

WSR 21-23-001

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed November 3, 2021, 1:19 p.m.]

CANCELLATION OF INTERPRETIVE STATEMENT

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

**ETA 3135.2009 Applicability of RCW 82.08.0289 Residential Telephone Service Exemption to Cellular Telephone Service**

This ETA addresses the interpretation of the exemption in RCW 82.08.0289 that was available until August 1, 2013. The ETA is being cancelled because the matter it addresses is no longer applicable.

A copy of this document is available via the Internet at Recent Rule and Interpretive Statements, Adoptions, and Repeals.

Atif Aziz  
Rules Coordinator

WSR 21-23-002

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed November 3, 2021, 1:19 p.m.]

CANCELLATION OF INTERPRETIVE STATEMENT

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

**ETA 3003.2016 - Taxability of Yoga, Tai Chi, and Qi Gong**

ETA 3003.2016 addresses the tax reporting requirements for persons providing yoga, tai chi, and qi gong classes. This ETA is being cancelled because the matter it addresses is now covered by RCW 82.04.050 and also in the department's tax topics article titled, *Athletic and fitness facilities*.

RCW 82.04.050 (3)(g)(ii)(H) provides that these types of classes are not subject to retailing B&O or retail sales tax when they are provided or performed at a community center, park, school gymnasium, college or university, hospital or other medical facility, private residence, or another facility that is not operated within and as part of an athletic or fitness facility. This statutory provision went into effect on January 1, 2016, and as a result, the information contained in ETA 3003.2016 is no longer relevant.

A copy of this document is available via the Internet at Recent Rule and Interpretive Statements, Adoptions, and Repeals.

Atif Aziz  
Rules Coordinator

WSR 21-23-004  
NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF  
LABOR AND INDUSTRIES  
(Board of Boiler Rules)  
[Filed November 3, 2021, 4:17 p.m.]

Revised Meetings - November 2021

Per chapter 42.30 RCW, the Open Public Meetings Act, the board of boiler rules study session meeting and board meeting for November 16 and 17, 2021, have been changed to:

Date(s)	Time	Location
<b>Study Session:</b> November 17, 2021	10:00 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> November 17, 2021	11:00 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 21-23-005  
NOTICE OF PUBLIC MEETINGS  
BIG BEND  
COMMUNITY COLLEGE**

[Filed November 3, 2021, 4:52 p.m.]

This notice is in accordance with RCW 42.30.075 that the board of trustees for Big Bend Community College, District No. 18, have set their 2021 board meeting schedule.

Thursday, January 27, 2022	1:30 p.m.
Wednesday, March 23, 2022	1:30 p.m.
Thursday, May 5, 2022	1:30 p.m.
Thursday, June 9, 2022	1:30 p.m.
Thursday, August 25, 2022	Retreat
Thursday, October 13, 2022	1:30 p.m.
Thursday, December 1, 2022	1:30 p.m.

## WSR 21-23-006

NOTICE OF PUBLIC MEETINGS  
BELLINGHAM TECHNICAL COLLEGE

[Filed November 4, 2021, 9:19 a.m.]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College scheduled for Thursday, November 18, 2021, from 9:00 - 11:00 a.m., will take place via Zoom (<https://btc-tech.zoom.us/j/89330530070>). The board of trustees will conduct a study session from 8:00 - 9:00 a.m. for the purpose of reviewing the 2020-21 annual review and the 2021-22 KPI targets; the regular meeting will begin at approximately **9:00 a.m.** Call 752-8334 for information.

## WSR 21-23-007

## NOTICE OF PUBLIC MEETINGS

## BOARD OF ACCOUNTANCY

[Filed November 4, 2021, 9:41 a.m.]

Following is the schedule of regular meetings the board plans to hold during 2022:

<b>Date</b>	<b>Time</b>	<b>Location</b>
January 28, 2022 Friday	9:00 a.m.	Microsoft Teams meeting
April 29, 2022 Friday	9:00 a.m.	Microsoft Teams meeting
July 29, 2022 Friday	9:00 a.m.	Microsoft Teams meeting
October 28, 2022 Friday	9:00 a.m.	Microsoft Teams meeting

All meetings are scheduled to meet virtually due to the COVID-19 pandemic. Meeting attendance information will be posted on the board's website at [www.acb.wa.gov](http://www.acb.wa.gov) approximately two weeks prior to the meeting date. The information will be available on the homepage under the "Quick Links" section in the "Next Board Meeting" link.

If meeting in person becomes safe, we will reschedule the meetings for physical locations and update the meeting schedule.

If you need further information, please visit the board's website at [www.acb.wa.gov](http://www.acb.wa.gov). If you need special assistance, such as enlarged type materials, contact Kirsten Donovan, board clerk, voice 360-664-9191, email [kirsten.donovan@acb.wa.gov](mailto:kirsten.donovan@acb.wa.gov), or TDD 800-833-6388. The board schedules all public meetings at barrier-free sites.

## WSR 21-23-008

## AGENDA

## BOARD OF ACCOUNTANCY

[Filed November 4, 2021, 9:42 a.m.]

Semi-Annual Rules Development Agenda  
January through June 2022

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

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

If you have questions about this rule development agenda, please contact David Trujillo, CPA, Executive Director, P.O. Box 9131, Olympia, WA 98507-9131, phone 360-664-9268, email [Dave.Trujillo@acb.wa.gov](mailto:Dave.Trujillo@acb.wa.gov).

WAC Citation	Subject Matter	Anticipated Activity Dates		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
4-30-010	Definitions	April 2022	May 2022	August 2022
4-30-020	What are the authority for and the purpose of the board's rules?	April 2022	May 2022	August 2022
4-30-028	What rules govern the proceedings before the board?	April 2022	May 2022	August 2022
4-30-030	What are the requirements for communicating with the board and staff?	April 2022	May 2022	August 2022
4-30-032	Do I need to notify the board if I change my address?	April 2022	May 2022	August 2022
4-30-034	Must I respond to inquiries from the board?	April 2022	May 2022	August 2022
4-30-036	What enforcement activities must be reported to the board?	April 2022	May 2022	August 2022
4-30-038	Fees	April 2022	May 2022	August 2022
4-30-040	What are the requirements concerning integrity and objectivity?	April 2022	May 2022	August 2022
4-30-042	When is independence required?	April 2022	May 2022	August 2022
4-30-044	What restrictions govern commissions, referral, and contingent fees?	April 2022	May 2022	August 2022
4-30-046	What are the requirements concerning competence?	April 2022	May 2022	August 2022
4-30-048	Compliance is required with which rules, regulations and professional standards?	April 2022	May 2022	August 2022
4-30-050	Records and clients confidential information.	April 2022	May 2022	August 2022
4-30-051	Client records.	April 2022	May 2022	August 2022
4-30-052	What acts are considered discreditable?	April 2022	May 2022	August 2022
4-30-054	What are the limitations on advertising and other forms of solicitation?	April 2022	May 2022	August 2022
4-30-056	What are the limitations regarding individual and firm names?	April 2022	May 2022	August 2022

WAC Citation	Subject Matter	Anticipated Activity Dates		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
4-30-058	Does the board authorize the use of any other titles or designations?	April 2022	May 2022	August 2022
4-30-082	How does a CPA-Inactive certificate holder apply for licensure?	April 2022	May 2022	August 2022
4-30-088	What is the effect on a Washington individual licensee or CPA-inactive certificate holder in the armed forces, reserves, or National Guard if the individual receives orders to deploy for active military duty?	April 2022	May 2022	August 2022
4-30-094	How do I renew my individual license, CPA-inactive certificate, or registration as a resident nonlicensee firm owner?	April 2022	May 2022	August 2022
4-30-104	How do I renew a Washington CPA-Inactive certificate and/or license granted through foreign reciprocity?	April 2022	May 2022	August 2022
4-30-120	I am a CPA-Inactive certificate holder— Prior to July 1, 2001, I held a license— How do I apply to return to my previous April 2022 status as a licensee?	April 2022	May 2022	August 2022
4-30-122	If I retire my license or CPA-Inactive certificate, how do I apply to renew my license or CPA-Inactive certificate out of retirement?	April 2022	May 2022	August 2022
4-30-124	How do I reinstate a lapsed license, CPA-inactive certificate, or registration as a resident nonlicensee firm owner?	April 2022	May 2022	August 2022
4-30-126	How do I reinstate a revoked or suspended license, CPA-inactive certificate, or registration as a resident nonlicensee firm owner?	April 2022	May 2022	August 2022
4-30-134	Continuing professional education (CPE) requirements.	April 2022	May 2022	August 2022
4-30-136	Reporting continuing professional education (CPE) to the board.	April 2022	May 2022	August 2022
4-30-142	What are the bases for the board to impose discipline?	April 2022	May 2022	August 2022

David Trujillo, CPA  
Executive Director



**WSR 21-23-009**  
**NOTICE OF PUBLIC MEETINGS**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**

[Filed November 4, 2021, 11:09 a.m.]

