471              | P.O. Box 40551<br>Olympia, WA 98504-0551               |
| Columbia Basin College                                  | Camilla Glatt<br>cglatt@columbiabasin.edu       | P-(509)542-5548<br>F-(509)544-2029              | 2600 North 20th Avenue<br>Pasco, WA 99301              |
| Columbia River Gorge Commission                         | Nancy Andring<br>andring@gorgecommission.org    | P-(509)493-3323<br>F-(509)493-2229              | P.O. Box 730<br>White Salmon, WA 98672                 |
| Commerce, Department of                                 | Shannon Goudy<br>shannon.goudy@commerce.wa.gov  | P-(360)725-2706<br>F-(360)586-8440              | PO Box 42525<br>Olympia, WA 98504                      |
| Community and Technical Colleges, State<br>Board for    | Julie Walter<br>jwalter@sbctc.ctc.edu           | P-(360)704-4313<br>F-(360)586-6440              | P.O. Box 42495<br>Olympia, WA 98504-2495               |

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| AGENCY                                      | RECORDS OFFICER                                   | PHONE/FAX                          | ADDRESS   |
|---|---|------------------------------------|---|
| Consolidated Technology Services            | Rebekah O'Hara                                    | P-(360)407-8818                    | 1500 Jefferson Street SE<br>Olympia, WA 98504-1501          |
| Corrections, Department of                  | Denise Vaughan<br>dlvaughan@doc1.wa.gov           | P-(360)725-8854                    | P.O. Box 41118<br>Olympia, WA 98504-1118                    |
| County Road Administration Board            | Karen Pendleton<br>karen@crab.wa.gov              | P-(360)753-5989<br>F-(360)586-0386 | 2404 Chandler Court SW, Suite 240<br>Olympia, WA 98504-0913 |
| Cranberry Commission                        | Joseph Knapp<br>joey.knapp@ssbwa.com              | P-(360)267-5481                    | PO Box 597<br>Grayland, WA 98547                            |
| Criminal Justice Training Commission        | Sonja Peterson<br>speterson@cjtc.state.wa.us      | P-(206)835-7356<br>F-(206)835-7313 | 19010 1st Avenue South<br>Burien, WA 98148                  |
| Dairy Products Commission                   | Vala Hallgrimson<br>vala@havemilk.com             | P-(425)672-0687<br>F-(425)672-0674 | 4201 198th Street SW<br>Lynnwood, WA 98036                  |
| Dry Pea and Lentil Commission               | Michael Shelton<br>mshelton@pea-lentil.com        | P-(208)882-3023<br>F-(208)882-6406 | 2780 West Pullman Road<br>Moscow, ID 83843                  |
| Early Learning, Department of               | James DeHart<br>james.dehart@del.wa.gov           | P-(360)725-4385<br>F-(360)725-4925 | PO Box 40970<br>Olympia, WA 98504-0970                      |
| Eastern Washington University               | Roxann Dempsey<br>roxann.dempsey@mail.ewu.edu     | P-(509)359-4210<br>F-(509)359-6705 | 307 Showalter Hall<br>Cheney, WA 99004                      |
| Ecology, Department of                      | Elizabeth McNagny<br>emcn461@ecy.wa.gov           | P-(360)407-6040<br>F-(360)407-6989 | 300 Desmond Drive<br>Lacey, WA 98504-7600                   |
| Economic Development Finance Authority      | Molly Abbey<br>molly.abbey@wshfc.org              | P-(206)257-4447<br>F-(206)587-5113 | 1000 Second Avenue, Suite 2700<br>Seattle, WA 98104         |
| Edmonds Community College                   | Dennis Curran<br>dennis.curran@edcc.edu           | P-(425)640-1647<br>F-(425)640-1359 | 20000 68th Avenue W<br>Lynnwood, WA 98036-5999              |
| Education Ombuds, Governor's Office of the  | Rose Spidell<br>Rose.Spidell@gov.wa.gov           | P-(866)297-2597<br>F-(844)866-5196 | 3518 Fremont Avenue N, #349<br>Seattle, WA 98103            |
| Education, State Board of                   | Janet Culik<br>janet.culik@k12.wa.us              | P-(360)725-4475<br>F-(360)586-2357 | 600 Washington St. SE<br>Olympia, WA 98504                  |
| Employment Security Department              | Robert Page<br>rpage@esd.wa.gov                   | P-(360)586-2132<br>F-(360)586-2133 | P.O. Box 9046<br>Olympia, WA 98507-9046                     |
| Enterprise Services, Department of          | Harold Goldes<br>publicdisclosure@des.wa.gov      | P-(360)407-8768                    | PO Box 42445<br>Olympia, WA 98504-2445                      |
| Environmental and Land Use Hearings Office  | Nancy Coverdell<br>Nancy.Coverdell@eluh.wa.gov    | P-(360)664-9171<br>F-(360)586-2253 | 1111 Israel Road SW, Suite 301<br>Tumwater, WA 98501        |
| Everett Community College                   | Jennifer Howard<br>jhoward@everettcc.edu          | P-(425)388-9232<br>F-(425)388-9228 | 2000 Tower<br>Everett, WA 98201                             |
| Evergreen State College, The                | Emily Kok<br>publicrecords@evergreen.edu          | P-(360)867-6914<br>F-(360)867-6577 | 2700 Evergreen Parkway N.W.,<br>L3214<br>Olympia, WA 98505  |
| Executive Ethics Board                      | Kate Reynolds<br>kater@atg.wa.gov                 | P-(360)586-6759<br>F-(360)586-3955 | 2425 Bristol Court SW<br>Olympia, WA 98504                  |
| Financial Institutions, Department of       | Debbie Montgomery<br>Debbie.montgomery@dfi.wa.gov | P-(360)725-7815<br>F-(360)596-3865 | PO Box 41200<br>Olympia, WA 98504-1200                      |
| Financial Management, Office of             | Nathan Sherrard<br>nathan.sherrard@ofm.wa.gov     | P-(360)902-0540<br>F-(360)664-2832 | P.O. Box 43113<br>Olympia, WA 98504-3113                    |
| Fish and Wildlife, Department of            | Anne Masias<br>Anne.Masias@dfw.wa.gov             | P-(360)902-9855<br>F-(360)902-2717 | 600 Capitol Way North<br>Olympia, WA 98501                  |
| Forest Practices Board                      | Patricia Anderson<br>patricia.anderson@dnr.wa.gov | P-(360)902-1413<br>F-(360)902-1428 | P.O. Box 47012<br>Olympia, WA 98504-7012                    |
| Freight Mobility Strategic Investment Board | Gena Saelid<br>saelidg@fmsib.wa.gov               | P-(360)586-9695                    | 505 Union Avenue SE<br>Olympia, WA 98504                    |
| Fruit Commission                            | JoAnne Daniels<br>joanne@wastatefruit.com         | P-(509)453-4837<br>F-(509)453-4880 | 105 S 18th St., Suite 205<br>Yakima, WA 98901               |
| Gambling Commission                         | Haylee Mills<br>haylee.mills@wsgc.wa.gov          | P-(360)486-3475<br>F-(360)486-3630 | P.O. Box 42400<br>Olympia, WA 98504-2400                    |
| Governor, Office of the                     | Taylor Wonhoff<br>publicdisclosure@gov.wa.gov     | P-(360)902-4111<br>F-(360)753-4110 | P.O. Box 40002<br>Olympia, WA 98504-0002                    |

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|---|---|------------------------------------|---|
| Grain Commission  | Parker Dawson<br>pdawson@wagrain.org                    | P-(509)456-2481<br>F-(509)456-2812 | 2702 W. Sunset Blvd., Suite A<br>Spokane, WA 99224    |
| Green River College   | Allison Friedly<br>afriedly@greenriver.edu              | P-(253)288-3360<br>F-(253)288-3460 | 12401 SE 320th Street<br>Auburn, WA 98092-3622        |
| Hardwoods Commission  | David Sweitzer<br>whc@wahardwoodscomm.com               | P-(360)385-1700<br>F-(360)835-1910 | PO Box 1095<br>Camus, WA 98607                        |
| Health Benefit Exchange                                     | Brian Peyton<br>brian.peyton@wahbexchange.org           | P-(360)407-4211<br>F-(360)407-4169 | PO Box 657<br>Olympia, WA 98507                       |
| Health Care Authority                                       | Catherine Taliaferro<br>catherine.taliaferro@hca.wa.gov | P-(360)725-1730<br>F-(360)586-9585 | 626 8th Avenue SE<br>Olympia, WA 98504-2700           |
| Health Care Facilities Authority                            | Shannon Govia<br>shannong@whcfa.wa.gov                  | P-(360)586-0140<br>F-(360)586-9168 | 410 11th Avenue SE<br>Olympia, WA 98504               |
| Health, Department of                                       | Melanee Auldredge<br>prd@doh.wa.gov                     | P-(360)236-4220                    | P.O. Box 47890<br>Olympia, WA 98504-7890              |
| Higher Education Facilities Authority                       | Paul Edwards<br>paul.r.edwards@wshfc.org                | P-(206)464-7139<br>F-(206)587-5113 | 1000 2nd Avenue, Suite 2700<br>Seattle, WA 98104-1046 |
| Highline Community College                                  | Vice-President for Administration<br>lyok@highline.edu  | P-(206)592-3545<br>F-(206)870-3754 | P.O. Box 98000<br>Des Moines, WA 98198-9800           |
| Hispanic Affairs, Commission on                             | Lisa van der Lugt<br>lisa.vanderlugt@cha.wa.gov         | P-(360)725-5660                    | 210 11th Avenue SW<br>Olympia, WA 98504               |
| Historical Society, Eastern Washington State                | John Drexel<br>johnd@northwestmuseum.org                | P-(509)363-5305<br>F-(509)363-5303 | 2316 West First Avenue<br>Spokane, WA 99204           |
| Historical Society, Washington State                        | Misty Reese<br>mreese@wshs.wa.gov                       | P-(253)798-5901<br>F-(253)272-9518 | 1911 Pacific Avenue<br>Tacoma, WA 98402               |
| Hop Commission  | Ann George<br>ageorge@wahops.org                        | P-(509)453-4749<br>F-(509)457-8561 | PO Box 1207<br>Moxee, WA 98936                        |
| Horse Racing Commission                                     | Douglas Moore<br>doug.moore@whrc.state.wa.us            | P-(360)459-6462<br>F-(360)459-6461 | 6326 Martin Way, Suite 209<br>Olympia, WA 98516-5578  |
| Human Rights Commission                                     | Laura Lindstrand<br>Laura.Lindstrand@hum.wa.gov         | P-(360)359-4923<br>F-(360)586-2282 | P.O. Box 42490<br>Olympia, WA 98504-2490              |
| Indeterminate Sentence Review Board                         | Robin Riley<br>rriley@doc1.wa.gov                       | P-(360)493-9274<br>F-(360)493-9287 | PO Box 40907<br>Olympia, WA 98504-0907                |
| Industrial Insurance Appeals, Board of                      | Jasmine McLaughlin<br>jasmine.mclaughlin@biia.wa.gov    | P-(360)753-6823<br>F-(360)586-5611 | PO Box 42401<br>Olympia, WA 98504-2401                |
| Insurance Commissioner, Office of the                       | Kelly Cairns<br>KellyC@oic.wa.gov                       | P-(360)725-7003<br>F-(360)725-2782 | P.O. Box 40255<br>Olympia, WA 98504-0255              |
| Investment Board, State                                     | Phil Brady<br>Phil.Brady@sib.wa.gov                     | P-(360)956-4600<br>F-(360)956-4775 | P.O. Box 40916<br>Olympia, WA 98504-0916              |
| Joint Legislative Audit and Review Committee                | Marilyn Richter<br>jlarc@leg.wa.gov                     | P-(360)786-5171<br>F-(360)786-5180 | 1300 Quince Street<br>Olympia, WA 98501-2323          |
| Judicial Conduct, Commission on                             | Tanya Calahan<br>tcalahan@cjcc.state.wa.us              | P-(360)753-4585<br>F-(360)586-2918 | PO Box 1817<br>Olympia, WA 98507                      |
| Labor and Industries, Department of                         | Darla Koflanovich<br>Darla.Koflanovich@lni.wa.gov       | P-(360)902-4404<br>F-(360)902-5529 | PO Box 44632<br>Olympia, WA 98504-4632                |
| Lake Washington Institute of Technology                     | William Thomas<br>bill.thomas@lwtech.edu                | P-(425)739-8201                    | 11605 132nd Avenue NE<br>Kirkland, WA 98034-8506      |
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## Washington State Register, Issue 19-01

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| Minority and Women's Business Enterprises, Office of               | Christine Salvador<br>publicrecords@omwbe.wa.gov            | P-(360)664-9755<br>F-(360)586-7079 | 1110 Capitol Way S, Suite 150<br>Olympia, WA 98501         |
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| Parks and Recreation Commission                                    | Brian Thrasher<br>Brian.Thrasher@parks.wa.gov               | P-(360)902-8514<br>F-(360)586-6651 | P.O. Box 42650<br>Olympia, WA 98504-2650                   |
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| Performance Measurement of Tax Preferences, Citizen Commission for | Marilyn Richter<br>Marilyn.Richter@leg.wa.gov               | P-(360)786-5171<br>F-(360)786-5180 | PO Box 40910<br>Olympia, WA 98501-2323                     |
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| Potato Commission  | Brandy Tucker<br>office@potatoes.com                        | P-(509)765-8845<br>F-(509)765-4853 | 108 S. Interlake Road<br>Moses Lake, WA 98837              |
| Public Disclosure Commission                                       | Toni Lince<br>pdc@pdc.wa.gov                                | P-(360)753-1111<br>F-(360)753-1112 | P.O. Box 40908<br>Olympia, WA 98504-0908                   |
| Public Employment Relations Commission                             | David Gedrose<br>david.gedrose@perc.wa.gov                  | P-(360)570-7322<br>F-(360)570-7334 | 112 N.E. Henry Street, Suite 300<br>Olympia, WA 98504-0919 |
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| Puget Sound Salmon Commission                                      | Janis Harsila<br>Soundcatch@seanet.com                      | P-(206)595-8734<br>F-(206)542-3930 | 1900 W Nickerson St., #116<br>Seattle, WA 98119            |
| Pulse Crops Commission   | Michael Shelton<br>mshelton@usapulses.org                   | P-(208)882-3023<br>F-(208)882-6406 | 2780 W Pullman Road<br>Moscow, ID 83843                    |
| Recreation and Conservation Office                                 | Patty Dickason<br>patty.dickason@rc.wa.gov                  | P-(360)902-3085<br>F-(360)902-3026 | PO Box 40917<br>Olympia, WA 98504-0917                     |
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| Seattle Colleges   | Jennie Chen<br>sccdpublicrecordsrequest@seattlecolleges.edu | P-(206)934-3873<br>F-(206)934-3803 | 1500 Harvard Avenue<br>Seattle, WA 98122                   |

## Washington State Register, Issue 19-01

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| Shoreline Community College                            | Stuart Trippel<br>strippel@shoreline.edu               | P-(206)546-4672<br>F-(206)533-6695             | 16101 Greenwood Avenue North<br>Shoreline, WA 98133       |
| Skagit Valley College                                  | Lisa Radeleff<br>lisa.radeleff@skagit.edu              | P-(360)416-7995<br>F-(360)416-7773             | 2405 E College Way<br>Mount Vernon, WA 98273              |
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| Washington State School Directors' Association         | Josh Collette<br>J.Collette@wssda.org                  | P-(360)252-3012<br>F-(360)252-3022             | 221 College Street N.E.<br>Olympia, WA 98516              |
| Washington State University                            | Victoria Murray<br>victoria.murray@wsu.edu             | P-(509)335-7507<br>F-(509)335-3930             | P.O. Box 641045<br>Pullman, WA 99164-1045                 |
| Wenatchee Valley College                               | Reagan Bellamy<br>rbellamy@wvc.edu                     | P-(509)682-6445<br>F-(509)682-6441             | 1300 Fifth Street<br>Wenatchee, WA 98801                  |

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| Whatcom Community College                           | Rafeeka Kloke<br>rkloke@whatcom.ctc.edu        | P-(360)383-3330<br>F-(360)383-3331             | 237 West Kellogg Road<br>Bellingham, WA 98226          |
| Wine Commission                                     | Jayne Cain<br>jcain@washingtonwine.org         | P-(206)326-5760<br>F-(206)583-0573             | 1201 Western Ave., Suite 450<br>Seattle, WA 98101-3402 |
| Women's Commission                                  | Marie Vela<br>Marie.Vela@wswc.wa.gov           | P-(360)902-8015<br>F-(360)902-0662             | PO Box 43113<br>Olympia, WA 98504                      |
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| Yakima Regional Clean Air Agency                    | Quatandra Jarvis<br>quatandra@yrcaa.org        | P-(509)834-2050<br>Ext. 114<br>F-(506)834-2060 | 329 N First Street<br>Yakima, WA 98901                 |
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**WSR 18-23-032**  
**RULES OF COURT**  
**STATE SUPREME COURT**

[November 9, 2018]

IN THE MATTER OF SUGGESTED ) ORDER  
AMENDMENTS TO RULES OF PRO- ) NO. 25700-A-1247  
FESSIONAL CONDUCT (RPCs) 5.5, 7.1, )  
7.2, 7.3, 7.4, AND 7.5 )

The Washington State Bar Association, having recommended the suggested amendments to Rules of Professional Conduct (RPCs) 5.5, 7.1, 7.2, 7.3, 7.4, and 7.5, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2019.

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

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2019. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov). Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 9th day of November, 2018.

For the Court

Fairhurst, C.J.

CHIEF JUSTICE

**GR 9 COVER SHEET**  
**Suggested Amendments to**  
**RULES OF PROFESSIONAL CONDUCT**  
Rules 5.5, 7.1, 7.2, 7.3, 7.4, 7.5

**A. Proponent:**

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**B. Spokespersons:**

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**C. Purpose:**

**I. OVERVIEW**

In June 2015, the Association of Professional Responsibility Lawyers (APRL)<sup>1</sup> issued a groundbreaking report following a two-year study of the regulation of lawyer advertising in the United States. Taking into account constitutional and antitrust concerns, technology change, globalization, and the impact of overregulation, the report concluded that the rules of professional conduct governing lawyer advertising are outdated and unworkable in the current legal environment. The report recommended substantial reform of the American Bar Association's Model Rules of Professional Conduct (ABA Model Rules) relating to lawyer communications and advertising.<sup>2</sup>

<sup>1</sup> APRL is a national professional association of attorneys who provide advice and services in all aspects of legal ethics, including private practitioners who defend lawyers in discipline matters, lawyers who provide ethics and risk management services, and law faculty in the area of legal ethics. Information about APRL is available at <https://aprl.net/>.

<sup>2</sup> In the 2015 Report, APRL reserved consideration of the ABA Model Rules related to direct solicitation of clients and referrals. APRL's Regulation of Lawyer Advertising Committee subsequently reconvened to consider those issues, and APRL issued a Supplemental Report on April 26, 2016. Both the 2015 Report and the 2016 Supplemental Report are available at <https://aprl.net/public-statements/>.

In early 2016, the WSBA Board of Governors (BOG) convened a workgroup to evaluate the APRL Report and report to the BOG regarding possible amendments to the rules governing lawyer advertising and communications in Title 7 of Washington's Rules of Professional Conduct (RPC). After considering the workgroup's analysis and recommendation, the BOG referred the issue to the WSBA Committee on Professional Ethics to develop a proposal for regulatory reform of Washington's ethics rules governing lawyer advertising and communications. The accompanying suggested amendments - designed to simplify the regulation of lawyer advertising, promote innovation in legal marketing, and improve access to legal services - are the culmination of this effort.

## II. BACKGROUND

### A. Impact of the APRL Report

APRL's 2015 Report and 2016 Supplemental Report were broadly disseminated and presented nationally to groups focused on ethics and lawyer regulation, including to the National Organization of Bar Counsel, the ABA National Conference on Professional Responsibility, the ABA Standing Committee on Ethics and Professional Responsibility, and the ABA Center for Professional Responsibility Fall Leadership Conference.

In light of the APRL Reports, the ABA Standing Committee on Ethics and Professional Responsibility (SCEPR) formed a workgroup to draft and recommend potential amendments to the ABA Model Rules to the ABA House of Delegates. The ABA SCEPR workgroup took written commentary on the APRL proposal and convened a public forum at the February 2017 ABA Mid-Year Meeting in Miami.<sup>3</sup> At the end of 2017, the workgroup released a working draft of amendments based on the APRL proposal. The workgroup hosted a well-attended second public forum at the February 2018 ABA Mid-year Meeting in Vancouver, British Columbia with thirteen speakers and about 65 attendees present. Twenty-seven written comments were accepted in the comment period to March 1, 2018, and the workgroup further modified its proposals. In late March, SCEPR presented a free webinar to introduce and explain the revised recommendations. More than 100 people registered for the forum and many favorable comments were received. Interest in the Standing Committee's work remains high and the trend is favorable to the changes. The Standing Committee plans to present its report and recommendation to amend the Model Rules to the ABA House of Delegates at the ABA Annual meeting in August 2018.

<sup>3</sup> A summary of the public forum is available at <http://www.americanbar.org/publications/youraba/2017/march-2017/aba-standing-committee-on-ethics-and-professional-responsibility.html>.

On April 17, 2017, the Virginia Supreme Court became the first state supreme court to revise its rules of professional conduct using the recommended APRL reforms as a tem-

plate. It has been reported to the proponent that committees have been formed in North Carolina and Maryland to review the APRL recommendations. Two other jurisdictions have reformed their Title 7 rules consistent with (although not as a result of) the APRL recommendations. On February 7, 2018, the Oregon Supreme Court adopted amendments to Oregon Rules of Professional Conduct 7.3 essentially identical to the amendment suggested here for Washington's RPC. Furthermore, many Title 7 rules in the District of Columbia mirror the principles recommended by APRL.

### B. Substance of the APRL Proposal

The APRL proposal recommends both substantive and procedural amendments to the ABA Model Rules of Professional Conduct, seeking greater simplicity and uniformity nationally. In short, the APRL Reports propose that the ABA Model Rules focus specifically on false and deceptive advertisements rather than impose complex technical requirements seeking to prohibit potentially misleading, distasteful, or unprofessional communications, and that discipline in this area be reserved for conduct that would otherwise violate Model Rule 8.4(c) (conduct involving fraud, deception, deceit, or misrepresentation).

The draft APRL amendments retain the core language of Model Rule 7.1 (prohibiting false or misleading communications about a lawyer or the lawyer's services), while deleting Rules 7.4 and 7.5 and most of Rule 7.2. Much of the commentary to the deleted rules migrated to the comments to Rule 7.1 to provide guidance and direction to lawyers in interpreting how to avoid "false and misleading communications."

With respect to solicitation and referrals, the 2016 APRL Supplemental Report proposes a modified Rule 7.2 that combines elements of current Model Rules 7.2 and 7.3. The modified Rule 7.2 would include a definition of solicitation in the black letter of the rule, and the general ban on solicitation would be limited to in-person and telephone contacts (not including real time electronic contact), with listed exceptions. The proposal also migrates the provision on prepaid and group legal services plans to Rule 7.2 and retains, in modified form, the prohibition in current Rule 7.2 on giving anything of value to a person for recommending the lawyer's services, with listed exceptions.

## III. WSBA REVIEW OF THE APRL PROPOSAL

In early 2016, the BOG formed the Advertising Workgroup to analyze whether the APRL proposal would be viable and appropriate in Washington, the ways in which the proposal might need to be modified in light of Washington's existing Title 7 RPC, and the extent to which the APRL proposal might be improved upon to address issues of over-regulation of advertising.

The consensus of the Advertising Workgroup, as stated in its February 2017 report to the BOG, was that (1) the APRL proposal represented a viable model for regulatory reform of ethics rules governing lawyer advertising and communications, (2) that work could begin on how to adapt the proposal for Washington State, and (3) that there was no reason to delay consideration of potential amendments.

In light of the widespread favorable reception of the APRL Report, the consistency of the APRL proposal with established enforcement practices in Washington State, and



the desirability of prompt action in the area of regulatory reform, the Advertising Workgroup proposed that the BOG commence the process of review and revision of Washington's RPC.

The BOG agreed with the workgroup's recommendation and on March 9, 2017, voted to direct the Committee on Professional Ethics (CPE) to: (1) evaluate, and as appropriate draft, potential amendments to Washington's Title 7 RPC in light of the APRL proposal, and (2) report its recommendation to the Board of Governors.

In March 2017 pursuant to the BOG's request, the CPE formed a subcommittee composed of CPE members and several members of the Advertising Workgroup to draft proposed rule amendments to Title 7. The subcommittee proposals were presented to and reviewed by the CPE over the course of several meetings and adopted at the October and December 2017 CPE meetings. After a first reading in January 2018, on March 8, 2018, the BOG approved the CPE recommendations for submission to the Court under GR 9.

#### IV. EXPLANATION OF RECOMMENDED CHANGES

These suggested amendments would (1) revise RPC 7.1 and 7.3 and their accompanying comments, (2) delete and reserve RPC 7.2, 7.4, and 7.5, and (3) relocate to RPC 5.5 provisions currently in RPC 7.5(b).

