

WSR 21-09-026
RULES OF COURT
STATE SUPREME COURT
[April 7, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENTS ) NO. 25700-A-1343
RELATED TO THE TASK FORCE ON )
THE ESCALATING COST OF CIVIL )
LITIGATION: NEW CR 3.1—INITIAL )
CASE SCHEDULES; CR 16— )
PRETRIAL PROCEDURE AND )
FORMULATING ISSUES; CR 26— )
GENERAL PROVISIONS )
GOVERNING DISCOVERY; CR 77— )
SUPERIOR COURTS AND JUDICIAL )
OFFICERS )

The Washington State Bar Association, having recommended the suggested amendments related to the task force on the escalating cost of civil litigation: NEW R 3.1—Initial Case Schedules; CR 16—Pretrial Procedure and Formulating Issues; CR 26—General Provisions Governing Discovery; CR 77—Superior Courts and Judicial Officers, 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 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 2022.

(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, 2022. 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 7th day of April, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendments to
SUPERIOR COURT CIVIL RULES

Suggested New CR 3.1 and Suggested Amendments to CR 16, 26, 77

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### **C. Purpose**

The proponent recommends adoption of suggested amendments to the Superior Court Civil Rules (CR) with a focus on modifying discovery rules to decrease the cost of litigation.

#### **I. History of the Suggested Amendments**

##### **Escalating Cost of Civil Litigation Task Force**

In 2011, the WSBA Board of Governors (Board) chartered a task force titled the Task Force on the Escalating Cost of Civil Litigation (ECCL Task Force). The Board charged the ECCL Task Force with analyzing civil litigation processes in Washington courts and to make recommendations that would improve access and reduce costs.<sup>1</sup> The ECCL Task Force studied the issues for several years and submitted recommendations to the Board in June 2015.<sup>2</sup> In its final report, the ECCL Task Force offered a variety of rule revision options that the Task Force expected would reduce barriers to access or costs or both.<sup>3</sup>

At its June 2016 meeting, the Board voted on each of the ECCL Task Force recommended options, approving some and rejecting others. In July 2016, the Board issued its Report on the Recommendations of the Escalating Costs of Civil Litigation Task Force, which explained its decision on each option.<sup>4</sup> Among the Board-approved options were provisions for initial case schedules, individual judicial case assignments, mandatory discovery conferences, mandatory initial disclosures, cooperation as a guiding principle, pretrial conferences, and mandatory early alternative dispute resolution.<sup>5</sup>

##### **Civil Litigation Rules Drafting Task Force**

On November 18, 2016, in the wake of its vote on the ECCL Task Force recommendations, the Board chartered the Civil Litigation Rules Drafting (Rules Drafting) Task Force. The purpose of the Rules Drafting Task Force was to draft proposed civil rules to implement the ECCL options ratified by the Board.<sup>6</sup> The Rules Drafting Task Force was further charged with soliciting and receiving input from stakeholders, including lawyers, judges, and other interested persons or entities, on its suggested amendments.

Over the next fifteen months, the Rules Drafting Task Force met, drafted, and received input from stakeholders. Although some stakeholder input reflected disagreement with decisions previously made by the Board, the drafting work of the Task Force focused on implementing the options ratified by the Board in June 2016.

After a first reading in July 2018, the Rules Drafting Task Force submitted its suggested rule amendments for approval at the Board's September 27-28, 2018 meeting.<sup>7</sup>

At that meeting, citing concern that there had been insufficient stakeholder input on the Task Force recommendations, the Board elected to postpone action on the draft amendments and to convene a work group to gather additional stakeholder input and report back to the Board.

**Civil Litigation Rules Revision Work Group**

In September 2019, the Board chartered a second drafting entity, the Civil Litigation Rules Revision (Rules Revision) Work Group, to solicit and incorporate additional stakeholder input, with a particular emphasis on stakeholders with civil litigation experience and sophistication. The Board tasked the Rules Revision Work Group with revising, as appropriate, the Task Force's suggested amendments to reflect the additional stakeholder input.

At the Board's September 17-18, 2020 meeting, the Rules Revision Work Group submitted revised suggested amendments.<sup>8</sup> The Board unanimously approved the suggested amendments. With the exception of one CR 26 subsection regarding privilege logs, the proposed amendments were endorsed by all stakeholders.

**II. SUGGESTED AMENDMENTS**

The following observations explain the purpose of the suggested rule amendments. In addition, to provide context about development of the suggested amendments, Section III identifies and explains a number of potential suggested amendments that ultimately were not approved by the Board for submission as part of the suggested rule set.

**New CR 3.1: Adopting a statewide case schedule.** Suggested CR 3.1 is a new rule that would impose a statewide initial case schedule. Suggested CR 3.1(a) incorporates some aspects of the King County and Pierce County local rules regarding case schedules, including requiring disclosure of expert witnesses and a discovery deadline. Suggested CR 3.1(a) provides for case-schedule deadlines stated in terms of weeks before the trial date, which would be set for 52 weeks after the action is commenced. Suggested sections (b)-(d) of CR 3.1 are procedural, dictating the timing of case schedule deadlines, service requirements, and the availability of modifications to the case schedule. Suggested sections (e)-(f) of CR 3.1 provide for exemptions from the initial case-schedule requirement for specific types of actions; in other matters, exemptions may be granted on motion or the court's initiative. CR 3.1(g) sets forth a party's ongoing obligation to timely respond to discovery requests.

**CR 16: Adopting new statewide pretrial procedures.** It is widely agreed that pretrial scheduling orders used in King and Pierce counties, as well as in the federal district courts, achieve significant time savings at trial. Accordingly, suggested new CR 16(a) would require that parties submit a joint pretrial report to the court. Under the suggested rule, the pretrial report must include a summary of the case, agreed material facts, the material issues in dispute, a list of expert witnesses, an exhibit index, the estimated length of trial, suggestions for shortening the trial, and a statement regarding whether alternative dispute resolution would be useful. Suggested amendments to current CR 16(a) (renumbered as CR 16(b)) modify and add to the topics the trial judge may consider at a pretrial conference. Existing CR 16(b) is consequently renumbered as CR 16(c) with additional clarifying revisions.

**CR 26 (b) (5): Curbing abuse of case schedule deadlines.** Many observers agree that, regrettably, parties in many instances manipulate the discovery process by refusing to respond to discovery requests until the case-schedule deadline. Such conduct impedes discovery, subverting the purpose of case schedules to create a bright-line cutoff for completion of the discovery process. The rules should not enable a party flatly to refuse to respond to appropriate discovery requests until the case-schedule deadline. Thus, suggested amendments to CR 26

(b) (5) make it clear that the tactic is inappropriate, enabling trial courts to deter abusive discovery conduct. See also suggested CR 3.1(g).

**CR 26(e): Continuing duty to supplement discovery responses.** Existing CR 26(e) defines the extent to which a party has a duty to supplement responses previously given in response to discovery requests. The rule specifies that a party has no continuing duty to supplement responses, but then defines a number of exceptions to the general rule where supplementation is required under specified circumstances. Under the current system, to obtain supplementation a party often must either expressly demand it or propound new discovery specifically requesting supplementation. Suggested amendments to CR 26(e) would impose a general, continuing duty to supplement all discovery responses, expediting the discovery process, making more discoverable information available sooner, and better ensuring full disclosure before trial.

**CR 26(e): Clarifying the form of supplements.** Often when a party supplements a discovery response, the supplementing party includes the totality of the prior discovery response, including all the unchanged responses. This places an unnecessary burden on the responding party to search out and find supplemental information, an expenditure of time that serves no useful purpose. An additional suggested amendment to CR 26(e) specifies that supplemental responses shall include only the supplemental information.

**CR 26(g): Prohibiting general objections.** Parties routinely make so-called general objections. At present, the Civil Rules require each objection to interrogatories and requests for production be answered specifically. CR 33(a) ("the reasons" for objection to an interrogatory must be stated in lieu of an answer); CR 34 (b) (3) (B) (party must state a "specific objection" to a request for production of documents, including the reasons). Despite these specificity requirements, because the rules do not expressly prohibit general objections, some parties assert that they are appropriate. A recipient of a general objection is typically obliged to wrangle with the objection proponent over the validity of the objection. This temporarily thwarts the requesting party's ability to obtain complete responses, delays the discovery process, and can lead to an increase in discovery motions.

For these reasons, an express and overarching prohibition on the use of general objections is warranted. Federal case law rejects the use of general objections. See, e.g., *Hager v. Graham*, 267 F.R.D. 486, 492 (N.D.W. Va. 2010) ("General objections to discovery, without more, do not satisfy the burden of the responding party under the [FRCP] to justify objections to discovery because they cannot be applied with sufficient specificity to enable courts to evaluate their merits."); *Burlington N. & Santa Fe Ry. Co. v. U.S. Dist. Ct. of the Dist. of Mont.*, 408 F.3d 1142, 1149 (9th Cir. 2005) ("Blanket refusals inserted in to a response ... are insufficient to assert a privilege."); *Chubb Integrated Sys., Ltd. v. Nat'l Bank of Wash.*, 103 F.R.D. 52, 58 (D.D.C. 1984) ("[A] general objection [does not] fulfill [a party's] burden to explain its objections."). The suggested amendment to CR 26(g) makes it clear that general objections are inappropriate.