- MEETING NOTICE: January 27, 2022  
County Road Administration Board  
2404 Chandler Court S.W.  
Suite 280  
Olympia, WA 98502  
Zoom attendance available  
1:00 to 5:00 p.m.  
Possible executive session
- PUBLIC HEARING: January 27, 2022  
County Road Administration Board  
2404 Chandler Court S.W.  
Suite 280  
Olympia, WA 98502  
2:00 p.m.
- MEETING NOTICE: January 28, 2022  
County Road Administration Board  
2404 Chandler Court S.W.  
Suite 280  
Olympia, WA 98502  
Zoom attendance available  
8:30 a.m. to 12:00 p.m.  
Possible executive session

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Jason Bergquist at 360-753-5989. Hearing and/or speech impaired persons, call 1-800-833-6384.

For questions, please call 360-753-5989.

WSR 21-23-012

NOTICE OF PUBLIC MEETINGS

MILITARY DEPARTMENT

[Filed November 4, 2021, 2:03 p.m.]

2022 Washington State Emergency Response Committee Meetings

The following is the schedule of regular meetings for the Washington state emergency response committee for 2022.

Date	Time	Location
February 2, 2022	10:00 a.m. - 12:00 p.m.	Virtual via Microsoft Teams
April 2022 (TBD based on LEPC conference)	10:00 a.m. - 12:00 p.m.	Virtual via Microsoft Teams
September 2022 (TBD based on WSEMA)	10:00 a.m. - 12:00 p.m.	Virtual via Microsoft Teams
November 2, 2022	10:00 a.m. - 12:00 p.m.	Virtual via Microsoft Teams

Please refer to the <https://mil.wa.gov/serc-meeting-information> website. Calendar information, agendas, and Microsoft Teams meeting information are posted on this page.

These meetings are subject to change based on operational or other considerations.

If you require accommodation for these meetings, please contact Kim Mask at 253-512-7059 or [kim.mask@mil.wa.gov](mailto:kim.mask@mil.wa.gov).

**WSR 21-23-018  
NOTICE OF PUBLIC MEETINGS  
SOUTH PUGET SOUND  
COMMUNITY COLLEGE**

[Filed November 8, 2021, 7:45 a.m.]

In compliance with RCW 42.30.075, the following is the 2020-2021 regular meetings of the board of trustees of South Puget Sound Community College, District 24:

- Tuesday, September 14, 2021 2:30 p.m.
- Tuesday, October 12, 2021 2:30 p.m.
- Tuesday, November 9, 2021 2:30 p.m.
- Tuesday, December 14, 2021 2:30 p.m.
- Tuesday, January 11, 2022 2:30 p.m.
- Tuesday, February 8, 2022 2:30 p.m.
- Tuesday, March 8, 2022 2:30 p.m.
- Tuesday, April 12, 2022 2:30 p.m.
- Tuesday, May 10, 2022 2:30 p.m.
- Tuesday, June 14, 2022 2:30 p.m.

If you have any questions, please contact Diana Toledo, special assistant to the president, at 360-596-5206.

WSR 21-23-021
RULES OF COURT
STATE SUPREME COURT
[November 5, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENT TO ) NO. 25700-A-1382
RALJ 6.3.1-TRANSCRIPT OF )
ELECTRONIC RECORD )

The Washington State Bar Association Court Rules Committee, having recommended the adoption of the suggested amendment to RALJ 6.3.1-Transcript of Electronic Record, and the Court having considered the suggested amendment, and having determined that the suggested amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

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

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

DATED at Olympia, Washington this 5th day of November, 2021.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Gonzalez, C.J.
Gordon McCloud, J.
Yu, J.
Montoya-Lewis, J.
Whitener, J.

SUGGESTED AMENDMENT
RULE 6.3.1

Transcript of Electronic Record

(a) Transcript by Appellant. Unless the superior court orders otherwise, the appellant shall transcribe the electronic recording of proceedings as provided in section (c) of this rule. The transcript shall be filed and served with the appellant's brief.

(b) Transcript by Respondent. If the respondent wishes to add to or challenge the transcript of the recording of proceedings, the respondent shall file and serve an additional transcript with the respondent's brief.

(c) Content of Transcript. The transcript shall contain only those portions of the electronic recording necessary to present the issues raised on appeal. If the appellant intends to urge argue that a verdict or finding of fact is not supported by the evidence, the appellant shall include in the transcript all testimony relevant to the disputed verdict or finding. If the appellant intends to urge argue that the court erred in giving or failing to give an instruction, the appellant shall include all objections to the instructions given and refused and the court's rulings.

(d) Transcript Generally.

(1) Form. The transcript may be printed, typed, or neatly handwritten, and need not be certified by a notary public.

(2) Certification. The person preparing the transcript shall certify or declare under penalty of perjury that it is true and correct in accordance with GR 13.

(3) *Disputes*. Disputes concerning the completeness or accuracy of the transcript shall be decided by the superior court.

**(e) Additional Transcript.** The superior court may order a party to prepare an additional transcript.

**(f) No Transcript if Agreed Record.** No transcript shall be required if the parties have agreed on a written form of record approved by the court of limited jurisdiction, pursuant to rule 6.1(b).

**(g) Cost of Transcript.** Any cost or expense in preparing a transcript shall be borne by the party providing it. The expense may be allowed as a cost in accordance with rule 9.3.

WSR 21-23-022
RULES OF COURT
STATE SUPREME COURT
[November 5, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENT TO ) NO. 25700-A-1383
RALJ 9.2—ENTRY OF DECISION, )
ISSUANCE OF MANDATE, AND )
ENFORCEMENT OF JUDGMENT )

The Washington State Bar Association Court Rules Committee, having recommended the adoption of the suggested amendment to RALJ 9.2—Entry of Decision, Issuance of Mandate, and Enforcement of Judgment, and the Court having considered the suggested amendment, and having determined that the suggested amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

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

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

DATED at Olympia, Washington this 5th day of November, 2021.

Table with 2 columns of names: Johnson, J.; Madsen, J.; Owens, J.; Stephens, J. and Gonzalez, C.J.; Gordon McCloud, J.; Yu, J.; Montoya-Lewis, J.; Whitener, J.

SUGGESTED AMENDMENT
RULE 9.2

Entry of Decision, Issuance of Mandate, and Enforcement of Judgment

(a) Entry of Decision in Superior Court. The decision of the superior court shall be entered immediately after it is signed by the judge, and shall be deemed entered for all procedural purposes from the time of delivery to the superior court clerk for filing.

(b) Mandate Defined. A "mandate" is the written notification by the clerk of the superior court to the trial court and to the parties of the superior court decision.

(c) Transmittal of Superior Court Mandate. The clerk of the superior court shall issue the mandate to the court of limited jurisdiction and to each party not earlier than 30 days nor later than 60 days after the filing of the decision in superior court, unless a party files a timely notice for discretionary review.

(d) Copies Provided in Criminal Case. When the appellate court remands a criminal case to the trial court, the clerk of the appellate court shall transmit a copy of the mandate to the presiding judge of the trial court, to trial counsel of record, and to the clerk of the trial court.

(e) Entry of Decision in Court of Limited Jurisdiction. The court of limited jurisdiction shall comply with the mandate of the superior court and shall enter the judgment for enforcement in the court of limited jurisdiction.

**(f) Enforcement of Judgment in Court of Limited Jurisdiction.** Except as otherwise provided in these rules, enforcement of a judgment following termination of appeal shall be in the court of limited jurisdiction.

**(g) Registration of Judgment in Superior Court.** A judgment entered in the court of limited jurisdiction may be registered and enforced in the superior court as authorized by law.

WSR 21-23-023  
RULES OF COURT  
STATE SUPREME COURT  
[November 5, 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 [21-24](#) issue of the Register.



WSR 21-23-024
RULES OF COURT
STATE SUPREME COURT
[November 5, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENT TO CrR ) NO. 25700-A-1385
3.3—TIME FOR TRIAL )

The Superior Courts Judges' Association Criminal Law and Rules Committee, having recommended the suggested amendment to CrR 3.3—Time for Trial, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as shown below is 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 5th day of November, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendment to
CRIMINAL RULES FOR SUPERIOR COURTS, CrR 3.3
TIME FOR TRIAL

A. Name of Proponent: Superior Courts Judges' Association (SCJA) Criminal Law and Rules Committee

B. Spokesperson: Judge Laura M. Riquelme
SCJA Criminal Law and Rules Committee, Chair
Skagit County Superior Court Judge
205 W Kincaid Street, Ste. 202,
Mount Vernon, WA 98273
(360) 416-1200

C. Purpose: The SCJA Criminal Law and Rules Committee recommends amending CrR 3.3, Time for Trial, to mirror and adopt similar language to the District & Municipal Courts Judges' Association (DMCJA) suggested amendment to CrRLJ 3.3. The suggested amendment to CrR 3.3 will make the rule congruent, and adhere with the parameters of CrR 3.4. This amendment shall allow defense counsel to enter into agreements for continuance on behalf of their clients. It also clarifies that defense counsel's signature constitutes a representation that the defendant has been consulted and agrees to the continuance, and that the court's notice to defense counsel of new hearing dates constitutes notice to the defendant. This suggested amendment to CrR 3.3 will also

allow for continuity when the transition from the Emergency Court Operations Order issued by the Washington Supreme Court due to the Covid-19 pandemic to Regular Court Operations. For these reasons, the SCJA Criminal Law and Rules Committee requests adoption of the suggested amendment to CrR 3.3.