##### A. Communications Regarding Lawyer Services

The suggested amendments simplify the Title 7 rules while maintaining the core concept that communications regarding a lawyer's services must not be false or misleading. This core concept is expressed in RPC 7.1, which remains unchanged. Ancillary concepts related to (1) the communication of fields of practice and specialization, and (2) firm names, currently expressed in RPC 7.4 and 7.5 respectively, are incorporated into RPC 7.1 by moving the comments from RPC 7.4 and 7.5 to RPC 7.1 as new comments [5]-[13]. Black letter Rules 7.4 and 7.5 are removed and reserved. New comment [8] would make it clear that a lawyer is generally permitted to indicate a specialization, as long as the communication is consistent with the "false or misleading" standard of Rule 7.1.

The only other material difference from the APRL proposal is to reflect the existence in Washington of LLLTs in the comments, including the relocation of "Additional Washington Comments (3-4)" from RPC 7.5 to Additional Washington Comments (12-13) to RPC 7.1.

##### B. Advertising

The "Advertising" rule, RPC 7.2 is removed and reserved. The historical basis for having a separate rule was based on traditional restrictions on lawyer advertising that were virtually extinguished when the ABA Model Rules replaced the former ABA Model Code of Professional Responsibility in 1983. The provision in paragraph (b) of current RPC 7.2(b) for "referral fees" is moved to RPC 7.3, the solicitation rule, as discussed below.

##### C. Solicitation

The solicitation rule, RPC 7.3(a), has been simplified consistent with the policies discussed in APRL's 2016 Supplemental Report, though the suggested amendments to RPC 7.3 go further by eliminating the current distinction between written solicitation (generally permissible subject to specific prohibitions) and solicitation "by in-person, live telephone,

or real-time electronic contract" (generally impermissible but subject to safe harbor exceptions). The suggested RPC 7.3 revision recognizes that solicitation is generally permissible irrespective of form; instead, the rule focuses on prohibiting those solicitations that are unwanted or abusive in defined ways, e.g., where the solicitation is false or misleading, where the lawyer knows that the individual could not exercise reasonable judgment in employing the lawyer, or where the solicitation involves coercion, duress, or harassment. In addition, the suggested revision deletes and reserves paragraph (d), relating to authorized solicitations by prepaid or group legal services plans. Since in-person or telephone solicitation would no longer be generally prohibited, this provision would be unnecessary.

On April 17, 2017, the Virginia Supreme Court became the first state to adopt the APRL solicitation reforms. The Oregon Supreme Court simplified its solicitation rule even further when, on February 7, 2018, it issued an Amended Order adopting a version of the general solicitation rule which limits solicitation restrictions to abusive or unwanted communications "by any means."

##### D. Law Firms with Offices in Multiple Jurisdictions

Current RPC 7.5(b) appears to be the only place in the rules that provides a justification for permitting out-of-state law firms to open branch offices here and allowing Washington-based law firms to open offices in other jurisdictions. Black letter law would ordinarily prohibit multijurisdictional arrangements involving otherwise unlicensed individuals unless the arrangement is specifically authorized by law. *See* RCW 2.48.180 (2)(b), (2)(c), (2)(d), (2)(e); RPC 5.5 (b)(1) (a lawyer not admitted in Washington may not establish an office here for the practice of law "except as authorized by these Rules or other law"); *see also* Hazard, Hodes & Jarvis, *The Law of Lawyering* §63.06 (4th ed. 2015) (explaining that RPC 7.5(b), which "is chiefly concerned with the manner in which multistate firms present themselves to the public," implicitly endorses the existence of such firms; "Without such an understanding, a single firm could not *have* 'offices in more than one jurisdiction' ...."). The unauthorized practice statute makes this clear as well. *See* RCW 2.48.180(7) (in a prosecution for unauthorized practice of law under the Washington statute, "it is a defense if proven by the defendant by a preponderance of the evidence that, at the time of the offense, the conduct alleged was authorized by the rules of professional conduct or the admission to practice rules, or Washington business and professions licensing statutes or rules").

Because RPC 7.5 would be repealed under the rule changes being recommended, it is suggested that a new paragraph be included in RPC 5.5 (Unauthorized Practice of Law; Multijurisdictional Practice of Law) to clarify that when lawyers practice in firms having offices in more than one jurisdiction, the business structure does not itself constitute a violation of the Rules of Professional Conduct and the Washington unauthorized practice statute. New comments would be added to RPC 5.5 (Comment [22]) and RPC 7.1 (Comment [14]) explaining why this rule change is being made. References to RPC 7.5 in comments [4] and [21] to RPC 5.5 are removed.

In addition, two technical corrections are suggested in Comments [5] and [14] of RPC 5.5 to clarify that those comments are Washington revisions. Finally, as an additional technical correction, two instances of the phrase "to prospective clients" are deleted from Comment [21] to conform the comment to the ABA Model Rule.

*E. Compensation for Recommending Lawyer Services ("Referral Fees")*

The suggested amendments would move the "referral fee" provisions from RPC 7.2(b) to paragraph (b) of the solicitation rule, RPC 7.3, to reflect the historical justification for regulating referral fees as a prohibited form of solicitation (i.e., unseemly "running" or "ambulance chasing"). See Hazard, Hodes, & Jarvis, *The Law of Lawyering*, supra, at §60.05 (4th ed. 2015) ("Ordinarily, paying for a recommendation of a lawyer's services is a form of solicitation, and thus is prohibited by Model Rule 7.3. [Model] Rule 7.2(b), however, provides several commonsense exceptions to govern situations in which money does indeed change hands in exchange for a recommendation of services, but where the evils of direct contact solicitation are not present."). The one material difference from the APRL proposal is that the suggested rule reflects the existence in Washington of LLLTs in paragraph (b)(4).

Adopting this version of the referral fee rule would change or clarify the Washington rule on referral fees as follows:

- The rule is revised to expressly permit referral fee payments to lawyers and employees in the same firm to address, as noted in the APRL report, the reality that lawyers in the same firm routinely pay a portion of earned fees on a matter to the "originating" lawyer in the firm;
- Paragraph (b)(1) is changed to clarify that payments for online group directories or advertising platforms are permitted payments for advertising;
- Paragraph (b)(4) is changed to permit reciprocal referral arrangements with other professionals (in addition to lawyers and LLLTs), consistent with the current ABA Model Rule and the APRL proposal.
- Paragraph (b)(5) was added to include an additional exception for nominal gifts that are neither intended nor reasonably expected to be a form of compensation for recommending a lawyer's services.

**V. CONFORMING THE LIMITED LICENSE LEGAL TECHNICIAN RULES OF PROFESSIONAL CONDUCT**

If the suggested amendments to the lawyer advertising rules are adopted, the proponent recommends that the corresponding LLLT Rules of Professional Conduct be simultaneously amended so the two rule sets are in conformity. The LLLT Board is submitting suggested amendments to the LLLT RPC consistent with these suggested amendments.

**D. Hearing:**

A hearing is not requested.

**E. Expedited Consideration:**

Expedited consideration is not requested.

**SUGGESTED AMENDMENTS TO RULES OF PROFESSIONAL CONDUCT**

**TITLE 7 - INFORMATION ABOUT LEGAL SERVICES**

**RPC 7.1 COMMUNICATIONS CONCERNING A LAWYER'S SERVICES**

A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading.

**Comment**

[1] [Washington revision] This Rule governs all communications about a lawyer's services, ~~including advertising permitted by Rule 7.2~~. Whatever means are used to make known a lawyer's services, statements about them must be truthful.

[2] Truthful statements that are misleading are also prohibited by this Rule. A truthful statement is misleading if it omits a fact necessary to make the lawyer's communication considered as a whole not materially misleading. A truthful statement is also misleading if there is a substantial likelihood that it will lead a reasonable person to formulate a specific conclusion about the lawyer or the lawyer's services for which there is no reasonable factual foundation.

[3] An advertisement that truthfully reports a lawyer's achievements on behalf of clients or former clients may be misleading if presented so as to lead a reasonable person to form an unjustified expectation that the same results could be obtained for other clients in similar matters without reference to the specific factual and legal circumstances of each client's case. Similarly, an unsubstantiated comparison of the lawyer's services or fees with the services or fees of other lawyers may be misleading if presented with such specificity as would lead a reasonable person to conclude that the comparison can be substantiated. The inclusion of an appropriate disclaimer or qualifying language may preclude a finding that a statement is likely to create unjustified expectations or otherwise mislead the public.

[4] [Washington revision] It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation. Rule 8.4(c). See also Rule 8.4(e) for the prohibition against stating or implying an ability to influence improperly a government agency or official or to achieve results by means that violate the Rules of Professional Conduct or other law.

Additional Washington Comments (5-14)

[5] To assist the public in learning about and obtaining legal services, lawyers should be allowed to make known their services not only through reputation but also through organized information campaigns in the form of advertising. Advertising involves an active quest for clients, contrary to the tradition that a lawyer should not seek clientele. However, the public's need to know about legal services can be fulfilled in part through advertising. This need is particularly acute in the case of persons of moderate means who have not made extensive use of legal services. The interest in expanding public information about legal services ought to prevail over considerations of tradition. Nevertheless, advertising by lawyers entails the risk of practices that are misleading or overreaching.

[6] This Rule permits public dissemination of information concerning a lawyer's name or firm name, address, email address, website, and telephone number; the kinds of services the lawyer will undertake; the basis on which the lawyer's fees are determined, including prices for specific services and payment and credit arrangements; a lawyer's foreign language ability; names of references and, with their consent, names of clients regularly represented; and other information that might invite the attention of those seeking legal assistance.

[7] Questions of effectiveness and taste in advertising are matters of speculation and subjective judgment. Some jurisdictions have had extensive prohibitions against television and other forms of advertising, against advertising going beyond specified facts about a lawyer, or against "undignified" advertising. Television, the Internet, and other forms of electronic communication are now among the most powerful media for getting information to the public, particularly persons of low and moderate income; prohibiting television, Internet, and other forms of electronic advertising, therefore, would impede the flow of information about legal services to many sectors of the public. Limiting the information that may be advertised has a similar effect and assumes that the bar can accurately forecast the kind of information that the public would regard as relevant.

#### Areas of Expertise/Specialization

[8] A lawyer may indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate. A lawyer is generally permitted to state that the lawyer is a "specialist," practices a "specialty," or "specializes in" particular fields, but such communications are subject to the "false and misleading" standard applied in Rule 7.1 to communications concerning a lawyer's services. A lawyer may state that the lawyer is certified as a specialist in a field of law if such certification is granted by an organization approved by an appropriate state authority or accredited by the American Bar Association or another organization, such as a state bar association, that has been approved by the state authority to accredit organizations that certify lawyers as specialists. Certification signifies that an objective entity has recognized an advanced degree of knowledge and experience in the specialty area greater than is suggested by general licensure to practice law. Certifying organizations may be expected to apply standards of experience, knowledge and proficiency to insure that a lawyer's recognition as a specialist is meaningful and reliable. In order to insure that consumers can obtain access to useful information about an organization granting certification, the name of the certifying organization must be included in any communication regarding the certification.

[9] In advertising concerning an LLLT's services, an LLLT is required to communicate the fact that the LLLT has a limited license in the particular fields of law for which the LLLT is licensed and must not state or imply that the LLLT has broader authority to practice than is in fact the case. See LLLT RPC 7.1(b). When lawyers and LLLTs are associated in a firm, lawyers with managerial or pertinent supervisory authority must take measures to assure that the firm's communications conform with these obligations. See Rule 5.10.

#### Firm Names

[10] A firm may be designated by the names of all or some of its members, by the names of deceased members where there has been a continuing succession in the firm's identity or by a trade name such as the "ABC Legal Clinic." A lawyer or law firm may also be designated by a distinctive website address or comparable professional designation. Although the United States Supreme Court has held that legislation may prohibit the use of trade names in professional practice, use of such names in law practice is acceptable so long as it is not misleading. If a private firm uses a trade name that includes a geographical name such as "Springfield Legal Clinic," an express disclaimer that it is a public legal aid agency may be required to avoid a misleading implication. It may be observed that any firm name including the name of a deceased partner is, strictly speaking, a trade name. The use of such names to designate law firms has proven a useful means of identification. However, it is misleading to use the name of a lawyer or LLLT not associated with the firm or a predecessor of the firm, or the name of an individual who is neither a lawyer nor an LLLT.

[11] Lawyers or LLLTs sharing office facilities, but who are not in fact associated with each other in a law firm, may not denominate themselves as, for example, "Smith and Jones," for that title suggests that they are practicing law together in a firm.

[12] When lawyers and LLLTs are associated with each other in a law firm, the firm may be designated using the name of a member LLLT if the name is not otherwise in violation of this Rule.

[13] Lawyers or LLLTs practicing out of the same office who are not partners, shareholders of a professional corporation, or members of a professional limited liability company or partnership may not join their names together. Lawyers or LLLTs who are not 1) partners, shareholders of a professional corporation, or members of a professional limited liability company or partnership, or 2) employees of a sole proprietorship, partnership, professional corporation, or members of a professional limited liability company or partnership or other organization, or 3) in the relationship of being "Of Counsel" to a sole proprietorship, partnership, professional corporation, or members of a professional limited liability company or partnership or other organization, must have separate letterheads, cards and pleading paper, and must sign their names individually at the end of all pleadings and correspondence and not in conjunction with the names of other lawyers or LLLTs.

[14] A law firm with offices in more than one jurisdiction may use the same name or other professional designation in each jurisdiction. See Rule 5.5(f) and Comment [22]. In order to avoid misleading the public, when lawyers or LLLTs are identified as practicing in a particular office, the firm should indicate the jurisdictional limitations on those not licensed to practice in the jurisdiction where the office is located.

#### **RPC 7.2 ADVERTISING [RESERVED.]**

(a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through written, recorded or electronic communication, including public media.

(b) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may

(1) pay the reasonable cost of advertisements or communications permitted by this Rule;

(2) pay the usual charges of a legal service plan or a not-for-profit lawyer referral service;

(3) pay for a law practice in accordance with Rule 1.17; and

(4) refer clients to another lawyer or LLLT pursuant to an agreement not otherwise prohibited under these Rules that provides for the other person to refer clients or customers to the lawyer, if

(i) the reciprocal referral agreement is not exclusive, and

(ii) the client is informed of the existence and nature of the agreement.

(c) Any communication made pursuant to this Rule shall include the name and office address of at least one lawyer or law firm responsible for its content.

#### Comment

[1] To assist the public in learning about and obtaining legal services, lawyers should be allowed to make known their services not only through reputation but also through organized information campaigns in the form of advertising. Advertising involves an active quest for clients, contrary to the tradition that a lawyer should not seek clientele. However, the public's need to know about legal services can be fulfilled in part through advertising. This need is particularly acute in the case of persons of moderate means who have not made extensive use of legal services. The interest in expanding public information about legal services ought to prevail over considerations of tradition. Nevertheless, advertising by lawyers entails the risk of practices that are misleading or overreaching.

[2] This Rule permits public dissemination of information concerning a lawyer's name or firm name, address, email address, website, and telephone number; the kinds of services the lawyer will undertake; the basis on which the lawyer's fees are determined, including prices for specific services and payment and credit arrangements; a lawyer's foreign language ability; names of references and, with their consent, names of clients regularly represented; and other information that might invite the attention of those seeking legal assistance.

[3] Questions of effectiveness and taste in advertising are matters of speculation and subjective judgment. Some jurisdictions have had extensive prohibitions against television and other forms of advertising, against advertising going beyond specified facts about a lawyer, or against "undignified" advertising. Television, the Internet, and other forms of electronic communication are now among the most powerful media for getting information to the public, particularly persons of low and moderate income; prohibiting television, Internet, and other forms of electronic advertising, therefore, would impede the flow of information about legal services to many sectors of the public. Limiting the information that may be advertised has a similar effect and assumes that the bar can accurately forecast the kind of information that the public would regard as relevant. But see Rule 7.3(a) for the prohibi-

tion against a solicitation of a possible client through a real-time electronic exchange initiated by the lawyer.

[4] Neither this Rule nor Rule 7.3 prohibits communications authorized by law, such as notice to members of a class in class action litigation.

#### *Paying Others to Recommend a Lawyer*

[5] ~~[Washington revision]~~ Except as permitted under paragraphs (b)(1)-(b)(4), lawyers are not permitted to pay others for recommending the lawyer's services or for channeling professional work in a manner that violates Rule 7.3. A communication contains a recommendation if it endorses or vouches for a lawyer's credentials, abilities, competence, character, or other professional qualities. Paragraph (b)(1), however, allows a lawyer to pay for advertising and communications permitted by this Rule, including the costs of print directory listings, on-line directory listings, newspaper ads, television and radio airtime, domain name registrations, sponsorship fees, Internet-based advertisements, and group advertising. A lawyer may compensate employees, agents and vendors who are engaged to provide marketing or client development services, such as publicists, public relations personnel, business development staff and website designers. Moreover, a lawyer may pay others for generating client leads, such as Internet-based client leads, as long as the lead generator does not recommend the lawyer, any payment to the lead generator is consistent with Rules 1.5(e) (division of fees) and 5.4 (professional independence of the lawyer), and the lead generator's communications are consistent with Rule 7.1 (communications concerning a lawyer's services). To comply with Rule 7.1, a lawyer must not pay a lead generator that states, implies, or creates a reasonable impression that it is recommending the lawyer, is making the referral without payment from the lawyer, or has analyzed a person's legal problems when determining which lawyer should receive the referral. See also Rule 5.3 (duties of lawyers and law firms with respect to the conduct of nonlawyers); Rule 8.4(a) (duty to avoid violating the Rules through the acts of another). For the definition of nonlawyer for the purposes of Rule 5.3, see Washington Comment [5] to Rule 5.3.

[6] ~~[Washington revision]~~ A lawyer may pay the usual charges of a legal service plan or a not-for-profit lawyer referral service. A legal service plan is a prepaid or group legal service plan or a similar delivery system that assists people who seek to secure legal representation. A lawyer referral service, on the other hand, is any organization that holds itself out to the public as a lawyer referral service. Such referral services are understood by the public to be consumer-oriented organizations that provide unbiased referrals to lawyers with appropriate experience in the subject matter of the representation and afford other client protections, such as complaint procedures or malpractice insurance requirements. Consequently, this Rule only permits a lawyer to pay the usual charges of a not-for-profit lawyer referral service.

[7] A lawyer who accepts assignments or referrals from a legal service plan or referrals from a lawyer referral service must act reasonably to assure that the activities of the plan or service are compatible with the lawyer's professional obligations. See Rule 5.3. Legal service plans and lawyer referral services may communicate with the public, but such communication must be in conformity with these Rules. Thus, adver-

tising must not be false or misleading, as would be the case if the communications of a group advertising program or a group legal services plan would mislead the public to think that it was a lawyer referral service sponsored by a state agency or bar association. Nor could the lawyer allow in-person, telephonic, or real-time contacts that would violate Rule 7.3.

[8] ~~[Washington revision]~~ A lawyer also may agree to refer clients to another lawyer in return for the undertaking of that person to refer clients or customers to the lawyer. Such reciprocal referral arrangements must not interfere with the lawyer's professional judgment as to making referrals or as to providing substantive legal services. See Rules 2.1 and 5.4(e). Except as provided in Rule 1.5(e), a lawyer who receives referrals from a lawyer must not pay anything solely for the referral, but the lawyer does not violate paragraph (b) of this Rule by agreeing to refer clients to the other lawyer, so long as the reciprocal referral agreement is not exclusive and the client is informed of the referral agreement. Conflicts of interest created by such arrangements are governed by Rule 1.7. Reciprocal referral agreements should not be of indefinite duration and should be reviewed periodically to determine whether they comply with these Rules. This Rule does not restrict referrals or divisions of revenues or net income among lawyers within firms comprised of multiple entities.

#### **Additional Washington Comment (9)**

[9] That portion of Model Rule 7.2 (b)(4) that allows lawyers to enter into reciprocal referral agreements with non-lawyer professionals was not adopted. A lawyer may agree to refer clients to an LLLT in return for the undertaking of that person to refer clients to the lawyer. The guidance provided in Comment [8] to this Rule is also applicable to reciprocal referral arrangements between lawyers and LLLTs. Under LLLT RPC 1.5(e), however, an LLLT may not enter into an arrangement for the division of a fee with a lawyer who is not in the same firm as the LLLT.

#### **RPC 7.3 SOLICITATION OF CLIENTS**

(a) A lawyer shall not directly or through a third person, by in-person, live telephone, or real-time electronic contact ~~may~~ solicit professional employment from a possible client when a significant motive for the lawyer's doing so is the lawyer's pecuniary gain, unless the person contacted:

(1) is a lawyer or an LLLT or the solicitation is false or misleading;

(2) has a family, close personal, or prior professional relationship with the lawyer or the lawyer knows or reasonably should know that the physical, emotional, or mental state of the subject of the solicitation is such that the person could not exercise reasonable judgment in employing a lawyer;

(3) has consented to the contact by requesting a referral from a not-for-profit lawyer referral service; the subject of the solicitation has made known to the lawyer a desire not to be solicited by the lawyer; or

(4) the solicitation involves coercion, duress, or harassment.

(b) A lawyer shall not solicit professional employment from a client by written, recorded or electronic communication or by in-person, telephone or real-time electronic contact even when not otherwise prohibited by paragraph (a), if com-

pensate, or give or promise anything of value to, a person who is not an employee or lawyer in the same law firm for the purpose of recommending or securing the services of the lawyer or law firm, except that a lawyer may:

(1) the target of the solicitation has made known to the lawyer a desire not to be solicited by the lawyer; or pay the reasonable cost of advertisements or communications permitted by Rule 7.1, including online group advertising;

(2) the solicitation involves coercion, duress or harassment; pay the usual charges of a legal service plan or a not-for-profit lawyer referral service;

(3) pay for a law practice in accordance with Rule 1.17;

(4) refer clients to another lawyer or LLLT or other non-lawyer professional pursuant to an agreement not otherwise prohibited under these Rules that provides for the other person to refer clients or customers to the lawyer, if:

(i) the reciprocal referral agreement is not exclusive, and

(ii) the client is informed of the existence and nature of the agreement;

(5) give nominal gifts that are neither intended nor reasonably expected to be a form of compensation for recommending a lawyer's services.

(c) [Reserved.]

(d) Notwithstanding the prohibitions in paragraph (a), a lawyer may participate with a prepaid or group legal service plan operated by an organization not owned or directed by the lawyer that uses in-person or telephone contact to solicit memberships or subscriptions for the plan from persons who are not known to need legal services in a particular matter covered by the plan. [Reserved.]

#### **Comment**

[1] ~~[Washington revision]~~ A solicitation is a targeted communication initiated by the or on behalf of a lawyer that is directed to a specific person and that offers to provide, or can reasonably be understood as offering to provide, legal services. Solicitations can include in-person, written, telephonic, and electronic communications. In contrast, a lawyer's communication typically does not constitute a solicitation if it is directed to the general public, such as through a billboard, an Internet banner advertisement, a website or a television commercial, or if it is in response to a request for information or is automatically generated in response to Internet searches.

[2] ~~[Reserved.]~~ There is a potential for abuse when a solicitation involves direct in-person, live telephone or real-time electronic contact by a lawyer with someone known to need legal services. These forms of contact subject a person to the private importuning of the trained advocate in a direct interpersonal encounter. The person, who may already feel overwhelmed by the circumstances giving rise to the need for legal services, may find it difficult fully to evaluate all available alternatives with reasoned judgment and appropriate self-interest in the face of the lawyer's presence and insistence upon being retained immediately. The situation is fraught with the possibility of undue influence, intimidation, and over-reaching.

[3] ~~[Reserved.]~~ This potential for abuse inherent in direct in-person, live telephone or real-time electronic solicitation justifies its prohibition, particularly since lawyers have alternative means of conveying necessary information to those

who may be in need of legal services. In particular, communications can be mailed or transmitted by email or other electronic means that do not involve real-time contact and do not violate other laws governing solicitations. These forms of communications and solicitations make it possible for the public to be informed about the need for legal services, and about the qualifications of available lawyers and law firms, without subjecting the public to direct in-person, telephone or real-time electronic persuasion that may overwhelm a person's judgment.

[4] [Reserved.] The use of general advertising and written, recorded or electronic communications to transmit information from lawyer to the public, rather than direct in-person, live telephone or real-time electronic contact, will help to assure that the information flows cleanly as well as freely. The contents of advertisements and communications permitted under Rule 7.2 can be permanently recorded so that they cannot be disputed and may be shared with others who know the lawyer. This potential for informal review is itself likely to help guard against statements and claims that might constitute false and misleading communications, in violation of Rule 7.1. The contents of direct in-person, live telephone or real-time electronic contact can be disputed and may not be subject to third-party scrutiny. Consequently, they are much more likely to approach (and occasionally cross) the dividing line between accurate representations and those that are false and misleading.

[5] [Reserved. **Washington revision**] There is far less likelihood that a lawyer would engage in abusive practices against a former client, or a person with whom the lawyer has close personal or family relationship, or in situations in which the lawyer is motivated by considerations other than the lawyer's pecuniary gain. Nor is there a serious potential for abuse when the person contacted is a lawyer or an LLLT. Consequently, the general prohibition in Rule 7.3(a) is not applicable in those situations. Also, paragraph (a) is not intended to prohibit a lawyer from participating in constitutionally protected activities of public or charitable legal service organizations or bona fide political, social, civic, fraternal, employee or trade organizations whose purposes include providing or recommending legal services to its members or beneficiaries.