**CR 26(g): Requiring a privilege log.** Washington case law has made clear that when otherwise discoverable material is withheld based on an assertion of privilege, a "privilege log" should be provided. Parties infrequently provide a privilege log unless it is requested, and it takes additional time to prepare and obtain a previously unprovided privilege log, sometimes weeks or months, delaying the discovery process. In some instances, the parties are in dispute about whether a

privilege log must be provided and, if so, what its content should be, requiring judicial intervention and further delaying the discovery process. Accordingly, an additional suggested amendment to CR 26(g) requires a privilege log as a part of any response in which documents or information are being withheld on grounds of privilege. Codifying the necessity of a privilege log will expedite discovery and deter non-meritorious assertions of privilege. The language for the suggested amendment to CR 26(g) is taken almost verbatim from *Rental Housing Ass'n of Puget Sound v. City of Des Moines*, 165 Wn.2d 525, 538, 199 P.3d 393 (2009).

**CR 77(i): Assigning a judge.** Assignment of a specific judge to a specific case creates efficiencies through the development of ongoing knowledge and experience developed by the assigned judge in a particular case. This can save substantial time otherwise needed to educate the judge about the case when the parties come before the court on motions and certainly at trial. A suggested amendment to CR 77(i) requires the assignment of a specific judge to every case, but provides for alternatives in the event that pre-assignment is not feasible in a particular jurisdiction.

### III. AMENDMENTS CONSIDERED BUT NOT SUGGESTED

The Board declined to endorse several ECCL Task Force recommendations on grounds that they would have unintended consequences or would not effectively promote efficiencies and cost reductions. What follows is a brief explanation of those proposals.

**Duty of cooperation.** To further the overarching goal of cost reduction through cooperation among parties, the Rules Drafting Task Force proposed a number of amendments, including language in CR 1 requiring parties to reasonably cooperate with one another and the court, as well as a provision in CR 11 authorizing imposition of sanctions for failure to reasonably cooperate. The term cooperation was not defined. These amendments were not approved for submission because of the absence of a workable definition of cooperation, the sufficiency of existing remedies for noncooperation, and the potential for the cost of litigation to increase owing to an increase in disputes about whether a party sufficiently cooperated. Despite the importance of cooperation, it was concluded that its codification as a rule would not decrease litigation costs and would likely generate unintended and undesirable outcomes.

**Mandatory early mediation.** The Rules Drafting Task Force included a new mandatory early mediation requirement and procedures, which would have imposed an early-mediation deadline of eight months before trial, subject to modification by motion. These amendments were not approved for submission because in the great majority of cases parties would likely seek to extend the early-mediation deadline, which would only serve to increase the cost of litigation. In addition, it was concluded that early mediation could result in unjust results in some cases, such as premature settlements or failed early mediation efforts that generate the need for additional costly mediations.

**Mandatory discovery disclosures.** To implement the concept of mandatory discovery disclosures, the Rules Drafting Task Force drafted amendments to CR 26 that would have required mandatory initial disclosures of certain information and documents by a deadline in the initial case schedule. These amendments were not approved for submission because the "one size fits all" approach fails to account for the specific subject matter of a case, because many practitioners consider initial disclosure deadlines to be only a "check-the-box" requirement that actually increases the cost of litigation, because practitioners

believe the federal model has not achieved the goal of streamlining discovery as intended, and because even in jurisdictions that require initial disclosure, parties essentially engage in the same quantum of formal discovery.

**D. Hearing:**

A hearing is not requested.

**E. Expedited Consideration:**

Expedited consideration is not requested.

- 1 The ECCL Task Force Charter and related materials are available at <https://www.wsba.org/connect-serve/committees-boards-other-groups/civil-litigation-rules-drafting-tf/escalating-cost-of-civil-litigation-task-force>.
- 2 TASK FORCE ON THE ESCALATING COST OF CIVIL LITIGATION, FINAL REPORT TO THE BOARD OF GOVERNORS (June 15, 2015), [https://www.wsba.org/docs/default-source/legal-community/committees/eccl-task-force/reports/eccl-final-report-06152015.pdf?sfvrsn=3a993cfl\\_4](https://www.wsba.org/docs/default-source/legal-community/committees/eccl-task-force/reports/eccl-final-report-06152015.pdf?sfvrsn=3a993cfl_4).
- 3 *Id.* at 2.
- 4 BOARD OF GOVERNORS, REPORT OF THE BOARD OF GOVERNORS OF THE WASHINGTON STATE BAR ASSOCIATION ON THE RECOMMENDATIONS OF THE ESCALATING COSTS OF CIVIL LITIGATION TASK FORCE (July 2016), [https://www.wsba.org/docs/default-source/legal-community/committees/civil-litigation-rules-drafting-task-force/bog-response-to-eccl-report-072016.pdf?sfvrsn=e64c06fl\\_5](https://www.wsba.org/docs/default-source/legal-community/committees/civil-litigation-rules-drafting-task-force/bog-response-to-eccl-report-072016.pdf?sfvrsn=e64c06fl_5).
- 5 *Id.* at 2-4.
- 6 The Civil Litigation Rules Drafting Task Force Charter and related materials are available at <https://www.wsba.org/Legal-Community/Committees-Boards-and-Other-Groups/civil-litigation-rules-drafting-task-force>.
- 7 Memorandum from the Rules Drafting Task Force Chair to Board (Sept. 12, 2018), Board Meeting Public Session Materials (Sept. 27-28, 2018), at 162-270. Past Board meeting materials are available at <https://www.wsba.org/about-wsba/who-we-are/board-of-governors/board-meeting-minutes>.
- 8 The Rules Revision Work Group Charter, its proposal to the Board, and related materials, including comments from stakeholders and a summary of those comments, are available at <https://www.wsba.org/Legal-Community/Committees-Boards-and-Other-Groups/Civil-Litigation-Rules>.

SUGGESTED AMENDMENT

SUPERIOR COURT CIVIL RULES (CR)

NEW CR 3.1 INITIAL CASE SCHEDULES

**CR 3.1 INITIAL CASE SCHEDULES**

**(a) Initial Case Schedule.** When a summons and complaint are filed, and unless exempted pursuant to this rule, the court shall, in addition to any Local Rule case schedule requirements, issue an initial case schedule with at least the following deadlines:

1. Expert Witness Disclosures.

A. Each party shall serve its primary expert witness disclosures no later than 26 weeks before the trial commencement date.

B. Each party shall serve its rebuttal expert witness disclosures no later than 20 weeks before the trial commencement date.

2. Discovery Cutoff. The parties shall complete discovery no later than 13 weeks before the trial commencement date.

3. Dispositive Motions. The parties shall file dispositive motions no later than nine weeks before the trial commencement date.

4. Pretrial Report. The parties shall file a pretrial report no later than four weeks before the trial commencement date.

5. Trial Commencement Date. The court shall commence trial no later than 52 weeks after the summons and complaint are filed.

**(b) Computation of Time.** If application of subsection (a) would result in a deadline falling on a Saturday, Sunday, or legal holiday, the deadline shall be the next day that is not a Saturday, Sunday, or legal holiday.

**(c) Service.** The party instituting the action shall serve a copy of the initial case schedule on all other parties no later than ten days after the court issues it.

**(d) Permissive and Mandatory Case Schedule Modifications.**

1. The court may modify the case schedule on its own initiative or on a motion demonstrating (a) good cause; (b) the action's complexity; or (c) the impracticability of complying with this rule. At a minimum, good cause requires the moving party to demonstrate due diligence in meeting the case schedule requirements. As part of any modification, the court may revise expert witness disclosure deadlines,

including to require the plaintiff to serve its expert witness disclosures before the defendant if the issues in the case warrant staggered disclosures.

2. No case schedule may require a party to violate the terms of a protection, no-contact, or other order preventing direct interaction between persons. To adhere to such orders, the court shall modify the case schedule on its own initiative or on a motion.