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

**E. Expedited Consideration:** Expedited consideration is requested to address current practice, and to provide continuity when the Emergency Order issued by the Washington Supreme Court regarding Court Operations during Covid-19 public emergency expires. Expedited consideration is requested to make the CrR 3.3 congruent with the current CrR 3.4.

Suggested Amendment:

**CrR 3.3**

TIME FOR TRAIL

**(a) - (e)** [Unchanged.]

**(f) Continuances.** Continuances. Continuances or other delays may be granted as follows:

(1) *Written Agreement.* Upon written agreement of the parties, which must be signed by defense counsel or the defendant or all defendants, the court may continue the trial date to a specified date. Defense counsel's signature constitutes a representation that the defendant has been consulted and agrees to the continuance. The Court's notice to defense counsel of new hearing dates constitutes notice to the defendant.

(2) [Unchanged.]

**(g) - (h)** [Unchanged.]

**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 21-23-025
RULES OF COURT
STATE SUPREME COURT
[November 5, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENT TO RAP ) NO. 25700-A-1386
2.2—DECISIONS OF THE SUPERIOR )
COURT THAT MAY BE APPEALED )

The Washington State Bar Association Court Rules Committee, having recommended the suggested amendment to RAP 2.2—Decisions of the Superior Court That May Be Appealed, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as shown below is 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 5th day of November, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendment
RAP 2.2 - DECISIONS OF THE SUPERIOR COURT THAT MAY BE APPEALED

- A. Proponent: WSBA Court Rules and Procedures Committee
B. Spokesperson: Isham Reavis, Chair - WSBA Court Rules and Procedures Committee
C. Purpose: Recently, in Denney v. City of Richland, 195 Wn.2d 649 (2020), the Court noted that although the RAPs clearly differentiate between rulings on the merits of a legal claim and rulings on costs for purposes of the time for appeal, the interaction of CR 54 with the RAPs can create confusion. This proposed amendment adds a comment, taken from the Court's conclusion in Denney, that provides guidance to litigants as to when the notice of appeal from a summary judgment ruling disposing of all claims is due.
D. Hearing: The proponent does not believe that a public hearing is necessary.
E. Expedited Consideration: Not requested.

SUGGESTED AMENDMENT
Rule 2.2 Decisions of the Superior Court That May Be Appealed

**(a) Generally.** Unless otherwise prohibited by statute or court rule and except as provided in sections (b) and (c), a party may appeal from only the following superior court decisions:

(1) *Final Judgment.* The final judgment entered in any action or proceeding, regardless of whether the judgment reserves for future determination an award of attorney fees or costs.

(2) [Reserved.]

(3) *Decision Determining Action.* Any written decision affecting a substantial right in a civil case that in effect determines the action and prevents a final judgment or discontinues the action.

(4) *Order of Public Use and Necessity.* An order of public use and necessity in a condemnation case.

(5) *Juvenile Court Disposition.* The disposition decision following a finding of dependency by a juvenile court, or a disposition decision following a finding of guilt in a juvenile offense proceeding.

(6) *Termination of All Parental Rights.* A decision depriving a person of all parental rights with respect to a child.

(7) *Order of Incompetency.* A decision declaring an adult legally incompetent, or an order establishing a conservatorship or guardianship for an adult.

(8) *Order of Commitment.* A decision ordering commitment, entered after a sanity hearing or after a sexual predator hearing.

(9) *Order on Motion for New Trial or Amendment of Judgment.* An order granting or denying a motion for new trial or amendment of judgment.

(10) *Order on Motion for Vacation of Judgment.* An order granting or denying a motion to vacate a judgment.

(11) *Order on Motion for Arrest of Judgment.* An order arresting or denying arrest of a judgment in a criminal case.

(12) *Order Denying Motion to Vacate Order of Arrest of a Person.* An order denying a motion to vacate an order of arrest of a person in a civil case.

(13) *Final Order after Judgment.* Any final order made after judgment that affects a substantial right.

**(b) Appeal by State or a Local Government in Criminal Case.** Except as provided in section (c), the State or a local government may appeal in a criminal case only from the following superior court decisions and only if the appeal will not place the defendant in double jeopardy:

(1) *Final Decision, Except Not Guilty.* A decision that in effect abates, discontinues, or determines the case other than by a judgment or verdict of not guilty, including but not limited to a decision setting aside, quashing, or dismissing an indictment or information, or a decision granting a motion to dismiss under CrR 8.3(c).

(2) *Pretrial Order Suppressing Evidence.* A pretrial order suppressing evidence, if the trial court expressly finds that the practical effect of the order is to terminate the case.

(3) *Arrest or Vacation of Judgment.* An order arresting or vacating a judgment.

(4) *New Trial.* An order granting a new trial.

(5) *Disposition in Juvenile Offense Proceeding.* A disposition in a juvenile offense proceeding that (A) is below the standard range of disposition for the offense, (B) the state or local government believes involves a miscalculation of the standard range, (C) includes provisions that are unauthorized by law, or (D) omits a provision that is required by law.

(6) *Sentence in Criminal Case.* A sentence in a criminal case that (A) is outside the standard range for the offense, (B) the state or local government believes involves a miscalculation of the standard range, (C) includes provisions that are unauthorized by law, or (D) omits a provision that is required by law.

**(c) Superior Court Decision on Review of Decision of Court of Limited Jurisdiction.** If the superior court decision has been entered after a proceeding to review a decision of a court of limited jurisdiction, a party may appeal only if the review proceeding was a trial de novo. Appeal is not available if (1) the final judgment is a finding that a traffic infraction has been committed or (2) the claim originated in a small claims court operating under chapter 12.40 RCW.

**(d) Multiple Parties or Multiple Claims or Counts.** In any case with multiple parties or multiple claims for relief, or in a criminal case with multiple counts, an appeal may be taken from a final judgment that does not dispose of all the claims or counts as to all the parties, but only after an express direction by the trial court for entry of judgment and an express determination in the judgment, supported by written findings, that there is no just reason for delay. The findings may be made at the time of entry of judgment or thereafter on the court's own motion or on motion of any party. The time for filing notice of appeal begins to run from the entry of the required findings. In the absence of the required findings, determination and direction, a judgment that adjudicates less than all the claims or counts, or adjudicates the rights and liabilities of less than all the parties, is subject only to discretionary review until the entry of a final judgment adjudicating all the claims, counts, rights, and liabilities of all the parties.

COMMENT

[1] A summary judgment order disposing of all claims constitutes a final judgment, thereby starting the 30-day appeal deadline even if an award of fees and costs is deferred until after the deadline. *Denney v. City of Richland*, 195 Wn.2d 649, 659, 462 P.3d 842 (2020).

WSR 21-23-026
RULES OF COURT
STATE SUPREME COURT
[November 5, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENT TO ) NO. 25700-A-1387
RALJ 6.2—TRANSMITTAL OF )
RECORD OF PROCEEDINGS )

The Washington State Bar Association Court Rules Committee, having recommended the suggested amendment to RALJ 6.2—Transmittal of Record of Proceedings, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as shown below is 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 5th day of November, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendment
RALJ 6.2 - TRANSMITTAL OF RECORD OR PROCEEDINGS

- A. Proponent: WSBA Court Rules and Procedures Committee
B. Spokesperson: Isham Reavis, Chair - WSBA Court Rules and Procedures Committee
C. Purpose: Currently, when the record is transmitted from the Court of Limited Jurisdiction, there is no requirement that the clerk number the record. This leaves the parties to refer to individual documents which presents a challenge to the Superior Court Judge in review the record. Alternatively, the parties number the pages differently and provide their own copies to the court. These party-numbered pages are not the official record transmitted by the clerk. The Rules of Appellate Procedure [RAP 9.6(c)] currently requires this numbering by the Superior Court clerk before the clerk's papers are sent to the Court of Appeals. This proposal is to amend RALJ 6.2(a) to include a similar numbering requirement to assist the court and the parties.
D. Hearing: The proponent does not believe that a public hearing is necessary.
E. Expedited Consideration: Not requested.

SUGGESTED AMENDMENT

## RULE 6.2

**Transmittal of the Record of Proceedings**

(a) **Transmittal Generally.** The party seeking review shall, within 14 days of filing the notice of appeal, serve on all other parties and file with the clerk of the court of limited jurisdiction a designation of those portions of the record that the party wants the clerk to transmit to the superior court. Any party may supplement the designation of the record prior to or with the party's last brief. Thereafter, a party may supplement the designation only by order of the superior court, upon motion. Each party is encouraged to designate only documents and exhibits needed to review the issues presented to the superior court. Within 14 days after the designation is filed, the clerk of the court of limited jurisdiction shall prepare the record and notify each party that the record is ready to transmit and the amount to be paid by each party. The trial court clerk shall number the papers sequentially from beginning to end, including any supplemental clerk's papers, regardless of which party designated them. Each party shall pay the cost of preparing the portion of the record designated by that party within 10 days of the clerk's notification, unless the party has been excused from paying by the court. Promptly after receiving payment, or after preparing the record in cases where payment is excused, the clerk of the court of limited jurisdiction shall certify that the record is true and complete, and transmit it to the superior court, and notify the parties that the record has been transmitted.