[6] [Reserved.] But even permitted forms of solicitation can be abused. Thus, any solicitation which contains information which is false or misleading within the meaning of Rule 7.1, which involves coercion, duress or harassment within the meaning of Rule 7.3(b)(2), or which involves contact with someone who has made known to the lawyer a desire not to be solicited by the lawyer within the meaning of Rule 7.3(b)(1) is prohibited. Moreover, if after sending a letter or other communication as permitted by Rule 7.2 the lawyer receives no response, any further effort to communicate with the recipient of the communication may violate the provisions of Rule 7.3(b).

[7] [Reserved] This Rule is not intended to prohibit a lawyer from contacting representatives of organizations or groups that may be interested in establishing a group or prepaid legal plan for their members, insured, beneficiaries, or other third parties for the purpose of informing such entities of the availability of and details concerning the plan or

arrangement which the lawyer or lawyer's firm is willing to offer. This form of communication is not directed to people who are seeking legal services for themselves. Rather, it is usually addressed to an individual acting in a fiduciary capacity seeking a supplier of legal services for others who may, if they choose, become prospective clients of the lawyer. Under these circumstances, the activity which the lawyer undertakes in communicating with such representatives and the type of information transmitted to the individual are functionally similar to and serve the same purpose as advertising permitted under Rule 7.2.

[8] [Reserved.]

[9] [Reserved.] Paragraph (d) of this Rule permits a lawyer to participate with an organization which uses personal contact to solicit members for its group or prepaid legal service plan, provided that the personal contact is not undertaken by any lawyer who would be a provider of legal services through the plan. The organization must not be owned by or directed (whether as manager or otherwise) by any lawyer or law firm that participates in the plan. For example, paragraph (d) would not permit a lawyer to create an organization controlled directly or indirectly by the lawyer and use the organization for the in-person or telephone solicitation of legal employment of the lawyer through memberships in the plan or otherwise. The communication permitted by these organizations also must not be directed to a person known to need legal services in a particular matter, but is to be designed to inform potential plan members generally of another means of affordable legal services. Lawyers who participate in a legal service plan must reasonably assure that the plan sponsors are in compliance with Rules 7.1, 7.2 and 7.3(b). See 8.4(a).

#### Additional Washington Comments (10 - 1416)

[10] A lawyer who receives a referral from a third party should exercise caution in contacting the prospective client directly by in-person, live telephone, or real-time electronic contact. Such contact is generally prohibited by this Rule unless the prospective client has asked to be contacted by the lawyer. A prospective client may request such contact through a third party. Prior to initiating contact with the prospective client, however, the lawyer should confirm with the source of the referral that the prospective client has indeed made such a request. Similarly, when making referrals to other lawyers, the referring lawyer should discuss with the prospective client whether he or she wishes to be contacted directly. While all communications about a lawyer's services are subject to the general prohibition against false or misleading communication in Rule 7.1, in-person solicitation can create problems because of the particular circumstances in which the solicitation takes place, and those circumstances are, therefore, appropriately regulated. Paragraph (a) of this Rule prohibits solicitation in circumstances or through means that are not conducive to intelligent, rational decisions. Unwanted solicitations (after the subject has informed the lawyer not to make contact) or solicitations involving coercion, duress, or harassment are specifically prohibited. Such circumstances and means could be the harassment of early morning or late-night telephone calls to a potential client to solicit legal work, repeated calls at any time of day, solicitation of an accident victim or the victim's family shortly after

the accident or while the victim is still in medical distress (particularly where a lawyer seeks professional employment by in-person or other real-time contact in such circumstances), or solicitation of vulnerable subjects, such as persons facing incarceration, or their family members, in or near a courthouse. The prohibition on solicitation of a subject who cannot "exercise reasonable judgment in employing a lawyer" extends to an individual with diminished capacity who cannot adequately act in the individual's own interest, and the provisions of Rule 1.14 may provide guidance in evaluating "the physical, emotional or mental" state of the subject.

[11] Those in need of legal representation often seek assistance in finding a lawyer through a lawyer referral service. Washington adopted paragraph (a)(3) in order to facilitate communication between lawyers and potential clients who have specifically requested a referral from a not-for-profit lawyer referral service. Under this paragraph, a lawyer receiving such a referral may contact the potential client directly by in-person, live telephone, or real-time electronic contact to discuss possible representation. Under Rule 5.1, Rule 5.3, and Rule 8.4(a), the solicitation restrictions that apply to the lawyer's own acts or conduct also extend to acts or conduct by employees, agents, or any third persons acting on the lawyer's behalf.

[12] Washington did not adopt paragraph (c) of the Model Rule relating to labeling of communications with prospective clients and solicitations. A specific labeling requirement is unnecessary in light of the prohibitions in Rule 7.1 and Rule 7.3 (a)(1) against false or misleading communications regarding the lawyer or the lawyer's services and in solicitations of professional employment. Washington also has not adopted paragraph (d) of the Model Rule creating a safe harbor for in-person and telephonic solicitations in the context of a prepaid or group legal services plan because solicitations of professional employment by any means and in all contexts are permitted subject to the exceptions contained in paragraphs (a)(1) - (4). In addition, prior provisions and comments under Rule 7.3 in Washington relating to in-person, telephonic, or real-time electronic solicitations in the context of referrals from a third party or a lawyer referral service have been removed because solicitations by any means in this context are permitted subject to the exceptions contained in paragraphs (a)(1) - (4) of this Rule.

#### *Paying Others to Recommend a Lawyer*

[13] The phrase "directly or through a third person" in paragraph (a) was retained from former Washington RPC 7.3(a). Paragraph (b) of this Rule was derived from former Washington RPC 7.2(b).

[14] The phrase "prospective client" in Rule 7.3(a) has been replaced with the phrase "possible client" because the phrase "prospective client" has become a defined phrase under Rule 1.18 with a different meaning. This is a departure from the ABA Model Rule which has dispensed altogether with the phrase "from a prospective client" in this rule. The rule is not intended to preclude lawyers from in-person conversations with friends, relatives or other professionals (i.e. intermediaries) about other friends, relatives, clients or patients who may need or benefit from the lawyer's services, so long as the lawyer is not asking or expecting the intermediary to engage in improper solicitation. See RPC 8.4(a)

which prohibits improper solicitation "through the acts of another." Absent limitation of prohibited in-person communications to "possible clients" there is danger that lawyers might mistakenly infer that the kind of benign conversations with non-client intermediaries described above are precluded by this rule. Except as permitted under paragraphs (b)(1)-(b)(5), lawyers are not permitted to pay others for recommending the lawyer's services or for channeling professional work in a manner that violates RPC 7.1 or RPC 7.3. A communication contains a recommendation if it endorses or vouches for a lawyer's credentials, abilities, competence, character, or other professional qualities. Paragraph (b)(1), however, allows a lawyer to pay for advertising and solicitations permitted by RPC 7.1 and this Rule, including the costs of print directory listings, online directory listings, newspaper ads, television and radio airtime, domain-name registrations, sponsorship fees, Internet-based advertisements, and group advertising. A lawyer may compensate employees, agents and vendors who are engaged to provide marketing or client-development services, such as publicists, public-relations personnel, business-development staff and website designers, as long as the employees, agents and vendors do not direct or regulate the lawyer's professional judgment (see Rule 5.4(c)). Moreover, a lawyer may pay others for generating client leads, such as Internet-based client leads, as long as the lead generator does not recommend the lawyer, any payment to the lead generator is consistent with RPC 1.5(e) (division of fees) and 5.4 (professional independence of the lawyer), and the lead generator's communications are consistent with RPC 7.1 (communications concerning a lawyer's services). To comply with RPC 7.1, a lawyer must not pay a lead generator that states, implies, or creates a reasonable impression that it is recommending the lawyer, is making the referral without payment from the lawyer, or has analyzed a person's legal problems when determining which lawyer should receive the referral. See also Rule 5.3 (duties of lawyers and law firms with respect to the conduct of nonlawyers); RPC 8.4(a) (duty to avoid violating the rules through the acts of another). For the definition of nonlawyer for the purposes of Rule 5.3, see Washington Comment [5] to Rule 5.3.

[15] A lawyer may pay the usual charges of a legal service plan or a not-for-profit lawyer referral service. A legal service plan is a prepaid or group legal service plan or a similar delivery system that assists people who seek to secure legal representation. A lawyer referral service, on the other hand, is any individual or entity that operates for the direct or indirect purpose of referring potential clients to lawyers, regardless of whether the term "referral service" is used. The "usual charges" of a legal service plan or not-for-profit lawyer referral service are fees that are openly promulgated and uniformly applied. Not-for-profit lawyer referral services are understood by the public to be consumer-oriented organizations that provide unbiased referrals to lawyers with appropriate experience in the subject matter of the representation and afford other client protections, such as complaint procedures or malpractice insurance requirements.

[16] A lawyer also may agree to refer clients to another lawyer or LLLT or other nonlawyer professional in return for the undertaking of that person to refer clients or customers to

the lawyer. Such reciprocal referral arrangements must not interfere with the lawyer's professional judgment as to making referrals or as to providing substantive legal services. See Rules 2.1 and 5.4(c). Except as provided in Rule 1.5(c), a lawyer who receives referrals from a lawyer or LLLT or other nonlawyer professional must not pay anything solely for the referral, but the lawyer does not violate this Rule by agreeing to refer clients to the other lawyer or LLLT or other nonlawyer professional, so long as the reciprocal referral agreement is not exclusive and the client is informed of the referral agreement. Conflicts of interest created by such arrangements are governed by Rule 1.7. Reciprocal referral agreements should not be of indefinite duration and should be reviewed periodically to determine whether they comply with these Rules. This Rule does not restrict referrals or divisions of revenues or net income among lawyers within firms comprised of multiple entities. Under LLLT RPC 1.5(e), however, an LLLT may not enter into an arrangement for the division of a fee with a lawyer who is not in the same firm as the LLLT.

**RPC 7.4 COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION [RESERVED.]**

(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law.

(b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "Patent Attorney" or a substantially similar designation.

(c) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or substantially similar designation.

(d) A lawyer shall not state or imply that a lawyer is a specialist in a particular field of law, except upon issuance of an identifying certificate, award, or recognition by a group, organization, or association, a lawyer may use the terms "certified", "specialist", "expert", or any other similar term to describe his or her qualifications as a lawyer or his or her qualifications in any subspecialty of the law. If the terms are used to identify any certificate, award, or recognition by any group, organization, or association, the reference must:

(1) be truthful and verifiable and otherwise comply with Rule 7.1;

(2) identify the certifying group, organization, or association; and

(3) the reference must state that the Supreme Court of Washington does not recognize certification of specialties in the practice of law and that the certificate, award, or recognition is not a requirement to practice law in the state of Washington.

**Comment**

[1] [Washington revision] Paragraph (a) of this Rule permits a lawyer to indicate areas of practice in communications about the lawyer's services. If a lawyer practices only in certain fields, or will not accept matters except in a specified field or fields, the lawyer is permitted to so indicate.

[2] Paragraph (b) recognizes the long-established policy of the Patent and Trademark Office for the designation of lawyers practicing before the Office. Paragraph (c) recognizes that designation of Admiralty practice has a long histor-

ical tradition associated with maritime commerce and the federal courts.

[3] [Reserved.]

**Additional Washington Comment (4-5)**

[4] Statements indicating that the lawyer is a "specialist," practices a "specialty," "specializes in" particular fields, and the like, are subject to the limitations set forth in paragraph (d). The provisions of paragraph (d) were taken from former Washington RPC 7.4(b).

[5] In advertising concerning an LLLT's services, an LLLT is required to communicate the fact that the LLLT has a limited license in the particular fields of law for which the LLLT is licensed and must not state or imply that the LLLT has broader authority to practice than is in fact the case. See LLLT RPC 7.4(a); see also LLLT RPC 7.2(c) (advertisements must include the name and office address of at least one responsible LLLT or law firm). When lawyers and LLLTs are associated in a firm, lawyers with managerial or pertinent supervisory authority must take measures to assure that the firm's communications conform with these obligations. See Rule 5.10.

**RPC 7.5 FIRM NAMES AND LETTERHEADS [RESERVED.]**

(a) A lawyer shall not use a firm name, letterhead or other professional designation that violates Rule 7.1. A trade name may be used by a lawyer in private practice if it does not imply a connection with a government agency or with a public or charitable legal services organization and is not otherwise in violation of Rule 7.1.

(b) A law firm with offices in more than one jurisdiction may use the same name or other professional designation in each jurisdiction, but identification of the lawyers or LLLTs in an office of the firm shall indicate the jurisdictional limitations on those not licensed to practice in the jurisdiction where the office is located.

(c) The name of a lawyer or LLLT holding a public office shall not be used in the name of a law firm, or in communications on its behalf, during any substantial period in which the lawyer or LLLT is not actively and regularly practicing with the firm.

(d) Lawyers may state or imply that they practice in a partnership or other organization only when that is a fact.

**Comment**

[1] [Washington revision] A firm may be designated by the names of all or some of its members, by the names of deceased members where there has been a continuing succession in the firm's identity or by a trade name such as the "ABC Legal Clinic." A lawyer or law firm may also be designated by a distinctive website address or comparable professional designation. Although the United States Supreme Court has held that legislation may prohibit the use of trade names in professional practice, use of such names in law practice is acceptable so long as it is not misleading. If a private firm uses a trade name that includes a geographical name such as "Springfield Legal Clinic," an express disclaimer that it is a public legal aid agency may be required to avoid a misleading implication. It may be observed that any firm name including the name of a deceased partner is, strictly speaking, a trade name. The use of such names to designate law firms has proven a useful means of identification. However, it is



misleading to use the name of a lawyer or LLLT not associated with the firm or a predecessor of the firm, or the name of an individual who is neither a lawyer nor an LLLT.

~~[2] [Washington revision] With regard to paragraph (d), lawyers or LLLTs sharing office facilities, but who are not in fact associated with each other in a law firm, may not denominate themselves as, for example, "Smith and Jones," for that title suggests that they are practicing law together in a firm.~~

~~**Additional Washington Comment (3-4)**~~

~~[3] When lawyers and LLLTs are associated with each other in a law firm, the firm may be designated using the name of a member LLLT if the name is not otherwise in violation of Rule 7.1, this Rule, or LLLT RPC 7.5. See also Washington Comment [4] to the Rule.~~

~~[4] Lawyers or LLLTs practicing out of the same office who are not partners, shareholders of a professional corporation, or members of a professional limited liability company or partnership may not join their names together. Lawyers or LLLTs who are not 1) partners, shareholders of a professional corporation, or members of a professional limited liability company or partnership, or 2) employees of a sole proprietorship, partnership, professional corporation, or members of a professional limited liability company or partnership or other organization, or 3) in the relationship of being "Of Counsel" to a sole proprietorship, partnership, professional corporation, or members of a professional limited liability company or partnership or other organization, must have separate letterheads, cards and pleading paper, and must sign their names individually at the end of all pleadings and correspondence and not in conjunction with the names of other lawyers or LLLTs. (The provisions of this Comment were taken from former Washington RPC 7.5(d).)~~

**SUGGESTED AMENDMENTS TO RULES OF PROFESSIONAL CONDUCT  
TITLE 5 - LAW FIRMS AND ASSOCIATIONS**

**RPC 5.5 UNAUTHORIZED PRACTICE OF LAW; MULTIJURISDICTIONAL PRACTICE OF LAW**

(a) - (e) Unchanged.

(f) Paragraph (b)(1) of this Rule does not prohibit a law firm with offices in multiple jurisdictions from establishing and maintaining an office in this jurisdiction even if some of the lawyers that are members of the firm or are otherwise employed or retained by or associated with the law firm are not authorized to practice law in this jurisdiction.

Comment

[1] - [3] Unchanged.

[4] [Washington revision] Other than as authorized by law or this Rule, a lawyer who is not admitted to practice generally in this jurisdiction violates paragraph (b) if the lawyer establishes an office or other systematic and continuous presence in this jurisdiction for the practice of law. Presence may be systematic and continuous even if the lawyer is not physically present here. Such a lawyer must not hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. See also Rules 7.1 and 7.5(b) Washington Comment [14] to Rule 7.1.

[5] [Washington revision] There are occasions in which a lawyer admitted to practice in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis

in this jurisdiction under circumstances that do not create an unreasonable risk to the interests of their clients, the public or the courts. Paragraph (c) identifies four such circumstances. The fact that conduct is not so identified does not imply that the conduct is or is not authorized. With the exception of paragraph (d)(2), this Rule does not authorize a U.S. or foreign lawyer to establish an office or other systematic and continuous presence in this jurisdiction without being admitted to practice generally or as house counsel under APR 8(f) here.

[6] - [13] Unchanged.

[14] [Washington revision] Paragraphs (c)(3) and (c)(4) require that the services arise out of or be reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted. A variety of factors evidence such a relationship. The lawyer's client may have been previously represented by the lawyer, or may be resident in or have substantial contacts with the jurisdiction in which the lawyer is admitted. The matter, although involving other jurisdictions, may have a significant connection with that jurisdiction. In other cases, significant aspects of the lawyer's work might be conducted in that jurisdiction or a significant aspect of the matter may involve the law of that jurisdiction. The necessary relationship might arise when the client's activities or the legal issues involve multiple jurisdictions, such as when the officers of a multinational corporation survey potential business sites and seek the services of their lawyer in assessing the relative merits of each. In addition, the services may draw on the lawyer's recognized expertise developed through the regular practice of law on behalf of clients in matters involving a particular body of federal, nationally-uniform, foreign, or international law. Lawyers desiring to provide pro bono legal services on a temporary basis in Washington following determination by the Supreme Court that an emergency affecting the justice system, as a result of a natural or other major disaster, has occurred, who are not otherwise authorized to practice law in Washington, as well as lawyers from another affected jurisdiction who seek to practice law temporarily in Washington, but who are not otherwise authorized to practice law in Washington, should consult Admission to Practice Rule 27 on Provision of Legal Services Following Determination of Major Disaster.

[15] - [20] Unchanged.

[21] [Washington revision] Paragraphs (c) and (d) do not authorize communications advertising legal services to prospective clients in this jurisdiction by lawyers who are admitted to practice in other jurisdictions. Whether and how lawyers may communicate the availability of their services to prospective clients in this jurisdiction is governed by Rules 7.1 to 7.5.

Additional Washington Comment (22)

[22] Paragraph (f) is derived from former Rule 7.5(b), which permitted law firms with offices in more than one jurisdiction to use the same name or other professional designation in each jurisdiction, and is intended to maintain authorization in the Rules of Professional Conduct for the presence of multijurisdictional law firms in Washington for purposes of RCW 2.48.180(7).

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

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

Reviser's note: The spelling 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 18-24-063
RULES OF COURT
STATE SUPREME COURT

[November 28, 2018]

IN THE MATTER OF SUGGESTED ) ORDER
AMENDMENTS TO CrR 1.3—EFFECT; ) NO. 25700-A-1252
CrR 3.4—PRESENCE OF THE DEFEN- )
DANT; CrR 4.4—SEVERANCE OF )
OFFENSES AND DEFENDANTS; CrRLJ )
4.4—SEVERANCE OF OFFENSES AND )
DEFENDANTS; AND CR 30—DEPOSI- )
TIONS UPON ORAL EXAMINATION )

The Washington State Bar Association's Court Rules and Procedures Committee, having recommended the suggested amendments to CrR 1.3—Effect; CrR 3.4—Presence of the Defendant; CrR 4.4—Severance of Offenses and Defendants; CrRLJ 4.4—Severance of Offenses and Defendants; and CR 30—Depositions Upon Oral Examination, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2019.

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

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2019. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 28th day of November, 2018.

For the Court

Fairhurst, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendments to
SUPERIOR COURT CRIMINAL RULES (CrR)
CrR 1.3 - EFFECT

A. Name of Proponent:

William D. Pickett, President, Washington State Bar Association

B. Spokesperson:

Jefferson Coulter
Chair of Court Rules and Procedures Committee
NW Justice Project
1702 W. Broadway Ave.
Spokane, WA 99201 (Phone: 509-324-9128)

Staff Liaison/Contact:

Nicole Gustine, Assistant General Counsel
Washington State Bar Association (WSBA)
1325 Fourth Avenue, Suite 600
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C. Purpose:

The proposed amendment is intended to clarify the rule and be consistent with case law. The Criminal Rules were first enacted in 1973, and section (a) was designed to provide continuity in procedure for cases pending on the date the rules first became effective. As that is no longer a concern, the proposed amendment would eliminate the language about what rules apply in which situation. This would make the language consistent with case law that new criminal rules apply to pending cases, regardless of when the case began, unless the court finds the interest of justice would be served by adhering to the prior formulation. State v. Matlock, 27 Wn. App. 152, 157, 616 P.2d 684 (1980); State v. Olmos, 129 Wn. App. 750, 757, 120 P.3d 139 (2005). The language of the rule still gives a court the authority to apply the prior rules of procedure "in the interests of justice."

The Committee received no stakeholder feedback about these suggested amendments.

The proposed revisions were circulated widely to the WSBA's list of stakeholders, including: representatives from the Supreme Court, the three Courts of Appeal, the Superior Court Judges Association, and the District & Municipal Court Judges Association; specialty bars (the WA Defense Trial Lawyers, WA Association for Justice, NW Justice Project, WA Association of Criminal Defense Lawyers, WA Appellate Lawyers Associations, International Association of Defense Counsel, WA Association of Prosecuting Attorneys, WA State Association of Municipal Attorneys, Public Defenders Association, ACLU of Washington, Columbia Legal, and section leaders for the WSBA's sections); and local and minority bar associations.

D. Hearing: A hearing is not requested.

E. Expedited Consideration: Expedited consideration is not requested.

SUGGESTED AMENDMENT
SUPERIOR COURT CRIMINAL RULES (CrR)
CrR 1.3 - EFFECT

Except as otherwise provided elsewhere in these rules, on their effective date:

~~(a) Any acts done before the effective date in any proceedings then pending or any action taken in any proceeding pending under rules of procedure in effect prior to the effective date of these rules and any constitutional right are not impaired by these rules.~~

~~(b) These rules also apply to any proceedings in court then pending or thereafter commenced regardless of when the proceedings were commenced, except to the extent that in the opinion of the court, the former procedure should continue to be made applicable in a particular case in the interest of justice or because of infeasibility of application of the procedures of these rules.~~

**GR 9 COVER SHEET**  
**Suggested Amendments to**  
**SUPERIOR COURT CRIMINAL RULES (CrR)**  
**CrR 3.4—PRESENCE OF THE DEFENDANT**

**A. Name of Proponent:**

William D. Pickett, President, Washington State Bar Association

**B. Spokesperson:**

Jefferson Coulter  
 Chair of Court Rules and Procedures Committee  
 NW Justice Project  
 1702 W. Broadway Ave.  
 Spokane, WA 99201 (Phone: 509-324-9128)

Staff Liaison/Contact:  
 Nicole Gustine, Assistant General Counsel  
 Washington State Bar Association (WSBA)  
 1325 Fourth Avenue, Suite 600  
 Seattle, WA 98101-2539 (Phone: 206-727-8237)

**C. Purpose:**

There are two proposed amendments to this rule.  
 Section (b) amendment:

The rule currently allows a corporation—but only a corporation—in a criminal case to appear by its lawyer for all purposes. RCW 9A.08.030 is the basis for corporate criminal liability, which provides that "corporation" for purposes of the statute encompasses all joint stock associations. The proposed amendment expands the rule to apply to all legal entities other than natural persons.

Subsection (c) amendment:

This amendment is intended to clarify when bench warrants can issue post-sentencing. The subcommittee was concerned about the reported practice of some courts issuing bench warrants for the failure to pay legal financial obligations. The current rule does not explicitly allow for bench warrants to be issued for post-sentencing matters. The current language defining when the defendant's presence is "necessary" under (a) does not include matters that occur after the imposition of sentence. This amendment is intended to clarify that a bench warrant may be issued for post-sentencing hearings for which there has been an order to appear. However, the amendment makes clear that courts shall not issue bench warrants for failure to pay legal financial obligations until there has been a hearing in which the court has found a willful failure to pay.

The Washington State Association of County Clerks had expressed reservations at the language of a prior draft of the rule. The WSACC wanted to make sure the amended language preserved the ability to issue bench warrants after the court finds the failure to pay is willful. The language of the last sentence of the proposed amendment is intended to address that concern ("However, no warrant shall issue for failure to pay legal financial obligations unless, after a hearing on the record, the court finds the failure to pay is willful.") A stakeholder also expressed concern that the language of this rule might be interpreted inconsistently with new legislation. However, another stakeholder stated that judges are currently managing this well and this is not a concern. No other stakeholder feedback was received.

The proposed revisions were circulated widely to the WSBA's list of stakeholders, including: representatives from the Supreme Court, the three Courts of Appeal, the Superior Court Judges Association, and the District & Municipal Court Judges Association; specialty bars (the WA Defense Trial Lawyers, WA Association for Justice, NW Justice Project, WA Association of Criminal Defense Lawyers, WA Appellate Lawyers Associations, International Association of Defense Counsel, WA Association of Prosecuting Attorneys, WA State Association of Municipal Attorneys, Public Defenders Association, ACLU of Washington, Columbia Legal, and section leaders for the WSBA's sections); and local and minority bar associations.

**D. Hearing:** A hearing is not requested.

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

**SUGGESTED AMENDMENT**  
**SUPERIOR COURT CRIMINAL RULES (CrR)**  
**CrR 3.4—PRESENCE OF THE DEFENDANT**

**(a)** [Unchanged]

**(b) Effect of Voluntary Absence.** The defendant's voluntary absence after the trial has commenced in his or her presence shall not prevent continuing the trial to and including the return of the verdict. A corporation may appear by its lawyer for all purposes. In prosecutions for offenses punishable by fine only, the court, with the written consent of the defendant, may permit arraignment, plea, trial and imposition of sentence in the defendant's absence.

