

WSR 16-09-001
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR

[Filed April 6, 2016, 3:50 p.m.]

NOTICE OF APPEAL
RCW 34.05.330(3)

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

On March 30, 2016, the Governor's Office received an appeal from Rebecca Faust relating to the Washington Human Rights Commission's denial of a petition to repeal or amend WAC 162-32-060.

DATE: April 6, 2016.

Taylor Wonhoff
Deputy General Counsel
to the Governor

WSR 16-09-002
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR

[Filed April 6, 2016, 3:51 p.m.]

NOTICE OF APPEAL
RCW 34.05.330(3)

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

On April 6, 2016, the Governor's Office received an appeal from Jason Iwasaki relating to the Office of Superintendent of Public Instruction's denial of a petition to repeal or amend WAC 392-121-255 and WAC 392-121-270.

DATE: April 6, 2016.

Taylor Wonhoff
Deputy General Counsel
to the Governor

WSR 16-09-010
NOTICE OF PUBLIC MEETINGS
COMMUNITY ECONOMIC
REVITALIZATION BOARD

[Filed April 8, 2016, 12:43 p.m.]

Please note that the July 21, 2016, meeting of the community economic revitalization board (CERB) has been rescheduled to Thursday, July 28, 2016.

2016 Meetings	Location
January 21, 2016	Olympia, Commerce
March 17, 2016	Olympia, Commerce
May 19, 2016	Olympia, Commerce
July 28, 2016 - RESCHEDULED	Olympia, Commerce
September 15, 2016	Olympia, Commerce
November 17, 2016	Olympia, Commerce

The meetings will begin at 9:00 a.m.
Meetings are held at the Department of Commerce, 1011 Plum Street S.E., Building 5, First Floor, Columbia River Room, Olympia, WA 98504.

Please contact the CERB main line at (360) 725-2744 for additional information.

WSR 16-09-016
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE

[Filed April 11, 2016, 9:14 a.m.]

Following is a revision to the 2016 regular meeting schedule of the Edmonds Community College board of trustees.

A special meeting and executive session will be held on April 22, 2016, at 7:30 - 8:30 a.m. The meeting will be held in the Office of the President, Gateway Hall 301, 6600 196th Street S.W., Lynnwood, WA.

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

WSR 16-09-018
NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE

[Filed April 11, 2016, 9:50 a.m.]

Pursuant to RCW 42.30.080, Olympic College hereby gives notice that a special meeting of the board of trustees of Olympic College, District Three, will be held on Thursday, April 7, 2016, at 1:00 p.m. at Olympic College in the CSC Building, Room 521. The board will be meeting to approve a distribution from the Bremer Trust for the purpose of erecting the welding building at OC-Shelton.

WSR 16-09-019
NOTICE OF PUBLIC MEETINGS
COLUMBIA BASIN COLLEGE

[Filed April 11, 2016, 9:50 a.m.]

The Columbia Basin board of trustees are invited to attend an exit conference on April 12, 2016, at 2:00 p.m. in the Beers Board Room to hear preliminary results on the audit of fiscal years 2012-2015. No official action will be taken during this session, which is for information purposes only.

If you have any questions, please contact Lupe Perez at (509) 542-4802.

WSR 16-09-020
NOTICE OF PUBLIC MEETINGS
STATE INDEPENDENT
LIVING COUNCIL

[Filed April 11, 2016, 10:36 a.m.]

The following is the schedule of Washington state independent living council (WASILC) public meetings regarding the development of the 2017-2019 state plan for independent living (SPIL): On May 11, 2016, time not yet determined; location not yet determined.

ASL interpreters and real time captioning (CART) will be available. For other accommodation request, please contact WASILC at 800-624-4105.

WASILC is appointed by the governor to guide development of and promote access to independent living services for individuals with disabilities statewide. The council works to increase opportunities for self-determination and empowerment of people with disabilities, and to create awareness of people with disabilities as a valuable human resource. We welcome your feedback concerning your experiences and concerns.

If you need further information contact WASILC at 800-624-4105.

Meeting Date	Location	Time
April 14	516 High Street Viking Union 567	7:00 - 8:00 a.m.
April 21	516 High Street Viking Union 567	7:00 - 8:00 a.m.
April 28	516 High Street Viking Union 567	7:00 - 8:00 a.m.
May 5	516 High Street Viking Union 567	7:00 - 8:00 a.m.
May 12	516 High Street Viking Union 567	7:00 - 8:00 a.m.
May 19	516 High Street Viking Union 567	7:00 - 8:00 a.m.
May 26	516 High Street Viking Union 567	7:00 - 8:00 a.m.

