

WSR 22-15-072
RULES OF COURT
STATE SUPREME COURT
[July 15, 2022]

IN THE MATTER OF THE) ORDER
SUGGESTED AMENDMENTS TO) NO. 27500-A-1464
RAP 18.7—SIGNING AND DATING)
PAPERS, AND RAP FORMS 1, 2, 3, 4,)
5, 6, 9, 10, 11, 13, 16, 17, 18, 19, 20,)
AND 21)

A Consortium's (Beverly K. Tsai; Erin L. Lennon, Supreme Court Clerk; Justice Raquel Montoya-Lewis, Supreme Court Justice; Danny Waxwing; Dana Savage, President Elect, QLaw Association of Washington; Ada Danelo, Vice President, QLaw Association of Washington; J. Denise Diskin, Executive Director, QLaw Foundation; Riley Hewko, Esq.; Adrien Leavitt), having recommended the suggested amendments to RAP 18.7—Signing and Dating Papers, and RAP Forms 1, 2, 3, 4, 5, 6, 9, 10, 11, 13, 16, 17, 18, 19, 20, and 21, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2023.

(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, 2023. 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 15th day of July, 2022.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 Cover Sheet

Proponents: Beverly K. Tsai (she/they)

Erin L. Lennon, Supreme Court Clerk

Justice Raquel Montoya-Lewis, Supreme Court Justice Danny Waxwing

Dana Savage, President Elect, QLaw Association of Washington Ada Danelo, Vice President, QLaw Association of Washington

J. Denise Diskin, Executive Director, QLaw Foundation Riley Hewko, Esq., (They/Them/Theirs)

Adrien Leavitt

Spokesperson: Beverly K. Tsai (she/they)

Purpose:

Our courts and court filing practices should establish rules and procedures that strive to be inclusive. This proposed rule change is

intended to provide a signing attorney or party with the option to identify their personal pronouns¹ in the signature block of filed documents. Giving people the opportunity to self-identify their personal pronouns in court filings will help our courts be more inclusive by aiming to minimize misgendering, transphobia, trans-exclusion, and anti-LGBTQIA+ experiences in our courts.

¹ In this cover sheet, we call them "personal pronouns" to reflect the fact that they refer to a unique and individual person. MYPRONOUNS.ORG, *What and Why*, www.mypronouns.org/what-and-why. We do not call them "gender pronouns" because they do not necessarily reflect or indicate a person's gender, and we also do not call them "preferred pronouns" because pronouns are part of a person's identity, not a preference. GLSEN, *Pronoun Guide*, <https://www.glsen.org/activity/pronouns-guide-glsen>.

Personal pronouns are related to the person's gender identity. Gender identity is a person's internal sense of their own gender. While a person's sex is a biological identity assigned at birth, gender identity is unique. A person's gender identity may be male, female, both, or neither.² Some people are "cisgender," meaning their gender identity matches the sex they were assigned at birth, male or female.³ Some people are "transgender," meaning their gender identity is different than what they were assigned at birth. Some people's gender identity may be "gender-expansive," meaning they do not identify as exclusively male or female. For example, a person may be "gender-fluid" or "genderqueer" if they do not identify with one gender or the other and instead have an unfixed gender identity. A "non-binary" or "gender nonconforming" person may identify as neither male nor female, both male and female, as a third gender, or something else. In some Native American cultures, people may identify as "two-spirit," meaning they identify as neither male nor female but as a different gender and fulfill a different gender role in their communities.⁴

² HUMAN RIGHTS CAMPAIGN, *Sexual Orientation and Gender Identity Definitions*, https://www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions?utm_source=GS&utm_medium=AD&utm_campaign=BPI-HRC-Grant&utm_content=454887071989&utm_term=gender%20identity&gclid=EA1aIqobChMI7seHg_2z8glVAz6tBh0v8wolEAAYASAAEgKHM_D_BwE.

³ HUMAN RIGHTS CAMPAIGN, *Glossary of Terms*, <https://www.hrc.org/resources/glossary-of-terms>.

⁴ INDIAN HEALTH SERVICE, *Two-Spirit*, <https://www.ihs.gov/lgbt/health/twospirit/>.