**(c) Defendant not present.** If a ~~in any case the~~ defendant is not present when the defendant's personal attendance is necessary as provided in subsection (a), or post-sentencing in response to service of an order to appear or show cause, the court may order the clerk to issue a bench warrant for the defendant's arrest, which may be served as a warrant of arrest in other cases. However, no warrant shall issue for failure to pay legal financial obligations unless, after a hearing on the record, the court finds the failure to pay is willful.

**(d)-(e)** [Unchanged]

## GR 9 COVER SHEET

**Suggested Amendments to****SUPERIOR COURT CRIMINAL RULES (CrR)****CrR 4.4—SEVERANCE OF OFFENSES AND DEFENDANTS****A. Name of Proponent:**

William D. Pickett, President, Washington State Bar Association

**B. Spokesperson:**

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**C. Purpose:**

These suggested amendments are intended to clear up confusing references within the rule. Section (a) governs the timeliness of a motion to sever, and section (b) governs when offenses are severable. As currently written, the reference to "other than under section (a)" in section (b) makes little sense. Sections (a) and (b) were intended to work together to govern when motions must be made and when they should be granted. However, the current language of the rule purports to exempt section (a) from section (b), which does not make sense. The suggested amendment reinforces that motions to sever must be timely "pursuant" to section (a).

There is a similar confusing reference in subsection (c)(2). Section (c) governs severance of defendants. The current language directs the court to grant a severance of a defendant "other than under subsection (i)." However, the reference to subsection (i) is confusing since there are two subsections (i) in the rule and neither makes sense as the reference. The suggested amendment makes clear that the reference to (i) in (c)(2) should be changed to (c)(1). This suggested amendment clarifies that defense motions to sever a defendant on the basis of out-of-court statements of a co-defendant are governed by (c)(1) and all other defense motions to sever a defendant are governed by (c)(2).

The only stakeholder feedback the Committee received concerned language in a prior version of this proposed amendment. The Committee ultimately chose to eliminate the language that drew the concern. No stakeholders opposed the substance of the change, nor the need for the change.

The proposed revisions were circulated widely to the WSBA's list of stakeholders, including: representatives from the Supreme Court, the three Courts of Appeal, the Superior Court Judges Association, and the District & Municipal Court Judges Association; specialty bars (the WA Defense Trial Lawyers, WA Association for Justice, NW Justice Project, WA Association of Criminal Defense Lawyers, WA Appellate Lawyers Associations, International Association of Defense Counsel, WA Association of Prosecuting Attorneys, WA State Association of Municipal Attorneys, Public

Defenders Association, ACLU of Washington, Columbia Legal, and section leaders for the WSBA's sections); and local and minority bar associations.

**D. Hearing:** A hearing is not requested.

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

## SUGGESTED AMENDMENT

**SUPERIOR COURT CRIMINAL RULES (CrR)****CrR 4.4—SEVERANCE OF OFFENSES AND DEFENDANTS**

**(a)** [Unchanged]

**(b) Severance of Offenses.** The court, on application of the prosecuting attorney, or on application of the defendant pursuant to ~~other than under~~ section (a), shall grant a severance of offenses whenever before trial or during trial with consent of the defendant, the court determines that severance will promote a fair determination of the defendant's guilt or innocence of each offense.

**(c) Severance of Defendants.**

(1) A defendant's motion for severance on the ground that an out-of-court statement of a codefendant referring to him is inadmissible against him shall be granted unless:

(i) the prosecuting attorney elects not to offer the statement in the case in chief; or

(ii) deletion of all references to the moving defendant will eliminate any prejudice to him from the admission of the statement.

(2) The court, on application of the prosecuting attorney, or on application of the defendant other than under subsection ~~(c)(1)(i)~~, should grant a severance of defendants whenever:

(i) if before trial, it is deemed necessary to protect a defendant's rights to a speedy trial, or it is deemed appropriate to promote a fair determination of the guilt or innocence of a defendant; or

(ii) if during trial upon consent of the severed defendant, it is deemed necessary to achieve a fair determination of the guilt or innocence of a defendant.

(3) When such information would assist the court in ruling on a motion for severance of defendants, the court may order the prosecuting attorney to disclose any statements made by the defendants which he intends to introduce in evidence at the trial.

(4) The assignment of a separate cause number to each defendant of those named on a single charging document is not considered a severance. Should a defendant desire that the case be severed, the defendant must move for severance.

**(d)-(e)** [Unchanged]

## GR 9 COVER SHEET

**Suggested Amendments to****CRIMINAL RULES FOR COURTS OF LIMITED JURISDICTION****(CrRLJ)****CrRLJ 4.4—SEVERANCE OF OFFENSES AND DEFENDANTS****A. Name of Proponent:**

William D. Pickett, President, Washington State Bar Association

**B. Spokesperson:**

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**Staff Liaison/Contact:**

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**C. Purpose:**

Subsection (b) amendment:

The suggested amendment is intended to mirror the language in the suggested amendments to CrR 4.4(b), "... pursuant to other than under ..." to ensure the references to other subsections are correct and not confusing or contradictory.

Subsection (c) amendment:

This suggested amendment is intended to mirror the language in the suggested amendment to CrR 4.4(c), "... subsection (c)(1)(+) ...." to ensure the references to other subsections are correct and not confusing.

The only stakeholder feedback received on this proposal was from the Washington Defender Association, which supported the amendments.

The proposed revisions were circulated widely to the WSBA's list of stakeholders, including: representatives from the Supreme Court, the three Courts of Appeal, the Superior Court Judges Association, and the District & Municipal Court Judges Association; specialty bars (the WA Defense Trial Lawyers, WA Association for Justice, NW Justice Project, WA Association of Criminal Defense Lawyers, WA Appellate Lawyers Associations, International Association of Defense Counsel, WA Association of Prosecuting Attorneys, WA State Association of Municipal Attorneys, Public Defenders Association, ACLU of Washington, Columbia Legal, and section leaders for the WSBA's sections); and local and minority bar associations.

**D. Hearing:** A hearing is not requested.

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

**SUGGESTED AMENDMENT  
 CRIMINAL RULES FOR COURTS OF LIMITED JURISDICTION  
 (CrRLJ)  
 CrRLJ 4.4—SEVERANCE OF OFFENSES AND DEFENDANTS**

(a) [unchanged]

**(b) Severance of Offenses.** The court, on application of the prosecuting authority, or on application of the defendant pursuant to other than under section (a), shall grant a severance of offenses whenever before trial or during trial with consent of the defendant, the court determines that severance will promote a fair determination of the defendant's guilt or innocence of each offense.

**(c) Severance of Defendants.**

(1) [unchanged]

(2) The court, on application of the prosecuting authority, or on the application of the defendant other than under

subsection (c)(1)(+), should grant a severance of defendants whenever:

(i)-(ii) [unchanged]

(3) [unchanged]

**GR 9 COVER SHEET**

**Suggested Amendments to  
 SUPERIOR COURT CIVIL RULES (CR)  
 CR 30—DEPOSITIONS UPON ORAL EXAMINATION**

**A. Name of Proponent:**

William D. Pickett, President, Washington State Bar Association

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**C. Purpose:**

The suggested amendment to Civil Rule ("CR") 30, addresses the portion of the rule governing recording of depositions. This proposal recommends updating the language of CR 30 (b)(8), which addresses the methods by which depositions are video recorded, to account for technological advances since the language was implemented. The proposed revisions aim to accomplish two changes:

(1) Remove all references to "video tapes" or "videotaping," and replace them with the more generic term "video record" or "video recording," and

(2) Address circumstances in which the original is stored in the cloud or on a remote server (as opposed to storing on a fixed medium, such as a video tape) and require information to be included in the certificate already required to be provided by videographers about how the video recording of the deposition will be stored and preserved.

These changes are not substantive, but necessary to update the rule to reflect technology and how litigants are using video recordings and storing such recordings.

The proposed revisions were circulated widely to the WSBA's list of stakeholders, including: representatives from the Supreme Court, the three Courts of Appeal, the Superior Court Judges Association, and the District & Municipal Court Judges Association; specialty bars (the WA Defense Trial Lawyers, WA Association for Justice, NW Justice Project, WA Association of Criminal Defense Lawyers, WA Appellate Lawyers Associations, International Association of Defense Counsel, WA Association of Prosecuting Attorneys, WA State Association of Municipal Attorneys, Public Defenders Association, ACLU of Washington, Columbia Legal, and section leaders for the WSBA's sections); and local and minority bar associations. In addition, input was sought from several court reporting and videographer firms.

The proponent of the rule presented the rule to the Committee and supported minor revisions proposed by the Committee to his original proposal.

The District and Municipal Court Judges Association commented to express its non-opposition to the rule. The Committee also received a written comment from Prolumina, a videographer firm. No other comments were received.

While the first of the changes elicited broad support, Prolumina expressed opposition to the additional language required to be added to the certification about how and where the depositions were to be stored and how they would be preserved. It viewed the additional language as an additional requirement.

The Committee discussed this and believed it was a minor imposition. While this proposal would require updating the certification form, the new language does not add substantive requirements not already required by the rule's existing language. See CR 30 (b)(8)(H) ("The custodian shall store it under conditions that will protect it against loss or destruction or tampering, and shall preserve as far as practicable the quality of the tape and the technical integrity of the testimony and images it contains."). Once the videographer certification forms were updated with the new language, the forms could then be used for all future video depositions, much like the certification forms now are handled.

After hearing the feedback and discussing the rule, including the change to the certification form, the Committee voted to adopt the suggested changes.

**D. Hearing:** A hearing is not requested.

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

**SUGGESTED AMENDMENT  
SUPERIOR COURT CIVIL RULES (CR)  
CR 30—DEPOSITIONS UPON ORAL EXAMINATION**

**(a) When Depositions May Be Taken.** After the summons and a copy of the complaint are served, or the complaint is filed, whichever shall first occur, any party may take the testimony of any person, including a party, by deposition upon oral examination. Leave of court, granted with or without notice, must be obtained only if the plaintiff seeks to take a deposition prior to the expiration of 30 days after service of the summons and complaint upon any defendant or service made under rule 4(e), except that leave is not required (1) if a defendant has served a notice of taking deposition or otherwise sought discovery, or (2) if special notice is given as provided in subsection (b)(2) of this rule. The attendance of witnesses may be compelled by subpoena as provided in rule 45. The deposition of a person confined in prison may be taken only by leave of court on such terms as the court prescribes.

**(b) Notice of Examination: General Requirements; Special Notice; Nonstenographic Recording; Production of Documents and Things; Deposition of Organization; Video Tape Recording.**

(1) A party desiring to take the deposition of any person upon oral examination shall give reasonable notice in writing of not less than 5 days (exclusive of the day of service, Saturdays, Sundays and court holidays) to every other party to the action and to the deponent, if not a party or a managing agent of a party. Notice to a deponent who is not a party or a man-

aging agent of a party may be given by mail or by any means reasonably likely to provide actual notice. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined, if known, and, if the name is not known, a general description sufficient to identify the deponent or the particular class or group to which the deponent belongs. If a subpoena duces tecum is to be served on the person to be examined, the designation of the materials to be produced as set forth in the subpoena shall be attached to or included in the notice. A party seeking to compel the attendance of a deponent who is not a party or a managing agent of a party must serve a subpoena on that deponent in accordance with rule 45. Failure to give 5 days notice to a deponent who is not a party or a managing agent of a party may be grounds for the imposition of sanctions in favor of the deponent, but shall not constitute grounds for quashing the subpoena.

(2) Leave of court is not required for the taking of a deposition by plaintiff if the notice (A) states that the person to be examined is about to go out of the state and will be unavailable for examination unless the person's deposition is taken before expiration of the 30-day period, and (B) sets forth facts to support the statement. The plaintiff's attorney shall sign the notice, and the attorney's signature constitutes a certification by the attorney that to the best of the attorney's knowledge, information, and belief the statement and supporting facts are true. The sanctions provided by rule 11 are applicable to the certification.

If a party shows that when the party was served with notice under this subsection (b)(2) the party was unable through the exercise of diligence to obtain counsel to represent him at the taking of the deposition, the deposition may not be used against the party.

(3) The court may for cause shown enlarge or shorten the time for taking the deposition.

(4) The parties may stipulate in writing or the court may upon motion order that the testimony at a deposition be recorded by other than stenographic means. The stipulation or the order shall designate the person before whom the deposition shall be taken, the manner of recording, preserving, and filing the deposition, and may include other provisions to assure that the recorded testimony will be accurate and trustworthy. A party may arrange to have a stenographic transcription made at the party's own expense. Any objections under section (c), any changes made by the witness, the witness's signature identifying the deposition as the witness's own or the statement of the officer that is required if the witness does not sign, as provided in section (e), and the certification of the officer required by section (f) shall be set forth in a writing to accompany a deposition recorded by nonstenographic means.

(5) The notice to a party deponent may be accompanied by a request made in compliance with rule 34 for the production of documents and tangible things at the taking of the deposition. The procedure of rule 34 shall apply to the request, including the time established by rule 34(b) for the party to respond to the request.

(6) A party may in a notice and in a subpoena name as the deponent a public or private corporation or a partnership or association or governmental agency and designate with

reasonable particularity the matters on which examination is requested. In that event the organization so named shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters known on which the deponent will testify. A subpoena shall advise a nonparty organization of its duty to make such a designation. The persons so designated shall testify as to the matters known or reasonably available to the organization. This subsection (b)(6) does not preclude taking a deposition by any other procedure authorized in these rules.

(7) The parties may stipulate in writing or the court may upon motion order that a deposition be taken by telephone or by other electronic means. For the purposes of this rule and rules 28(a), 37 (a)(1), 37 (b)(1), and 45(d), a deposition taken by telephone or by other electronic means is taken at the place where the deponent is to answer the propounded questions.

(8) Videotaping Video Recording of Depositions.

(A) Any party may video ~~record~~ record ~~tape~~ the deposition of any party or witness without leave of court provided that written notice is served on all parties not less than 20 days before the deposition date, and specifically states that the deposition will be ~~recorded on videotape~~ video recorded. Failure to so state shall preclude the use of ~~videotape video recording~~ video recording equipment at the deposition, absent agreement of the parties or court order.

(B) No party may ~~videotape video record~~ video record a deposition within 120 days of the later of the date of filing or service of the lawsuit, absent agreement of the parties or court order.

(C) On motion of a party made prior to the deposition, the court shall order that a ~~videotape video recorded~~ video recorded deposition be postponed or begun subject to being continued, on such terms as are just, if the court finds that the deposition is to be taken before the moving party has had an adequate opportunity to prepare, by discovery deposition of the deponent or other means, for cross examination of the deponent.

(D) Unless otherwise stipulated to by the parties, the expense of ~~videotaping video recording~~ video recording shall be borne by the noting party and shall not be taxed as costs. Any party, at that party's expense, may obtain a copy of the ~~videotape video recording~~ video recording.

(E) A stenographic record of the deposition shall be made simultaneously with the ~~videotape video recording~~ video recording at the expense of the noting party.

(F) The area to be used for ~~videotaping video recording~~ video recording testimony shall be suitable in size, have adequate lighting and be reasonably quiet. The physical arrangements shall be fair to all parties. The deposition shall begin by a statement on the record of: (a) the operator's name, address and telephone number, (b) the name and address of the operator's employer, (c) the date, time and place of the deposition, (d) the caption of the case, (e) the name of the deponent, and (f) the name of the party giving notice of the deposition. The officer before whom the deposition is taken shall be identified and swear the deponent on camera. At the conclusion of the deposition, it shall be stated on the record that the deposition is concluded. When more than one ~~tape storage device~~ storage device is used, to record the video recording, the operator shall announce on camera the end of each ~~tape~~ separate storage device upon

which the video recording is preserved, such as each tape or disk (if any) and the beginning of the next ~~tape~~ one.

(G) Absent agreement of the parties or court order, if all or any part of the ~~videotape video recording~~ video recording will be offered at trial, the party offering it must order the stenographic record to be fully transcribed at that party's expense. A party intending to offer a ~~videotape video recording~~ video recording of a deposition in evidence shall notify all parties in writing of that intent and the parts of the deposition to be offered within sufficient time for a stenographic transcript to be prepared, and for objections to be made and ruled on before the trial or hearing. Objections to all or part of the deposition shall be made in writing within sufficient time to allow for rulings on them and for editing of the ~~tape video recording~~ video recording. The court shall permit further designations of testimony and objections as fairness may require. In excluding objectionable testimony or comments or objections of counsel, the court may order that an edited copy of the ~~videotape video recording~~ video recording be made, or that the person playing the tape at trial suppress the objectionable portions of the ~~tape recording~~ video recording. In no event, however, shall the original ~~videotape video recording~~ video recording be affected by any editing process.

(H) After the deposition has been taken, the operator of the ~~videotape video recording~~ video recording equipment shall ~~attach to submit with the videotape video recording~~ submit with the video recording a certificate that the recording is a correct and complete record of the testimony by the deponent. If the video recording is stored exclusively on a computer or service (including cloud storage) and not on an easily removable and portable storage device, the certificate shall so state and indicate measures taken to preserve it. Unless otherwise agreed by the parties on the record, the operator shall retain custody or control of the original ~~videotape video recording~~ video recording. The custodian shall store it under conditions that will protect it against loss, ~~or~~ destruction, or tampering, and shall preserve as far as practicable the quality of the ~~tape recording~~ video recording and the technical integrity of the testimony and images it contains. The custodian of the original ~~videotape video recording~~ video recording shall retain custody of it until 6 months after final disposition of the action, unless the court, on motion of any party and for good cause shown, orders that the ~~tape recording~~ video recording be preserved for a longer period.

(I) The use of ~~videotape video recorded~~ video recorded depositions shall be subject to rule 32.

**(c) Examination and Cross Examination; Record of Examination; Oath; Objections.** Examination and cross examination of witnesses may proceed as permitted at the trial under the provisions of the Washington Rules of Evidence (ER). The officer before whom the deposition is to be taken shall put the witness on oath and shall personally, or by someone acting under the officer's direction and in the officer's presence, record the testimony of the witness. The testimony shall be taken stenographically or recorded by any other means ordered in accordance with subsection (b)(4) of this rule. If requested by one of the parties, the testimony shall be transcribed.

All objections made at the time of the examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evi-

dence objected to shall be taken subject to the objections. A judge of the superior court, or a special master if one is appointed pursuant to rule 53.3, may make telephone rulings on objections made during depositions. In lieu of participating in the oral examination, parties may serve written questions in a sealed envelope on the party taking the deposition and the party shall transmit them to the officer, who shall propond them to the witness and record the answers verbatim.

**(d) Motion to Terminate or Limit Examination.** At any time during the taking of the deposition, on motion of a party or of the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the court in which the action is pending or the court in the county where the deposition is being taken may order the officer conducting the examination to cease forthwith from taking the deposition, or may limit the scope and manner of the taking of the deposition as provided in rule 26(c). If the order made terminates the examination, it shall be resumed thereafter only upon the order of the court in which the action is pending. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order. The provisions of rule 37 (a)(4) apply to the award of expenses incurred in relation to the motion.

**(e) Submission to Witness; Changes; Signing.** When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by the witness, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days of its submission to the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefore; and the deposition may then be used as fully as though signed unless on a motion to suppress under rule 32 (d)(4) the court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

**(f) Certification and Service by Officer; Exhibits; Copies; Notice.**

(1) The officer shall certify on the deposition transcript that the witness was duly sworn and that the transcript is a true record of the testimony given by the witness. The officer shall then secure the transcript in an envelope endorsed with the title of the action and marked "Deposition of (here insert name of witness)" and shall promptly serve it on the person who ordered the transcript, unless the court orders otherwise. Documents and things produced for inspection during the examination of the witness, shall, upon the request of a party, be marked for identification and annexed to and returned with the deposition, and may be inspected and copied by any party, except that: (A) the person producing the materials may substitute copies to be marked for identification, if the person affords to all parties fair opportunity to verify the cop-

ies by comparison with the originals; and (B) if the person producing the materials requests their return, the officer shall mark them, give each party an opportunity to inspect and copy them, and return them to the person producing them, and the materials may then be used in the same manner as if annexed to and returned with the deposition. Any party may move for an order that the original be annexed to the deposition transcript and filed with the court, pending final disposition of the case.

(2) Upon payment of reasonable charges therefore, the officer shall furnish a copy of the deposition transcript to any party or the deponent.

(3) The officer serving or filing the deposition transcript shall give prompt notice of such action to all parties and file such notice with the clerk of the court.

**(g) Failure To Attend or To Serve Subpoena; Expenses.**

(1) If the party giving the notice of the taking of a deposition fails to attend and proceed therewith and another party attends in person or by attorney pursuant to the notice, the court may order the party giving the notice to pay to such other party the reasonable expenses incurred by such party and such other party's attorney in attending, including reasonable attorney fees.

(2) If the party giving the notice of the taking of a deposition of a witness fails to serve a subpoena upon the witness and the witness because of such failure does not attend, and if another party attends in person or by attorney because such party expects the deposition of that witness to be taken, the court may order the party giving the notice to pay to such other party the reasonable expenses incurred by such other party and such other party's attorney in attending, including reasonable attorney fees.

**(h) Conduct of Depositions. The following shall govern deposition practice:**

(1) Conduct of Examining Counsel. Examining counsel will refrain from asking questions he or she knows to be beyond the legitimate scope of discovery, and from undue repetition.

(2) Objections. Only objections which are not reserved for time of trial by these rules or which are based on privileges or raised to questions seeking information beyond the scope of discovery may be made during the course of the deposition. All objections shall be concise and must not suggest or coach answers from the deponent. Argumentative interruptions by counsel shall not be permitted.

(3) Instructions Not to Answer. Instructions to the deponent not to answer questions are improper, except when based upon privilege or pursuant to rule 30(d). When a privilege is claimed the deponent shall nevertheless answer questions related to the existence, extent, or waiver of the privilege, such as the date of communication, identity of the declarant, and in whose presence the statement was made.

(4) Responsiveness. Witnesses shall be instructed to answer all questions directly and without evasion to the extent of their testimonial knowledge, unless properly instructed by counsel not to answer.

(5) Private Consultation. Except where agreed to, attorneys shall not privately confer with deponents during the deposition between a question and an answer except for the



purpose of determining the existence of privilege. Conferences with attorneys during normal recesses and at adjournment are permissible unless prohibited by the court.

(6) Courtroom Standard. All counsel and parties shall conduct themselves in depositions with the same courtesy and respect for the rules that are required in the courtroom during trial.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 18-24-065**  
**RULES OF COURT**  
**STATE SUPREME COURT**  
[November 28, 2018]

IN THE MATTER OF THE PROPOSED ) ORDER  
AMENDMENTS TO GR 25—PRAC- ) NO. 25700-A-1254  
TICE OF LAW BOARD, AND RESCIND )  
PRACTICE OF LAW BOARD REGULA- )  
TIONS )

The Practice of Law Board, having recommended the expeditious adoption of the proposed amendments to GR 25—Practice of Law Board, and Rescind Practice of Law Board Regulations, 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 proposed amendments as shown below are adopted.

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

DATED at Olympia, Washington this 28th day of November, 2018.

Johnson, J. \_\_\_\_\_  
Madsen, J. \_\_\_\_\_  
Owens, J. \_\_\_\_\_  
Stephens, J. \_\_\_\_\_  
Fairhurst, C.J. \_\_\_\_\_  
Wiggins, J. \_\_\_\_\_

**SUGGESTED AMENDMENT**  
**RULES OF GENERAL APPLICATION (GR)**  
**GR 25—PRACTICE OF LAW BOARD**

**(a) Purpose. Board.** The purpose of this rule is to create a Practice of Law Board in order to promote expanded access to affordable and reliable legal and law-related services; expand public confidence in the administration of justice; make recommendations regarding the circumstances under which nonlawyers may be involved in the delivery of certain types of legal and law-related services; enforce rules prohibiting individuals and organizations from engaging in unau-

thorized legal and law-related services that pose a threat to the general public, and to ensure that those engaged in the delivery of legal services in the state of Washington have the requisite skills and competencies necessary to serve the public.