For potential updates to the meeting date, time, or location, please refer to the following web link, <http://www.wwu.edu/vpress/fees.shtml>.

Any questions regarding the meeting schedule or the public comment period may be directed to Ashley Demko, secretary to the services and activities fees committee, at (360) 650-3851 or e-mail Ashley.Demko@wwu.edu.

WSR 16-09-021
NOTICE OF PUBLIC MEETINGS
FREIGHT MOBILITY
STRATEGIC INVESTMENT BOARD

[Filed April 11, 2016, 2:00 p.m.]

MEETING NOTICE

May 20, 2016
Port of Kalama
110 West Marine Drive
Kalama, WA 98625
9:00 a.m. to 1:15 p.m.

SPECIAL NEEDS: For special accommodations or to request an auxiliary aid, please contact the freight mobility office at (360) 586-9695 by May 16, 2016.

WSR 16-09-023
NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON UNIVERSITY

[Filed April 12, 2016, 7:44 a.m.]

Services and Activities Fees
2016 Meeting Schedule

Pursuant to chapter 42.30 RCW, following is the 2016 schedule of regular meetings of Western Washington University's services and activities fees committee:

Meeting Date	Location	Time
March 11	516 High Street Viking Union 567	8:00 - 9:00 a.m.

WSR 16-09-028
RULES OF COURT
STATE SUPREME COURT

[April 12, 2016]

IN THE MATTER OF THE PROPOSED) AMENDED ORDER
AMENDMENT TO RAP 9.2(b)—VER-) NO. 25700-A-1144
BATIM REPORT OF PROCEEDINGS)

The Office of Public Defense, having recommended the proposed amendment to RAP 9.2(b)—Verbatim Report of Proceedings, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

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

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

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than June 30, 2016. 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 12th day of April, 2016.

For the Court

Madsen, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment
Rules of Appellate Procedure
RAP 9.2 - VERBATIM REPORT OF PROCEEDINGS

A. Proponent: Washington State Office of Public Defense

B. Spokespersons: Gideon Newmark, Appellate Program Manager, Washington State Office of Public Defense, PO Box 40957, Olympia, WA 98504-0957, (360) 584-5636, gideon.newmark@opd.wa.gov

C. Purpose: To update RAP 9.2(b) to give appellate indigent defense attorneys discretion whether to order transcription of voir dire and opening statements.

The circumstances supporting RAP 9.2(b)'s restrictions on transcribing voir dire and opening statements have changed. RAP 9.2(b) was amended in 1993 to reduce the costs of transcription in indigent cases. It did so by requiring trial court authorization for transcription of voir dire and opening statements on appeal. At the time, there was a consensus among Court of Appeals judges that transcripts of voir dire and opening statements were generally not necessary. More recently, however, there has been a tremendous amount of appellate litigation concerning the right to a public trial during voir dire. While the need for transcripts of voir dire may have been rare in 1993, this is no longer the case. Recent litigation concerning prosecutorial misconduct suggests a greater need for transcripts of opening statements, as well.

Moreover, the financial concerns that underlay the 1993 amendment to RAP 9.2(b) are no longer applicable. Since fiscal year 2015, appellate attorneys have greatly increased the frequency with which they order voir dire and opening statements. But court reporter expenses for the Office of Public Defense have not significantly increased in recent years. This suggests that the proposed amendment will not have substantial fiscal consequences.

Furthermore, trial courts as a practical matter have little discretion whether to authorize transcription of requested parts of trial. Indigent clients have a constitutional right to a complete appellate record. *Mayer v. City of Chicago*, 404 U.S. 489, 193 (1971). Pursuant to this right, clients are entitled to transcription of voir dire or opening statements even if they cannot make a particularized factual showing of need. *See State v. Harvey*, 172 Wn.2d 919, 921-22 (2012). Even if the only purpose for a transcript is to allow a client to address it in a pro se statement of additional grounds, the transcript must be provided. *Id.* at 922. As such, there are few foreseeable circumstances under which a request for voir dire or opening statements could be denied, making such requests into virtual formalities.