(b) **Cumbersome Exhibits.** The clerk of the court of limited jurisdiction shall notify the superior court of exhibits which are difficult or unusually expensive to transmit. The exhibits shall be transmitted only if the superior court directs or if a party makes arrangements with the clerk to transmit the exhibits at the expense of the party requesting the transfer of exhibits.

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

WSR 21-23-027
RULES OF COURT
STATE SUPREME COURT
[November 5, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENT TO ) NO. 25700-A-1388
RALJ 10.3—EXTENSION AND )
REDUCTION OF TIME )

The Washington State Bar Association Court Rules Committee, having recommended the suggested amendment to RALJ 10.3—Extension and Reduction of Time, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as shown below is 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 5th day of November, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendment
RALJ 10.3 - EXTENSION AND REDUCTION OF TIME

- A. Proponent: WSBA Court Rules and Procedures Committee
B. Spokesperson: Isham Reavis, Chair - WSBA Court Rules and Procedures Committee
C. Purpose: Make capitalization consistent. Enhance readability and clarity.
D. Hearing: The proponent does not believe that a public hearing is necessary.
E. Expedited Consideration: Not requested.

SUGGESTED AMENDMENT
RULE 10.3 Extension and Reduction of Time.

(a) Generally. The superior court may, on its own initiative or on motion of a party, enlarge or shorten the time within which an act must be done in a particular case in order to serve the ends of justice, subject to the restrictions in section (c).

(b) Procedure for Motion. A party moving to extend or reduce time shall file a written motion with the superior court and serve it upon all non-moving parties. The motion shall state (1) the date the act is scheduled or required to occur; (2) the new date requested; and



(3) the specific reasons for the motion. The motion shall be considered without oral argument unless ~~called for~~ ordered by the superior court. A non-moving party may respond to the motion in writing. A response must be filed with the superior court and served upon the moving party within five days after service of the motion to extend or reduce time.

**(c) Restrictions on Extension of Time.**

(1) The superior court will ~~only in extraordinary circumstances and to prevent a gross miscarriage of justice~~ extend the time within which a party must file a notice of appeal only in extraordinary circumstances and to prevent a gross miscarriage of justice. The superior court will ordinarily hold that the desirability of finality of decisions outweighs the privilege of a litigant to obtain an extension of time under this section. A motion to extend time is determined by the superior court to which the untimely notice of appeal is directed.

(2) The superior court will not enlarge the time provided in rule 9.2 (a) and (c). ~~within which the superior court enters and transmits its decision.~~

**(d) Terms.** The remedy for violation of these rules is set forth in rule 10.1. The superior court may condition the exercise of its authority under this rule by imposing terms as provided in rule 10.1.

WSR 21-23-028
RULES OF COURT
STATE SUPREME COURT
[November 8, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENT TO ) NO. 25700-A-1389
RALJ 11.2—LAWYER'S FEES AND )
EXPENSES )

The Washington State Bar Association Court Rules Committee, having recommended the suggested amendment to RALJ 11.2—Lawyer's Fees and Expenses, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as shown below is 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 5th day of November, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendment
RALJ 11.2 - LAWYER'S FEES AND EXPENSES

- A. Proponent: WSBA Court Rules and Procedures Committee
B. Spokesperson: Isham Reavis, Chair - WSBA Court Rules and Procedures Committee
C. Purpose: Update language and make it consistent with other statutes and rules.
D. Hearing: The proponent does not believe that a public hearing is necessary.
E. Expedited Consideration: Not requested.

SUGGESTED AMENDMENT
RULE 11.2

Lawyer's Attorney's Fees and Expenses

(a) Generally. If applicable law grants to a party the right to recover reasonable lawyer's attorney's fees or expenses, the party should request the fees or expenses as provided in this rule.

(b) Statutes Control. If a statute gives a party the right to recover reasonable lawyer's attorney's fees or expenses under certain circumstances for services in a court of limited jurisdiction, a party is entitled to fees and expenses under similar circumstances for services on an appeal to the superior court.

**(c) Argument in Brief.** The party should devote a section of the brief to the request for the fees or expenses.

**(d) Affidavit.** At or before oral argument, the party should serve and file an affidavit in the superior court detailing the expenses incurred and the services performed by counsel.

**(e) Oral Argument.** A party should include in oral argument a request for the fee or expenses and a reference to the affidavit on file.

WSR 21-23-029
RULES OF COURT
STATE SUPREME COURT
[November 5, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENT TO ) NO. 25700-A-1390
RALJ 11.7—APPLICATION OF )
OTHER COURT RULES )

The Washington State Bar Association Court Rules Committee, having recommended the suggested amendment to RALJ 11.7—Application of Other Court Rules, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as shown below is 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 5th day of November, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendment
RALJ 11.7 - APPLICATION OF OTHER COURT RULES

- A. Proponent: WSBA Court Rules and Procedures Committee
B. Spokesperson: Isham Reavis, Chair - WSBA Court Rules and Procedures Committee
C. Purpose: Update rule references to be consistent with rule names. Close parenthesis at the end of the editorial note. Correct spacing and ordering.
D. Hearing: The proponent does not believe that a public hearing is necessary.
E. Expedited Consideration: Not requested.

SUGGESTED AMENDMENT
RULE 11.7
Application of Other Court Rules

(a) Civil Rules. The following Superior Court Civil Rules are applicable to appellate proceedings in civil cases in the superior court when not in conflict with the purpose or intent of these rules and when application is practicable: CR 1 (scope of rules), CR 2A (stipulations), CR 6 (time), CR 7(b) (form of motions), CR 11 (signing of pleadings), CR 25 (substitution of parties), CR 40 (a)(2) (notice

of issues of law), CR 42 (consolidation; separate trials), CR 46 (exceptions unnecessary), CR 54(a) (judgments and orders), CR 60 (relief from judgment or order), CR 71 (withdrawal by attorney), CR 77 (superior courts and judicial officers), CR 78 (clerks), CR 79 (books and records kept by the clerk), CR 80 (court reporters), and CR 83 (local rules of superior court).

**(b) Criminal Rules.** The following Superior Court Criminal Rules are applicable to appellate proceedings in criminal cases in the superior court when not in conflict with the purpose or intent of these rules and when application is practicable: CrR 1.1 (scope), CrR 1.2 (purpose and construction), CrR 1.4 (prosecuting attorney definition), CrR 3.1 (right to and assignment of counsel), CrR 7.1 (procedures before sentencing), CrR 7.2 (~~presentence investigation sentencing~~), CrR 8.1 (time), CrR 8.2 (motions), CrR 8.5 (calendars), CrR 8.6 (exceptions unnecessary), CrR 8.7 (objections), and CrR 8.8 (discharge).

**(c) Civil Rules for Courts of Limited Jurisdiction.** The following Civil Rules for Courts of Limited Jurisdiction are applicable to appellate proceedings in civil cases in the court of limited jurisdiction when not in conflict with the purpose or intent of these rules and when application is practicable: CRLJ 5 (service and filing), CRLJ 6 (time), CRLJ 7(b) (motions), CRLJ 8 (general rules of pleading), CRLJ 10 (form of pleadings), CRLJ 11 (~~verification and signing of pleadings~~ signing and drafting pleadings), CRLJ 25 (substitution of parties), CRLJ 40(~~bf~~) (disqualification of judge), and CRLJ 60 (relief from judgment or order).

**(d) Criminal Rules for Courts of Limited Jurisdiction.** The following Criminal Rules for Courts of Limited Jurisdiction are applicable to appellate proceedings in criminal cases in the court of limited jurisdiction when not in conflict with the purpose or intent of these rules and when application is practicable: ~~CrRLJ 1.7 (local court rules--availability)~~, CrRLJ 1.5 (style and form), CrRLJ 1.7 (local court rules--availability), CrRLJ 3.1 (right to and assignment of lawyer), CrRLJ 7.8(a) (clerical mistakes), CrRLJ 8.1 (time), and CrRLJ 8.2 (motions), CrRLJ 8.9 (disqualification of judge), CrRLJ 8.9(c) (disqualification of judge--transfer), ~~CrRLJ 7.8(a) (clerical mistakes)~~, ~~CrRLJ 8.1 (time)~~, and ~~CrRLJ 8.2 (motions)~~. (Editorial Note: Effective September 1, 1987, Justice Court Criminal Rules (JCrR) were retitled Criminal Rules for Courts of Limited Jurisdiction (CrRLJ). Effective September 1, 1989, Justice Court Civil Rules (JCR) were retitled Civil Rules for Courts of Limited Jurisdiction (CRLJ)).