(e) Exemptions by Action Type. The following types of actions are exempt from this rule, although nothing in this rule precludes a court from issuing an alternative case schedule for the following types of actions:

RALJ Title 7, appeal from a court of limited jurisdiction;  
RCW 4.24.130, change of name;  
RCW ch. 4.48, proceeding before a referee;  
RCW 4.64.090, abstract of transcript of judgment;  
RCW ch. 5.51, Uniform Interstate Depositions and Discovery Act;  
RCW ch. 6.36, Uniform Enforcement of Foreign Judgments Act;  
RCW ch. 7.06, mandatory arbitration appeal;  
RCW ch. 7.16, writs;  
RCW ch. 7.24, Uniform Declaratory Judgments Act;  
RCW ch. 7.36, habeas corpus;  
RCW ch. 7.60, appointment of receiver if not combined with, or ancillary to, an action seeking a money judgment or other relief;  
RCW ch. 7.90, sexual assault protection order;  
RCW ch. 7.94, extreme risk protection order;  
RCW Title 8, eminent domain;  
RCW ch. 10.14, anti-harassment protection order;  
RCW ch. 10.77, criminally insane procedure;  
RCW Title 11, probate and trust law;  
RCW ch. 12.36, small claims appeal;  
RCW Title 13, juvenile courts, juvenile offenders, etc.;  
RCW Title 26, domestic relations;  
RCW 29A.72.080, appeal of ballot title or summary for a state initiative or referendum;  
RCW ch. 34.05, Administrative Procedure Act;  
RCW ch. 35.50, local improvement assessment foreclosure;  
RCW ch. 36.70C, Land Use Petition Act;  
RCW ch. 51.52, appeal from the board of industrial insurance appeals;  
RCW ch. 59.12, unlawful detainer;  
RCW ch. 59.18, Residential Landlord-Tenant Act;  
RCW ch. 71.05, mental illness;  
RCW ch. 71.09, sexually violent predator commitment;  
RCW ch. 74.20, support of dependent children;  
RCW ch. 74.34, abuse of vulnerable adults;  
RCW ch. 84.64, lien foreclosure;  
SPR 98.08W, settlement of claims by guardian, receiver, or personal representative;  
SPR 98.16W, settlement of claims of minors and incapacitated persons; and  
WAC 246-100, isolation and quarantine.

(f) Other Exemptions. In addition to the types of actions identified in subsection (e), the court may, on a party's motion or on its own initiative, exempt any action or type of action for which compliance with this rule is impracticable.

(g) Timeliness of Discovery Responses. Imposition of a case schedule deadline does not excuse a party's obligation to timely re-

spond to discovery propounded under these Rules. Parties shall not respond to discovery requests indicating a response will be provided by the case schedule deadline.

## SUGGESTED AMENDMENT

## SUPERIOR COURT CIVIL RULES (CR)

## CR 16 PRETRIAL PROCEDURE AND FORMULATING ISSUES

## CR 16 PRETRIAL PROCEDURE AND FORMULATING ISSUES

(a) ~~**Hearing Matters Considered.** By order, or on the motion of any party, the court may in its discretion direct the attorneys for the parties to appear before it for a conference to consider:~~

- ~~(1) The simplification of the issues;~~
- ~~(2) The necessity or desirability of amendments to the pleadings;~~
- ~~(3) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;~~
- ~~(4) The limitation of the number of expert witnesses;~~
- ~~(5) Such other matters as may aid in the disposition of the action.~~

**Pretrial Report.** All parties shall participate in completing a joint pretrial report filed no later than the date provided in the case schedule or court order. The pretrial report shall contain the following:

- (1) A brief nonargumentative summary of the case;
- (2) The agreed material facts;
- (3) The material issues in dispute;
- (4) The names of all lay and expert witnesses, excluding rebuttal witnesses;
- (5) An exhibit index (excluding rebuttal or impeachment exhibits);
- (6) The estimated length of trial and suggestions for shortening the trial; and
- (7) A statement whether additional alternative dispute resolution would be useful before trial.

(b) **Pretrial Conference.** Each attorney with principal responsibility for trying the case, and each unrepresented party, shall attend any scheduled pretrial conference. At a pretrial conference, the court may consider and take appropriate action on the following matters:

- (1) Formulating and simplifying the issues and eliminating claims or defenses;
- (2) Obtaining admissions and stipulations about facts and documents to avoid unnecessary proof, and addressing evidentiary issues;
- (3) Adopting special procedures for managing complex issues, multiple parties, difficult legal questions, or unusual proof problems;
- (4) Establishing reasonable time limits for presenting evidence;
- (5) Establishing deadlines for trial briefs, motions in limine, deposition designations, proposed jury instructions, and any other pretrial motions, briefs, or documents;
- (6) Resolving any pretrial or trial scheduling issues; and
- (7) Facilitating in other ways the just, speedy, and inexpensive disposition of the action.

(c) **Pretrial Order.** The court shall make enter an order which re-enters reciting the following:

- (1) the action taken at the conference;
- (2) the amendments allowed to the pleadings; and
- (3) the parties' agreements made by the parties as to on any of the matters considered. The pretrial order and which limits the issues for trial to those not disposed of by admissions or agreements of



~~counsel; and such order when entered controls the subsequent course of the action. However, the trial court should freely amend the order at trial absent prejudice demonstrated by the amendment. unless modified at the trial to prevent manifest injustice. The court in its discretion may establish by rule a pretrial calendar on which actions may be placed for consideration as above provided and may either confine the calendar to jury actions or to nonjury actions or extend it to all actions.~~

## SUGGESTED AMENDMENT

## SUPERIOR COURT CIVIL RULES (CR)

## CR 26 GENERAL PROVISIONS GOVERNING DISCOVERY

## CR 26 GENERAL PROVISIONS GOVERNING DISCOVERY

(a) [Unchanged.]

(b) **Discovery Scope and Limits.** Unless otherwise limited by order of the court in accordance with these rules, the scope of discovery is as follows: (1) - (4) [Unchanged.]

(5) *Trial Preparation: Experts.* Discovery of facts known and opinions held by experts, otherwise discoverable under the provisions of subsection (b)(1) of this rule and acquired or developed in anticipation of litigation or for trial, may be obtained only as follows:

(A)(i) A party may through interrogatories require any other party to identify each person whom the other party expects to call as an expert witness at trial, to state the subject matter on which the expert is expected to testify, to state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion, and to state such other information about the expert as may be discoverable under these rules. A case schedule deadline to disclose experts does not excuse a party timely responding to expert discovery. Delayed disclosure of an expert constitutes a violation of CR 37 if the trial court finds the responding party delayed based on a case schedule deadline. (ii) Unless these rules impose an earlier deadline, and in no event later than the deadline for primary or rebuttal expert witness disclosures imposed by a case schedule or court order, each party shall identify each person whom that party expects to call as a primary or rebuttal expert witness at trial, state the subject matter on which the expert is expected to testify, state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

(B) A party may, subject to the provisions of this rule and of rules 30 and 31, depose each person whom any other party expects to call as an expert witness at trial.

(~~C~~B) A party may discover facts known or opinions held by an expert who is not expected to be called as a witness at trial, only as provided in rule 35(b) or upon a showing of exceptional circumstances under which it is impracticable for the party seeking discovery to obtain facts or opinions on the same subject by other means.

(~~D~~E) Unless manifest injustice would result, (i) the court shall require that the party seeking discovery pay the expert a reasonable fee for time spent in responding to discovery under subsections (b)(5) ~~(B)-(A)-(ii)~~ and (b)(5) ~~(C)-(B)~~ of this rule; and (ii) with respect to discovery obtained under subsection (b)(5) ~~(B)-(A)-(ii)~~ of this rule the court may require, and with respect to discovery obtained under subsection (b)(5) ~~(C)-(B)~~ of this rule the court shall require the party seeking discovery to pay the other party a fair portion of the fees

and expenses reasonably incurred by the latter party in obtaining facts and opinions from the expert.

(6) - (8) [Unchanged.]

(c) - (d) [Unchanged.]

**(e) Supplementation of Responses.** A party who has responded to a request for discovery with a response has a duty to seasonably supplement or correct that response with information thereafter acquired. ~~Supplementation or correction shall set forth only the information being supplemented or corrected. that was complete when made is under no duty to supplement the response to include information thereafter acquired, except as follows:~~

~~(1) A party is under a duty seasonably to supplement his response with respect to any question directly addressed to:~~

~~(A) the identity and location of persons having knowledge of discoverable matters, and~~

~~(B) the identity of each person expected to be called as an expert witness at trial, the subject matter on which the expert witness is expected to testify, and the substance of the expert witness's testimony.~~

~~(2) A party is under a duty seasonably to amend a prior response if the party obtains information upon the basis of which:~~

~~(A) the party knows that the response was incorrect when made, or~~

~~(B) the party knows that the response though correct when made is no longer true and the circumstances are such that a failure to amend the response is in substance a knowing concealment.~~

~~(3) A duty to supplement responses may be imposed by order of the court, agreement of the parties, or at any time prior to trial through new requests for supplementation of prior responses.~~

~~(4) Failure to seasonably supplement or correct in accordance with this rule will subject the party to such terms and conditions as the trial court may deem appropriate.~~

(f) [Unchanged.]