Gender expression is the external appearance of a person's gender identity.⁵ This includes, among many other characteristics, their appearance, mannerisms, clothing, hair, makeup, and voice. A person's gender expression may be described using words such as masculine, feminine, or androgynous. A person's gender expression may or may not conform to expressions that are typically associated with a certain gender identity or sexual orientation.

⁵ HUMAN RIGHTS CAMPAIGN, *supra* note 2.

A person's personal pronouns are how that person wishes to be addressed aside from their name, and personal pronouns are as expansive and unique as gender identity. While they are sometimes related to gender identity, personal pronouns do not necessarily indicate a person's gender identity, nor does a person's gender expression necessarily indicate their personal pronouns. Personal pronouns are unique to each individual person and they are often very important to their personal identity. "Using someone's correct personal pronouns is a way to respect them and create an inclusive environment, just as using a person's name can be a way to respect them."⁶ "She/her/hers" and "he/him/his" are some commonly used pronouns that are often associated with the female or male gender, respectively. "They/them/theirs"⁷ are gender-neutral pronouns that some people use, and they are also often used if someone's personal pronouns are not known. Some people may use more than one personal pronoun,⁸ and some may not use pronouns at

all.⁹ There are no rules about "right" or "wrong" personal pronouns except for what a person decides for themselves.

⁶ MYPRONOUNS.ORG, *supra* note 1.

⁷ Other examples of personal pronouns are "ze/zem/zir," and "xe/xem/xer." These are known as "neopronouns." Shige Sajurai, *Neopronouns*, MYPRONOUNS.ORG, www.mypronouns.org/neopronouns.

⁸ Paige Cohen, *My Pronouns Are She/They. What Are Yours?* HARVARD BUSINESS REVIEW (June 15, 2021), <https://hbr.org/2021/06/my-pronouns-are-she-they-what-are-yours>.

⁹ Sam Krauss, *What do you do when someone doesn't use any pronouns?* PFLAG, <https://pflag.org/blog/what-do-you-do-when-someone-doesn%E2%80%99t-use-any-pronouns>.

As a society, people often make assumptions about a person's gender identity and personal pronouns based on their appearance, name, or gender expression. These assumptions are often based on gender stereotypes and gender norms. Gender identity is an internal sense of self, and we cannot know a person's personal pronouns just by looking at them. Therefore, guessing a person's personal pronouns based on assumptions can be very harmful and can create unsafe environments. Even if it is unintentional, using the wrong personal pronoun to refer to somebody can make them feel disrespected, invalidated, and dismissed, and it alienates people for not conforming to the gender-binary and expectations based on stereotypes. This results in bias and discrimination.

This proposed rule change creates an opportunity for a person to offer their personal pronouns and also provides an opportunity for others to learn how to respectfully address them. Providing opportunities for people to identify how they wished to be addressed in addition to their name will help prevent others from acting on assumptions and using incorrect pronouns. It will also help minimize the burden of having to correct someone after they use the wrong pronouns to address someone. This proposed rule change will allow court staff, clerks, justices and judges, and other parties and attorneys to be aware of and use the correct personal pronouns in communication, documents, discussions, and oral argument. It will improve our courts by helping to create an environment that is welcoming and respectful of people and their identities.

The proposed rule change would provide a signing attorney or party the option to indicate their personal pronouns in the signature block of filed documents. Specifically, the following rules and forms would be amended:

RAP 18.7
 RAP Form 1
 RAP Form 2
 RAP Form 3
 RAP Form 4
 RAP Form 5
 RAP Form 6
 RAP Form 9
 RAP Form 10
 RAP Form 11
 RAP Form 13
 RAP Form 16
 RAP Form 17
 RAP Form 18
 RAP Form 19
 RAP Form 20
 RAP Form 21

Under this proposed rule change, providing personal pronouns is not mandatory, but merely optional. A permissive rule such as this

will provide opportunities for those who wish to disclose their personal pronouns without pressuring those who may be uncomfortable or not ready to disclose their personal pronouns. It also allows the person to write in their personal pronouns and does not limit a person to the more commonly used pronouns. If the person so chooses, they can list their personal pronouns along with their name, address, telephone number, and Washington State Bar Association membership number in the signature block of filed documents.