~~(b) Appointment. The Practice of Law Board shall consist of 13 members, at least four of whom shall be nonlawyers. The appointments shall be made appointed and actively supervised by the Supreme Court after considering nominations from the Practice of Law Board and the Board of Governors of the Washington State Bar Association and other interested people and organizations. A minimum of five Board members must be persons not currently authorized to practice law. The Board members shall may be appointed to staggered three-year terms of three years and no member may serve more than two consecutive full three-year terms. Any vacancies shall may be filled for the unexpired term. The Supreme Court shall may annually designate a chair and vice-chair, who shall must be members of the Board.~~

**(eb) Powers Responsibilities of the Practice of Law Board.** The Practice of Law Board's functions are to:

~~(1) Advisory Opinions. On request of any person, or in connection with the consideration of any complaint or any investigation made on its own initiative, the Board may render advisory opinions relating to the authority of nonlawyers to perform legal and law-related services and arrange for their publication. No opinion shall be rendered if, to the Board's knowledge, the subject matter either involves or might affect a case or controversy pending in any court. An advisory opinion shall be issued by the Board in writing and shall be transmitted to the person making the inquiry. At the direction of the Board, an opinion may be published in the Washington State Bar News. Published opinions shall not, insofar as practicable, identify the party or parties making an inquiry, or the complainant or respondent.~~

(1) Educate the public about how to receive competent legal assistance:

(2) Consider and Recommendations to the Supreme Court Regarding the Provision of Legal and Law-Related Services by Non-Lawyers. On request of the Supreme Court or any person or organization, or on its own initiative, the Board may recommend new avenues for that nonlawyers persons not currently authorized to practice law to provide legal and law-related services be authorized to engage in certain defined activities that might otherwise constitute the practice of law as defined in GR 24. Recommendations must be forwarded to the Washington State Bar Board of Governors for consideration and comment at least 90 days before transmission to the Supreme Court. Upon approval of such recommendations by the Supreme Court, pursuant to the procedures set out in GR 9, those who meet the requirements and comply with applicable regulatory and licensing provisions shall be deemed to be engaged in the authorized practice of law. In forwarding a recommendation that nonlawyers be authorized to engage in certain legal or law-related activities that constitute the practice of law as defined in GR 24, the Board shall determine whether regulation under authority of the Supreme Court (including the establishment of minimum and uniform standards of competency, conduct, and continuing education) is necessary to protect the public interest. Any rRecommend-

dations ~~that nonlawyers be authorized to engage in the limited provision of legal or law-related services shall must be accompanied by a determination:~~

(A) ~~that access to affordable and reliable legal and law-related services consistent with protection of the public will be enhanced by permitting nonlawyers to engage in the defined activities set forth in the recommendation authorizing the recommended legal service provider or legal service delivery model:~~

(B) ~~that the defined activities outlined in the recommendation can be reasonably and competently provided by skilled and trained nonlawyers legal service providers:~~

(C) ~~that if the public interest requires regulation under authority of the Supreme Court authority, such regulation considers any regulatory objectives in GR 12 et seq. and is tailored to promote access to affordable legal and law-related services while ensuring that those whose important rights are at stake can reasonably rely on the quality, skill and ability of those nonlawyers the authorized legal service providers who will provide such services:~~

(D) ~~that, to the extent that the activities authorized will involve the handling of client trust funds, provision has been made to ensure that such funds are handled in a manner consistent with RPC 1.15A and APR 12.1, all applicable court rules, including the requirement that such funds be placed in interest-bearing accounts, with interest paid to the Legal Foundation of Washington; and~~

(E) ~~that the recommended program, including the costs of regulation, is financially self-supporting within a reasonable period of time if any, can be effectively underwritten within the context of the proposed regulatory regime.~~

~~Recommendations to authorize nonlawyers to engage in the limited practice of law pursuant to this section shall be forwarded to the Washington State Board of Governors for consideration and comment before transmission to the Supreme Court. Upon approval of such recommendations by the Supreme Court pursuant to the procedures set out in GR 9, those who meet the requirements and comply with applicable regulatory and licensing provisions shall be deemed to be engaged in the authorized practice of law.~~

~~(23) Complaints. The Board may receive shall have jurisdiction over and shall inquire into and consider complaints alleging the unauthorized practice of law in Washington by any person or entity. The Board will review and may refer complaints that allege harm to the public interest to appropriate enforcement agencies. Upon referring a matter to law enforcement or other agency, the Board may notify the complainant of such action in writing, in accordance with the procedures outlined in this rule.~~

~~(3) Investigation. The Board may, on its own initiative, and without any complaint being made to it, investigate any condition or situation of which it becomes aware that may involve the unauthorized practice of law.~~

~~(dc) Expenses of the Practice of Law Board Funding and Administration. The Practice of Law Board shall be supported through annual commitments from the Washington State Bar Association and through a portion of other licensing fees established by the Supreme Court for nonlawyers authorized to engage in the regulated practice of law. The Board shall must be funded, administered and staffed by~~

~~the Washington State Bar in accordance with GR 12 et seq. which shall pay all expenses reasonably and necessarily incurred by the Board, pursuant to a budget approved by the Board of Governors. Members of the Board members shall ~~not be~~ are not compensated for their services, but shall be are reimbursed for their necessary expenses incurred in connection with the Board in a manner consistent with the ~~Association~~ Bar's reimbursement policies.~~

~~(ed) Records. All ~~records of the Board~~ records shall must be filed and maintained at the principal office of the ~~Association~~ Bar. GR 12.4 applies to access to Board records. All Board records, including unauthorized practice of law complaints are public documents except:~~

~~(1) Information made confidential by GR 22 and GR 31:~~

~~(2) Information made confidential by other statutes, court rules, or legal authority, such as unredacted police reports, medical records, confidential disciplinary information, or copies of sealed pleadings.~~

~~(f) Procedure.~~

~~(e) Meetings and Procedures. The Board may meet as necessary to complete its business. Meetings may be held in person or by videoconference and/or teleconference. All meetings of the Board and its designated committees are open and public, unless the Board meets in Executive Session.~~

~~(1) Executive Session. The Board may meet in Executive Session on matters within the Board's scope of work and consistent with the Bar Bylaws.~~

~~(2) Quorum. A majority of the Board shall constitute a quorum. The chairperson of the Board may appoint temporary members of the Board or a committee when a member is disqualified or unable to function on a specific matter for good cause.~~

~~(3) Committees. The Board may establish such committees as the membership may deem necessary and appropriate to the performance of its assigned tasks.~~

~~(3) Action by Board. The full jurisdiction and authority of the Board, as provided in this rule, may be exercised by a committee, except that (1) no advisory opinion may be given without the approval of a majority of the Board; (2) no determination of the unauthorized practice of law by a respondent and referral of a matter to a law enforcement or other agency may be made without the approval of a majority of the Board; and (3) the action of a committee on any matter shall be subject to review and the approval or disapproval of the Board.~~

~~(4) Voting. Each member shall be entitled to one vote on each matter submitted to a vote at a meeting.~~

~~(4) Formal Complaint Procedure.~~

~~(A) Preliminary Investigation. The investigation or review of a complaint shall be promptly instituted by the Board or by a member thereof designated by the chair of the Board. If a complaint has been filed, the investigating member shall interview the complainant and respondent and shall conduct such further investigation as is deemed appropriate.~~

~~(B) Report and Written Agreement. Upon the conclusion of an investigation of a complaint, a report shall be made to the Board. If, after consideration of the report, the Board concludes that there has been no unauthorized practice of law, the complaint shall be dismissed and the Board shall so notify the complainant and the respondent in writing and shall close~~

the file in the matter. If the Board concludes that there has been unauthorized practice of law, the Board shall attempt to persuade the respondent to enter into a written agreement to refrain from such conduct in the future. The written agreement may include a stipulation to penalties in the event of continued violation.

(C) *Pending Controversy.* The Board may defer investigation if, to the Board's knowledge, the conduct complained of is the subject matter of or might affect a case or controversy pending in any court.

(D) *Informal Disposition.* The Board may attempt to arrive at an amicable disposition of any matter within its jurisdiction with the respondent. At any time during the pendency of a matter before it, the Board may conduct an informal conference with the respondent. At the Board's discretion, an electronic recording or written transcription of the proceeding may be made. A respondent subject to an informal conference may be represented by counsel. After a finding by the Board of the unauthorized practice of law, the Board shall endeavor to have the respondent enter into a written agreement to refrain in the future from such conduct. If the respondent declines to enter into a written agreement pursuant to this rule, the Board shall refer the matter to an appropriate law enforcement or other agency in accordance with this rule.

**(g) Petitions for Review.**

(1) *Notice.* Within 20 days after an opinion is published, or within 30 days after any final action of the Board other than the publication of any opinion, any aggrieved member of the bar, bar association, person or entity may seek review thereof by serving on the Board a notice of petition for review by the Supreme Court and by filing the original notice with the Clerk of the Supreme Court. The notice shall set forth the petitioner's name and address and, if represented, the name and address of counsel. The notice shall designate the action of the Board sought to be reviewed and shall concisely state the manner in which the petitioner is aggrieved.

(2) *Procedure.* Petitions for review to the Supreme Court shall comply with the Rules for Appellate Procedure.

(3) *Final Determination.* The final determination of a petition for review may be either by written opinion or by order of the Supreme Court and shall state whether the opinion or the action of the Board is affirmed, reversed or modified or shall provide for such other final disposition as is appropriate.

**(h) Referral to Enforcement Agency.**

(1) *Referral.* When the Board concludes from its preliminary investigation, or from the failure of an informal conference as provided in these rules, that an amicable disposition of any matter within its jurisdiction cannot be effected with the respondent, it shall, based upon the nature of the complaint, the relief sought, and the facts as then known, refer the matter to the law enforcement or other agency the Board determines is best suited to conduct an investigation and any prosecution of such matter.

(2) *Contents of File.* Upon making a determination that an amicable disposition of a matter cannot be effected, and that the matter should be referred to a particular law enforcement or other agency, the Board shall send such agency the original complaint, response, evidence or other proof, inves-

tigative report and, if an informal conference has been conducted, a transcript of such proceedings. The Board shall retain copies of all such documents for its file.

(3) *Notice to Complainant.* Upon referring a matter to a law enforcement or other agency, the Board shall notify the complainant of such action in writing.

**(f) Annual Report.** The Board must file a written report and meet with the court each year. The report must contain the following information:

(1) Board Roster, including any committees formed;

(2) Board meeting agendas;

(3) Short description of all unauthorized practice of law complaints received; whether the board closed, referred, or deferred the complaint; and the name of the agencies receiving the referral;

(4) Progress report or copies of educational materials provided to the public;

(5) Progress report on recommended new legal service providers or legal service delivery mechanisms;

(6) Work plan for the fiscal year;

(7) Long range work plan.

**(ig) Immunity from Suit.**

(1) The members and staff of the Board shall be absolutely immune from suit, whether legal or equitable in nature, for any conduct in the performance of their official duties.

(2) Persons who bring allegations to the Board concerning any individual or entity to the Board shall be immune from suit, whether legal or equitable in nature, for all communications to the Board or to its staff.

**(jh) Regulations.** The Board may adopt regulations pertinent to these powers responsibilities subject to the approval of the Supreme Court. Proposed Regulations should be provided to the Washington State Bar Board of Governors for informational purposes.

[Adopted effective September 1, 2001; September 1, 2006.]

SUGGESTED AMENDMENT  
RULES OF GENERAL APPLICATION (GR)  
APPENDIX GR 25—PRACTICE OF LAW BOARD REGULATIONS  
**REGULATION 1. PURPOSE**

The purpose of these regulations is to establish procedures for the Practice of Law Board (POL Board) in order to carry out its purposes and exercise its powers pursuant to General Rule 25 (GR 25).

**REGULATION 2. PRACTICE OF LAW**

General Rule 24 (GR 24), Definition of the Practice of Law, including any amendments, provides the framework by which the POL Board will carry out its purposes and exercise its powers as set forth in GR 25.

**REGULATION 3. ESTABLISHMENT OF THE BOARD**

**A. Board Members.** The POL Board shall consist of 13 members (Member[s]) appointed by the Supreme Court of the State of Washington (Supreme Court) at least four of whom shall be nonlawyer Washington residents and the remainder of whom shall be lawyers licensed to practice law in Washington. Appointments to the POL Board shall be made by the Supreme Court after considering nominations

from the WSBA Board of Governors (WSBA Board) and any other interested people or organizations.

**B. Member Terms.** The Members shall initially be appointed to staggered terms of one to three years. Thereafter, appointments shall be for three-year terms. No Member may serve more than two consecutive three-year terms.

**C. Resignation.** A member may resign from the POL Board by letter addressed to the POL Board and the Supreme Court with resignation to be effective two days following the date of the letter or any effective date thereafter which may be specified in the letter.

**D. Vacancies.** A membership vacancy shall be deemed to occur on the resignation of a Member or upon declaration of a vacancy by the Supreme Court following any request to the Supreme Court by the POL Board for the reasons set forth in section O below, or if a Member has three consecutive unexcused absences from regular POL Board meetings or is not present at more than a majority of the POL Board meetings during any 12-month period as determined by the chairperson. A membership vacancy shall be filled by the Supreme Court for the unexpired term.

**E. Administration of Board.** The Washington State Bar Association (WSBA), in consultation with the POL Board, shall provide the POL Board with an administrator (Board Administrator) and any additional staff support as designated by the Executive Director of the WSBA. The Board Administrator shall not be entitled to vote on POL Board matters.

**F. Funding and Expenses.** The POL Board shall prepare an annual budget to be submitted for approval and on a schedule set by the WSBA Board of Governors. The WSBA shall pay all expenses reasonably and necessarily incurred by the POL Board pursuant to the budget and the expense policy of the WSBA. Funding for the POL Board shall be provided by annual commitments from the WSBA and through a portion of other licensing fees established by the Supreme Court.

**G. Officers.** The Supreme Court shall annually designate a chairperson and a vice-chairperson from among the POL Board membership.

**H. Regular Meetings.** The POL Board shall meet as necessary to complete its business not less than once per year as determined by the POL Board or upon call of the chairperson.

**I. Regular Meeting/Agenda Notice.** The POL Board may file with the Code Reviser a schedule of the time and place of regularly scheduled meetings in January of each year for publication in the Washington State Register. The POL Board shall post an agenda for each regular meeting on the Administrative Office of the Courts website or the WSBA website at least seven days prior to the meeting.

**J. Special Meetings.** A special meeting of the POL Board may be called at any time by the chairperson or by a majority of the POL Board membership by delivering written notice personally, by mail, or by e-mail to each Member at least two business days before the time of such meeting and by providing notice of the special meeting to the public on the Administrative Office of the Courts website or the WSBA website.

**K. Voting.** Each Member shall be entitled to one vote on each matter submitted to a vote at a meeting of the POL Board. A majority vote of the Members present at a meeting

at which a quorum exists shall, unless a greater vote is required by other provisions of these regulations or by GR 25, decide any issue submitted.

**L. Quorum.** A majority of the Members shall constitute a quorum. The chairperson may appoint temporary members of the POL Board (or any designated committee) from among former members of the POL Board when a Member is disqualified or unable to function on a specific matter, for good cause. If less than a quorum is present at a meeting, a majority of the Members present may adjourn the meeting and continue it to a later date and time upon notice. At any reconvened meeting at which a quorum is present, any business may be transacted which might have been transacted at the adjourned meeting. Members present at a properly called meeting may continue to transact business until adjournment, notwithstanding the withdrawal of Members leaving less than a quorum.

**M. Action by Communication Equipment.** The Members or any designated committee may participate in a meeting of the POL Board or such designated committee by means of a conference phone or similar communications equipment by which all persons participating in the meeting can hear each other at the same time, and participation by such means will constitute presence in person at a meeting.

**N. Action Without a Meeting.** Any action required or permitted to be taken at a POL Board meeting in Executive Session may be taken without a meeting if a written consent setting forth the action taken or to be taken is signed by each of the Members. Any such written consent (including facsimile and digital signatures) shall be inserted in the minute book as if it were the minutes of a POL Board meeting in Executive Session. Further, such consent shall have the same force and effect as a unanimous vote, and may be stated as such in any document filed for the public record.

**O. Removal of a Member.** The POL Board may request the Supreme Court to declare a membership vacancy with respect to any Member whose removal from the POL Board would, upon a two-thirds vote of the POL Board excluding the affected Member, be in the best interest of the POL Board; however, such action may only be taken by the POL Board at a regular or special meeting following notice of such proposed action.

**P. Committees.** The POL Board may establish such committees as the POL Board deems necessary and appropriate with each committee (designated committee) having a specified function determined by the POL Board and having the full jurisdiction and authority of the POL Board as provided in GR 25, except that: 1) no advisory opinion may be issued without the approval of the POL Board; 2) no determination of the unauthorized practice of law by a respondent and referral of a matter to a law enforcement or other agency may be made without the approval of the POL Board; and 3) the action of a designated committee on any matter shall be subject to review and approval/disapproval of the POL Board. The chairperson shall designate a committee chair for each designated committee to serve for a one-year term.

**Q. Records.** The Board Administrator shall maintain minutes of the POL Board and its designated committees; deliberations, recommendations, and decisions. All records

of the POL Board and its committees shall be filed and maintained at the principal office of the WSBA.

**R. Open Meeting and Records.** All records, files, meetings and proceedings of the POL Board and its designated committees shall be open and public, except that the POL Board may meet in executive session and records and files may be made confidential where the preservation of confidentiality is desirable or where public disclosure might result in the violation of individual rights or in unwarranted private or personal harm. All discussions of particular complaints and investigations will be held in Executive Session. Nothing in these regulations shall be construed to deny access to relevant information by professional licensing or discipline agencies, or other law enforcement authorities, as the Board shall authorize.

**S. Public Participation.** The chairperson or the chair of any designated committee may allow for public participation at any meeting. Members of the public who wish to address the POL Board or a designated committee at any meeting shall be required to provide contact information on a form provided for that purpose and shall be required to comply with any time limitation deemed appropriate by the chairperson or the designated committee chair.

**T. Letterhead.** Use of POL Board letterhead shall be limited to official business of the POL Board and specifically shall not be used in connection with any political campaign or to support or oppose any public issue unless the POL Board has taken a position on the issue; to support or oppose any political candidate; or for personal or charitable purposes.

#### REGULATION 4. CONFLICT OF INTEREST.

**A. In General.** A Member who has or has had a lawyer/client relationship or financial relationship with, or who is an immediate family member of, a person or entity who is a complainant or the subject of a matter before the POL Board shall not participate in the investigation or deliberation on any matter involving that complainant, person, or entity. No WSBA employee shall participate in deliberation on any matter which is pending in, or likely to be referred to, the WSBA attorney disciplinary system or bar admission.

**B. Disclosure.** A Member with a past or present relationship, other than that as provided in section A above, with a person or entity who is the complainant or subject of a matter before the POL Board, shall disclose such relationship to the POL Board and, if the POL Board deems it appropriate, that Member shall not participate in any action relating to that matter.

#### REGULATION 5. ADVISORY OPINIONS.

**A. Requests for Advisory Opinions.** Any person may request an advisory opinion from the POL Board relating to the authority of a non-lawyer to perform legal and law-related services. Such requests shall be in writing in a form and in a manner prescribed by the POL Board and signed by the person requesting the opinion.

**B. Board-Initiated Advisory Opinions.** The POL Board may render advisory opinions relating to the authority of non-lawyers to perform legal and law-related services in connection with the consideration of any complaint or in any

investigation made on its own initiative relating to the unauthorized practice of law by any person or entity.

**C. Notice of Request.** The POL Board may give notice to any person or entity, either personally or by publication, of any pending request for an advisory opinion or pending POL Board initiated advisory opinion, and invite written comments regarding the pending advisory opinion.

**D. Pending Controversy.** The POL Board may not render an advisory opinion in any matter that, to its knowledge, is the subject of or might affect a case or controversy pending in any court or administrative [attorney disciplinary] proceeding.

**E. Public Hearing.** The POL Board may conduct a public hearing at a date and time and in a manner set by the POL Board, designed to make it accessible to interested parties as determined by the Board, on any request for an advisory opinion or a POL Board initiated advisory opinion.

**F. POL Board Action.** Upon receipt of a proper request for an advisory opinion, the POL Board may issue an advisory opinion or proposed advisory opinion, or may decline to issue an advisory opinion. If the POL Board issues an advisory opinion, it shall be in writing and shall be transmitted to the person making the request, or in the case of a POL Board initiated advisory opinion, it may be transmitted to any person(s) determined by the POL Board for whose benefit or detriment the advisory opinion was issued.

**G. Publication of Advisory Opinions.** The POL Board may arrange for the publication of advisory opinions in the Washington State Bar News. Opinions so published shall not, insofar as practicable, identify the party or parties making the inquiry, the complainant or the respondent.

**H. Petitions for Review.** Petitions for review of any advisory opinion issued by the POL Board shall conform with Regulation 7 below.

#### REGULATION 6. COMPLAINTS.

**A. Filing Complaints.** Complaints alleging the unauthorized or unlicensed practice of law shall be submitted to the POL Board, in writing, in a form and manner prescribed by the POL Board.

**B. Investigation.** The POL Board may, on its own initiative and without any complaint being made to it, investigate any condition, situation or activity involving the unauthorized or unlicensed practice of law of which it becomes aware in the same manner as if a complaint had been made under section A above.

**C. Initial Review of Complaints.** Upon receipt of a complaint, the Board Administrator shall conduct an initial review to determine whether it is within the jurisdiction of the POL Board or may be subject to deferral. If not within the jurisdiction of the POL Board or if it is subject to deferral, the Board administrator shall advise the complainant that the matter will not be opened as a complaint, and the reasons. The complainant may submit additional information. All such items will be placed on the next POL Board agenda for review and any action deemed appropriate by the POL Board. If the complaint is deemed to be within the jurisdiction of the POL Board and not subject to deferral, the complaint will be opened for investigation.

**D. Request for Response.** If a complaint is opened for investigation, a copy shall be sent to the respondent with a request to respond within 20 days, and with notice that if the respondent does not respond, the complaint shall be considered without a response.

**E. Report and Written Agreement.** The complainant and respondent shall be interviewed and such other and further review or investigation may be conducted as is deemed appropriate. A written report and recommendation will be submitted to the Board, by transmitting it to the Board Administrator and the Members. All Members shall have one week (5 working days) to submit comments respecting the report by transmitting them to the Board Administrator and the Members. If the report recommends dismissal of the complaint and there are no adverse comments from the Members within the comment period, the report and recommendation shall be deemed adopted by the POL Board and the chairperson shall immediately notify the complainant and the respondent, in writing, of the dismissal and the matter shall be closed. If one or more Members disagree with the recommendation for dismissal, the matter shall be placed on the agenda of the next meeting of the POL Board for action by the POL Board. If the report concludes that there has been an unauthorized or unlicensed practice of law, the matter shall be placed on the agenda of the next POL Board meeting for action.

**F. POL Board Review.** If upon POL Board review of a report and recommendation, the POL Board concludes that there has been no unauthorized or unlicensed practice of law, the complaint shall be dismissed and the chairperson shall so notify the complainant and the respondent, in writing, and shall close the file. If the POL Board concludes that there has been unauthorized or unlicensed practice of law, the POL Board shall proceed in the following manner:

(1) The POL Board shall attempt through the Chairperson or his or her designee to persuade the respondent to enter into a written agreement to refrain from the objectionable conduct in the future. Such written agreement shall be prepared by the Chairperson or his or her designee and may include a stipulation as to penalties in the event of continued unauthorized or unlicensed practice of law which is the subject matter of the agreement or violation of other terms of the agreement.

(2) If the respondent will not enter into a written agreement as set forth in (1) above, the POL Board may attempt to arrive at any other satisfactory disposition as determined by the POL Board. In attempting to arrive at a satisfactory disposition, the POL Board may, at a regular or special POL Board meeting, or by a designated committee, conduct an informal conference with the respondent, which conference may, in the discretion of the chairperson or designated committee chair, be recorded electronically or reported by a certified court reporter. At such informal conference, the respondent may be represented by counsel, but the informal conference shall not be public, nor shall rules of evidence apply. If the informal conference was held by a designated committee, the chair shall render a report, in writing, to the POL Board at the next POL Board meeting for action. If the POL Board determines that the respondent has engaged in the unauthorized or unlicensed practice of law, the POL Board shall endeavor to have the respondent enter into a written agreement to refrain

from the objectionable conduct in the future, in the same manner as provided in (1) above. If, however, the respondent declines to enter into a written agreement, the POL Board may refer the matter to the appropriate law enforcement or other agency in accordance with GR 25(h).

**G. Pending Controversy.** Notwithstanding the foregoing, the POL Board may defer an investigation in any matter that, to its knowledge, is the subject of or might affect a case or controversy pending in any court or administrative [attorney disciplinary] proceeding.

#### **H. Notice of Board Action.**

(1) *Notice to Parties.* The chairperson shall provide notice to any complainant who has not been previously notified of dismissal and each respondent, other than a respondent who has entered into a written agreement, of POL Board action with respect to the complaint or self-initiated investigation within ten days of POL Board action. All such notices of POL Board action shall inform the recipients of the right to petition for review by the Supreme Court as prescribed in GR 25(g).

(2) *Publication of Notice.* The POL Board may, in its discretion, publish notice of Board action on a complaint alleging the unauthorized practice of law in the Washington State Bar News, on the WSBA website, or elsewhere as it deems appropriate. The Board Administrator has discretion in drafting notices for publication, and they should include sufficient information to adequately inform the public of the reasons for the Board's action and conclusions.

#### **REGULATION 7. PETITIONS FOR REVIEW.**

Petitions for review from any action of the POL Board to the Supreme Court shall comply with GR 25(g).

#### **REGULATION 8. RECOMMENDATIONS TO THE SUPREME COURT.**

**A. In General.** On the request of the Supreme Court or any person or organization, or on its own initiative, the POL Board may recommend that nonlawyers be authorized to engage in certain defined activities that otherwise constitute the practice of law as defined in GR 24.

**B. Public Hearing.** The POL Board may, in its discretion, conduct a public hearing upon such notice and at a date, time and in a manner as determined by the POL Board on any self-initiated action or request for a recommendation to the Supreme Court.

**C. Recommendation.** Any recommendation forwarded by the POL Board to the Supreme Court that nonlawyers be authorized to engage in certain legal or law-related activities that constitute the practice of law as defined in GR 24 shall set forth the determining factors required by GR 25 (e)(4), and any additional factors the POL Board deems relevant.