(g) Signing of Discovery Requests, Responses, and Objections. Every request for discovery or response or objection thereto made by a party represented ~~party by an attorney~~ shall be signed by at least one attorney of record in the attorney's individual name, ~~whose address shall be stated.~~ A non-represented party who is not represented by an attorney shall sign the request, response, or objection and state the party's address. Objections shall be in response to the specific request objected to. General objections shall not be made. No objection based on privilege shall be made without identifying with specificity all matters the objecting party contends are subject to the privilege including the type of item, the number of pages, and unless otherwise protected the author and recipient or if protected, other information sufficiently identifying the item without disclosing protected content. The signature of the attorney or party constitutes a certification that the attorney or the party has read the request, response, or objection, and that to the best of their knowledge, information, and belief formed after a reasonable inquiry it is:

(1) - (3) [Unchanged.]

(h) - (j) [Unchanged.]

SUGGESTED AMENDMENT

SUPERIOR COURT CIVIL RULES (CR)

CR 77 SUPERIOR COURTS AND JUDICIAL OFFICERS

CR 77 SUPERIOR COURTS AND JUDICIAL OFFICERS

(a) - (h) [Unchanged.]

~~(i) Sessions Where More than One Judge Sits -- Effect of Decrees, Orders, etc.~~ [Reserved. See RCW 2.08.160.] **Judicial Assignment.** The court should assign a judicial officer to each case upon filing. The assigned judicial officer shall conduct all proceedings in the case unless the court reassigns the case to a different judicial officer on a temporary or permanent basis. In counties where local conditions make routine judicial assignment impracticable, the court may assign any case to a specific judicial officer on a party's motion or on its own initiative.

(j) - (n) [Unchanged.]

**OFFICE OF THE CODE REVISER**  
**Quarterly Rule-Making Report**  
**Covering Registers 21-02 through 21-09**

Type of Activity	New	Amended	Repealed
<b>AGRICULTURE, DEPARTMENT OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	20	0
Number of Rules Proposed for Permanent Adoption	4	10	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	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>ARTS COMMISSION</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	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>BATES TECHNICAL COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	8	4
Number of Rules Proposed for Permanent Adoption	0	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>BELLEVUE COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	3	2	0
Number of Rules Proposed for Permanent Adoption	1	9	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	3	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	3	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**BELLINGHAM TECHNICAL COLLEGE**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	16	16	6
Number of Rules Adopted as Emergency Rules	20	16	6
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	9	0	4
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	9	0	4
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

**BIG BEND COMMUNITY COLLEGE**

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

**BUILDING CODE COUNCIL**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	36	0
Number of Rules Adopted as Emergency Rules	0	6	0
Number of Rules Proposed for Permanent Adoption	2	11	0
Number of Sections Adopted at Request of a Nongovernmental Entity	1	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	0	0
Number of Sections Adopted on the Agency's own Initiative	0	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

**CASCADIA COLLEGE**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	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

Type of Activity	New	Amended	Repealed
<b>CENTRALIA COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Proposed for Permanent Adoption	33	0	0
<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	0	2	0
Number of Rules Adopted as Emergency Rules	8	33	0
Number of Rules Proposed for Permanent Adoption	95	15	189
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	10	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	8	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 Rules Adopted as Emergency Rules	9	0	0
Number of Rules Proposed for Permanent Adoption	32	0	68
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>CODE REVISER, OFFICE OF THE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Withdrawn	0	2	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	21	1	0
Number of Rules Proposed for Permanent Adoption	0	1	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>CONSERVATION COMMISSION</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Withdrawn	0	17	0
<b>COUNTY ROAD ADMINISTRATION BOARD</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	1	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>CRIMINAL JUSTICE TRAINING COMMISSION</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	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>EASTERN WASHINGTON UNIVERSITY</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	5	0
Number of Rules Proposed for Permanent Adoption	1	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
<b>ECOLOGY, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	8	0
Number of Rules Proposed for Permanent Adoption	0	8	43
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>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	7	1
Number of Rules Adopted as Emergency Rules	1	5	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

Type of Activity	New	Amended	Repealed
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>EMPLOYMENT SECURITY DEPARTMENT</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	16	0
Number of Rules Adopted as Emergency Rules	5	0	0
Number of Rules Proposed for Permanent Adoption	12	21	0
Number of Rules Withdrawn	1	14	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	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>ENTERPRISE SERVICES, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	22	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	12	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	12	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>EVERETT COMMUNITY COLLEGE</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	1	0
Number of Rules Adopted as Emergency Rules	9	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>EVERGREEN STATE COLLEGE, THE</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	10	9	0
Number of Rules Proposed for Permanent Adoption	10	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



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

**FINANCIAL MANAGEMENT, OFFICE OF**

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	5	0
Number of Rules Proposed for Permanent Adoption	0	7	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

**FISH AND WILDLIFE, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	9	0
Number of Rules Adopted as Emergency Rules	65	0	51
Number of Rules Proposed for Permanent Adoption	0	44	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	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

**FOREST PRACTICES BOARD**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	10	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	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

**GAMBLING COMMISSION**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	6	4
Number of Rules Proposed for Permanent Adoption	2	20	6
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>GRAYS HARBOR COLLEGE</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	9	0	4
Number of Rules Proposed for Permanent Adoption	33	0	28
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	9	0	4
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	4
Number of Sections Adopted in Order to Comply with Federal Statute	9	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>HEALTH CARE AUTHORITY</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	12	0
Number of Rules Adopted as Emergency Rules	1	14	0
Number of Rules Proposed for Permanent Adoption	10	28	1
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	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>HEALTH, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	15	98	281
Number of Rules Adopted as Emergency Rules	5	28	3
Number of Rules Proposed for Permanent Adoption	17	158	58
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	3	1
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	5	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>HIGHLINE COLLEGE</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	9	2	0
Number of Rules Proposed for Permanent Adoption	30	2	20
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

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	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>HORSE RACING COMMISSION</b>			
Type of Activity	New	Amended	Repealed
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
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>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	14	14	2
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	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>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	62	0
Number of Rules Adopted as Emergency Rules	8	1	0
Number of Rules Proposed for Permanent Adoption	19	36	2
Number of Rules Withdrawn	11	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	1	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>LICENSING, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	6	11	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Rules Withdrawn	0	42	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

Type of Activity	New	Amended	Repealed
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

**LIQUOR AND CANNABIS BOARD**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	9	0
Number of Rules Adopted as Emergency Rules	4	2	0
Number of Rules Proposed for Permanent Adoption	6	7	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

**LOTTERY, WASHINGTON STATE**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	18	0
Number of Rules Proposed for Permanent Adoption	1	18	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

**OLYMPIC COLLEGE**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	0	14
Number of Rules Adopted as Emergency Rules	9	0	0
Number of Rules Proposed for Permanent Adoption	9	0	14
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

**PARKS AND RECREATION COMMISSION**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	5	0

**PENINSULA COLLEGE**

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	29	0	23

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	29	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	29	0	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	29	0	2
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	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>PIERCE COLLEGE</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	9	3	0
Number of Rules Proposed for Permanent Adoption	16	15	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	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	1	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	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>PROFESSIONAL EDUCATOR STANDARDS BOARD</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	73	9
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	4	75	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>PUBLIC DISCLOSURE COMMISSION</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	10	1

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	2	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

**PUBLIC INSTRUCTION, SUPERINTENDENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	7	29	39
Number of Rules Adopted as Emergency Rules	13	21	3
Number of Rules Proposed for Permanent Adoption	4	143	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	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

**REDISTRICTING COMMISSION**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	3	0

**RENTON TECHNICAL COLLEGE**

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	10	16	4
Number of Rules Proposed for Permanent Adoption	10	16	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

**RETIREMENT SYSTEMS, DEPARTMENT OF**

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

**REVENUE, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	3	0
Number of Rules Adopted as Emergency Rules	0	3	0
Number of Rules Proposed for Permanent Adoption	1	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	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>SEATTLE COLLEGES</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Proposed for Permanent Adoption	7	4	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	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>SKAGIT VALLEY COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Adopted as Emergency Rules	9	12	0
Number of Rules Proposed for Permanent Adoption	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<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	5	14	0
Number of Rules Adopted as Emergency Rules	39	94	26
Number of Rules Proposed for Permanent Adoption	38	63	27
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	3	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

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>SOUTH PUGET SOUND COMMUNITY COLLEGE</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	19	8	14
Number of Rules Adopted as Emergency Rules	9	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	9	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	9	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>SPOKANE, COMMUNITY COLLEGES OF</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	9	0	0
Number of Rules Proposed for Permanent Adoption	9	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	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>TRANSPORTATION, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	49	0
Number of Rules Proposed for Permanent Adoption	4	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>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	18	3	0
Number of Rules Proposed for Permanent Adoption	25	7	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



Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>UTILITIES AND TRANSPORTATION COMMISSION</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	18	16	2
Number of Rules Adopted as Emergency Rules	0	0	1
Number of Rules Proposed for Permanent Adoption	0	17	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	5	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	5	12	1
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	5	17	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>WASHINGTON STATE PATROL</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	27	3
Number of Rules Proposed for Permanent Adoption	0	9	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	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>WASHINGTON STATE UNIVERSITY</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	27	0
Number of Rules Adopted as Emergency Rules	1	27	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>WENATCHEE VALLEY COLLEGE</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>WESTERN WASHINGTON UNIVERSITY</b>			

Type of Activity	New	Amended	Repealed
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Adopted as Emergency Rules	9	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>WHATCOM COMMUNITY COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Adopted as Emergency Rules	9	0	0
Number of Rules Proposed for Permanent Adoption	13	14	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>TOTALS FOR THE QUARTER:</b>			
	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	212	678	382
Number of Rules Adopted as Emergency Rules	322	303	121
Number of Rules Proposed for Permanent Adoption	487	806	515
Number of Rules Withdrawn	12	84	0
Number of Sections Adopted at Request of a Nongovernmental Entity	1	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	59	14	12
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	47	0	10
Number of Sections Adopted in Order to Comply with Federal Statute	12	15	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	6	15	2
Number of Sections Adopted on the Agency's own Initiative	14	16	3
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	11	25	2
Number of Sections Adopted using Pilot Rule Making	0	0	0

**WSR 21-10-001**  
**NOTICE OF PUBLIC MEETINGS**  
**PULSE CROPS COMMISSION**  
 [Filed April 21, 2021, 3:59 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 2021-2022 as of March 23, 2021:

<b>Date</b>	<b>Time</b>	<b>Place</b>	<b>Notes</b>
June 3, 2021 Thursday	9:00 a.m.	Virtual meeting via Zoom, USADPLC stateline office if possible	Joint meeting with the Idaho commission and WPGA board (budget approval/policy discussions, contract approval, committee assignment day, commission officer election)
September 21, 2021 Tuesday	9:00 a.m.	USADPLC stateline offices	Joint meeting with the Idaho commission and WPGA board (farm bill/policy update, review contracts)
November 16, 2021 Tuesday	9:00 a.m.	USADPLC stateline offices	Joint meeting with the Idaho commission and WPGA board (farm bill/policy update, review budgets, WPGA annual meeting, board member nominations, travel volunteers)
December 8, 2021 Wednesday	<b>8:00 a.m. - 5:00 p.m.</b>	<b>Annual meeting, University Inn, Moscow, Idaho</b>	<b>WPGA annual grower meeting, annual commission reports, bylaws review, WPGA elections, pesticide credits, programming updates</b>
December 9, 2021 Thursday	9:00 a.m. - 1:00 p.m.	USADPLC stateline offices	Joint meeting with the Idaho commission and WPGA board (RMA insurance update, review budgets, WPGA annual meeting review, officer elections, travel approval, university reports)
March 16, 2022 Wednesday	9:00 a.m.	Virtual meeting via Zoom, In-person meeting at stateline office if possible	Joint meeting with the Idaho commission and WPGA board (planting projections, income projections, policy progress report, commission candidates)
June 2, 2022 Thursday	9:00 a.m.	Virtual meeting via Zoom, USADPLC stateline office if possible	Joint meeting with the Idaho commission and WPGA board (budget approval/policy discussions, contract approval, committee assignment day, commission officer election)

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

**WSR 21-10-009**

**NOTICE OF PUBLIC MEETINGS**

**DEPARTMENT OF CORRECTIONS**

(Indeterminate Sentence Review Board)

[Filed April 22, 2021, 5:32 p.m.]

**BOARD MEETING CHANGE**

The indeterminate sentence review board has changed the following regularly scheduled board meeting from June 14 to June 7, 2021.

If you need further information, please contact Robin Riley, Executive Assistant, at P.O. Box 40907, Olympia, WA 98504-0907, or call 360-407-2415 or email [isrb@doc.wa.gov](mailto:isrb@doc.wa.gov).

## WSR 21-10-013

## NOTICE OF PUBLIC MEETINGS

## EMPLOYMENT SECURITY DEPARTMENT

(Paid Family and Medical Leave Advisory Committee)

[Filed April 23, 2021, 10:22 a.m.]

## 2021 Advisory Committee Meeting Dates

DATE	TIME	LOCATION
January 22	1 - 2 p.m.	*Meeting will be electronic participation only. Remote participation details are included in the agenda.
February 19	1 - 2 p.m.	*Meeting will be electronic participation only. Remote participation details are included in the agenda.
March 19	2 - 3 p.m.	*Meeting will be electronic participation only. Remote participation details are included in the agenda.
April 16	10 - 11 a.m.	*Meeting will be electronic participation only. Remote participation details are included in the agenda.
May 11 <b>NEW DATE</b>	10:30 a.m. - 12 p.m.	*Meeting will be electronic participation only. Remote participation details are included in the agenda.
June 18	10 - 11 a.m.	*Meeting will be electronic participation only. Remote participation details are included in the agenda.
July 15	10 - 11 a.m.	To be determined
August 19	10 - 11 a.m.	To be determined
September 16	10 - 11 a.m.	To be determined
October 21	10 - 11 a.m.	To be determined
November 18	10 - 11 a.m.	To be determined
December 16	10 - 11 a.m.	To be determined

If you need further information, contact Liz Merrick, 360-764-5021, [Elizabeth.merrick@esd.wa.gov](mailto:Elizabeth.merrick@esd.wa.gov), <https://resources.paidleave.wa.gov/advisory-committee>.

WSR 21-10-015

DEPARTMENT OF AGRICULTURE

[Filed April 23, 2021, 12:48 p.m.]

2021 QUARTERLY REPORT ON RULE MAKING ACTIVITIES

Petitions Received

The following information is being sent to you in order to implement RCW 1.08.112 (1) (g) and WAC 1-21-180. The Washington state department of agriculture received one petition for rule making during the first quarter of 2021.

Date	Requestor	Subject
<b>1ST QUARTER (JANUARY THROUGH MARCH)</b>		
3/15/2021	Mark and Lynette McMillan	Amending tuberculosis requirement in Mexican cattle imported for rodeos in WAC 16-54-085.

Gloriann Robinson  
Rules Coordinator

**WSR 21-10-025**  
**NOTICE OF PUBLIC MEETINGS**  
**HEALTH CARE AUTHORITY**  
 (Health Technology Clinical Committee)  
 [Filed April 26, 2021, 2:46 p.m.]

The health technology clinical committee (HTCC) has added a new date to its 2021 public meeting schedule. It also plans to hold its virtual meetings using Zoom. This schedule is current as of April 26, 2021.

<b>Date</b>	<b>Time</b>	<b>Location</b>
June 18, 2021 - <i>New</i>	8:00 a.m. - 12:30 a.m. [p.m.]	Zoom*
July 9, 2021	9:00 - 10:00 a.m.	Zoom*
September 17, 2021	8:00 a.m. - 5:00 p.m.	Zoom*
November 19, 2021	8:00 a.m. - 5:00 p.m.	Zoom*

\* **Previously planned as a webinar.**

More information on joining HTCC webinars will be posted on the health care authority (HCA) website fourteen days prior to each meeting. (Go to <https://www.hca.wa.gov/about-hca/health-technology-assessment>.)

Interested parties may sign up to receive notice of HTCC meetings, including a link to register for meeting/webinars, by registering to receive HCA email updates. (Go to <https://public.govdelivery.com/accounts/WAHCA/subscriber/new>).

For further information contact Christine Masters, Program Specialist, Health Technology Assessment, P.O. Box [42712], 626 8th Avenue S.E., Olympia, WA 98504-2712, [christine.masters@hca.wa.gov](mailto:christine.masters@hca.wa.gov).

WSR 21-10-028

NOTICE OF PUBLIC MEETINGS

HUMAN RIGHTS COMMISSION

[Filed April 27, 2021, 8:06 a.m.]

The following times, dates, and locations are for commission meetings for 2021:

Washington state human rights commission, commission meeting, May 27, 2020 [2021], at 9:30 a.m., via telephone conference, 711 South Capitol Way, Suite 402, Olympia, WA 98504, conference line 360-407-4020, access code 8074251.

Washington state human rights commission, commission meeting, June 24, 2020 [2021], at 9:30 a.m., via telephone conference, 711 South Capitol Way, Suite 402, Olympia, WA 98504, conference line 360-407-4020, access code 8074251.

Washington state human rights commission, commission meeting, July 22, 2020 [2021], at 9:30 a.m., via telephone conference, 711 South Capitol Way, Suite 402, Olympia, WA 98504, conference line 360-407-4020, access code 8074251.

Washington state human rights commission, commission meeting, August 26, 2020 [2021], at 9:30 a.m., via telephone conference, 711 South Capitol Way, Suite 402, Olympia, WA 98504, conference line 360-407-4020, access code 8074251.