Hearing: The proponent does not believe a public hearing is necessary.

Expedited Consideration: The proponent does not believe that expedited consideration is necessary.

Proposed Amendments to:

- RAP 18.7
- RAP Form 1
- RAP Form 2
- RAP Form 3
- RAP Form 4
- RAP Form 5
- RAP Form 6
- RAP Form 9
- RAP Form 10
- RAP Form 11
- RAP Form 13
- RAP Form 16
- RAP Form 17
- RAP Form 18
- RAP Form 19
- RAP Form 20
- RAP Form 21

**RAP RULE 18.7
SIGNING AND DATING PAPERS**

Each paper filed pursuant to these rules should be dated and signed by an attorney (with the attorney's Washington State Bar Association membership number in the signature block) or party, except papers prepared by a judge, commissioner or clerk of court, bonds, papers comprising a record on review, papers that are verified on oath or by certificate, and exhibits. The signing attorney or party may also indicate their personal pronouns in the signature block.

RAP FORM 1. Notice of Appeal (Trial Court Decision)
(Rule 5.3(a))

SUPERIOR COURT OF WASHINGTON
FOR (_____) COUNTY

_____)	
(Name of plaintiff),)	
Plaintiff,)	No. (trial court)
v.)	
)	
_____)	NOTICE OF APPEAL TO
(Name of defendant),)	COURT OF APPEALS or
Defendant.)	SUPREME COURT

(Name of party seeking review), (plaintiff or defendant), seeks review by the designated appellate court of the (Describe the decision or part of decision which the party wants reviewed: for example, "Judgment", "Paragraph 4 of the Marriage Dissolution Decree".) entered on (date of entry.)

A copy of the decision is attached to this notice.

(Date)

Signature
Attorney for (Plaintiff or Defendant)

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney for appellant and the name and address of counsel for each other party should be listed here. In a criminal case, the name and address of the defendant should also be listed here. See rule 5.3(c).)

RAP FORM 2. Notice for Discretionary Review
(Rule 5.3(b))

SUPERIOR COURT OF WASHINGTON
FOR (_____) COUNTY

_____)
(Name of plaintiff),)
Plaintiff,) No. (trial court)
v.)
)
_____) NOTICE OF DISCRETIONARY
(Name of defendant),) REVIEW TO (COURT OF
Defendant.) APPEALS or SUPREME COURT

(Name of party seeking review), (plaintiff or defendant), seeks review by the designated appellate court of the (Describe the decision or part of decision which the party wants reviewed: for example, "Order Denying Discovery", "Paragraph 4 of the Restraining Order".) entered on (date of entry).

A copy of the decision is attached to this notice.

(Date)

Signature
Attorney for (Plaintiff or Defendant)

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney for appellant and the name and address of counsel for each other party should be listed here. In a criminal case, the name and address of the defendant should also be listed here.

See rule 5.3(c).)

RAP FORM 3. Motion for Discretionary Review

(Rule 6.2 (review of trial court decision); Rule 13.5 (review of Court of Appeals interlocutory decision); Rule 17.3(b) (content of motion))

No. (appellate court)
(SUPREME COURT OR COURT OF APPEALS, DIVISION _____)
OF THE STATE OF WASHINGTON

(Title of trial court proceeding with parties designated as in rule 3.4, for example:

JOHN DOE, Respondent,

v.

MARY DOE, Petitioner,

and

HENRY JONES, Defendant.)

MOTION FOR DISCRETIONARY REVIEW

(Name of petitioner's attorney) (personal pronouns (optional))
Attorney for (Petitioner)

(Address, telephone number, and Washington State Bar Association membership number of petitioner's attorney)

A. IDENTITY OF PETITIONER

(Name) asks this court to accept review of the decision or parts of the decision designated in Part B of this motion.

B. DECISION

(Identify the decision or parts of decision which the party wants reviewed by the type of decision, the court entering or filing the decision, the date entered or filed, and the date and a description of any order granting or denying motions made after the decision such as a motion for reconsideration. The substance of the decision may also be described: for example, "The decision restrained defendant from using any of her assets for any purpose other than living expenses. Defendant is thus restrained from using her assets to pay fees and costs to defend against plaintiff's suit for a claimed conversion of funds from a joint bank account.") A copy of the decision (and the trial court memorandum opinion) is in the Appendix at pages A-_____ through _____.