**(e) Rules of Appellate Procedure.** The following Rules of Appellate Procedure are applicable to appellate proceedings in criminal cases in the court of limited jurisdiction when not in conflict with the purpose or intent of these rules and when application is practicable: RAP 2.4(a) (scope of review), RAP 2.5 (circumstances which may affect the scope of review), RAP 3.3 (consolidation of cases), RAP 7.2(b) (authority of trial court to settle the record), RAP 10.7 (submission of improper brief), RAP 10.8 (additional authorities).

WSR 21-23-030  
RULES OF COURT  
STATE SUPREME COURT  
[November 5, 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 [22-01](#) issue of the Register.

WSR 21-23-032

NOTICE OF PUBLIC MEETINGS  
RECREATION AND CONSERVATION  
OFFICE

[Filed November 8, 2021, 10:39 a.m.]

The Washington invasive species council (WISC) is changing the **location** of the regular quarterly meeting scheduled for December 9, 2021:

**FROM:** December 9, 2021, from 9:00 a.m. to 3:00 p.m., Room 172, Natural Resource[s] Building, 1111 Washington Street S.E., Olympia, WA 98501.

**TO:** December 9, 2021, from 9:00 a.m. to 3:00 p.m., online.

For further information, please contact Justin Bush, WISC, at 360-902-3088 or justin.bush@rco.wa.gov, or at the WISC website [www.InvasiveSpecies.wa.gov](http://www.InvasiveSpecies.wa.gov).

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

WSR 21-23-033

PUBLIC RECORDS OFFICER

CLARK COLLEGE

[Filed November 8, 2021, 11:30 a.m.]

Pursuant to RCW 42.56.580, the public records officer for Clark College is Carrie Ann Gallagher, 1933 Fort Vancouver Way, Vancouver, WA 98663, phone 360-992-2125, fax 360-992-2875, email prr@clark.edu, work email cgallagher@clark.edu.

Karin Edwards  
President  
Clark College



**WSR 21-23-038**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION COMMISSION**  
 [Filed November 8, 2021, 3:09 p.m.]

The transportation commission (WSTC) has set its meeting schedule for 2022. WSTC will hold Zoom virtual meetings January - March 2022 and plan to hold in-person meetings starting April 2022.

Please publish the following Washington state transportation commission's 2022 meeting schedule:

January 19 and 20	Wednesday and Thursday	Virtual Olympia
February 15 and 16	Tuesday and Wednesday	Virtual Olympia
March 15 and 16	Tuesday and Wednesday	Virtual Olympia
April 19 and 20	Tuesday and Wednesday	Union Gap
May 17 and 18	Tuesday and Wednesday	Olympia
June 22 and 23	Wednesday and Thursday	Clarkston, Washington
July 19 and 20	Tuesday and Wednesday	Olympia
September 13 and 14	Tuesday and Wednesday	Eugene, Oregon
September 15	Thursday	Battle Ground
October 18 and 19	Tuesday and Wednesday	Olympia
November 15 and 16	Tuesday and Wednesday	Anacortes
December 13 and 14	Tuesday and Wednesday	Olympia

Meetings are planned to be held between 9:00 a.m. and 5:00 p.m. The meeting location for the Olympia in-person meetings will be in Room 1D2 of the Transportation Building, 310 Maple Park Drive S.E., Olympia, WA.

Facilities for our local meetings are yet to be determined, locations and addresses will be published on our website prior to the meeting date.

**WSR 21-23-040**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
[Filed November 9, 2021, 11:06 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 6.00: Public Information.

Subject: Public information.

Effective Date: October 29, 2021.

Document Description: This policy outlines the authority for official communication between DCS and the media, public officials, advocacy groups, and the public on specific issues.

To receive a copy of the interpretive or policy statements, contact Amy Hahl, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-397-9801, TDD/TTY 360-753-9122, fax 360-586-3274, email amy.hahl@dshs.wa.gov, website <http://www1.dshs.wa.gov/dcs/>.

**WSR 21-23-042**

**NOTICE OF PUBLIC MEETINGS**

**REDISTRICTING COMMISSION**

[Filed November 9, 2021, 2:30 p.m.]

The Washington state redistricting commission has changed the following regular meeting:

From: December 20, 2021, 7:00-9:00 p.m., Zoom.

To: No meeting.

If you need further information contact Lisa McLean, Executive Director, P.O. Box 40948, Olympia, WA 98504-0948, 360-522-0373, [lisa.mclean@redistricting.wa.gov](mailto:lisa.mclean@redistricting.wa.gov), <http://redistricting.wa.gov/>.

**WSR 21-23-043**  
**NOTICE OF PUBLIC MEETINGS**  
**PUBLIC EMPLOYMENT**  
**RELATIONS COMMISSION**

[Filed November 9, 2021, 3:16 p.m.]

The dates in **bold** have changed in the following schedule of regular meetings of the public employment relations commission in 2021, all to be tentatively held via Zoom with location and format subject to change:

<b>Date</b>	<b>Time</b>
January 2021	No meeting
February 9, 2021	10:00 a.m.
March 16, 2021	10:00 a.m.
April 13, 2021	10:00 a.m.
May 11, 2021	10:00 a.m.
June 8, 2021	10:00 a.m.
July 13, 2021	10:00 a.m.
August 11, 2021	10:00 a.m.
September 14, 2021	10:00 a.m.
October 19, 2021	10:00 a.m.
November 9, 2021	10:00 a.m.
<b>December 10, 2021</b>	<b>10:00 a.m.</b>

If you need further information, contact Vanessa Smith at [vanessa.smith@perc.wa.gov](mailto:vanessa.smith@perc.wa.gov) or 360-570-7332.

**WSR 21-23-048**  
**NOTICE OF PUBLIC MEETINGS**  
**EASTERN WASHINGTON UNIVERSITY**  
 [Filed November 10, 2021, 9:38 a.m.]

The Eastern Washington University board of trustees has changed the following regular meeting schedule:

**From:**

<b>December 9, 2021</b>	<b>1:00 - 5:00 p.m.</b>	<b>EWU Hargreaves Hall 223</b> Cheney, Washington, or virtual per current guidelines.
<b>December 10, 2021</b>	<b>8:00 a.m. - 2:00 p.m.</b>	<b>EWU Tawanka Hall 215</b> Cheney, Washington, or virtual per current guidelines.

**To:**

<b>December 9, 2021</b>	<b>12:00 - 5:00 p.m.</b>	<b>EWU Tawanka Hall 215</b> Cheney, Washington, or virtual per current guidelines.
<b>December 10, 2021</b>	<b>8:00 a.m. - 2:00 p.m.</b>	<b>EWU Tawanka Hall 215</b> Cheney, Washington, or virtual per current guidelines.

Updated information on meeting location (whether it will be virtual or in-person per current state and federal health guidelines) is posted on the university's website <https://www.ewu.edu/about/leadership/bot/meeting-agendas-minutes/>.

If you need further information, contact Chandalin Bennett, 214 Showalter Hall, Cheney, WA 99004, phone 509-359-6362, [cmbennett@ewu.edu](mailto:cmbennett@ewu.edu).

WSR 21-23-051  
POLICY STATEMENT  
LIQUOR AND CANNABIS  
BOARD

[Filed November 10, 2021, 10:26 a.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title of Policy Statement: Payment of Vendor Fees by Certified Marijuana Testing Labs - Policy Statement Number PS21-06.

Issuing Entity: Washington state liquor and cannabis board.

Subject Matter: This policy statement is intended to describe how certified marijuana testing labs pay vendor fees for validation and ongoing monitoring.

Effective Date: November 10, 2021.

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

## WSR 21-23-062

NOTICE OF PUBLIC MEETINGS  
WASHINGTON STATE UNIVERSITY

[Filed November 11, 2021, 11:45 a.m.]

Following is the schedule of regular meetings for the Washington State University - Pullman Service and Activities Fees Committee for Academic Year 2021-22:

Date	Time	Location
October 19, 2021	4:00 - 6:00 p.m.	Lighty, Room 405, Pullman, Washington <a href="https://wsu.zoom.us/j/93899477170?pwd=cDRla09HaGZSd2dzY080RnNSMXNUZz09">https://wsu.zoom.us/j/93899477170?</a> <a href="https://wsu.zoom.us/j/93899477170?pwd=cDRla09HaGZSd2dzY080RnNSMXNUZz09">pwd=cDRla09HaGZSd2dzY080RnNSMXNUZz09</a>
<del>October 21, 2021</del>	<del>4:00 - 6:00 p.m.</del>	<del><a href="https://wsu.zoom.us/j/92091446082?pwd=QVVEQ3JSSHerYm93S1FRUpwWFewQT09">https://wsu.zoom.us/j/92091446082?</a></del> <del><a href="https://wsu.zoom.us/j/92091446082?pwd=QVVEQ3JSSHerYm93S1FRUpwWFewQT09">pwd=QVVEQ3JSSHerYm93S1FRUpwWFewQT09</a></del>
October 26, 2021	4:00 - 6:00 p.m.	<a href="https://wsu.zoom.us/j/91784621202?pwd=cDhRQWxSeTJJNElmlRlpVZ1pHV1hsQT09">https://wsu.zoom.us/j/91784621202?</a> <a href="https://wsu.zoom.us/j/91784621202?pwd=cDhRQWxSeTJJNElmlRlpVZ1pHV1hsQT09">pwd=cDhRQWxSeTJJNElmlRlpVZ1pHV1hsQT09</a>
<del>October 28, 2021</del>	<del>4:00 - 6:00 p.m.</del>	<del><a href="https://wsu.zoom.us/j/94863220161?pwd=R2EyOXFJRkZjRjEwM1kvMWdqG42UT09">https://wsu.zoom.us/j/94863220161?</a></del> <del><a href="https://wsu.zoom.us/j/94863220161?pwd=R2EyOXFJRkZjRjEwM1kvMWdqG42UT09">pwd=R2EyOXFJRkZjRjEwM1kvMWdqG42UT09</a></del>
November 16, 2021	4:00 - 7:00 6:30 p.m.	<a href="https://wsu.zoom.us/j/91784621202?pwd=cDhRQWxSeTJJNElmlRlpVZ1pHV1hsQT09">https://wsu.zoom.us/j/91784621202?</a> <a href="https://wsu.zoom.us/j/91784621202?pwd=cDhRQWxSeTJJNElmlRlpVZ1pHV1hsQT09">pwd=cDhRQWxSeTJJNElmlRlpVZ1pHV1hsQT09</a>
November 30, 2021	4:20 - 6:00 7:30 p.m.	<a href="https://wsu.zoom.us/j/93239933619?pwd=MUdDVXlFamc2K0tldC90S1o3d2ozdz09">https://wsu.zoom.us/j/93239933619?</a> <a href="https://wsu.zoom.us/j/93239933619?pwd=MUdDVXlFamc2K0tldC90S1o3d2ozdz09">pwd=MUdDVXlFamc2K0tldC90S1o3d2ozdz09</a>

Changes due to COVID-19 State of Emergency and to meet Governor Inslee's order. If you need further information contact Loretta Dragoo, Office of the Vice President for Student Affairs, Washington State University, P.O. Box 641066, Pullman, WA 99164-1066, 509-335-4531, 509-335-2791, dragoo@wsu.edu, <https://studentaffairs.wsu.edu>.

**WSR 21-23-064**  
**NOTICE OF PUBLIC MEETINGS**  
**PUBLIC WORKS BOARD**

[Filed November 12, 2021, 10:54 a.m.]

The public works board (PWB) will hold regularly scheduled business meetings on the following dates at 8:30 a.m.:

Date	Time	Location	Venue
Friday, January 14	8:30 a.m. - 11:00 p.m.	Online	Zoom
Friday, February 4	8:30 a.m. - 11:00 p.m.	Online	Zoom
Friday, March 4	8:30 a.m. - 11:00 p.m.	Online	Zoom
Friday, April 1	8:30 a.m. - 12:00 p.m.	Online	Zoom
Friday, May 6	8:30 a.m. - 12:00 p.m.	Poulsbo, Washington	City Hall
Friday, June 3	8:30 a.m. - 12:00 p.m.	Online	Zoom
Friday, July 8	8:30 a.m. - 12:00 p.m.	Benton County	To be determined
Friday, August 5	8:30 a.m. - 12:00 p.m.	Online	Zoom
Friday, September 9	8:30 a.m. - 12:00 p.m.	Online	Zoom
Friday, October 7	1:00 p.m. - 4:30 p.m.	Snohomish County <sup>1</sup>	To be determined
Friday, November 4	8:30 a.m. - 12:00 p.m.	Online	Zoom
Friday, December 2	8:30 a.m. - 12:00 p.m.	Online	Zoom

All PWB meetings occur online in accordance with COVID-19 safety measures and department of commerce office closures. Meeting sign-in details, materials and additional information are available at [www.pwb.wa.gov](http://www.pwb.wa.gov).

Contact Ava Gombosky, 360-338-5739.



**WSR 21-23-065**  
**NOTICE OF PUBLIC MEETINGS**  
**PUBLIC EMPLOYMENT**  
**RELATIONS COMMISSION**

[Filed November 12, 2021, 2:36 p.m.]

The following is the schedule of regular meetings of the public employment relations commission in 2022, **all to be tentatively held via Zoom with location and format subject to change:**

<b>Date</b>	<b>Time</b>
January 11, 2022	10:00 a.m.
February 8, 2022	10:00 a.m.
March 8, 2022	10:00 a.m.
April 12, 2022	10:00 a.m.
May 10, 2022	10:00 a.m.
June 14, 2022	10:00 a.m.
July 12, 2022	10:00 a.m.
August 9, 2022	10:00 a.m.
September 6, 2022	10:00 a.m.
October 11, 2022	10:00 a.m.
November 8, 2022	10:00 a.m.
December 2022	No Meeting

If you need further information, contact Vanessa Smith at [vanessa.smith@perc.wa.gov](mailto:vanessa.smith@perc.wa.gov) or 360-570-7332.

**WSR 21-23-071**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE LOTTERY**  
 [Filed November 15, 2021, 9:40 a.m.]

The following is the schedule of regular public meetings for the Washington lottery commission in 2022:

February 17, 2022	Lottery headquarters and Microsoft Teams meeting	Olympia, Washington Virtual meeting
April 21, 2022	Lottery headquarters and Microsoft Teams meeting	Olympia, Washington Virtual meeting
June 16, 2022	Lottery headquarters and Microsoft Teams meeting	Olympia, Washington Virtual meeting
August 18, 2022	To be determined	To be determined
October 27, 2022	Lottery headquarters and Microsoft Teams meeting	Olympia, Washington Virtual meeting
December 15, 2022	Lottery headquarters and Microsoft Teams meeting	Olympia, Washington Virtual meeting

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

If you require additional information, please contact Stephanie Porter at 360-810-2887, [SPorter@walottery.com](mailto:SPorter@walottery.com), or website [www.walottery.com](http://www.walottery.com).

**WSR 21-23-073**

**INTERPRETIVE STATEMENT**

**DEPARTMENT OF REVENUE**

[Filed November 15, 2021, 1:53 p.m.]

**CANCELLATION OF INTERPRETIVE STATEMENT**

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

**ETA 3167.2016 - Taxability of Fees Charged for Amusement and Recreation Services**

ETA 3167.2016 explains the tax treatment of "entry fees" and "league fees" charged for amusement and recreation services. These terms were once included in a prior version of WAC 458-20-183 but were removed in 2018 when the rule was updated. The rule was updated as a result of changes to RCW 82.04.050 that went into effect on January 1, 2016, and this ETA only applies to tax reporting periods through December 31, 2015. This ETA no longer serves a meaningful purpose.

A copy of this document is available via the Internet at Recent Rule and Interpretive Statements, Adoptions, and Repeals.

Atif Aziz  
Rules Coordinator

**WSR 21-23-074**

**POLICY STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed November 15, 2021, 3:14 p.m.]

**NOTICE OF ADOPTION OF A POLICY STATEMENT**

Title of Policy Statement: Continuing Education Requirements During the COVID-19 Response. Policy Number: VBOG 20.01.01.

Issuing Entity: Veterinary board of governors.

Subject Matter: Addressing the impact COVID-19 response measures are having on veterinarians and veterinary technicians with regards to meeting continuing education requirements. Extending the policy timeline for the duration of the COVID-19 declared State of Emergency and for 90 days following the end of the emergency.

Effective Date: November 5, 2021.

Contact Person: Lorelei Walker, P.O. Box 47852, Olympia, WA 98504-7852, 360-236-4947, Lorelei.Walker@doh.wa.gov.

## WSR 21-23-077

## NOTICE OF PUBLIC MEETINGS

## RENTON TECHNICAL COLLEGE

[Filed November 15, 2021, 5:00 p.m.]

Pursuant to RCW 42.30.075, please be advised that the Renton Technical College board of trustees' regular meetings during 2021 [2022] will be held as follows:

<b>Date</b>	<b>Week/Day of the Month</b>	<b>Location</b>
January 19, 2022	Third Wednesday	Roberts Campus Center - Culinaire Room (I-108)
February 16, 2022	Third Wednesday	Roberts Campus Center - Culinaire Room (I-108)
March 16, 2022	Third Wednesday	Roberts Campus Center - Culinaire Room (I-108)
April 20, 2022	Third Wednesday	Roberts Campus Center - Culinaire Room (I-108)
May 18, 2022	Third Wednesday	Roberts Campus Center - Culinaire Room (I-108)
June 15, 2022	Second Wednesday	Roberts Campus Center - Culinaire Room (I-108)
September 21, 2022	Third Wednesday <b>Start Time: 9 a.m.</b>	Technology Resource Center (C-111) <b>Regular meeting and board retreat</b>
October 19, 2022	Third Wednesday	Roberts Campus Center - Culinaire Room (I-108)
November 16, 2022	Third Wednesday	Roberts Campus Center - Culinaire Room (I-108)
December 7, 2022	Second Wednesday	Roberts Campus Center - Culinaire Room (I-108)

There are no regular meetings during the months of July and August. Regular meetings are scheduled at 3:00 p.m. unless otherwise noted. Renton Technical College, 3000 N.E. 4th Street, Renton, WA 98056-4195.