**D. Transmittal of Recommendation to the Board of Governors.** Any recommendation from the POL Board pursuant to this Regulation 8 shall be submitted to the WSBA Board of Governors for consideration and comment before transmission to the Supreme Court. The recommendation of the POL Board with comments by the WSBA Board, if any, shall be transmitted to the Supreme Court as provided in GR 25 (e)(4). The WSBA Board of Governors may affirm the

~~recommendation of the POL Board or recommend that it be modified or rejected.~~

~~[Approved effective December 2, 2004; Amended effective September 1, 2005.]~~

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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

|   |  |   |
|---|--|---|
| Wednesday<br>August 7 through<br>Thursday<br>August 8, 2019 | Convenes: Noon<br>Adjourns: Noon           | Moses Lake Museum and Art<br>Center<br>401 South Balsam Street<br>Moses Lake, WA 98837    |
| Thursday<br>November 7,<br>2019                             | Convenes: 9:30 a.m.<br>Adjourns: 4:30 p.m. | Laird Norton Family<br>Foundation<br>801 Second Avenue<br>Suite 1700<br>Seattle, WA 98104 |

**WSR 19-01-003**  
**NOTICE OF PUBLIC MEETINGS**  
**WINE COMMISSION**  
[Filed December 5, 2018, 12:42 p.m.]

2019 Meetings  
(as of December 5, 2018)

|                                     |  |   |
|-------------------------------------|--|---|
| Friday<br>January 25, 2019          | 9:00 a.m. to<br>12:00 p.m.                     | Columbia Winery<br>Woodinville                    |
| March 4-8, 2019<br>(exact date TBD) | 9:30 to<br>10:00 a.m.                          | Teleconference for WRAC<br>research funding vote  |
| Friday<br>April 12, 2019            | Full day meeting:<br>9:00 a.m. to<br>5:00 p.m. | Chateau Ste. Michelle<br>Woodinville              |
| Friday<br>June 21, 2019             | 9:00 a.m. to<br>12:00 p.m.                     | Walter Clore Wine &<br>Culinary Center<br>Prosser |
| Friday<br>August 16, 2019           | 9:00 a.m. to<br>12:00 p.m.                     | Columbia Winery<br>Woodinville                    |
| Friday<br>November 22, 2019         | 9:00 a.m. to<br>12:00 p.m.                     | Walter Clore Wine &<br>Culinary Center<br>Prosser |

**WSR 19-01-004**  
**NOTICE OF PUBLIC MEETINGS**  
**ARTS COMMISSION**  
[Filed December 5, 2018, 4:48 p.m.]

**2019 Board Meeting Schedule**

Please check the Washington state arts commission web site at [www.arts.wa.gov](http://www.arts.wa.gov) for any changes to board meeting dates, times, and locations listed below.

|                             |  |  |
|-----------------------------|--|--|
| Tuesday<br>February 5, 2019 | Convenes: 9:30 a.m.<br>Adjourns: 4:30 p.m. | The Evergreen State College<br>The Longhouse<br>2800 Dogtooth Lane N.W.<br>Olympia, WA 98505         |
| Tuesday<br>May 7, 2019      | Convenes: 9:30 a.m.<br>Adjourns: 4:30 p.m. | Thurston County Fire<br>District 12<br>Station House<br>187 Hodgden Street South<br>Tenino, WA 98589 |

**WSR 19-01-005**  
**NOTICE OF PUBLIC MEETINGS**  
**HEALTH CARE AUTHORITY**  
(Health Technology Clinical Committee)  
[Filed December 6, 2018, 9:01 a.m.]

Following is the schedule of regular meetings for the health technology clinical committee in 2019.

| Date               | Time                  | Location  |
|--------------------|-----------------------|---|
| January 18, 2019   | 8:00 a.m. - 5:00 p.m. | The Conference Center<br>Seattle-Tacoma<br>International Airport<br>17801 International<br>Boulevard<br>Seattle, WA 98158 |
| May 17, 2019       | 8:00 a.m. - 5:00 p.m. | Same as above   |
| July 12, 2019      | 9:00 - 10:00 a.m.     | Webinar   |
| September 20, 2019 | 8:00 a.m. - 5:00 p.m. | The Conference Center<br>Seattle-Tacoma<br>International Airport<br>17801 International<br>Boulevard<br>Seattle, WA 98158 |
| November 15, 2019  | 8:00 a.m. - 5:00 p.m. | Same as above   |

If you need further information contact Christine Masters, Program Specialist, Health Technology Assessment, P.O. Box [42712], 626 8th Avenue S.E., Olympia, WA 98504-2712, desk 360-725-5126, fax 360-586-8827, [christine.masters@hca.wa.gov](mailto:christine.masters@hca.wa.gov).

**WSR 19-01-007**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMISSION ON**  
**JUDICIAL CONDUCT**  
[Filed December 6, 2018, 10:45 a.m.]

The commission on judicial conduct (commission) will hold its 2019 business meetings at 11:00 a.m. on the following dates at Crowne Plaza Hotel, 17338 International Boulevard, SeaTac, WA 98188. Additional information can be obtained by calling 360-753-4585 or visiting the commission's web site at [www.cjc.state.wa.us](http://www.cjc.state.wa.us).

Friday, February 15, 2019  
Friday, April 26, 2019\*  
Friday, June 28, 2019

Friday, September 6, 2019  
 Friday, November 22, 2019

\* The commission's Friday, April 26, 2019, business meeting will be at Cedarbrook Lodge, 18525 36th Avenue South, Seattle, WA 98188, at 3:30 p.m. The commission's 2019 education session will be at this location also on Saturday, April 27, 2019, starting at 9 a.m.

**WSR 19-01-008**  
**NOTICE OF PUBLIC MEETINGS**  
**BIG BEND**  
**COMMUNITY COLLEGE**  
 [Filed December 6, 2018, 10:47 a.m.]

This notice is in accordance with RCW 42.30.075. The board of trustees for Big Bend Community College, District No. 18, have set their 2019 board meeting schedule:

|                               |           |
|-------------------------------|-----------|
| Thursday<br>January 31, 2019  | 1:30 p.m. |
| Thursday<br>March 14, 2019    | 1:30 p.m. |
| Thursday<br>April 11, 2019    | 1:30 p.m. |
| Thursday<br>June 6, 2019      | 1:30 p.m. |
| Thursday<br>August, 8, 2019   | Retreat   |
| Thursday<br>October 10, 2019  | 1:30 p.m. |
| Thursday<br>November 14, 2019 | 1:30 p.m. |

**WSR 19-01-009**  
**NOTICE OF PUBLIC MEETINGS**  
**BEEF COMMISSION**  
 [Filed December 6, 2018, 10:55 a.m.]

**2019 Meeting Schedule**  
 (all meetings begin at 9:00 a.m.)

|                                       |                                 |                |
|---------------------------------------|---------------------------------|----------------|
| January 24, 2019<br>Thursday          | Conference call                 |                |
| March 6-7, 2019<br>Wednesday/Thursday | Strategic planning meeting      | Seattle area   |
| April 25, 2019<br>Thursday            | Regular meeting                 | Ellensburg     |
| June 6, 2019<br>Thursday              | Annual meeting                  | Ellensburg     |
| September 11, 2019<br>Wednesday       | Regular meeting/<br>Beef Counts | Spokane        |
| November 7, 2019<br>Thursday          | Regular meeting                 | WCA Convention |

**WSR 19-01-011**

**NOTICE OF PUBLIC MEETINGS**  
**SEED POTATO COMMISSION**  
 [Filed December 6, 2018, 11:03 a.m.]

**2019 MEETING SCHEDULE**

The Washington seed potato commission will hold the following meetings in 2019. Each meeting begins at 1:00 p.m.

|             |   |
|-------------|---|
| March 7     | Ag Central<br>204 Hawley Street<br>Lynden, WA |
| June 6      | Ag Central<br>204 Hawley Street<br>Lynden, WA |
| September 6 | Ag Central<br>204 Hawley Street<br>Lynden, WA |
| December 13 | Ag Central<br>204 Hawley Street<br>Lynden, WA |

**WSR 19-01-013**  
**NOTICE OF PUBLIC MEETINGS**  
**WORKFORCE TRAINING AND**  
**EDUCATION COORDINATING BOARD**  
 [Filed December 7, 2018, 9:11 a.m.]

**2019 Board Meeting Schedule**

The workforce training and education coordinating board approved the 2019 board meeting schedule.

9:00 a.m. - 4:00 p.m.

Following is the schedule of regular meetings for the workforce training and education coordinating board for 2019:

| Date               | Time      | Location    |
|--------------------|-----------|-------------|
| January 30, 2019   | 9:00 a.m. | Olympia     |
| March 13, 2019     | 9:00 a.m. | Olympia     |
| April 24, 2019     | 9:00 a.m. | TBD         |
| June 6-7, 2019     | 9:00 a.m. | Leavenworth |
| July 10, 2019      | 9:00 a.m. | TBD         |
| September 11, 2019 | 9:00 a.m. | TBD         |
| November 20, 2019  | 9:00 a.m. | TBD         |

Please reference our web site at [www.wtb.wa.gov](http://www.wtb.wa.gov) for locations.

If you need further information contact Erica Wollen, P.O. Box 43105, Olympia, WA 98504, phone 360-709-4600, email [Erica.wollen@wtb.wa.gov](mailto:Erica.wollen@wtb.wa.gov), web site [www.wtb.wa.gov](http://www.wtb.wa.gov).



**WSR 19-01-014**  
**PUBLIC RECORDS OFFICER**  
**OFFICE OF MINORITY AND**  
**WOMEN'S BUSINESS ENTERPRISES**  
 [Filed December 7, 2018, 10:56 a.m.]

Pursuant to RCW 42.56.580, the public records officer for the office of minority and women's business enterprise[s] is Christine Salvador, 1110 Capitol Way South, Suite 150, Olympia, WA 98501, phone 360-664-9755, fax 360-586-7079, email publicrecords@omwbe.wa.gov.

Lisa van der Lugt  
 Director

**WSR 19-01-015**  
**RULES COORDINATOR**  
**OFFICE OF MINORITY AND**  
**WOMEN'S BUSINESS ENTERPRISES**  
 [Filed December 7, 2018, 10:56 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the office of minority and women's business enterprise[s] is Sarah Erdmann, 1110 Capitol Way South, Suite 150, Olympia, WA 98501, phone 360-664-9771, fax 360-586-7079, email SarahE@omwbe.wa.gov.

Lisa van der Lugt  
 Director

**WSR 19-01-016**  
**NOTICE OF PUBLIC MEETINGS**  
**APPLE COMMISSION**  
 [Filed December 7, 2018, 10:59 a.m.]

2019 Meeting Schedule

Following is the 2019 schedule of regular meetings for the Washington apple commission:

|                   |            |                                 |
|-------------------|------------|---------------------------------|
| March 28, 2019    | 10:00 a.m. | 2900 Euclid Avenue<br>Wenatchee |
| May 30, 2019      | 10:00 a.m. | 105 South 18th Street<br>Yakima |
| October 24, 2019  | 10:00 a.m. | 209 North Ruby<br>Ellensburg    |
| December 11, 2019 | 10:00 a.m. | 2900 Euclid Avenue<br>Wenatchee |

For further information, please contact Audra McDaniel, 2900 Euclid Avenue, Wenatchee, WA 98801, 509-663-9600 ext. 278 or audra.mcdaniel@waapple.org.

**WSR 19-01-017**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE RECORDS COMMITTEE**  
 [Filed December 7, 2018, 11:05 a.m.]  
**MEETINGS, POWERS AND DUTIES**

**FOR STATE GOVERNMENT AGENCIES:** There is created a committee, to be known as the records committee, composed of the archivist, an appointee of the state auditor, an appointee of the attorney general, and an appointee of the director of financial management.

The records committee shall meet at least once every quarter or oftener as business dictates. Action by the committee shall be by majority vote and records shall be kept of all committee business.

It shall be the duty of the records committee to approve, modify or disapprove the recommendations on retention schedules of all files of public records and to act upon requests to destroy any public records: PROVIDED, that any modification of a request or recommendation must be approved by the head of the agency originating the request or recommendation. **(RCW 40.14.050)**

You may verify meeting cancellations by visiting our web site at: <https://www.sos.wa.gov/archives/RecordsManagement/StateRecordsCommitteeNew.aspx> or call Washington state archives at 360-586-4901.

The 2019 meeting dates are as follows:

- 10 a.m.**
- 1129 Washington Street S.E.
- Olympia
- February 6
- April 3
- June 5
- August 7
- October 2
- December 4

**WSR 19-01-018**  
**NOTICE OF PUBLIC MEETINGS**  
**LOCAL RECORDS COMMITTEE**  
 [Filed December 7, 2018, 11:07 a.m.]

**MEETINGS, POWERS AND DUTIES**

**FOR LOCAL GOVERNMENT AGENCIES:** The local records committee may adopt appropriate procedures for records disposition authorization, scheduling, and other matters relating to the retention, preservation, or destruction of public records of local government agencies. **(WAC 434-630-030)**

The local records committee shall review lists of records submitted to it for destruction authorization and may veto the destruction of any or all items contained therein.

The local records committee shall also review recurring disposition schedules recommended to it by agencies of local government and may veto, approve, or amend such schedules. **(WAC 434-630-040)**

You may verify meeting cancellations by visiting our web site at <https://www.sos.wa.gov/archives/RecordsManagement/Local-Records-Committee.aspx> or call Washington state archives at 360-586-4901.

The 2019 meeting dates are as follows:

- 11 a.m.**
- 1129 Washington Street S.E.  
Olympia
- February 6
- April 3
- June 5
- August 7
- October 2
- December 4

**WSR 19-01-019**  
**NOTICE OF PUBLIC MEETINGS**  
**RECREATION AND CONSERVATION**  
**OFFICE**

(Recreation and Conservation Funding Board)  
[Filed December 7, 2018, 11:26 a.m.]

Notice of Change to Regular Meetings

The recreation and conservation funding board is changing the **time and date** of the regular quarterly meeting scheduled for January 22-23, 2019:

- FROM:** January 22-23, 2019, from 9:00 a.m. to 5:00 p.m., Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA
- TO:** January **22**, 2019, from 9:00 a.m. to **5:15** p.m., Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA

For further information, please contact Wyatt Lundquist, [Wyatt.lundquist@rco.wa.gov](mailto:Wyatt.lundquist@rco.wa.gov) or check recreation and conservation office's (RCO) web page at [http://www.rco.wa.gov/boards/srfb\\_meetings.shtml](http://www.rco.wa.gov/boards/srfb_meetings.shtml).

RCO schedules all public meetings at barrier free sites. Persons who need special assistance may contact Leslie Frank at 360-902-0220 or email [leslie.frank@rco.wa.gov](mailto:leslie.frank@rco.wa.gov).

**WSR 19-01-020**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
(Athletic Training Advisory Committee)

[Filed December 7, 2018, 12:22 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, athletic training advisory committee, for the year 2018. The

athletic training advisory committee meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

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

| Date              | Time      | Location  |
|-------------------|-----------|---|
| December 17, 2018 | 9:00 a.m. | Department of Health<br>111 Israel Road S.E.<br>Town Center II<br>Room 158<br>Tumwater, WA<br>or<br>webinar |

If you need further information, please contact Bruce Bronoske, Jr., Program Manager, Athletic Training Advisory 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 athletic training advisory committee is required to comply with the Public Disclosure [Records] Act, chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the board, including personal information, may ultimately be subject to disclosure as a public record.

**WSR 19-01-021**  
**AGENDA**  
**WESTERN WASHINGTON UNIVERSITY**

[Filed December 10, 2018, 8:41 a.m.]

Pursuant to RCW 34.05.314, the following is Western Washington University's semi-annual agenda for Washington Administrative Code (WAC) rules under development for the term of January 1 through June 30, 2019:

1. Chapter 516-26 WAC, Student records. University review of chapter 516-26 WAC, Student records, with possible amendments, including but not limited to WAC 516-26-040 Right to copy education records, 516-26-090(2) Directory Information, and housekeeping changes. Preproposal CR-101 was filed December 12, 2017 (WSR 18-01-044) and CR-102 anticipated to be filed in 2019.

2. WAC 516-52-001 Smoking on campus. Amendments to WAC 516-52-001, Smoking on campus, to comply with a state initiative that prohibits smoking in public places and work places and to address electronic cigarettes and other smoking devices. Preproposal CR-101 was filed February 10, 2010 (WSR 10-05-049) and CR-102 anticipated to be filed in 2019.

3. WAC 516-52-010 Control of dogs and other service animals. Amendments to WAC 516-52-010 Control of dogs and other service animals, to address animals and pets on campus, as well as service animals and exceptions. Preproposal CR-101 was filed April 6, 2017 (WSR 17-09-005) and CR-102 anticipated to be filed in 2019.

Additional rule-making activity not on the agenda may occur as conditions warrant. For more information concern-

ing the semi-annual agenda, please contact Jennifer Sloan, Rules Coordinator, Western Washington University, 516 High Street, Bellingham, WA 98225-9015, phone 360-650-3117, email Jennifer.Sloan@wwu.edu.

Jennifer L. Sloan  
Rules Coordinator

**WSR 19-01-022**  
**AGENDA**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Filed December 10, 2018, 10:04 a.m.]

**Semi-Annual Rule-Making Agenda**  
**January through June 2019**

Below is the board of pilotage commissioner's 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 this agenda. Refer to our web site for periodic updates.

Please direct any questions about this agenda to Jaimie Bever, Rule Coordinator, 2901 Third Avenue, Suite 500, Seattle, WA 98121, 206-515-3904, www.pilotage.wa.gov, email BeverJ@wsdot.wa.gov.

| WAC Citation | Subject Matter            | Current Activity          |                           |                     |
|--------------|---------------------------|---------------------------|---------------------------|---------------------|
|              |                           | Preproposal (CR-101)      | Proposed (CR-102)         | Permanent (CR-103P) |
| 363-116-078  | Training program          | WSR 17-11-124<br>5/23/17  | WSR 18-23-076<br>11/19/18 |                     |
| 363-116-082  | Limitations on new pilots | WSR 18-22-005<br>10/25/18 |                           |                     |
| 363-116-081  | Rest period               | Intent to file            |                           |                     |

**WSR 19-01-025**  
**NOTICE OF PUBLIC MEETINGS**  
**WENATCHEE VALLEY COLLEGE**  
[Filed December 11, 2018, 8:11 a.m.]

**BOARD OF TRUSTEE MEETING SCHEDULE**  
**2019**

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

**This schedule is subject to change**

|                   |                      |
|-------------------|----------------------|
| January 16, 2019  |                      |
| February 20, 2019 |                      |
| March 20, 2019    |                      |
| April 16, 2019    | Board retreat        |
| April 24, 2019    | Nespelem, Washington |
| May 15, 2019      |                      |
| June 19, 2019     |                      |
| July              | No meeting           |

|                    |               |
|--------------------|---------------|
| August 21, 2019    | Board retreat |
| September 11, 2019 |               |
| October 16, 2019   | Omak Campus   |
| November 20, 2019  |               |
| December           | No meeting    |

**WSR 19-01-026**  
**NOTICE OF PUBLIC MEETINGS**  
**OILSEEDS COMMISSION**  
[Filed December 11, 2018, 8:11 a.m.]

The Washington oilseeds commission will be holding the following regular meetings in 2019:

|                              |           |   |
|------------------------------|-----------|---|
| Wednesday<br>January 9, 2019 | 7:30 a.m. | Annual Meeting<br>Three Rivers Convention Center<br>Kennewick, Washington |
| Tuesday<br>April 16, 2019    | 9:00 a.m. | Conference call   |

Tuesday 9:00 a.m. Conference call  
 July 9, 2019  
 Tuesday 9:00 a.m. Vitera  
 November 12, 2019 Warden, Washington

If you need further information contact Shane Johnson, 6601 West Deschutes Avenue, Suite C-2, Kennewick, WA 99336, 509-585-5460, shanej@agmgt.com.

**WSR 19-01-027**

**NOTICE OF PUBLIC MEETINGS  
 WASHINGTON MATERIALS MANAGEMENT  
 AND FINANCING AUTHORITY**

[Filed December 11, 2018, 8:11 a.m.]

The Washington materials management and financing authority would like to publish the schedule for regularly held board meetings for calendar year 2019. Regular meetings will be held:

- January 17, 2019
- March 21, 2019
- May 16, 2019
- July 18, 2019
- September 19, 2019
- November 21, 2019

All meetings are held at 9:30 a.m. at the offices of Van Ness Feldman, 719 Second Avenue, Suite 1150, Seattle, WA 98104.

**WSR 19-01-028**

**NOTICE OF PUBLIC MEETINGS  
 DEPARTMENT OF HEALTH  
 (Dental Quality Assurance Commission)**

[Filed December 11, 2018, 8:51 a.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedures [Procedure] Act (chapter 34.05 RCW), the following is the revised schedule of regular meetings for the department of health, dental quality assurance commission, for the year 2019. The dental quality assurance commission meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

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

| Date               | Time      | Location   |
|--------------------|-----------|--|
| January 18, 2019   | 9:30 a.m. | Department of Health<br>310 Israel Road S.E.<br>Tumwater, WA 98501 |
| March 1, 2019      | 9:30 a.m. | Department of Health<br>310 Israel Road S.E.<br>Tumwater, WA 98501 |
| April 19, 2019     | 9:30 a.m. | Department of Health<br>310 Israel Road S.E.<br>Tumwater, WA 98501 |
| June 7, 2019       | 9:30 a.m. | Department of Health<br>310 Israel Road S.E.<br>Tumwater, WA 98501 |
| July 26, 2019      | 9:30 a.m. | Department of Health<br>310 Israel Road S.E.<br>Tumwater, WA 98501 |
| September 13, 2019 | 9:30 a.m. | To be determined<br>Spokane, Washington                            |
| October 25, 2019   | 9:30 a.m. | Department of Health<br>310 Israel Road S.E.<br>Tumwater, WA 98501 |
| December 6, 2019   | 9:30 a.m. | To be determined   |

If you need further information, please contact Jennifer Santiago, Health Service Consultant 4, Washington Department of Health, Dental Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4893, fax 360-236-2901, email Jennifer.santiago@doh.wa.gov, web www.doh.wa.gov.

Please be advised the dental quality assurance commission 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 19-01-029**

**NOTICE OF PUBLIC MEETINGS  
 ENVIRONMENTAL AND  
 LAND USE HEARINGS OFFICE  
 (Pollution Control Hearings Board)**

[Filed December 11, 2018, 1:49 p.m.]

Following is the schedule of regular meetings for the environmental and land use hearings office (ELUHO), pollution control hearings board, for 2019:

| Date        | Time       | Location |
|-------------|------------|----------|
| January 8   | 10:00 a.m. | ELUHO    |
| February 12 | 10:00 a.m. | ELUHO    |
| March 12    | 10:00 a.m. | ELUHO    |
| April 9     | 10:00 a.m. | ELUHO    |

| Date         | Time       | Location |
|--------------|------------|----------|
| May 14       | 10:00 a.m. | ELUHO    |
| June 11      | 10:00 a.m. | ELUHO    |
| July 9       | 10:00 a.m. | ELUHO    |
| August 13    | 10:00 a.m. | ELUHO    |
| September 10 | 10:00 a.m. | ELUHO    |
| October 8    | 10:00 a.m. | ELUHO    |
| November 12  | 10:00 a.m. | ELUHO    |
| December 19  | 10:00 a.m. | ELUHO    |

If you need further information contact Nancy Coverdell, 1111 Israel Road S.W., Tumwater, WA 98501, phone 360-664-9160, fax 360-586-2253, email eluho@eluho.wa.gov, web site www.eluho.wa.gov.

**WSR 19-01-030**  
**NOTICE OF PUBLIC MEETINGS**  
**ENVIRONMENTAL AND**  
**LAND USE HEARINGS OFFICE**  
 (Growth Management Hearings Board)  
 [Filed December 11, 2018, 2:15 p.m.]

Following is the schedule of regular meetings for the environmental and land use hearings office, growth management hearings board, for 2019:

| Date      | Time      | Location  |
|-----------|-----------|---|
| January 9 | 1:30 p.m. | Department of Ecology<br>3190 160th Avenue S.E.<br>Bellevue, WA 98008 |
| April 10  | 1:30 p.m. | Department of Ecology<br>3190 160th Avenue S.E.<br>Bellevue, WA 98008 |
| July 10   | 1:30 p.m. | Department of Ecology<br>3190 160th Avenue S.E.<br>Bellevue, WA 98008 |
| October 9 | 1:30 p.m. | Department of Ecology<br>3190 160th Avenue S.E.<br>Bellevue, WA 98008 |

If you need further information contact Nancy Coverdell, 1111 Israel Road S.W., Tumwater, WA 98501, phone 360-664-9160, fax 360-586-2253, email eluho@eluho.wa.gov, web site www.eluho.wa.gov.

**WSR 19-01-038**  
**NOTICE OF PUBLIC MEETINGS**  
**LOWER COLUMBIA COLLEGE**  
 [Filed December 13, 2018, 9:00 a.m.]

On November 28, 2018, the Lower Columbia College board of trustees adopted the meeting schedule for 2019

shown below. All regularly scheduled meetings are held on the third Wednesday of each month at 5:00 p.m. in the Heritage Room of the Administration Building unless noted otherwise.