## WSR 21-10-033

## NOTICE OF PUBLIC MEETINGS

## DEPARTMENT OF HEALTH

(Board of Nursing Home Administrators)

[Filed April 27, 2021, 1:48 p.m.]

## 2021 Schedule of Regular Meetings

Revised April 16, 2021

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedures Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health (DOH), board of nursing home administrators for the year 2021. The board of nursing home administrators 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 DOH website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board of nursing home administrators reserves the right to change or amend agendas at the meeting. Given the uncertainty of holding in-person meetings in 2021, we are assuming that all meetings will be held virtually.

<b>Date</b>	<b>Time</b>	<b>Location</b>
January 22, 2021	9:00 a.m.	Virtual meeting via Microsoft Teams
April 16, 2021	9:00 a.m.	Virtual meeting via Microsoft Teams
July 23, 2021	9:00 a.m.	Virtual meeting via Microsoft Teams
November 19, 2021	9:00 a.m.	Virtual meeting via Microsoft Teams

If you need further information, please contact Kendra Pitzler, Program Manager, DOH, Board of Nursing Home Administrators, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4723, fax 360-236-2901, email [kendra.pitzler@doh.wa.gov](mailto:kendra.pitzler@doh.wa.gov), web [www.doh.wa.gov](http://www.doh.wa.gov).

Please be advised the board of nursing home administrators 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 21-10-045  
POLICY STATEMENT  
LIQUOR AND CANNABIS  
BOARD**

[Filed April 28, 2021, 1:32 p.m.]

**NOTICE OF ADOPTION OF A POLICY STATEMENT**

Title of Interpretive Statement: Tetrahydrocannabinol (THC) compounds other than delta-9 and the conversion of CBD, hemp, or both to delta-8 THC, delta-9 THC, or any other cannabis compound that is not currently identified or defined in RCW, WAC, or both. Policy Statement Number PS-21-01.

Issuing Entity: Washington state liquor and cannabis board.

Subject Matter: This policy statement offers the Washington state liquor and cannabis board's position on the regulation of THC, other than delta-9; and the conversion of CBD, hemp, or both to delta-8 THC, delta-9 THC, or any other cannabis compound that is not currently identified or defined in RCW, WAC, or both. This policy statement also relates to cannabis packaging and label approval requests that are considered on a case-by-case basis, consistent with WAC 314-55-105.

Effective Date: April 28, 2021.

Contact Person: Katherine Hoffman, policy and rules manager, 360-664-1622.

**WSR 21-10-046  
INTERPRETIVE AND POLICY STATEMENT  
DEPARTMENT OF ECOLOGY**

[Filed April 28, 2021, 1:49 p.m.]

**Notice of Interpretive and Policy Statements**

Under RCW 42.56, ecology maintains an index that includes interpretive and policy statements issued by the agency. Under RCW 34.05.230, we are filing notice in the Washington State Register about this statement.

To obtain copies of these items, please:

- Copy and paste the web address (URL) from the table below into a web browser to view and download; or
- Submit an email records request to ecology's public records officer at [PublicRecordsOfficer@ecy.wa.gov](mailto:PublicRecordsOfficer@ecy.wa.gov) following the instructions on the public records requests web page at <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>.

New Statements:

Title of Interpretive/ Policy Statement	Web Link (if applicable)
2023 Shoreline Master Program Periodic Review Deadlines	<a href="https://ecology.wa.gov/Asset-Collections/Doc-Assets/Shoreline-ocean-management/Shoreline-management/Shoreline-Planners-Toolbox/Policy-and-Interpretive-Statement-Shoreline-Master">https://ecology.wa.gov/Asset-Collections/Doc-Assets/Shoreline-ocean-management/Shoreline-management/Shoreline-Planners-Toolbox/Policy-and-Interpretive-Statement-Shoreline-Master</a>

WSR 21-10-052

NOTICE OF PUBLIC MEETINGS

ATTORNEY GENERAL'S OFFICE

(Commercially Sexually Exploited Children Statewide Coordinating Committee)

[Filed April 29, 2021, 8:39 a.m.]

2021 Regular Meeting Schedule

The following is the 2021 meeting schedule for the commercially sexually exploited children statewide coordinating committee, which was established by SB 5308 in the 2013 regular legislative session: On Tuesday, May 18, 2021, at 9:00 a.m., Zoom meeting.

Join Zoom meeting [https://atg-wa.zoom.us/j/81731924962?](https://atg-wa.zoom.us/j/81731924962?pwd=R0JQdzhPYUZ2ZUgyVTdYNTdyd0Zpdz09)  
pwd=R0JQdzhPYUZ2ZUgyVTdYNTdyd0Zpdz09, Meeting ID 817 3192 4962, Pass-code 999999.

One tap mobile +12532158782,,81731924962# US (Tacoma),  
+13462487799,,81731924962# US (Houston).

Dial by your location +1 253 215 8782 US (Tacoma), +1 346 248  
7799 US (Houston), +1 669 900 6833 US (San Jose), +1 929 436 2866 US  
(New York), +1 301 715 8592 US (Washington DC), +1 312 626 6799 US  
(Chicago), 877 853 5257 US Toll-free, 888 475 4499 US Toll-free, 833  
548 0276 US Toll-free, 833 548 0282 US Toll-free.

Find your local number [https://atg-wa.zoom.us/u/kbUc26dpwy](https://atg-wa.zoom.us/j/81731924962?pwd=R0JQdzhPYUZ2ZUgyVTdYNTdyd0Zpdz09).

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 Kyle Wood, Assistant Attorney General, Washington State Attorney General's Office, 206-442-4488, [kyle.wood@atg.wa.gov](mailto:kyle.wood@atg.wa.gov).

**WSR 21-10-057**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 (Board of Boiler Rules)  
 [Filed April 29, 2021, 3:56 p.m.]

Per chapter 42.30 RCW, the Open Public Meetings Act, the board of boiler rules study session meeting for May 2021, has been changed to:

Date(s)	Time	Location
<b>Study Session:</b> May 26, 2021	9:30 a.m.	The boiler board meeting will be held virtually only. For meeting updates, visit the department of labor and industries website at <a href="https://lni.wa.gov/licensing-permits/boilers/board-of-boiler-rules">https://lni.wa.gov/licensing-permits/boilers/board-of-boiler-rules</a> .
<b>Board Meeting:</b> May 26, 2021	10:00 a.m.	

If you have any questions, please contact Alicia Curry, management analyst, at 360-902-6244 or [Alicia.Curry@Lni.wa.gov](mailto:Alicia.Curry@Lni.wa.gov).

WSR 21-10-066
RULES OF COURT
STATE SUPREME COURT
[April 7, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENTS TO ) NO. 25700-A-1338
IRLJ 6.2(d)—MONETARY PENALTY )
SCHEDULE FOR INFRACTIONS )

The Washington Department of Fish and Wildlife, having recommended the suggested amendments to IRLJ 6.2(d)—Monetary Penalty Schedule for Infractions, 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 on May 1, 2021.

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

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than July 1, 2021. 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 7th day of April, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment to

WASHINGTON STATE COURT RULES:

IRLJ 6.2

Submitted by the Washington Department of Fish and Wildlife

A. Name of Proponent: Captain Jeff Wickersham, WDFW Enforcement Denise Marti, WDFW Enforcement Legal Liaison Tom McBride, WDFW Legislative Director

B. Spokesperson: Tom McBride, WDFW Legislative Director

C. Purpose: Recent legislation, Laws of 2020 Ch. 38, § 3, amends RCW 77.15.160 (effective June 11, 2020), to provide for greater infraction issuance authority for fish and wildlife enforcement in situations currently designated as criminal offenses. These new, and some existing, infractions are not included for penalty amounts under IRLJ 6.2. This draft lists the specific infractions and designates the base penalty for each infraction. This will reduce confusion in the courts and promote proportionate and equal application of the laws and penalties statewide.

D. Proposed Amendments: [see below]

**E. Hearing:** A hearing is not recommended due to the technical nature of the amendment. Further the infraction options created allow for a civil penalty to be imposed as opposed to a criminal penalty, reducing both sanction and court costs.

**F. Expedited Consideration:** Expedited consideration is requested to minimize confusion in the court and legal community.

IRLJ 6.2(d)  
 MONETARY PENALTY SCHEDULE FOR  
 INFRACTIONS

**(a) Effect of Schedule.** The penalty for any infraction listed in this rule may not be changed by local court rule. The court may impose on a defendant a lesser penalty in an individual case. Provided that, whenever the base penalty plus statutory assessments results in a total payment that is not an even dollar amount, the base penalty is deemed to be amended to a higher amount which produces the next greatest even dollar total.

**(b) Unscheduled Infractions.** The penalty for any infraction not listed in this rule shall be \$42, not including statutory assessments. A court may, by local court rule, provide for a different penalty.