These formalities, however, have a cost. To obtain permission for transcripts of voir dire or opening statements, appellate attorneys must expend time that would be better spent on more productive aspects of representation, such as

client communication, research, and writing. The proposed amendment would help attorneys make maximal use of their time and remove a small but persistent barrier to effective representation.

This is not to suggest that voir dire and opening statements should be ordered in every case. Attorneys must exercise their professional discretion in good faith, and should not order these sections of trial without reason to believe they are relevant to the appeal. Consequently, the proposed rule change includes the proviso that voir dire and opening statements should not be ordered without reasonable justification.

D. Hearing: A hearing is not requested.

E. Expedited Consideration: Expedited consideration is not requested.

F. Supporting material: Suggested rule amendment.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 9.2—VERBATIM REPORT OF PROCEEDINGS

RAP 9.2

VERBATIM REPORT OF PROCEEDINGS

...

(b) Content. A party should arrange for the transcription of all those portions of the verbatim report of proceedings necessary to present the issues raised on review. A verbatim report of proceedings provided at public expense ~~will~~ should not include the voir dire examination or opening statements unless appellate counsel has reason to believe those sections are relevant to the appeal or they are requested by the client for preparing a Statement of Additional Grounds so ordered by the trial court. If the party seeking review intends to urge that a verdict or finding of fact is not supported by the evidence, the party should include in the record all evidence relevant to the disputed verdict or finding. If the party seeking review intends to urge that the court erred in giving or failing to give an instruction, the party should include in the record all of the instructions given, the relevant instructions proposed, the party's objections to the instructions given, and the court's ruling on the objections.

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WSR 16-09-033
RULES COORDINATOR
ATTORNEY GENERAL'S OFFICE

[Filed April 14, 2016, 7:58 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Office of the Attorney General is Melissa Brearty, Executive Assistant, Office of the Attorney General, 1125 Washington Street S.E., P.O. Box 40100, Olympia, WA 98504-0100, phone (360) 534-4849, fax (360) 664-0228, e-mail MelB@atg.wa.gov.

Bob Ferguson
Attorney General

WSR 16-09-041
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR

[Filed April 14, 2016, 3:25 p.m.]

NOTICE OF APPEAL
 RCW 34.05.330(3)

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

On March 30, 2016, the Governor's Office received an appeal from Rebecca Faust relating to the Washington Human Rights Commission's denial of a petition to repeal or amend WAC 162-32-060. The Governor's Office denied the Petition on April 13, 2016.

DATE: April 14, 2016.

Taylor Wonhoff
 Deputy General Counsel
 to the Governor

WSR 16-09-063
NOTICE OF PUBLIC MEETINGS
BOARD FOR VOLUNTEER
FIREFIGHTERS AND RESERVE OFFICERS

[Filed April 18, 2016, 8:03 a.m.]

The state board for volunteer firefighters and reserve officers has changed the location of the July 8, 2016, meeting to South Bay Fire Department, 3506 Shincke Road N.E., Olympia, WA 98506.

WSR 16-09-067
NOTICE OF PUBLIC MEETINGS
BOARD OF
PILOTAGE COMMISSIONERS

[Filed April 18, 2016, 11:57 a.m.]

2016 MEETING SCHEDULE
 Revised April 14, 2016

The Washington state board of pilotage commissioners meets on the third Thursday of each month unless otherwise rescheduled or canceled. Meetings are held at 9:30 a.m., at 2901 Third Avenue, Seattle, WA.

January 14
 February 11
 March 10
 April 14
 May 12
 June 16
 July 21
 August 18
 September 15
 October 20

November 10

December 15

In accordance with RCW 42.30.075, this schedule of regular meeting dates for the board of pilotage commissioners is filed with the office of the code reviser for publication in the Washington State Register.

WSR 16-09-074
DEPARTMENT OF ECOLOGY

[Filed April 18, 2016, 2:18 p.m.]

PUBLIC NOTICE OF DRAFT GENERAL NATIONAL
POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT FOR THE FRESH FRUIT PACKING INDUSTRY

Introduction: In 1994, the Washington state department of ecology (ecology) developed an NPDES general permit to regulate the discharge of wastewater from fresh fruit packing facilities.