**2019 MEETING SCHEDULE**

|                    |            |   |
|--------------------|------------|---|
| January 16, 2019   | 5:00 p.m.  | Regular meeting   |
| February 20, 2019  | 8:30 a.m.  | Workshop  |
| March 13, 2019     | 5:00 p.m.  | Special executive session   |
| March 20, 2019     | 5:00 p.m.  | Regular meeting   |
| April 17, 2019     | 5:00 p.m.  | Regular meeting   |
| May 15, 2019       | 5:00 p.m.  | Regular meeting   |
| June 19, 2019      | 5:00 p.m.  | Regular meeting   |
| July 17, 2019      | 8:30 a.m.  | Workshop  |
| August 2019        | No meeting |   |
| September 25, 2019 | 5:00 p.m.  | Regular meeting<br><b>(one week later due to start off [of] fall quarter)</b> |
| October 16, 2019   | 5:00 p.m.  | Regular meeting   |
| November 20, 2019  | 5:00 p.m.  | Regular meeting   |
| December 18, 2019  | 5:00 p.m.  | Regular meeting   |

**WSR 19-01-043**  
**NOTICE OF PUBLIC MEETINGS**  
**LIQUOR AND CANNABIS**  
**BOARD**  
 [Filed December 13, 2018, 9:59 a.m.]

**2019 Board Meeting Times**

Washington state liquor and cannabis board (WSLCB) caucus meetings are scheduled every Tuesday 10:00 a.m. to 12:30 p.m., LCB Headquarters Boardroom, 3000 Pacific Avenue S.E., Olympia, WA 98501.

WSLCB board meetings are scheduled every other Wednesday 10:00 to 12:00, LCB Headquarters Boardroom, 3000 Pacific Avenue S.E., Olympia WA 98501.

WSLCB EMT meetings are scheduled every Wednesday 1:30 p.m. to 3:30 p.m., LCB Headquarters Boardroom 3000 Pacific Avenue S.E., Olympia WA 98501.

| MEETING           | DATE                |
|-------------------|---------------------|
| Caucus Meeting    | January 1, 2019     |
| EMT Meeting       | January 2, 2019     |
| Caucus Meeting    | January 8, 2019     |
| * Board Meeting * | * January 9, 2019 * |
| EMT Meeting       | January 9, 2019     |
| Caucus Meeting    | January 15, 2019    |
| EMT Meeting       | January 16, 2019    |
| Caucus Meeting    | January 22, 2019    |
| Board Meeting     | January 23, 2019    |

| MEETING        | DATE              | MEETING        | DATE               |
|----------------|-------------------|----------------|--------------------|
| EMT Meeting    | January 23, 2019  | Caucus Meeting | May 28, 2019       |
| Caucus Meeting | January 29, 2019  | Board Meeting  | May 29, 2019       |
| EMT Meeting    | January 30, 2019  | EMT Meeting    | May 29, 2019       |
| Caucus Meeting | February 5, 2019  | Caucus Meeting | June 4, 2019       |
| Board Meeting  | February 6, 2019  | EMT Meeting    | June 5, 2019       |
| EMT Meeting    | February 6, 2019  | Caucus Meeting | June 11, 2019      |
| Caucus Meeting | February 12, 2019 | Board Meeting  | June 12, 2019      |
| EMT Meeting    | February 13, 2019 | EMT Meeting    | June 12, 2019      |
| Caucus Meeting | February 19, 2019 | Caucus Meeting | June 18, 2019      |
| Board Meeting  | February 20, 2019 | EMT Meeting    | June 19, 2019      |
| EMT Meeting    | February 20, 2019 | Caucus Meeting | June 25, 2019      |
| Caucus Meeting | February 26, 2019 | Board Meeting  | June 26, 2019      |
| EMT Meeting    | February 27, 2019 | EMT Meeting    | June 26, 2019      |
| Caucus Meeting | March 5, 2019     | Caucus Meeting | July 2, 2019       |
| Board Meeting  | March 6, 2019     | EMT Meeting    | July 3, 2019       |
| EMT Meeting    | March 6, 2019     | Caucus Meeting | July 9, 2019       |
| Caucus Meeting | March 12, 2019    | Board Meeting  | July 10, 2019      |
| EMT Meeting    | March 13, 2019    | EMT Meeting    | July 10, 2019      |
| Caucus Meeting | March 19, 2019    | Caucus Meeting | July 16, 2019      |
| Board Meeting  | March 20, 2019    | EMT Meeting    | July 17, 2019      |
| EMT Meeting    | March 20, 2019    | Caucus Meeting | July 23, 2019      |
| Caucus Meeting | March 26, 2019    | Board Meeting  | July 24, 2019      |
| EMT Meeting    | March 27, 2019    | EMT Meeting    | July 24, 2019      |
| Caucus Meeting | April 2, 2019     | Caucus Meeting | July 30, 2019      |
| Board Meeting  | April 3, 2019     | EMT Meeting    | July 31, 2019      |
| EMT Meeting    | April 3, 2019     | Caucus Meeting | August 6, 2019     |
| Caucus Meeting | April 9, 2019     | Board Meeting  | August 7, 2019     |
| EMT Meeting    | April 10, 2019    | EMT Meeting    | August 7, 2019     |
| Caucus Meeting | April 16, 2019    | Caucus Meeting | August 13, 2019    |
| Board Meeting  | April 17, 2019    | EMT Meeting    | August 14, 2019    |
| EMT Meeting    | April 17, 2019    | Caucus Meeting | August 20, 2019    |
| Caucus Meeting | April 23, 2019    | Board Meeting  | August 21, 2019    |
| EMT Meeting    | April 24, 2019    | EMT Meeting    | August 21, 2019    |
| Caucus Meeting | April 30, 2019    | Caucus Meeting | August 27, 2019    |
| Board Meeting  | May 1, 2019       | EMT Meeting    | August 28, 2019    |
| EMT Meeting    | May 1, 2019       | Caucus Meeting | September 3, 2019  |
| Caucus Meeting | May 7, 2019       | Board Meeting  | September 4, 2019  |
| EMT Meeting    | May 8, 2019       | EMT Meeting    | September 4, 2019  |
| Caucus Meeting | May 14, 2019      | Caucus Meeting | September 10, 2019 |
| Board Meeting  | May 15, 2019      | EMT Meeting    | September 11, 2019 |
| EMT Meeting    | May 15, 2019      | Caucus Meeting | September 17, 2019 |
| Caucus Meeting | May 21, 2019      | Board Meeting  | September 18, 2019 |
| EMT Meeting    | May 22, 2019      | EMT Meeting    | September 18, 2019 |

| MEETING        | DATE               |
|----------------|--------------------|
| Caucus Meeting | September 24, 2019 |
| EMT Meeting    | September 25, 2019 |
| Caucus Meeting | October 1, 2019    |
| Board Meeting  | October 2, 2019    |
| EMT Meeting    | October 2, 2019    |
| Caucus Meeting | October 8, 2019    |
| EMT Meeting    | October 9, 2019    |
| Caucus Meeting | October 15, 2019   |
| Board Meeting  | October 16, 2019   |
| EMT Meeting    | October 16, 2019   |
| Caucus Meeting | October 22, 2019   |
| EMT Meeting    | October 23, 2019   |
| Caucus Meeting | October 29, 2019   |
| Board Meeting  | October 30, 2019   |
| EMT Meeting    | October 30, 2019   |
| Caucus Meeting | November 5, 2019   |
| EMT Meeting    | November 6, 2019   |
| Caucus Meeting | November 12, 2019  |
| Board Meeting  | November 13, 2019  |
| EMT Meeting    | November 13, 2019  |
| Caucus Meeting | November 19, 2019  |
| EMT Meeting    | November 20, 2019  |
| Caucus Meeting | November 26, 2019  |
| Board Meeting  | November 27, 2019  |
| EMT Meeting    | November 27, 2019  |
| Caucus Meeting | December 3, 2019   |
| EMT Meeting    | December 4, 2019   |
| Caucus Meeting | December 10, 2019  |
| Board Meeting  | December 11, 2019  |
| EMT Meeting    | December 11, 2019  |
| Caucus Meeting | December 17, 2019  |
| EMT Meeting    | December 18, 2019  |
| Caucus Meeting | December 24, 2019  |
| Board Meeting  | December 25, 2019  |
| EMT Meeting    | December 25, 2019  |
| Caucus Meeting | December 31, 2019  |

\* The January 9, 2019 board meeting will be held at Spokane City Hall, 808 West Spokane Falls Boulevard, Spokane, WA 99201.

**WSR 19-01-044**  
**AGENDA**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**  
 [Filed December 13, 2018, 10:29 a.m.]

**Semi-Annual Agenda for Rules Under Development**  
**January 1 - June 30, 2019**

**DIVISION OF CONSUMER SERVICES**

- Consumer Loan Act. Begin, finalize, and adopt rules under chapter 208-620 WAC to, among other things, implement the temporary authority process for residential mortgage loan originators. Rules are necessary to efficiently implement this amendment to the federal SAFE Act.
- Mortgage Broker Practices Act. Begin, finalize, and adopt rules under chapter 208-660 WAC to implement the temporary authority process for residential mortgage loan originators. Rules are necessary to efficiently implement this amendment to the federal SAFE Act. The rule making will also put in rule the department's October 31, 2018, interim guidance for licensees under the act using a trust account.

**DIVISION OF CREDIT UNIONS**

- Propose new rule to allow a grace period for low-income credit unions if they lose eligibility for low-income designation, patterned after the federal rule, 12 C.F.R. 701.23 (a)(4).
- Propose new rule if legislation is passed to allow credit unions to pick powers from another state credit union act, contingent on the approval of the Washington director of credit unions. To determine approval the rule would have requirements for notice to the director citing the state power, any restrictions or limitations on that power, and how they would use the power in a safe and sound manner.

**DIVISION OF SECURITIES**

- Adoption of North American Securities Administrators Association (NASAA) statements of policy. Amendment of WAC 460-16A-205, which sets forth the NASAA statements of policy adopted by the Washington securities administrator. Since the rule was last amended, NASAA has recently amended or promulgated statements of policy in connection with state-registered securities offerings. The division intends to amend its rules to reference the updated statements of policy and incorporate a reference to a new statement of policy relating to electronic offering documents and electronic signatures in connection with registered securities offerings.
- Investment advisers. Amendments to investment adviser rules contained in chapter 460-24A WAC to adopt newly promulgated NASAA model rules applicable to investment advisers, make revisions to reflect changes in state and federal law, and make other clarifying and technical updates.
- Exempt securities. Amend WAC 460-42A-030, which establishes an exemption from registration for municipal securities that are highly rated to make technical corrections.

- Franchise registration. Amendment of chapter 460-80 WAC to mandate electronic filing of applications for franchise registration.
- Exempt transactions. Amend WAC 460-44A-503 to mandate electronic filing of Rule 506 exempt offering notice filings through the NASAA electronic filing depository system.
- Exempt transactions. Amend chapter 460-44A WAC to make certain ministerial updates to these exempt transaction rules in light of amendments to related federal rules.

**WSR 19-01-046**  
**NOTICE OF PUBLIC MEETINGS**  
**TREE FRUIT RESEARCH COMMISSION**  
 [Filed December 13, 2018, 11:24 a.m.]

*Board Meeting Calendar*  
**2019**

|                |                      |            |                        |
|----------------|----------------------|------------|------------------------|
| January 3      | Board meeting        | 3:00 p.m.  | Teleconference         |
| February 14    | Board meeting        | 1:00 p.m.  | Cattlemen's Ellensburg |
| March 7        | Board meeting        | 1:00 p.m.  | Cattlemen's Ellensburg |
| April 4        | Board meeting        | 1:00 p.m.  | Cattlemen's Ellensburg |
| May 2          | Board meeting        | 1:00 p.m.  | Cattlemen's Ellensburg |
| June 6         | Board meeting        | 3:00 p.m.  | Teleconference         |
| August 1       | Summer board retreat | All day    | WAC Wenatchee          |
| September 5    | Board meeting        | 3:00 p.m.  | Teleconference         |
| October 3      | Board meeting        | 1:00 p.m.  | Cattlemen's Ellensburg |
| November 15    | Board meeting        | 11:00 a.m. | CTC Wenatchee          |
| December 15-16 | Winter board retreat | All day    | Suncadia Cle Elum      |

*Meeting Calendar*  
**2020**

|                |                            |             |                        |
|----------------|----------------------------|-------------|------------------------|
| January 2      | Board meeting              | 3:00 p.m.   | Teleconference         |
| January 29-31  | Apple research review      | All day     | Yakima                 |
| February 4     | Technology research review | All day     | Wanapum Dam Vantage    |
| February 6     | Board meeting              | 1:00 [p.m.] | Cattlemen's Ellensburg |
| February 20-21 | NW pear research review    | All day     | CTC Wenatchee          |

**WSR 19-01-049**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
 (Midwifery Advisory Committee)  
 [Filed December 13, 2018, 4:26 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedures [Procedure] Act (chapter 34.05 RCW), the following is the revised schedule of regular meetings for the department of health, midwifery advisory committee, for the year 2019. The midwifery advisory committee meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via 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 midwifery advisory committee reserves the right to change or amend agendas at the meeting.

| Date               | Time    | Location   |
|--------------------|---------|--|
| March 6, 2019      | 10 a.m. | Department of Health<br>Creekside Two at CenterPoint<br>20425 72nd Avenue South<br>Suite 310, Room 306<br>Kent, WA 98032 |
| June 5, 2019       | 10 a.m. | Department of Health<br>Creekside Two at CenterPoint<br>20425 72nd Avenue South<br>Suite 310, Room 306<br>Kent, WA 98032 |
| September 11, 2019 | 10 a.m. | Department of Health<br>Creekside Two at CenterPoint<br>20425 72nd Avenue South<br>Suite 310, Room 307<br>Kent, WA 98032 |
| December 4, 2019   | 10 a.m. | Department of Health<br>Creekside Two at CenterPoint<br>20425 72nd Avenue South<br>Suite 310, Room 306<br>Kent, WA 98032 |

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

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



**WSR 19-01-050**

**NOTICE OF PUBLIC MEETINGS  
STATE BOARD OF HEALTH**

[Filed December 13, 2018, 4:26 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, for the year 2019. 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.

**2019 Board Meeting Schedule**

Approved by the Board November 9, 2018

| Meeting Date                 | Location   |
|------------------------------|--|
| Wednesday<br>January 9, 2019 | Department of Health<br>Point Plaza East<br>Room152/153<br>310 Israel Road S.E.<br>Tumwater, WA 98501  |
| Wednesday<br>March 13, 2019  | Department of Health<br>Point Plaza East<br>Room152/153<br>310 Israel Road S.E.<br>Tumwater, WA 98501  |
| Wednesday<br>April 10, 2019  | <b>Hold date - meet only if necessary</b><br>Department of Health<br>Point Plaza East<br>Room152/153<br>310 Israel Road S.E.<br>Tumwater, WA 98501                                     |
| Wednesday<br>June 12, 2019   | Department of Health<br>Point Plaza East<br>Room152/153<br>310 Israel Road S.E.<br>Tumwater, WA 98501  |
| Wednesday<br>July 10, 2019   | <b>Hold date - meet only if necessary</b>  |
| Wednesday<br>August 14, 2019 | Capitol Campus<br>John A. Cherberg Building<br>SHR3<br>304 15th Avenue S.W.<br>Olympia, WA 98501   |
| Wednesday<br>October 9, 2019 | Red Lion Hotel-SeaTac<br>Seattle Room<br>18220 International Boulevard<br>Seattle, WA 98188  |
| Monday<br>November 18, 2019  | The Davenport Hotel (room TBD)<br>10 South Post Street<br>Spokane, WA 99201<br><i>(colocate with WSAC and WSALPHO<br/>at the county leaders<br/>conference from Tuesday to Friday)</i> |

Start time is 9:30 a.m. unless otherwise specified. Time and locations subject to change as needed. See our web site at <http://sboh.wa.gov/> for the most current information.

If you need further information, please contact Melanie Hisaw, Executive Assistant, Washington State Board of Health, P.O. Box 47990, Olympia, WA 98504-7990, phone 360-236-4110, fax 360-236-4088, email [melanie.hisaw@sboh.wa.gov](mailto:melanie.hisaw@sboh.wa.gov), web [www.sboh.wa.gov](http://www.sboh.wa.gov).

Please be advised the Washington state board of health 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 19-01-051**

**NOTICE OF PUBLIC MEETINGS  
STATE BOARD OF HEALTH**

(Governor's Interagency Council on Health Disparities)

[Filed December 13, 2018, 4:27 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 governor's interagency council on health disparities, for the year 2019. The council'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 council's web site (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the council reserves the right to change or amend agendas at the meeting.

**2019 Council Meeting Schedule**

Approved by the Council December 6, 2018

| Meeting Date                                       | Location  |
|--|---|
| Thursday<br>February 7, 2019<br>(possibly 1/2 day) | Department of Health<br>Point Plaza East<br>Room 152/153<br>310 Israel Road S.E.<br>Tumwater, WA 98501<br><i>(alternative tribal location TBD)</i>  |
| Thursday<br>May 2, 2019                            | Asia Pacific Cultural Center<br>4851 South Tacoma Way<br>Tacoma, WA 9840 [98409]  |
| Thursday<br>September 5, 2019                      | Centilia Cultural Center<br>1660 South Roberto Maestas Festival Street<br>Seattle, WA 98144 - <b>OR -</b><br><b>(David Ortiz, Chair, Communities of Color Coalition of Snohomish County, offered to host in Everett. Possibly Everett Community College?)</b> |
| Thursday<br>December 5, 2019                       | Department of Health<br>Point Plaza East<br>Room 152/153<br>310 Israel Road S.E.<br>Tumwater, WA 98501  |

Start time is 9:30 a.m. unless otherwise specified. Time and locations subject to change as needed. See the board of health web site and the health disparities council web site for the most current information.

If you need further information, please contact Melanie Hisaw, Executive Assistant, Washington State Board of Health, P.O. Box 47990, Olympia, WA 98504-7990, phone 360-236-4110, fax 360-236-4088, email melanie.hisaw@sboh.wa.gov, web www.healthequity.wa.gov.

Please be advised the governor's interagency council on health disparities 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 19-01-052**  
**RULES COORDINATOR**  
**BELLEVUE COLLEGE**  
 [Filed December 14, 2018, 8:11 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for Bellevue College is Tracy Biga MacLean, 3000 Landerholm Circle S.E., Bellevue, WA 98007, phone 425-564-2035, email rules@bellevuecollege.edu.

Jerry Weber, PhD  
 President

**WSR 19-01-053**  
**NOTICE OF PUBLIC MEETINGS**  
**CRANBERRY COMMISSION**  
 [Filed December 14, 2018, 8:42 a.m.]

2019 MEETING SCHEDULE

The Washington cranberry commission will hold the following meetings in 2019.

|            |                           |  |
|------------|---------------------------|--|
| January 29 | 11:30 a.m.-<br>12:30 p.m. | Barge Restaurant<br>Raymond, Washington                                  |
| April 17   | 5:00-<br>6:00 p.m.        | Willapa Grange North Cove<br>Grayland, Washington                        |
| August 2   | 1:00-<br>2:00 p.m.        | Pacific Coast Cranberry<br>Research Foundation<br>Long Beach, Washington |

**WSR 19-01-056**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**ENTERPRISE SERVICES**  
 (Capital Projects Advisory Review Board)  
 [Filed December 14, 2018, 10:35 a.m.]

Following is the capital projects advisory review board (CPARB) meeting time and location:

- Dates for 2019**
- February 14
  - May 9
  - September 12
  - October 10
  - December 11

Time: 8:00 a.m. - 12:30 p.m.  
 Location: Presentation Room, 1500 Jefferson Street S.E., Olympia, WA 98501.

Detailed meeting information can be found on the CPARB homepage.

If you have any questions, please contact Talia Baker or Nancy Deakins at CPARB@des.wa.gov.

**WSR 19-01-057**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**ENTERPRISE SERVICES**  
 (Project Review Committee)  
 [Filed December 14, 2018, 10:38 a.m.]

Following is the project review committee (PRC) meeting dates, time and location:

- Dates for 2019**
- January 24
  - March 28
  - May 23
  - July 25
  - September 26
  - December 5

Time: 9:00 a.m. - 5:00 p.m.  
 Location: Northwest Carpenters Facility, Second Floor Conference Room, 25120 Pacific Highway South, Kent, WA 98032-5436.

Detailed meeting information can be found on the PRC homepage.

If you have any questions, please contact Talia Baker or Nancy Deakins at PRC@des.wa.gov.

**WSR 19-01-059**

**NOTICE OF PUBLIC MEETINGS  
FRUIT COMMISSION**

[Filed December 14, 2018, 11:13 a.m.]

2018  
BOARD OF DIRECTORS SPECIAL MEETING

At the call of the chair, the Washington state fruit commission (WSFC) board of directors will hold an emergency SPECIAL MEETING as follows: On December 19, 2018, at 10:00 a.m., at the W. L. Hansen Building, Yakima, Washington.

This special meeting has been called to address year-end items that were presented for approval at the December 12, 2018, general board meeting when no quorum was present.

WSFC complies with the Americans with Disabilities Act. These meetings are open to all persons without regard to race, color, national origin, gender, religion, age, or disability. Persons who require alternative means of communication (such as Braille, large print, sign language) or language interpretation, special meals or special accommodations should contact WSFC at 509-453-4837 at least two business days before the meeting.

If there are any questions, please contact WSFC offices at 509-453-4837.

**WSR 19-01-067**

**NOTICE OF PUBLIC MEETINGS  
DAIRY PRODUCTS COMMISSION**

[Filed December 17, 2018, 6:56 a.m.]

**2019 Meeting Schedule**

|                 |   |           |
|-----------------|---|-----------|
| February 6-7    | Regular commission meeting<br>Washington Dairy Center<br>4201 198th Street S.W.<br>Lynnwood, WA 98036 | 8:30 a.m. |
| March 20        | Regular commission meeting<br>Washington Dairy Center<br>Lynnwood, Washington                         | 8:30 a.m. |
| April 24-25     | Regular commission meeting<br>Washington Dairy Center<br>Lynnwood, Washington                         | 8:30 a.m. |
| June 13         | Regular commission meeting<br>Location to be determined   | 8:30 a.m. |
| July 24-25      | Regular commission meeting<br>Washington Dairy Center<br>Lynnwood, Washington                         | 8:30 a.m. |
| September 25-26 | Regular commission meeting<br>Location to be determined   | TBD       |
| November 6      | Regular commission meeting<br>Hyatt Regency<br>601 Loyola Avenue<br>New Orleans, LA 70113             |           |
| December 10-11  | Regular commission meeting<br>Location to be determined   | TBD       |

NOTE: Please confirm all final meeting start times with the Washington dairy products commission at 425-672-0687.

**WSR 19-01-069**

**NOTICE OF PUBLIC MEETINGS  
TREE FRUIT RESEARCH COMMISSION**

[Filed December 17, 2018, 9:31 a.m.]

*Board Meeting Calendar  
2019*

|                |                         |            |                           |
|----------------|-------------------------|------------|---------------------------|
| January 3      | Board meeting           | 3:00 p.m.  | Teleconference            |
| February 14    | Board meeting           | 1:00 p.m.  | Cattlemen's<br>Ellensburg |
| March 7        | Board meeting           | 1:00 p.m.  | Cattlemen's<br>Ellensburg |
| April 4        | Board meeting           | 1:00 p.m.  | Cattlemen's<br>Ellensburg |
| May 2          | Board meeting           | 1:00 p.m.  | Cattlemen's<br>Ellensburg |
| June 6         | Board meeting           | 3:00 p.m.  | Teleconference            |
| August 1       | Summer board<br>retreat | All day    | WAC<br>Wenatchee          |
| September 5    | Board meeting           | 3:00 p.m.  | Teleconference            |
| October 3      | Board meeting           | 1:00 p.m.  | Cattlemen's<br>Ellensburg |
| November 15    | Board meeting           | 11:00 a.m. | CTC<br>Wenatchee          |
| December 15-16 | Winter board<br>retreat | All day    | Suncadia<br>Cle Elum      |

*Meeting Calendar  
2020*

|                |                               |             |                           |
|----------------|-------------------------------|-------------|---------------------------|
| January 2      | Board meeting                 | 3:00 p.m.   | Teleconference            |
| January 29-31  | Apple research review         | All day     | Yakima                    |
| February 4     | Technology research<br>review | All day     | Wanapum Dam<br>Vantage    |
| February 6     | Board meeting                 | 1:00 [p.m.] | Cattlemen's<br>Ellensburg |
| February 20-21 | NW pear research<br>review    | All day     | CTC<br>Wenatchee          |

**WSR 19-01-070**

**NOTICE OF PUBLIC MEETINGS  
BEEF COMMISSION**

[Filed December 17, 2018, 9:51 a.m.]

**2019 Meeting Schedule**  
(all meetings begin at 9:00 a.m.)

|                    |                    |              |
|--------------------|--------------------|--------------|
| January 24, 2019   | Conference call    |              |
| Thursday           |                    |              |
| March 6-7, 2019    | Strategic planning | Seattle area |
| Wednesday/Thursday | meeting            |              |
| April 25, 2019     | Regular meeting    | Ellensburg   |
| Thursday           |                    |              |
| June 6, 2019       | Annual meeting     | Ellensburg   |
| Thursday           |                    |              |

|                                 |                                 |                   |
|---------------------------------|---------------------------------|-------------------|
| September 11, 2019<br>Wednesday | Regular meeting/<br>Beef Counts | Spokane           |
| November 7, 2019<br>Thursday    | Regular meeting                 | WCA<br>convention |

The expected increase will be \$4,496,871 the first full year of service provision, with a projected five percent increase per year during the first three years. This amount may increase or decrease based on the final operating budget authorized by the governor and state legislature.

SPAs 19-0003 and 19-0006 are in the development process; therefore copies are not yet available for review. To request copies when they become available, 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).