If you need further information, please contact Di Beers at 425-235-2426.

**WSR 21-23-083**

**NOTICE OF PUBLIC MEETINGS**

**ASPARAGUS COMMISSION**

[Filed November 16, 2021, 10:27 a.m.]

**2022 Meeting Dates:**

January 12	Prosser
March 30	Zoom
July 13	Sunnyside
October 12	Eltopia

The meetings will start at 1 p.m.

**WSR 21-23-084**

**NOTICE OF PUBLIC MEETINGS**

**BLUEBERRY COMMISSION**

[Filed November 16, 2021, 10:33 a.m.]

**2022 Meetings:**

January 7	Lyden [Lynden]
April 13	Mt. Vernon
July 6	Zoom
October 19	Yakima

All meetings will start at 10 a.m.

## WSR 21-23-088

## CLEMENCY AND PARDONS BOARD

[Filed November 16, 2021, 3:04 p.m.]

**Notice of Quarterly Hearing**

The Washington state clemency and pardons board hereby gives notice of its quarterly hearings scheduled for December 9 and 10, 2021, via virtual hearing, starting at 9:00 a.m.<sup>1</sup> The following petitions will be considered by the board<sup>2</sup>:

<sup>1</sup> Please note that all board hearings are recorded by a court reporter, open to the public, and broadcast on the state public affairs network, TVW.

**December 9, 2021:**

<u>Petitioner:</u>	<u>County of Conviction:</u>	<u>Relief Requested:</u>
DeFrates, Charles	Mason	Commutation (vote for 5th Bd Member)
Teafatiller, Patricia	Clark	Commutation
Franco, Elena	Franklin	Pardon
Renard Jr, Steven	Lewis	Pardon
Johnson, Allen	Lewis/King	Pardon (may need to be reset)
Westcott, David	Snohomish	Pardon
Hinton, Reuben	Snohomish - <u>Continued</u> due to 6164 review	

**December 10, 2021:**

<u>Petitioner:</u>	<u>County of Conviction:</u>	<u>Relief Requested:</u>
Pella, Michael	King	Commutation
Fellows, Otis	King	Pardon
Mahaney, Rickey	King - Released under SB 5164	
Pedro, Brandon	King - <u>Continued</u> due to 6164 review	
Millage, Michael	King - Matter <u>continued</u> to March 2022	

**AG Murder Petitions Approved and set in 2022:**

<u>Petitioner:</u>	<u>County of Conviction:</u>	<u>Relief Requested:</u>
Tate, Charles	Spokane	Commutation - March 2022
Spurgeon, Steven	King	Commutation - June 2022
Link, Lonnie	Spokane	Commutation - June 2022



**WSR 21-23-090**

**NOTICE OF PUBLIC MEETINGS**

**HEALTH CARE AUTHORITY**

(Governor's Indian Health Advisory Council)

[Filed November 16, 2021, 4:39 p.m.]

NOTICE IS HEREBY GIVEN that the Governor's Indian health advisory council, or their appointed designees, pursuant to section 3(2) of SB 5415 (2019), will hold a regular open public meeting at the date, time, and place listed below. The meetings of the governor's Indian health advisory council are open, public meetings under the applicable provisions of chapter 42.30 RCW, and each meeting shall be continued until the activity for which the meeting is held has been completed.

Meeting on December 9, 2021, at 9:00 a.m. - noon, virtual meeting only via Zoom [https://zoom.us/j/99431017698?](https://zoom.us/j/99431017698?pwd=QWY1Zk5HK0VyQ2JNMWV4d1NTdTNwZz09)

[pwd=QWY1Zk5HK0VyQ2JNMWV4d1NTdTNwZz09](https://zoom.us/j/99431017698?pwd=QWY1Zk5HK0VyQ2JNMWV4d1NTdTNwZz09).

**WSR 21-23-091  
NOTICE OF PUBLIC MEETINGS  
LIQUOR AND CANNABIS  
BOARD**

[Filed November 16, 2022, 5:04 p.m.]

**2022 Board Meeting Times**

Washington state liquor and cannabis board (WSLCB) caucus meetings are scheduled every Tuesday, 10:00 to 11:00 a.m., LCB Headquarters Boardroom, 1025 Union Avenue S.E., Olympia, WA 98501\*.

WSLCB board meetings are scheduled every other Wednesday, 10:00 to 11:00 a.m., LCB Headquarters Boardroom, 1025 Union Avenue S.E., Olympia, WA 98501\*.

WSLCB EMT meetings are scheduled the second Wednesday each month, 1:30 to 3:30 p.m., LCB Headquarters Boardroom, 1025 Union Avenue S.E., Olympia, WA 98501\*.

\* During COVID[-19] restrictions, these meetings will be held in the virtual environment. Information for each meeting will be included on the agenda as well as posted online for ease of public access.

<b>MEETING</b>	<b>DATE</b>
Caucus Meeting	January 4, 2022
Board Meeting	January 5, 2022
Caucus Meeting	January 11, 2022
EMT Meeting	January 12, 2022
Caucus Meeting	January 18, 2022
Board Meeting	January 19, 2022
Caucus Meeting	January 25, 2022
Caucus Meeting	February 1, 2022
Board Meeting	February 2, 2022
Caucus Meeting	February 8, 2022
EMT Meeting	February 9, 2022
Caucus Meeting	February 15, 2022
Board Meeting	February 16, 2022
Caucus Meeting	February 22, 2022
Caucus Meeting	March 1, 2022
Board Meeting	March 2, 2022
Caucus Meeting	March 8, 2022
EMT Meeting	March 9, 2022
Caucus Meeting	March 15, 2022
Board Meeting	March 16, 2022
Caucus Meeting	March 22, 2022
Caucus Meeting	March 29, 2022
Board Meeting	March 30, 2022
Caucus Meeting	April 5, 2022
Caucus Meeting	April 12, 2022
Board Meeting	April 13, 2022
EMT Meeting	April 13, 2022
Caucus Meeting	April 19, 2022
Caucus Meeting	April 26, 2022
Board Meeting	April 27, 2022
Caucus Meeting	May 3, 2022
Caucus Meeting	May 10, 2022

MEETING	DATE
Board Meeting	May 11, 2022
EMT Meeting	May 11, 2022
Caucus Meeting	May 17, 2022
Caucus Meeting	May 24, 2022
Board Meeting	May 25, 2022
Caucus Meeting	May 31, 2022
Caucus Meeting	June 7, 2022
Board Meeting	June 8, 2022
EMT Meeting	June 8, 2022
Caucus Meeting	June 14, 2022
Caucus Meeting	June 21, 2022
Board Meeting	June 22, 2022
Caucus Meeting	June 28, 2022
Caucus Meeting	July 5, 2022
Board Meeting	July 6, 2022
Caucus Meeting	July 12, 2022
EMT Meeting	July 13, 2022
Caucus Meeting	July 19, 2022
Board Meeting	July 20, 2022
Caucus Meeting	July 26, 2022
Caucus Meeting	August 2, 2022
Board Meeting	August 3, 2022
Caucus Meeting	August 9, 2022
EMT Meeting	August 10, 2022
Caucus Meeting	August 16, 2022
Board Meeting	August 17, 2022
Caucus Meeting	August 23, 2022
Caucus Meeting	August 30, 2022
Board Meeting	August 31, 2022
Caucus Meeting	September 6, 2022
EMT Meeting	September 7, 2022
Caucus Meeting	September 13, 2022
Board Meeting	September 14, 2022
Caucus Meeting	September 20, 2022
Caucus Meeting	September 27, 2022
Board Meeting	September 28, 2022
Caucus Meeting	October 4, 2022
Caucus Meeting	October 11, 2022
Board Meeting	October 12, 2022
EMT Meeting	October 12, 2022
Caucus Meeting	October 18, 2022
Caucus Meeting	October 25, 2022
Board Meeting	October 26, 2022
Caucus Meeting	November 1, 2022
Caucus Meeting	November 8, 2022
Board Meeting	November 9, 2022
EMT Meeting	November 9, 2022

MEETING	DATE
Caucus Meeting	November 15, 2022
Caucus Meeting	November 22, 2022
Board Meeting	November 23, 2022
Caucus Meeting	November 29, 2022
Caucus Meeting	December 6, 2022
Board Meeting	December 7, 2022
EMT Meeting	December 7, 2022
Caucus Meeting	December 13, 2022
Caucus Meeting	December 20, 2022
Board Meeting	December 21, 2022
Caucus Meeting	December 27, 2022

**WSR 21-23-092**  
**NOTICE OF PUBLIC MEETINGS**  
**HEALTH CARE AUTHORITY**  
 (Health Care Cost Transparency Board)  
 [Filed November 16, 2021, 5:26 p.m.]