This permit was developed to meet the requirements of chapters 90.48, 90.52, and 90.54 RCW as amended, and the Federal Water Pollution Control Act (FWPCA) (Title 33 United States Code, Section 1251 et seq.) as amended. All requirements of 40 Code of Federal Regulations (C.F.R.) 122.41 and 122.42 are incorporated in this general permit by reference.

The fruit packing industry is eligible for coverage under a general permit due to: (1) The similar wastewater characteristics among facilities; (2) the uniform discharge conditions to which all facilities would be subject; and (3) the significant reduction of resources necessary for permit handling. However, individual NPDES/state waste discharge permits will still be applied in those instances where ecology determines the general permit is not appropriate for a facility or an individual facility does not wish to be covered by the general permit.

This general permit establishes treatment/disposal methods, effluent limits, and best management practices for discharges from the fresh fruit packing industry. Compliance with this general permit is anticipated to protect human health and waters of the state.

Types of Facilities or Dischargers and Geographic Area Covered: Every new or existing fresh fruit packing facility within the entire state of Washington which receives, packs, stores, and/or ships either hard or soft fruit is required to apply for coverage under either this general permit or an individual NPDES/state waste discharge permit.

Documents Available for Review: You may download a copy of the draft permit and fact sheet at http://www.ecy.wa.gov/programs/wq/permits/fruit_packers/index.html; or you may request a copy from Cynthia Huwe, (509) 457-7105 or e-mail cynthia.huwe@ecy.wa.gov.

Public Workshops: Public workshops concerning this draft general permit shall be held on May 18, 2016, in Union Gap and May 19, 2016, in Leavenworth. WebDMR training will also take place on these dates. Please see below for location and exact times.

DATE	Wednesday May 18, 2016	Thursday May 19, 2016
WORKSHOP BEGINS	9:00 a.m. to noon	1:30 to 4:00 p.m.
WebDMR TRAINING BEGINS	1:30 to 3:30 p.m.	10:00 a.m. to noon
LOCATION	Washington State Department of Ecology - CRO	Chelan County Fire District #3 Community Fire Hall
ADDRESS	1250 West Alder Street	228 Chumstick Highway
CITY	Union Gap, WA 98903	Leavenworth, WA 98826
ROOM	102 B	

Additional WebDMR Training: An additional WQWebDMR system training (training only, no workshop) will be offered on Thursday, August 18, 2016, from 10 a.m. to noon at the Central Regional Office, 1250 West Alder Street, Union Gap, WA, in Conference Room 102B.

When and How to Submit Comments: Comments on the proposed general permit may be given at the public hearings. Interested persons are also invited to submit written comments regarding the proposed general permit. All written comments should be submitted by 5:00 p.m. on June 17, 2016, to the Department of Ecology, 1250 West Alder Street, Union Gap, WA 98903, Attn: Cynthia Huwe, cynthia.huwe@ecy.wa.gov.

This notice will be published in the legal section of the Yakima Herald-Republic and the Wenatchee Daily World on May 4, 2016. A mailing containing this notice will be sent to all current permittees and other interested parties.

Final Determination: All comments received at the public hearings or at ecology's central regional office by 5:00 p.m. on June 17, 2016, will be considered before final permit terms, limitations, and conditions are established. A responsive summary of comments received during the comment period will be prepared and available for public review. If the final content of the general permit remains substantially unchanged from the draft permit, a copy of the final determination in the form of a public notice of issuance shall be forwarded to all persons who submitted written comment or gave public testimony regarding the permit. However, if the final determination is substantially changed, another public notice of draft permit shall be published.

Economic Impact Analysis: Ecology completed a new economic impact analysis that will be available May 2016, on department of ecology's publications and forms web site located at <https://fortress.wa.gov/ecy/publications/UIPages/Home.aspx>.

Tentative Determination to Issue: After ecology receives and considers all public comments, it will issue the final permit. Ecology expects to issue the general permit in August 2016, with an effective date of September 1, 2016.

Further Information: Contact Sanjay Barik at sanjay.barik@ecy.wa.gov, (509) 454-4247; or Marcia Porter at marcia.porter@ecy.wa.gov, (509) 454-7864; 1250 West Alder Street, Union Gap, WA.

Ecology is an equal opportunity agency and does not discriminate on the basis of race, creed, color, disability, age, religion, national origin, sex, marital status, disabled vet-

eran's status, Vietnam Era veteran's status or sexual orientation. If you have special accommodation needs or require this document in alternative format, please contact Cynthia Huwe at (509) 457-7105.