C. ISSUES PRESENTED FOR REVIEW

(Define the issues which the court is asked to decide if review is granted. See Part II of Form 6 for suggestions for framing issues presented for review.)

D. STATEMENT OF THE CASE

(Write a statement of the procedure below and the facts. The statement should be brief and contain only material relevant to the motion. If the motion is directed to a Court of Appeals decision, the statement should contain appropriate references to the record on review. See Part III of Form 6. If the motion is directed to a trial court decision, reference should be made to portions of the trial court record. Portions of the trial court record may be placed in the Appendix. Certified copies are not necessary. If portions of the trial court record are placed in the Appendix, the portions should be identified here with reference to the pages in the Appendix where the portions of the record appear.)

E. ARGUMENT WHY REVIEW SHOULD BE ACCEPTED

(The argument should be short and concise and supported by authority. The argument should be directed to the considerations for accepting review set out in rule 2.3(b) for review of a trial court decision and rule 13.5(b) for review of a decision of the Court of Appeals.)

F. CONCLUSION

(State the relief sought if review is granted. For example: "This court should accept review for the reasons indicated in Part E and modify the restraining order to permit defendant to use her assets to

pay fees and costs incurred in defending plaintiff's suit for conversion.")

(Date)

Respectfully submitted,

Signature

(Name of petitioner's attorney)

RAP FORM 4. Statement of Grounds for Direct Review

(Rule 4.2(b))

No. (Supreme Court)

SUPREME COURT OF THE STATE OF WASHINGTON

(Title of trial court) STATEMENT OF GROUNDS FOR
proceeding with parties) DIRECT REVIEW BY THE
designated as in rule 3.4) SUPREME COURT

(Name of party) seeks direct review of the (describe the decision or part of the decision that the party wants reviewed) entered by the (name of court) on (date of entry.) The issues presented in the review are: (State issues presented for review. See Part II of Form 6 for suggestions for framing issues presented for review.)

The reasons for granting direct review are: (Briefly indicate and argue grounds for direct review. See rule 4.2.)

(Date)

Respectfully submitted,

Signature

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

RAP FORM 5. Title Page for all Briefs and Petition for Review

(Rule 10.3 (briefs); Rule 13.4(d) (petition for review))

No. (appellate court)

(SUPREME COURT OR COURT OF APPEALS, DIVISION _____)
OF THE STATE OF WASHINGTON

(Title of trial court proceeding with parties designated as in rule 3.4, for example:

JOHN DOE, Respondent,

v.

MARY DOE, (Appellant or Petitioner),

and

HENRY JONES, Defendant.)

(PETITION FOR REVIEW or title of brief, for example:

BRIEF OF
PETITIONER, REPLY BRIEF OF APPELLANT)

(Name of attorney for party filing brief) (personal pronouns (optional))

Attorney for (Identity of party, as Appellant)

(Address, telephone number, and Washington State Bar Association number of attorney for party filing brief or petition)

RAP FORM 6. Brief of Appellant
(Rule 10.3(a))

(See Form 5 for form of cover and title page. For useful discussions of appellate brief writing, see the latest edition of the Washington State Bar Association Appellate Practice Deskbook.)

TABLE OF CONTENTS

I. Introduction [Optional. See rule 10.3 (a) (3).]
II. ASSIGNMENTS OF ERROR.
Assignments of Error
No. 1.
No. 2.
No. 3.
Issues Pertaining to Assignments of Error No. 1.
No. 2.
III. Statement of the Case.
IV. Summary of Argument.
V. Argument.
[If the argument is divided into separate headings, list each separate heading and give the page where each begins.]
VI. Conclusion.
VII. Appendix. A-1
[List each separate item in the Appendix and give page where each item begins.]

TABLE OF AUTHORITIES

Table of Cases

[Here list cases, alphabetically arranged, with citations complying with rule 10.4(g), and page numbers where each case appears in the brief. Washington cases may be first listed alphabetically with other cases following and listed alphabetically.]