Contact Richard VanCleave, Federal Programs Manager, Medicaid Programs and Operations Integrity, P.O. Box 45530, Olympia, WA 98504-5530, phone 360-725-1904, TRS/TDD/TTY 711, fax 360-507-9230, email richard.vancleave@hca.wa.gov, web site <https://www.hca.wa.gov>.

**WSR 19-01-072**

**NOTICE OF PUBLIC MEETINGS  
ECONOMIC DEVELOPMENT  
FINANCE AUTHORITY**

[Filed December 17, 2018, 10:06 a.m.]

**2019 Regular Meeting Dates and Locations**

|              |           |   |
|--------------|-----------|---|
| January 24   | 1:30 p.m. | 1000 2nd Avenue<br>Suite 2700<br>Seattle, WA                  |
| April 26     | 9:30 a.m. | Marcus Whitman Hotel<br>6 West Rose Street<br>Walla Walla, WA |
| September 12 | 1:30 p.m. | 1000 2nd Avenue<br>Suite 2700<br>Seattle, WA                  |
| December 11  | 1:30 p.m. | 1000 2nd Avenue<br>Suite 2700<br>Seattle, WA                  |

Special meetings called as needed.

**WSR 19-01-073****HEALTH CARE AUTHORITY**

[Filed December 17, 2018, 10:13 a.m.]

**NOTICE**

Title or Subject: Medicaid State Plan Amendments (SPA) 19-0003 and 19-0006 Substance Use Disorder Peer Support Services.

Effective Date: July 1, 2019.

Description: The health care authority (the agency) intends to submit medicaid SPAs 19-0003 and 19-0006 in order to add substance use disorder (SUD) peer support services to the medicaid state plan. The current medicaid state plan authorizes peer support services for individuals experiencing the effects of a mental health disorder, but does not allow for the same services under the SUD benefit. The proposed language includes a description of the new service and provider requirements. SPA 19-0003 amends the rehabilitative services section of the state plan and SPA 19-0006 amends the section describing primary care case management services under Section 1932(a) of the Social Security Act. These SPAs are being submitted at the direction of ESSB 6032, passed during the 2018 legislative session.

Because SUD peer support will be a new state plan service, SPAs 19-0003 and 19-0006 are expected to increase the annual aggregate expenditures/payments for SUD services.

**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.altc.washington.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 19-01-075**

**NOTICE OF PUBLIC MEETINGS  
 HIGHLINE COLLEGE**

[Filed December 17, 2018, 10:40 a.m.]

Pursuant to RCW 42.30.075, the Highline College board of trustees' regular meetings for the 2019 calendar year will be held as follows:

| Date               | Week/Day of the Month |
|--------------------|-----------------------|
| January 24, 2019   | 4th Thursday          |
| February 21, 2019  | 3rd Thursday          |
| March, 2019        | To be determined      |
| April 18, 2019     | 3rd Thursday          |
| May 16, 2019       | 3rd Thursday          |
| June 13, 2019      | 2nd Thursday          |
| July 18, 2019      | 3rd Thursday          |
| August, 2019       | No meeting            |
| September 19, 2019 | 3rd Thursday          |
| October            | To be determined      |
| November 21, 2019  | 3rd Thursday          |
| December 12, 2019  | 2nd Thursday          |

All regular meetings are scheduled for 10:00 a.m. in the Board Room, Building 25, Highline College, 2400 South 240th Street, Des Moines, WA 98198-9800.

For further information regarding the 2019 board of trustees meetings, or general information regarding the Highline College board of trustees, please contact Danielle K. Slota at 206-592-3600.

**WSR 19-01-076**

**NOTICE OF PUBLIC MEETINGS  
 PUGET SOUND  
 CLEAN AIR AGENCY**

[Filed December 17, 2018, 10:52 a.m.]

Following is the agency's list of board of directors meeting dates for the year 2019. All of the meetings are currently expected to be held at the agency's office at 1904 3rd Avenue, Suite 105, Seattle, WA.

If you have any questions, please call Judith White-Crow at 206-689-4079 or email [judithw@psccleanair.org](mailto:judithw@psccleanair.org).

**Board of Directors  
 Meeting Dates for 2019**

- January 24
- February 28
- March 28
- April 25
- May 30
- July 18
- September 26
- October 24
- November 21
- December 19

**WSR 19-01-077**

**NOTICE OF PUBLIC MEETINGS  
 GREEN RIVER COLLEGE**

[Filed December 17, 2018, 11:33 a.m.]

*Regular Meeting Schedule  
 2019*

The board of trustees of Community College District No. 10 has set its regular meeting schedule for calendar year 2019. The board meets on the third Thursday of each month (with the exception of October and December, which fall on the second Thursday of the month), commencing at 4:30 p.m., in the Board Room, Administration Building, Green River Community College, 12401 S.E. 320th Street, Auburn, WA 98092.

- Thursday, January 17
- Thursday, February 21
- Thursday, March 21

Thursday, April 18  
Thursday, May 16  
Thursday, June 20  
Thursday, July 18  
Thursday, August 15  
Thursday, September 19  
Thursday, October 10  
Thursday, November 21  
Thursday, December 12

**WSR 19-01-083**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
(Board of Denturists)  
[Filed December 17, 2018, 4:58 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 (DOH), board of denturists, for the year 2019. The board of denturists 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 DOH web site (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board of denturists reserves the right to change or amend agendas at the meeting.

| Date              | Time       | Location                            |
|-------------------|------------|-------------------------------------|
| February 15, 2019 | 10:00 a.m. | DOH<br>TC 2 Room 158<br>Tumwater    |
| June 21, 2019     | 10:00 a.m. | DOH<br>TC 2 Room 158<br>Tumwater    |
| August 22, 2019   | 10:00 a.m. | DOH<br>PPE Room 152/153<br>Tumwater |
| November 22, 2019 | 8:00 a.m.  | Webinar                             |

If you need further information, please contact Vicki Brown, Program Manager, Board of Denturists, DOH, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4865, fax 360-236-2901, vicki.brown@doh.wa.gov, www.doh.wa.gov.

Please be advised the board of denturists 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 19-01-084**  
**NOTICE OF PUBLIC MEETINGS**  
**RED RASPBERRY COMMISSION**  
[Filed December 18, 2018, 7:59 a.m.]

**CHANGE OF REGULAR COMMISSION MEETING DATE**

The next regular meeting of the Washington red raspberry commission has been CHANGED from January 23, 2019, 1:00 p.m., Washington Red Raspberry Commission Office, 204 Hawley Street, Lynden, WA; to January 30, 2019, 1:00 p.m., Washington Red Raspberry Commission Office, 204 Hawley Street, Lynden, WA.

For more information, please contact Henry Bierlink at 360-354-8767 or henry@red-raspberry.org.

**WSR 19-01-086**  
**NOTICE OF PUBLIC MEETINGS**  
**WESTERN WASHINGTON UNIVERSITY**  
[Filed December 18, 2018, 8:22 a.m.]

**2019 Board Meeting Schedule**

Pursuant to RCW 42.30.075, following is the approved 2019 schedule of regular meetings of Western Washington University's board of trustees:

- February 7, 8, 2019
- April 4, 5, 2019
- June 13, 14, 2019
- August 22, 23, 2019
- October 10, 11, 2019
- December 12, 13, 2019

All meetings will be held at Western Washington University, 516 High Street, Board Room, Old Main 340, Bellingham, WA, and will begin at 3 p.m. on Thursday and resume at 8 a.m. on Friday, unless otherwise publicly noted. Public comment periods are scheduled for all Friday meetings. Any questions regarding the meeting schedule or the public comment period may be directed to Rayne Rambo, assistant secretary to the board of trustees, at 360-650-3998.

**WSR 19-01-087**  
**NOTICE OF PUBLIC MEETINGS**  
**WESTERN WASHINGTON UNIVERSITY**  
[Filed December 18, 2018, 8:26 a.m.]

**Western Crossing Development**  
**2019 Meeting Schedule**

Pursuant to chapter 42.30 RCW, the following is the 2019 schedule of regular meetings of Western Washington University's western crossing development committee:



| Meeting Date | Location   | Time                      |
|--------------|--|---------------------------|
| May 1        | Port of Bellingham<br>Mt. Baker Room<br>1801 Roeder Avenue<br>Bellingham, WA 98225 | 10:00 a.m.-<br>12:00 p.m. |

Any questions regarding the meeting schedule or the public comment period may be directed to Lorie McNeill, administrative assistant to the vice president for university relations and marketing, at 360-650-3482 or email Lorie.McNeill@wwu.edu.

**WSR 19-01-090**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF COMMERCE**

(Developmental Disabilities Endowment Trust Fund)

[Filed December 18, 2018, 8:36 a.m.]

Following is the schedule of regular meetings for the Washington state department of commerce, developmental disabilities endowment trust fund governing board for 2019:

| Date              | Time                   | Location  |
|-------------------|------------------------|---|
| March 7, 2019     | 10:00 a.m. - 2:00 p.m. | Innovation Services Building<br>9414 N.E. 4th Plain Road<br>Vancouver, WA 98662 |
| June 6, 2019      | 10:00 a.m. - 2:00 p.m. | SeaTac Conference Center<br>17801 International<br>Boulevard                    |
| September 5, 2019 | 10:00 a.m. - 2:00 p.m. | Mezzanine Level<br>Seattle, WA 98158  |
| December 5, 2019  | 10:00 a.m. - 2:00 p.m. |   |

If you need further information contact Peter Tassoni, Disabilities Workgroup Manager, Community Services Housing Division, Washington State Department of Commerce, P.O. Box 42525, Olympia, WA 98504-2525, 360-725-3125, peter.tassoni@commerce.wa.gov, www.commerce.wa.gov.

**WSR 19-01-091**

**RULES COORDINATOR  
EMPLOYMENT SECURITY DEPARTMENT**

[Filed December 18, 2018, 8:50 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the employment security department is Scott E. Michael, 212 Maple Park Avenue S.E., Olympia, WA 98507, phone 360-902-9587, fax 360-902-9662, email rules@esd.wa.gov.

Daniel Zeitlin  
Employment System  
Policy Director

**WSR 19-01-092**

**NOTICE OF PUBLIC MEETINGS  
COMMISSION ON  
ASIAN PACIFIC AMERICAN AFFAIRS**

[Filed December 18, 2018, 9:05 a.m.]

The Washington state commission on Asian Pacific American affairs will schedule the next public board meeting and convene the meeting on January 19, 2019, 10:00 a.m. - 2:00 p.m., Olympia, Washington.

Final venue to be determined.

If you need further information, contact Sam Le, 1110 Capitol Way South, Suite 220, Olympia, WA 98501, 360-725-5667, sam.le@capaa.wa.gov, www.capaa.wa.gov.

**WSR 19-01-093**

**NOTICE OF PUBLIC MEETINGS  
PUGET SOUND  
SALMON COMMISSION**

[Filed December 18, 2018, 9:13 a.m.]

**2019 MEETING SCHEDULE**

The Puget Sound salmon commission will hold the following meetings in 2019:

|                           |           |   |
|---------------------------|-----------|---|
| Saturday,<br>January 26   | 1:00 p.m. | Mt. Vernon Senior Center<br>1401 Cleveland Avenue<br>Mount Vernon |
| Saturday,<br>September 28 | 9:30 a.m. | Fishermen's Terminal<br>Nordby Conference Center<br>Seattle       |

For more information, contact the Puget Sound salmon commission at 206-595-8734.

**WSR 19-01-100**

**NOTICE OF PUBLIC MEETINGS  
BELLINGHAM TECHNICAL COLLEGE**

[Filed December 18, 2018, 10:21 a.m.]

**Associated Students Executive Team  
Regular Meeting Schedule  
2019**

Pursuant to RCW 42.30.075, the Bellingham Technical College ASBTC executive team's regular meetings during 2019 will be held on every Wednesday of each month, except where indicated, beginning January 16. All meetings will begin at 3:30 p.m. in Campus Center Room 233 (CC 233), unless indicated otherwise, at Bellingham Technical College, 3028 Lindbergh Avenue, Bellingham, WA 98225.

- January 16, 23, 30, 2019
- February 6, 13, 20, 27, 2019
- March 6, 13, 20, 2019
- April 3, 10, 17, 24, 2019
- May 1, 8, 15, 22, 29, 2019

June 5, 12, 2019  
**No meetings held July - August**  
 September 18, 25, 2019  
 October 2, 9, 16, 23, 30, 2019  
 November 6, 13, 20, 27, 2019  
 December 4, 2019

If you have questions, please contact Linda Ruthrauff at 360-752-8409 or email [lruthrauff@btc.edu](mailto:lruthrauff@btc.edu).

**WSR 19-01-101**  
**NOTICE OF PUBLIC MEETINGS**  
**BELLINGHAM TECHNICAL COLLEGE**

[Filed December 18, 2018, 10:22 a.m.]

**ASBTC Services and Activities Fee**  
**Budget Committee**  
**Regular Meeting Schedule**  
**2019**

Pursuant to RCW 42.30.075, the Bellingham Technical College ASBTC S&A fee budget committee's regular meet-

ings during 2019 will be held on the first and third Tuesdays of each month, except where indicated, beginning January 8. All meetings will begin at 3:30 p.m. in the College Services Building Board Room, Bellingham Technical College, 3028 Lindbergh Avenue, Bellingham, WA 98225.

January 8 and 22, 2019  
 February 5 and 19, 2019  
 March 5 and 19, 2019  
 April 2 and 16, 2019  
 May 7 and 21, 2019  
 June 4, 2019  
 November 5 and 19, 2019  
 December 3, 2019

If you have questions, please contact Linda Ruthrauff, 360-752-8409 or email [lruthrauff@btc.edu](mailto:lruthrauff@btc.edu).

**WSR 19-01-103**

**NOTICE OF PUBLIC MEETINGS**  
**PULSE CROPS COMMISSION**

[Filed December 18, 2018, 1:21 p.m.]

**Annual Meeting Schedule**

The Western Pulse Growers Association (WPGA), Idaho pea and lentil commission and the Washington pulse crops commission announce the following revised meeting schedule for 2018 as of October 10, 2018:

| <b>Date</b>                                  | <b>Time</b>                            | <b>Place</b>                                  | <b>Notes</b>  |
|--|--|---|---|
| <b>December 12, 2018</b><br><b>Wednesday</b> | <b>8:00 a.m. -</b><br><b>5:00 p.m.</b> | <b>University Inn</b><br><b>Moscow, Idaho</b> | <b>WPGA annual grower meeting, annual commission reports, bylaws review</b>   |
| December 13, 2018<br>Thursday                | 9:00 a.m.                              | USADPLC stateline offices                     | Joint meeting with Idaho commission and WPGA board (budget/election of WPGA officers, travel approval, report from universities)                                  |
| March 14, 2019<br>Thursday                   | 9:00 a.m.                              | USADPLC stateline offices                     | Joint meeting with Idaho commission and WPGA board (planting projections, income projections, policy progress report, commission candidates)                      |
| May 30, 2019<br>Thursday                     | 9:00 a.m.                              | USADPLC stateline offices                     | Joint meeting with Idaho commission and WPGA board (budget approval/policy discussions, contract approval, committee assignment day, commission officer election) |
| September 13, 2019<br>Friday                 | 9:00 a.m.                              | USADPLC stateline offices                     | Joint meeting with Idaho commission and WPGA board (farm bill/policy update, review contracts, assessment kickoff)  |
| November 21, 2019<br>Thursday                | 9:00 a.m.                              | USADPLC stateline offices                     | Joint meeting with Idaho commission and WPGA board (farm bill/policy update, review budgets, WPGA annual meeting)   |

| Date                          | Time                     | Place                           | Notes  |
|-------------------------------|--------------------------|---------------------------------|--|
| December 4, 2019<br>Wednesday | 8:00 a.m. -<br>5:00 p.m. | University Inn<br>Moscow, Idaho | WPGA annual grower meeting, annual commission reports, bylaws review   |
| December 5, 2019<br>Thursday  | 9:00 a.m.                | USADPLC stateline offices       | Joint meeting with Idaho commission and WPGA board (budget/election of WPGA officers, travel approval, report from universities) |

If you have any questions about the meeting schedule, please contact Todd Scholz or Liz Aune at 208-882-3023 or email [tscholz@usapulses.org](mailto:tscholz@usapulses.org).

**WSR 19-01-110**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**  
 (Home Inspector Board)  
 [Filed December 18, 2018, 4:14 p.m.]

Locations for 2019 Meetings

The March 7, 2019, meeting will be held at 10:00 a.m. to 1:00 p.m. (or until completion of business) in Bellevue, Washington (location to be determined).

The June 6, 2019, meeting will be held at 10:00 a.m. to 1:00 p.m. (or until completion of business) in Kennewick, Washington (location to be determined).

The September 4, 2019, meeting will be held at 10:00 a.m. to 1:00 p.m. (or until completion of business) in Tumwater, Washington (location to be determined).

The December 5, 2019, meeting will be held at 10:00 a.m. to 1:00 p.m. (or until completion of business) in Vancouver, Washington (location to be determined).

**WSR 19-01-113**  
**AGENDA**  
**WASHINGTON STATE UNIVERSITY**  
 [Filed December 19, 2018, 8:32 a.m.]

**Semi-Annual Agenda for Rules Under Development**  
**January 2019**

Pursuant to RCW 34.05.314, the following is Washington State University's semi-annual agenda for Washington Administrative Code (WAC) rules under development for the period of January 1 through June 30, 2019. Additional rule-making activity not now anticipated may also be added as conditions warrant between semi-annual agendas.

1. **Chapter 504-14 WAC, Campus parking and traffic regulations for Washington State University health sciences Spokane**, rule-making amendments to the university's parking and traffic rules for the Spokane campus. Anticipate filing CR-102 for permanent rules in early February 2019.

2. **Chapter 504-15 WAC, Campus parking and traffic regulations**, rule-making amendments to the university's parking and traffic rules for the Pullman campus. Anticipate filing CR-102 for permanent rules in early March 2019.

For more information regarding the semi-annual agenda, contact Deborah Bartlett, Rules Coordinator, Washington

State University, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, email [prf.forms@wsu.edu](mailto:prf.forms@wsu.edu).

Deborah Bartlett  
 Rules Coordinator

**WSR 19-01-114**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**  
 [Filed December 19, 2018, 8:49 a.m.]

2019 Regulatory Board Meetings  
 Geologist Licensing Board

| Date          | Location   | Start Time |
|---------------|--|------------|
| March 4, 2019 | ESD/Capital Event Center<br>6005 Tye Drive S.E.<br>Tumwater, WA 98512      | 9:00 a.m.  |
| June 4, 2019  | Pacific Lutheran University<br>12180 Park Avenue South<br>Tacoma, WA 98447 | 9:00 a.m.  |

Washington State Board for Architects

| Date             | Location  | Start Time |
|------------------|---|------------|
| January 17, 2019 | Bellingham Technical College<br>3028 Lindbergh Avenue<br>Bellingham, WA 98225 | 9:00 a.m.  |
| April 18, 2019   | Clark College<br>1933 Fort Vancouver Way<br>Vancouver, WA 98663               | 9:00 a.m.  |

Board of Licensure for Landscape Architects

| Date             | Location  | Start Time |
|------------------|---|------------|
| January 25, 2019 | ESD/Capital Event Center<br>6005 Tye Drive S.E.<br>Tumwater, WA 98512 | 9:00 a.m.  |
| April 26, 2019   | University of Washington<br>Seattle                                   | 9:00 a.m.  |

Funeral and Cemetery Board

| Date              | Location   | Start Time |
|-------------------|--|------------|
| February 12, 2019 | Radisson Hotel<br>Seattle Tacoma Airport<br>18118 International Boulevard<br>Seattle, WA 98188 | 9:00 a.m.  |

| Date        | Location   | Start Time |
|-------------|--|------------|
| May 7, 2019 | ESD/Capital Event Center<br>6005 Tyee Drive S.E.<br>Tumwater, WA 98512 | 9:00 a.m.  |

**Board of Registration for Professional Engineers and Land Surveyors**

| Date               | Location   | Start Time   |
|--------------------|--|--|
| February 6-7, 2019 | Radisson Hotel<br>Seattle Tacoma Airport<br>18118 International Boulevard<br>Seattle, WA 98188 | February 6<br>1:00 p.m.<br>February 7<br>8:00 a.m. |
| April 24-25, 2019  | The Heathman Lodge<br>7801 N.E. Greenwood Drive<br>Vancouver, WA 98662                         | April 24<br>1:00 p.m.<br>April 25<br>8:00 a.m.     |
| June 19-20, 2019   | Radisson Hotel<br>Seattle Tacoma Airport<br>18118 International Boulevard<br>Seattle, WA 98188 | June 19<br>1:00 p.m.<br>June 20<br>8:00 a.m.       |

**Collection Agency Board**

| Date           | Location   | Start Time |
|----------------|--|------------|
| April 16, 2019 | LOTT Water Alliance<br>500 Adams Street<br>Olympia, WA 98501 | 10:00 a.m. |

**Geologist Licensing Board**

| Date               | Location   | Start Time |
|--------------------|--|------------|
| September 10, 2019 | WSU, Pullman   | 9:00 a.m.  |
| December           | ESD/Capital Event Center<br>6005 Tyee Drive S.E.<br>Tumwater, WA 98512 | 9:00 a.m.  |

**Washington State Board for Architects**

| Date              | Location   | Start Time |
|-------------------|--|------------|
| July 25, 2019     | Davenport Grand<br>333 West Spokane Falls Boulevard<br>Spokane, WA 99201                       | 9:00 a.m.  |
| November 14, 2019 | Radisson Hotel<br>Seattle Tacoma Airport<br>18118 International Boulevard<br>Seattle, WA 98188 | 9:00 a.m.  |

**Board of Licensure for Landscape Architects**

| Date             | Location  | Start Time |
|------------------|---|------------|
| July 19, 2019    | ESD/Capital Event Center<br>6005 Tyee Drive S.E.<br>Tumwater, WA 98512  | 9:00 a.m.  |
| October 25, 2019 | Davenport Grand<br>333 West Spokane Falls Boulevard<br>Spokane WA 99201 | 9:00 a.m.  |

**Funeral and Cemetery Board**

| Date             | Location   | Start Time |
|------------------|--|------------|
| August 20, 2019  | Red Lion<br>1225 North Wenatchee Avenue<br>Wenatchee, WA 98801         | 9:00 a.m.  |
| November 5, 2019 | ESD/Capital Event Center<br>6005 Tyee Drive S.E.<br>Tumwater, WA 98512 | 9:00 a.m.  |

**Board of Registration for Professional Engineers and Land Surveyors**

| Date                 | Location   | Start Time   |
|----------------------|--|--|
| August 7-8, 2019     | Historic Davenport<br>10 South Post Street<br>Spokane, WA 99201                                | August 7<br>1:00 p.m.<br>August 8<br>8:00 a.m.       |
| October 23-24, 2019  | Radisson Hotel<br>Seattle Tacoma Airport<br>18118 International Boulevard<br>Seattle, WA 98188 | October 23<br>1:00 p.m.<br>October 24<br>8:00 a.m.   |
| December 11-12, 2019 | Radisson Hotel<br>Seattle Tacoma Airport<br>18118 International Boulevard<br>Seattle, WA 98188 | December 11<br>1:00 p.m.<br>December 12<br>8:00 a.m. |

**Collection Agency Board**

| Date               | Location   | Start Time |
|--------------------|--|------------|
| September 17, 2019 | LOTT Water Alliance<br>500 Adams Street<br>Olympia, WA 98501 | 10:00 a.m. |

**WSR 19-01-115**

**AGENDA**

**BOARD OF ACCOUNTANCY**

[Filed December 19, 2018, 9:18 a.m.]

**Semi-Annual Rules Development Agenda  
January through June 2019**

The Washington state board of accountancy's semi-annual, rules development agenda follows for publication in the Washington State Register under RCW 34.05.314.

This agenda is for information purposes, and the noted dates of anticipated activity are estimates. Additional rule development activity not on the agenda may occur as conditions warrant.

If you have questions about this rule development agenda, please contact Charles Satterlund, CPA, Executive Director, P.O. Box 9131, Olympia, WA 98507-9131, phone 360-586-0785, email Charles.Satterlund@acb.wa. gov.

| WAC Citation | Subject Matter   | Anticipated Activity Dates  |   |                        |
|--------------|--|-----------------------------|---|------------------------|
|              |  | Preproposal (CR-101)        | Proposed (CR-102) or Expedited (CR-105) | Permanent (CR-103)     |
| WAC 4-30-010 | Definitions.   | CR-101<br>April 2019        | CR-102<br>July 2019                     | CR-103<br>October 2019 |
| WAC 4-30-062 | How do I apply to take the CPA examination?  | CR-101 filed<br>August 2018 | CR-102<br>April 2019                    | CR-103<br>July 2019    |
| WAC 4-30-132 | What are the program standards for CPE?  | CR-101<br>April 2019        | CR-102<br>July 2019                     | CR-103<br>October 2019 |
| WAC 4-30-134 | What are the continuing professional education (CPE) requirements for individuals? | CR-101<br>April 2019        | CR-102<br>July 2019                     | CR-103<br>October 2019 |
| WAC 4-30-136 | How do I report my CPE to the board?   | CR-101<br>April 2019        | CR-102<br>July 2019                     | CR-103<br>October 2019 |
| WAC 4-30-138 | What documentation must I retain to support eligibility for CPE credits?           | CR-101<br>April 2019        | CR-102<br>July 2019                     | CR-103<br>October 2019 |

Charles E. Satterlund, CPA  
Executive Director