The following is the schedule of regular meetings for the Washington state health care authority (HCA) health care cost transparency board meetings for 2022:

Date	Time	Location
January 19, 2022	2:00 - 4:00 p.m.	*Zoom
February 16, 2022	2:00 - 4:00 p.m.	*Zoom
March 16, 2022	2:00 - 4:00 p.m.	*Zoom
April 20 2022	2:00 - 4:00 p.m.	*Zoom
May 18, 2022	2:00 - 4:00 p.m.	*Zoom
June 15, 2022	2:00 - 4:00 p.m.	*Zoom
July 20, 2022	2:00 - 4:00 p.m.	*Zoom
August 17, 2022	2:00 - 4:00 p.m.	*Zoom
September 21, 2022	2:00 - 4:00 p.m.	*Zoom
October 19, 2022	2:00 - 4:00 p.m.	*Zoom
November 16, 2022	2:00 - 4:00 p.m.	*Zoom
December 14, 2022	2:00 - 4:00 p.m.	*Zoom

\* Dependent on public health emergency.

See HCA's health care cost transformation [transparency] board's webpage to learn more about the board, meeting materials, and Zoom information <https://www.hca.wa.gov/about-hca/meetings-and-materials>.

If you need further information or are a person with a disability and need a special accommodation, please contact Tamarra Henshaw, P.O. Box 45502, Olympia, WA 98504-5502, 360-725-1419, [tamarra.henshaw@hca.wa.gov](mailto:tamarra.henshaw@hca.wa.gov).

**WSR 21-23-093**  
**NOTICE OF PUBLIC MEETINGS**  
**HEALTH CARE AUTHORITY**  
 (Universal Health Care Commission)  
 [Filed November 16, 2021, 5:27 p.m.]

The following is the schedule of regular meetings for the Washington state health care authority (HCA) universal health care commission meetings for 2022:

Date	Time	Location
February 25, 2022	2:00 - 4:00 p.m.	*Zoom
April 14, 2022	2:00 - 4:00 p.m.	*Zoom
June 16, 2022	3:00 - 5:00 p.m.	*Zoom
August 16, 2021 [2022]	2:00 - 4:00 p.m.	*Zoom
October 13, 2022	2:00 - 4:00 p.m.	*Zoom
December 15, 2022	3:00 - 5:00 p.m.	*Zoom

\* Dependent on public health emergency.

See HCA's universal health care commission webpage to learn more about the commission, meeting materials, and Zoom information <https://www.hca.wa.gov/about-hca/universal-health-care-commission>.

If you need further information or are a person with a disability and need a special accommodation, please contact Tamarra Henshaw, P.O. Box 45502, Olympia, WA 98504-5502, 360-725-1419, [tamarra.henshaw@hca.wa.gov](mailto:tamarra.henshaw@hca.wa.gov).

**WSR 21-23-095**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE BOARD OF HEALTH**

[Filed November 17, 2021, 7:24 a.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the Washington state board of health, for the year 2022. The board's meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via listserv and the board's website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board reserves the right to change or amend agendas at the meeting.

**2022 Meeting Schedule**

Approved by the Board November 10, 2021

<b>Meeting Date</b>	<b>Location</b>
Wednesday January 12, 2022	Likely virtual, TBD: Virtual meeting via Zoom webinar, hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online.
Wednesday March 9, 2022	TBD: Virtual meeting via Zoom webinar, hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online.
Wednesday April 13, 2022	Hold date - meet only if necessary.
Wednesday June 8, 2022	TBD: Virtual meeting via Zoom webinar, hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online.
Wednesday July 13, 2022	Hold date - meet only if necessary
Wednesday August 10, 2022	TBD: Virtual meeting via Zoom webinar, hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online.
Wednesday October 12, 2022	TBD: Virtual meeting via Zoom webinar, hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online. <i>(Note: Possibly colocate with WSALPHO or EPHD meeting in mid October, date TBD.)</i>

Meeting Date	Location
Wednesday November 9, 2022	TBD: Virtual meeting via Zoom webinar, hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online. <i>(Note: Possibly colocate with WSAC and WSALPHO county leaders conference in mid- November, date TBD)</i>

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

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

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



## WSR 21-23-104

## DEPARTMENT OF ECOLOGY

[Filed November 17, 2021, 8:35 a.m.]

**Announcing the Safer Products for Washington Draft Report to the Legislature on Regulatory Determinations—Complete and Published for Public Comment**

This notifies the public that the 60-day comment period for the Washington department of ecology (ecology)'s safer products for Washington program draft report to the legislature on regulatory determinations will begin on November 17, 2021, when this notice is published in the Washington State Register. The comment period will end on January 14, 2022.

The draft report on regulatory determinations is available on the ecology website at <https://apps.ecology.wa.gov/publications/summarypages/2104047.html>.

Ecology will accept written comments on the draft. Comments must be received by January 14, 2022, to be considered. Submit comments using one of the following methods:

**Online:** Use the online comment form at <https://hwtr.ecology.commentinput.com/?id=HWQc5>. Send an email to [SaferProductsWA@ecy.wa.gov](mailto:SaferProductsWA@ecy.wa.gov).

**During a public meeting:** Register for a public meeting on the stakeholder webpage at <https://bit.ly/SaferProductsWA>.

**By mail:** Mail comments to Cheryl Niemi, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600. (Mailed comments must be post-marked by January 14, 2022.)

Ecology also started a new rule making to develop chapter 173-337 WAC, Safer products restrictions and reporting, aiming to reduce toxic chemicals in consumer products. See more on the safer products for Washington rule-making webpage <https://ecology.wa.gov/SaferProductsRule>.

Find more information about the safer products for Washington program on the stakeholder webpage <https://bit.ly/SaferProductsWA>.

For information, or to request copies of the Draft Report on Regulatory Determinations, contact the safer products for Washington program at Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, **phone** 360-407-6700, **email** [SaferProductsWA@ecy.wa.gov](mailto:SaferProductsWA@ecy.wa.gov).

If you require special accommodations or need this public notice in a format for the visually impaired, contact ecology by phone at 360-407-6700 or email at [hwtrpubs@ecy.wa.gov](mailto:hwtrpubs@ecy.wa.gov). Persons with hearing loss can call 711 for Washington relay service. Persons with a speech disability can call 877-833-6341.

## WSR 21-23-106

## DEPARTMENT OF ECOLOGY

[Filed November 17, 2021, 8:38 a.m.]

## PUBLIC NOTICE

**Announcing the Issuance of the Final Puget Sound Nutrient  
General Permit**

The Washington state department of ecology (ecology) is issuing the Final Puget Sound Nutrient General Permit National Pollutant Discharge Elimination System (NPDES) permit on December 1, 2021. The permit becomes effective on January 1, 2022, and expires on December 31, 2026.

**Purpose of the Permit:** The final permit addresses various legal requirements and responsibilities, and regulates the discharge of nutrients to protect water quality in Washington state. The permit is based on a combination of federal and state authority: It is both a NPDES permit that limits the discharge of nitrogen to surface waters under the authority of the Federal Water Pollution Control Act (33 U.S.C. 1251) and state waste discharge permit that limits the discharge of pollutants to surface water under the authority of the State Water Pollution Control Act (chapter 90.48 RCW).

**Public Notice Process and Comments:** Ecology accepted public comments on the draft permit and fact sheet from June 16, 2021, through August 16, 2021. Ecology held informational public workshops and hearings during this time via online statewide webinars on July 20 and 21, 2021. Ecology received written public comments and emails. The comments and ecology's responses are included as Appendix C of the fact sheet.

**Copies of the Permit:** The final permit, fact sheet, and response to comments are available online at [ecology.wa.gov/NutrientPermit](http://ecology.wa.gov/NutrientPermit). You may request hard copies from Matthew Tietjen at [matthew.tietjen@ecy.wa.gov](mailto:matthew.tietjen@ecy.wa.gov) or 360-407-6401.

**Applying for Coverage under the Permit:** The final permit identifies the 58 facilities that must apply for permit coverage, by submitting an electronic notice of intent (eNOI) within 90 days of the issuance date. Based on the December 1, 2021, permit issuance date, the deadline for each facility's eNOI is March 1, 2022. Ecology is sending each facility step by step instructions to guide them through the application process using SecureAccess Washington account to access the eNOI through the WQWebPortal.

**Ecology Contact:** Eleanor Ott, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696, phone 360-280-5624, email [eleanor.ott@ecy.wa.gov](mailto:eleanor.ott@ecy.wa.gov).

**Assistance for Persons with Disabilities:** To request ADA accommodation for disabilities, call ecology at 360-407-7285 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington relay service at 711. People with speech disability may call TTY at 877-833-6341.

**En Español:** Para información en español, por favor comuníquese con Eleanor Ott al 360-407-6619.

**Your Right to Appeal:** You have a right to appeal the final general permit and general permit coverage for a specific facility to the pollution control hearings board. The appeal process is governed by chapters 43.21B RCW and 371-08 WAC.

- Appeals of the general permit issuance must be filed **within 30 days of issuance** of the general permit. See the *Appeal of the*

*General Permit Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710009.pdf>.

- Appeals of general permit coverage for a specific facility must be filed **within 30 days of the effective date of coverage**. See the *Appeal of a General Permit Coverage Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710007.pdf>.

If you have questions, please contact Eleanor Ott at [eleanor.ott@ecy.wa.gov](mailto:eleanor.ott@ecy.wa.gov) or 360-280-5624.