Constitutional Provisions

[Here list constitutional provisions in the order in which the provisions appear in the constitution with page numbers where each is referred to in the brief.]

Statutes

[Here list statutes in the order in which they appear in RCW, U.S.C., etc., with page numbers where each is referred to in the brief. Common names of statutes may be used in addition to code numbers.]

Regulations and Rules

[Here list regulations and court rules grouped in appropriate categories and listed in numerical order in each category with page numbers where each is referred to in the brief.]

Other Authorities

[Here list other authorities with page numbers where each is referred to in the brief.]

Note: For form of citations, see GR 14(d).

I. Introduction

[An introduction is optional and may be included as a separate section of the brief at the filing party's discretion. The introduction need not contain citations to the record or authority.]

II. Assignments of Error

Assignments of Error

[Here separately state and number each assignment of error as required by rule 10.3(a) and (g). For example:

"1. The trial court erred in entering the order of May 12, 1975, denying defendant's motion to vacate the judgment entered on May 1, 1975."

OR

"2. The trial court erred in denying the defendant's motion to suppress evidence by order entered on March 10, 1975."]

Issues Pertaining to Assignments of Error

[Concisely define the legal issues in question form which the appellate court is asked to decide and number each issue. List after each issue the Assignments of Error which pertain to the issue. Proper phrasing of the issues is important. Each issue should be phrased in the terms and circumstances of the case, but without unnecessary detail. The court should be able to determine what the case is about and what specific issues the court will be called upon to decide by merely reading the issues presented for review.]

[Examples of issues presented for review are: "Does an attorney, without express authority from his client, have implied authority to stipulate to the entry of judgment against his client as a part of a settlement which limits the satisfaction of the judgment to specific property of the client? (Assignment of Error 1.)"

OR

"Defendant was arrested for a traffic offense and held in jail for 2 days because of outstanding traffic warrants. The police impounded defendant's car and conducted a warrantless 'inventory' search of defendant's car and seized stolen property in the trunk. The impound was not authorized by any ordinance. Did the search and seizure violate defendant's rights under the fourth and fourteenth amendments to the Constitution of the United States and under article 1, section 7 of the Constitution of the State of Washington? (Assignment of Error 2.)"]

III. STATEMENT OF THE CASE

[Write a statement of the procedure below and the facts relevant to the issues presented for review. The statement should not be argumentative. Every factual statement should be supported by a reference to the record. See rule 10.4(f) for proper abbreviations for the record.]

IV. SUMMARY OF ARGUMENT

[This is optional.]

V. ARGUMENT

[The argument should ordinarily be separately stated under appropriate headings for each issue presented for review. Long arguments should be divided into subheadings. The argument should include citations to legal authority and references to relevant parts of the record. The court ordinarily encourages a concise statement of the standard of review as to each issue.]

VI. CONCLUSION

[Here state the precise relief sought.]

[Date]

Respectfully submitted,

Signature

[Name of Attorney] [personal pronouns (optional)]
Attorney for [Appellant, Respondent, or Petitioner]
Washington State Bar Association membership number

RAP FORM 9. Petition for Review

(Rule 13.4(d))

(See Form 5 for form of cover which is the title page.)

TABLE OF CONTENTS

(See Form 6, except modify names of parts of brief to correspond to names of parts of Petition for Review.)

TABLE OF AUTHORITIES

(See Form 6.)

A. IDENTITY OF PETITIONER

(Name) asks this court to accept review of the Court of Appeals decision terminating review designated in Part B of this petition.

B. COURT OF APPEALS DECISION

(Identify the decision or parts of the decision of the Court of Appeals which the party wants reviewed, the date filed, and the date of any order granting or denying a motion for reconsideration.) A copy of the decision is in the Appendix at pages A-_____ through _____. A copy of the order denying petitioner's motion for reconsideration is in the Appendix at pages A-_____ through _____.

C. ISSUES PRESENTED FOR REVIEW

(Define the issues which the Supreme Court is asked to decide if review is granted. See the second portion of Part II of Form 6 for suggestions for framing issues presented for review.)