**(c) Infractions Not Covered.** This schedule does not apply to penalties for parking, standing, stopping, or pedestrian infractions established by municipal or county statute. Penalties for those infractions are established by statute or local court rule, but shall be consistent with the philosophy of these rules.

**(d) Penalty Schedule.** The following infractions shall have the penalty listed, not including statutory assessments.

	Base Penalty
(5) Fish and Wildlife Infractions	
Fish for Personal Use—Barbed Hooks (RCW 77.15.160 (1)(a))	\$48 <del>\$29</del>
Fail to Immediately Record Fish/Shellfish Catch (RCW 77.15.160 (1)(b))	\$48 <del>\$29</del>
Fail to Return Catch Record Card (RCW 77.15.160 (1)(c))	\$39 <del>\$29</del>
Recreational Fishing—License not with Person (RCW 77.15.160 (1)(d)(i)) <del>(no/fish/ shellfish possession)</del>	\$73 <del>\$48</del>
<u>Recreational Fishing—Rule Violation: <del>(no fish/shellfish possession)</del> (RCW 77.15.160 (1)(d)(ii))</u>	\$73
<u>Involves Salmon or Steelhead (RCW 77.15.160 (1)(d)(ii)(A))</u>	\$87
<u>Involves Sturgeon (RCW 77.15.160 (1)(d)(ii)(B))</u>	\$48
<u>Involves Game Fish (RCW 77.15.160 (1)(d)(ii)(C))</u>	\$48
<u>Involves Food Fish (RCW 77.15.160 (1)(d)(ii)(E))</u>	\$38
<u>Involves Shellfish (RCW 77.15.160 (1)(d)(ii)(E))</u>	\$38
<u>Involves Unclassified Fish or Shellfish (RCW 77.15.160 (i)(d)(ii)(F))</u>	\$28
<u>Involves Waste of food fish, game fish or shellfish (RCW 77.15.160 (1)(d)(ii)(G))</u>	\$48 <del>\$97</del>

	Base Penalty
Seaweed—License not with Person (<2x daily limit) (RCW 77.15.160 (1)(e)(i))	\$48 <u>\$28</u>
Seaweed—Rule Violation (<2x daily limit) (RCW 77.15.160 (1)(e)(ii))	\$48 <u>\$28</u>
<u>Hunting Wild Animals—Infraction no license on person except Big Game (RCW 77.15.160 (2)(a))</u>	\$48
Harm Bird Eggs/Nests (not endangered/protected wild birds) (RCW 77.15.160 (2)(b))	\$97 <u>\$73</u>
<u>Hunting Infractions for Wildlife, Except Big Game:</u>	
<u>Involves unclassified wildlife (RCW 77.15.160 (2)(c)(i))</u>	\$48
<u>Involves Small Game (RCW 77.15.160 (2)(c)(ii))</u>	\$73
<u>Involves Furbearers (RCW 77.15.160 (2)(c)(iii))</u>	\$73
<u>Involves Game Birds (RCW 77.15.160 (2)(c)(iv))</u>	\$87
<u>Involves Wild Birds (RCW 77.15.160 (2)(c)(v))</u>	\$73
<u>Involves Wild Animals (RCW 77.15.160 (2)(c)(vi))</u>	\$48
<u>Involves Waste of Small Game (RCW 77.15.160 (2)(c)(vii))</u>	\$97
Taxidermist/Fur Dealer/Wildlife Meat Cutter—Fail to Maintain Records (RCW 77.15.160 (3)(a)(i))	\$122 <u>\$73</u>
Taxidermist/Fur Dealer/Wildlife Meat Cutter—Fail to Report Information (RCW 77.15.160 (3)(a)(ii))	\$73 <u>\$48</u>
Trapper—Fail to Report Trapping Activity (RCW 77.15.160 (3)(b))	\$73 <u>\$48</u>
<u>Limited Fish Seller Infraction (RCW 77.15.160(4))</u>	\$73
<u>Invasive Species Infraction—No out of state certificate (RCW 77.15.160 (5)(a)(i))</u>	\$43
<u>Invasive Species Infraction—Clean and Drain Requirements (RCW 77.15.160 (5)(a)(ii))</u>	\$43
<u>Invasive Species Infraction—Fail to Obey Clean and Drain Order (RCW 77.15.160 (5)(a)(iii))</u>	\$87
<u>Invasive Species Infraction—Fail to Possess AIS Prevention Permit (RCW 77.15.160 (5)(a)(iv))</u>	\$43
<u>Other Infractions—Unlawfully Conducting or Holding a Fishing Contest or Field Trial (RCW 77.15.160 (6)(a))</u>	\$146
<u>Other Infractions—Violate any other Department rule designated as an infraction (RCW 77.15.160 (6)(b))</u>	\$73
<u>Other Infractions—Unlawfully posting signs (RCW 77.15.160 (6)(c))</u>	\$122



	Base Penalty
<u>Department Permits—Violates any Terms or Conditions (RCW 77.15.160 (6)(d)(i))</u>	<u>\$122</u>
<u>Department Permits—Violates any commercial, non-commercial or parking permit issued by the Department (RCW 77.15.160 (6)(d)(ii))</u>	<u>\$122</u>
Violate Distance/Feeding Prohibitions for Southern Resident Orca Whales (RCW 77.15.740)	<u>\$500</u>
Negligently Feed/Attempt to Feed Large Wild Carnivores (RCW 77.15.790)	<u>\$500</u>

Adopted effective September 1, 1992; amended effective June 25, 1993; May 1, 1994; August 15, 1995; June 5, 1996; December 28, 1999; July 22, 2001; August 2, 2005; April 30, 2007; December 10, 2013; July 1, 2015; July 28, 2020.]

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

WSR 21-10-067  
RULES OF COURT  
STATE SUPREME COURT  
[April 28, 2021]

**Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [21-12](#) issue of the Register.

**WSR 21-10-078**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
[Filed May 3, 2021, 10:48 a.m.]

**Notice of Interpretive or Policy Statement**

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

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

Document Title: Administrative Policy 4.08: DCS vehicle procedures.

Subject: DCS vehicle procedures.

Effective Date: April 22, 2021.

Document Description: This policy explains DCS policy for operating state-owned or motor pool vehicles.

To receive a copy of the interpretive or policy statements, contact Rachel Shaddox, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-664-5073, TDD/TTY 800-833-6384, fax 360-664-5342, email Rachel.Shaddox@dshs.wa.gov, website <http://www1.dshs.wa.gov/dcs/>.

WSR 21-10-080

NOTICE OF PUBLIC MEETINGS

APPLE COMMISSION

[Filed May 3, 2021, 11:15 a.m.]

The May 20, 2021, regular meeting of the Washington apple commission will be held as a virtual meeting that begins at 10:30 a.m.

For further information, please contact Audra Brooke, 2900 Euclid Avenue, Wenatchee, WA 98801, 509-663-9600 ext. 278 or email [audra.brooke@waapple.org](mailto:audra.brooke@waapple.org).

These meetings are open to all persons without regard to race, color, national origin, age, gender, religion, political beliefs or disability. Persons with disabilities who require reasonable accommodations or alternative means of communication such as Braille, large print, audio file, sign language or language interpretation, or have any special dietary needs should contact the Washington apple commission at 509-663-9600 at least three days prior to date of meeting.

WSR 21-10-085

INTERPRETIVE STATEMENT

DEPARTMENT OF HEALTH

[Filed May 3, 2021, 11:37 a.m.]

NOTICE OF ADOPTION

INTERPRETIVE STATEMENT

Title of Interpretive Statement: Release of Voluntary Individuals from Inpatient Behavioral Health Settings. Number: OCHS-04-23-21.

Issuing Entity: Department of health, health systems quality assurance, office of health systems oversight.

Subject Matter: Release of voluntary individuals from inpatient behavioral health settings.

Effective Date: April 23, 2021.

Contact Person: Dan Overton, program manager,  
Dan.overton@doh.wa.gov.

**WSR 21-10-086**

**INTERPRETIVE STATEMENT**

**DEPARTMENT OF REVENUE**

[Filed May 3, 2021, 12:27 p.m.]

**INTERPRETIVE STATEMENT ISSUED**

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

**ETA 3107.2021 *Taxability of Credit Bureau Services***

This ETA explains the taxability and sourcing of credit bureau services, whether such services are transferred to the customer electronically or otherwise. This update to ETA 3107 corrects and adds information to the sourcing guidance. It also addresses credit rating agencies and makes a number of formatting changes.

A copy of this document is available via the internet at Rule and Tax Advisory Adoptions and Repeals.

Atif Aziz  
Tax Policy Manager  
Rules Coordinator

**WSR 21-10-089  
NOTICE OF PUBLIC MEETINGS  
COMMUNITY COLLEGES  
OF SPOKANE**

[Filed May 3, 2021, 4:12 p.m.]