WSR 16-09-080
NOTICE OF PUBLIC MEETINGS
LIFE SCIENCES
DISCOVERY FUND AUTHORITY

[Filed April 18, 2016, 4:31 p.m.]

Following is the life sciences discovery fund's updated board meeting information. We will post a meeting agenda on our web site <http://www.lsdfa.org/about/staff/meetings.html> prior to each gathering.

Upcoming Public Board Meeting Dates

(times are approximate and subject to change)

Date	Time	Location
Monday May 2, 2016	8:30 a.m.- 4:30 p.m.- 12-2 p.m.	<u>1551 Eastlake Avenue East</u> <u>Third Floor</u> <u>Seattle, WA 98125</u>
Monday July 11, 2016 Tuesday July 5, 2016	8:30 a.m.- 4:30 p.m.- 9-11 a.m.	TBD
Monday September 19, 2016	8:30 a.m.- 4:30 p.m.	TBD
Monday December 12, 2016	8:30 a.m.- 4:30 p.m.	TBD

WSR 16-09-084
NOTICE OF PUBLIC MEETINGS
ATTORNEY GENERAL'S OFFICE

(Commercially Sexually Exploited Children Statewide Coordinating Committee)

[Filed April 19, 2016, 10:42 a.m.]

The following is the 2016 meeting schedule for the commercially sexually exploited children statewide coordinating committee, which was established by SB 5308 in the 2013 regular legislative session:

June 14, 2016 9:30 a.m.	Attorney General's Office 800 Fifth Avenue Chief Sealth Conference Room 20th Floor Seattle, WA 98104
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Additional meeting details, including the agenda, will be available five to seven days prior to each meeting at <http://www.atg.wa.gov/>.

If you have any questions regarding this meeting agenda contact Farshad Talebi, assistant attorney general, Washington state attorney general's office, (206) 442-4488, farshad@atg.wa.gov.

WSR 16-09-086
NOTICE OF PUBLIC MEETINGS
STATUTE LAW COMMITTEE

[Filed April 19, 2016, 10:51 a.m.]

A statute law committee meeting has been scheduled for Tuesday, May 17, 2016. The meeting will begin at 12:00 p.m. and will end at approximately 2:00 p.m. Agenda items include approval of minutes, a general overview of publications, current office activities, financial status of accounts, and code maintenance.

The meeting will be held in Seattle at the SeaTac Red Lion Hotel located at 18220 International Boulevard.

Debbie Deibert or K. Kyle Thiessen are the contact persons for information concerning this meeting and can be reached at (360) 786-6777.

If you need further information contact Sandy Green, 1068 Washington Street S.E., Olympia, WA 98504, (360) 725-5511, sandy.green@charterschool.wa.gov, www.charter-school.wa.gov.

WSR 16-09-109
NOTICE OF PUBLIC MEETINGS
CHARTER SCHOOL COMMISSION

[Filed April 19, 2016, 4:39 p.m.]

Following is the schedule of regular meetings for the Washington charter school commission for 2016:

Date	Time	Location
Thursday May 19, 2016	10:00 a.m. - 5:00 p.m.	STAR Center Voyage Studio 3873 South 66th Street Tacoma, WA 98409
Thursday June 16, 2016	10:00 a.m. - 5:00 p.m.	PSESD Blackriver Training and Conference Center 800 Oakesdale Avenue S.W. Renton, WA 98057
Thursday August 11, 2016	10:00 a.m. - 5:00 p.m.	South Seattle Community College Georgetown Campus 6737 Corson Avenue South Seattle, WA 98108
Thursday September 15, 2016	10:00 a.m. - 5:00 p.m.	South Seattle Community College Georgetown Campus 6737 Corson Avenue South Seattle, WA 98108
Thursday October 13, 2016	10:00 a.m. - 5:00 p.m.	South Seattle Community College Georgetown Campus 6737 Corson Avenue South Seattle, WA 98108
Thursday November 17, 2016	10:00 a.m. - 5:00 p.m.	South Seattle Community College Georgetown Campus 6737 Corson Avenue South Seattle, WA 98108
Thursday December 15, 2016	10:00 a.m. - 5:00 p.m.	TAF Bethaday Community Learning Space 605 S.W. 108th Street Seattle, WA 98146