**CANCELLATION OF BOARD OF TRUSTEES MEETING**

The board of trustees of Washington State Community College District 17 has cancelled the regular meeting scheduled for Tuesday, May 18, 2021, 8:30 a.m., at the Lodge Building, 3305 West Fort George Wright Drive, Spokane, WA.

**NOTICE OF VIRTUAL REGULAR MEETING  
and DATE CHANGE**

*(Notice Date: Monday, May 3, 2021)*

The Community Colleges of Spokane board of trustees will hold a regular meeting on Tuesday May 25, 2021, beginning at 9:00 a.m. Should an executive session be held, adjournment is scheduled for 12:00 p.m.

The regular meeting will take place in a virtual space to comply with government restrictions on public gathering due to COVID-19 health risks.

To connect to the May 25, 2021, regular meeting, go to <https://ccs-spokane.zoom.us/j/84747578182?pwd=UUpsbzlim0UzbzB5UkNKbTdQMENldz09>, Meeting ID 847 4757 8182.

All board of trustees meetings include opportunity for public comment. Due to the continual and changing information related to COVID-19 and the May 25, 2021, meeting to be held virtually, please email public comments to the board executive assistant at [frances.macdonald-davis@ccs.spokane.edu](mailto:frances.macdonald-davis@ccs.spokane.edu) by 9:00 a.m. on Tuesday, May 25, 2021. Please place "Public Comment" in the subject of your email. Public comments received will be provided to the trustees, entered into the record, and attached to the minutes of the May 25 regular meeting.

A copy of the meeting material can be found online at <http://ccs.spokane.edu/About-Us/Leadership/Board-of-Trustees/Board-Minutes>.

**WSR 21-10-091**

**NOTICE OF PUBLIC MEETINGS**

**STATUTE LAW COMMITTEE**

[Filed May 4, 2021, 8:06 a.m.]

A statute law committee meeting has been scheduled for Tuesday, June 15, 2021. The meeting will begin at 11:00 a.m. and will end at approximately 12:00 p.m. Agenda items include welcome and introductions, approval of minutes of November 18, 2020, meeting, publications update, multiple amendments, HB 1230 - LegTech project prioritization, financial reports, code reviser's office audit, and other business.

The meeting will be held electronically via Zoom.

Shayne O'Grady or Kathleen Buchli are the contact persons for information concerning this meeting and can be reached at 360-786-6777 or Shayne.Ogrady@leg.wa.gov.



**WSR 21-10-100**  
**POLICY STATEMENT**  
**DEPARTMENT OF HEALTH**  
[Filed May 5, 2021, 10:45 a.m.]

**NOTICE OF ADOPTION OF A POLICY STATEMENT**

Title of Policy Statement: Practitioners Exhibiting Disruptive Behavior. Policy Number MD2021-01.

Issuing Entity: Washington medical commission.

Subject Matter: Disruptive practitioners (MDs and PAs).

Effective Date: April 9, 2021.

Contact Person: Michael Farrell, JD, Policy Development Manager,  
16201 East Indiana Avenue, Suite 1500, Spokane Valley, WA 99203,  
509-329-2186, michael.farrell@wmc.wa.gov.

## WSR 21-10-101

## DEPARTMENT OF ECOLOGY

[Filed May 5, 2021, 11:31 a.m.]

**Notice of a Draft New 2021 Biosolids General Permit**

The department of ecology (ecology) requests comments on a draft statewide general permit for biosolids management that will replace the expired general permit. This general permit is the primary regulatory mechanism in Washington for approving the final use or disposal of biosolids.

Ecology previously sought public comments on a tentative decision to issue a new general permit. The comment period ended on January 24, 2020. Ecology received twenty-five comments. A response to comments can be found at <https://apps.ecology.wa.gov/publications/SummaryPages/2007017.html>.

The general permit will apply to all treatment works treating domestic sewage in the state. This includes:

- Publicly owned wastewater treatment plants;
- Privately owned wastewater treatment plants that treat only domestic sewage;
- Composting facilities and other separate treatment facilities that use biosolids as a feedstock;
- Biosolids beneficial use facilities; and
- Septage management facilities.

Regulated activities include production, treatment, storage, transferring, beneficial use, and disposal of biosolids. Beneficial uses include application to the land (including septage from onsite wastewater treatment systems and similar devices), and selling or giving away biosolids or products derived from biosolids such as compost and soil products.

RCW 70A.226.007 directs ecology to implement a biosolids management program that maximizes the beneficial use of biosolids, and is protective of public health and the environment. Ecology has adopted rules for biosolids management in chapter 173-308 WAC. The purpose of the general permit is to implement the requirements of the rule. The permit system allows ecology to develop additional or more stringent requirements for individual facilities, as necessary to ensure proper management and protection of public health and the environment.

The general permit is applicable within the jurisdiction of the state of Washington. Facilities on federal lands and Washington tribal lands that manage biosolids wholly within their jurisdiction are not subject to this permit. Facilities on federal and Washington tribal lands, and those located in other states or countries that transport biosolids into the jurisdiction of the state of Washington are subject to state program requirements, may be required to pay a fee, and may or may not require coverage under the permit, depending on the reason for exporting biosolids.

After review of a completed environmental checklist and other information on file, ecology determined this proposal would not have a probable significant adverse impact on the environment. Ecology issued a determination of nonsignificance (DNS) under the State Environmental Policy Act (SEPA) for the draft general permit. The DNS and completed environmental checklist are available at <https://ecology.wa.gov/Biosolids-permit-actions> or by request from the contact listed below.

Three hundred and seventy-five facilities have submitted a notice of intent to apply for coverage under the new general permit. A list

of those facilities can be found at <https://ecology.wa.gov/Biosolids-permit-actions> or by requesting from the contact listed below.

There are significant changes in the structure of the proposed general permit, as compared with previous general permits. Ecology separated this general permit into three main sections (baseline, active septage management, and active biosolids management) based on facility operations.

Permit application requirements differ depending upon the coverage required. Some existing facilities (those without active management programs) will have automatic final coverage on the effective date of the permit. Other facilities are subject to further review, and potentially additional or more stringent requirements following evaluation of a complete permit application. All facilities that started operations after September 4, 2020, are required to submit a complete permit application and comply with any SEPA and public notice requirements. Facilities that have met all these requirements are "provisionally" approved for coverage under the general permit. Each active management facility's application and biosolids program operations will receive a full review prior to issuing "final" approval of coverage. The permit system and certain changes in operational requirements are discussed in the fact sheet for the permit, available at <https://ecology.wa.gov/Biosolids-permit-actions>, or by requesting from the contact listed below.

In accordance with the requirements in WAC 173-308-90005(4), ecology prepared a small business economic impact analysis (SBEIA) to assess whether the permit may have a disproportionate economic impact on small businesses relative to large businesses. Ecology found that the draft general permit would have a disproportionate impact on small businesses. The SBEIA can be found at <https://ecology.wa.gov/Biosolids-permit-actions> or by requesting from the contact listed below.

A copy of the draft general permit, the fact sheet, and the proposed permit applications for coverage can be found at <https://ecology.wa.gov/Biosolids-permit-actions>, or by requesting from the contact listed below.

Ecology is maintaining an interested parties list for anyone who wants to be informed about the general permit process. To be included on the list, subscribe at <https://apps.ecology.wa.gov/SolidWasteFacilities>, or notify the person listed below.

Ecology invites comments on the draft general permit and the determination of nonsignificance. Comments can be submitted online through the Smart Comments system <https://swm.ecology.commentinput.com/?id=SpmPs>.

Oral comments can be made at an online public hearing: On June 22, 2021, at 10 a.m., <https://watech.webex.com/watech/onstage/g.php?MTID=ecb1aa1d2848f3b423f3c46da7ccc276e>. Audio conference: To receive a call back, provide your phone number when you join the event, or call the following number and enter the access code, 1-415-655-0001, Access code 133 197 0091.

On June 24, 2021, at 7 p.m., <https://watech.webex.com/watech/onstage/g.php?MTID=e0322106f31651a3844c4e378d6198dd2>. Audio conference: To receive a call back, provide your phone number when you join the event, or call the following number and enter the access code, 1-415-655-0001, Access code 133 344 4848.

Written comments can be submitted online until 11:59 p.m. on July 1, 2021. Following the comment period, ecology will prepare a response

to comments and notify the public of its decision. If issued, the permit will be effective thirty days after it is issued.

For more information and assistance, please contact Emily Kijowski, Biosolids Technical Specialist, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, email emily.kijowski@ecy.wa.gov, phone 360-789-6592. Physical address: 300 Desmond Drive S.E., Lacey, WA 98503.

Note: Physical address may be used for parcel delivery service. Due to COVID[-19] restrictions, the building is not open for individual walk-in service [service] at this time. Mailing address: P.O. Box 47600, Olympia, WA 98504-7600.