D. STATEMENT OF THE CASE (See Part III of Form 6.)

E. ARGUMENT WHY REVIEW SHOULD BE ACCEPTED

(The argument should be short and concise and directed to the considerations for accepting review set out in rule 13.4(b). For argument generally, see Part V of Form 6. The argument may be preceded by a summary.)

F. CONCLUSION

(State the relief sought if review is granted. See Part F of Form 3.)

(Date)

Respectfully submitted,

Signature

(Name of attorney) (personal pronouns (optional))

Attorney for (Petitioner or Respondent)

Washington State Bar Association

membership number

RAP FORM 10. Cost Bill

(Rule 14.4)

No. (appellate court)

(SUPREME COURT OR COURT OF APPEALS, DIVISION _____)

OF THE STATE OF WASHINGTON

(Title of trial court)
proceeding with parties) COST BILL
designated as in rule 3.4))

(Name of party asking for costs), (appellant, petitioner, or respondent), asks that the following costs be awarded:

- 1. Statutory attorney's fees \$
- 2. Preparation of original and one copy of report of proceedings \$
- 3. Copies of clerk's papers \$
- 4. Transmittal of record on review \$
- 5. Expenses incurred in superseding the decision of the trial court (Identify) \$

- 6. Charges of appellate court clerk for reproduction of briefs, petitions, and motions (Identify and separately state the charge for each.) \$
- 7. Preparing 50 pages of original documents \$
- 8. Filing fee \$ _____
- Total \$

The above items are expenses allowed as costs by rule 14.3, reasonable expenses actually incurred, and reasonably necessary for review. (Name of party) should pay the costs.

(Date)

Signature

Attorney for (Appellant, Respondent, or Petitioner)

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

RAP FORM 11. Objections to Cost Bill

(Rule 14.5)

No. (appellate court)

(SUPREME COURT OR COURT OF APPEALS, DIVISION _____)
OF THE STATE OF WASHINGTON

(Title of trial court proceeding with parties designated as in rule 3.4)) OBJECTIONS TO COST BILL

(Name of party objecting), (appellant, petitioner or respondent), objects to the award of any costs to (name of party) because:

(Here state reasons. See rule 14.2.)

Alternate Form

(Name of party objecting), (appellant, petitioner, or respondent), objects to the following expenses listed on the Cost Bill of (name of party):

(List the items on the cost bill which are objectionable, by number of item on the cost bill with a description of the item and the amount claimed. State the objection after each item. For example:

2. Report of Proceedings \$320.00 Objection: The amount claimed is unreasonable. See RAP 14.3.

(a). The report of proceedings is double spaced and is _____ pages. The usual charge per page is \$ _____. Computed on the usual basis, the total charge should be \$220.00.

5. Bond \$10.00

Objection: The charge is for the premium on a cost bond. A cost bond is not required under the new rules. The charge was not reasonably necessary for review. See RAP 14.3(a.)

(Date)

Signature

Attorney for (Appellant, Respondent, or Petitioner)

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

RAP FORM 13. Motion for Order of Indigency

[Rule 15.2(c)]

SUPERIOR COURT OF WASHINGTON
FOR () COUNTY

[Name of plaintiff])
Plaintiff,) No. [trial court]
v.)
) Motion for Order of
) Indigency-(Criminal),
) (Juvenile Offense),
) (Dependency), (Termination),
) (Commitment), (Civil
) Contempt), (Habeas Corpus),
) (Appeal involving a
) Constitutional or Statutory
) Right to Counsel) Case
[Name of defendant])
Defendant.)

_____, (defendant) (respondent) (petitioner), files a notice of appeal in the above-referenced (criminal), (juvenile offense), (dependency), (termination), (commitment), (civil contempt), (habeas corpus), (appeal involving a constitutional or statutory right to counsel) case, and moves the court for an Order of Indigency authorizing the expenditure of public funds to prosecute this appeal (wholly at public expense) (partially at public expense).

(Defendant) (Respondent) (Petitioner) was found indigent by order of this court on . There has been no change in (defendant) (respondent) (petitioner)'s financial status since that time, and (defendant) (respondent) (petitioner) continues to lack sufficient funds to seek review in this case.

(Defendant) (Respondent) (Petitioner) asks the court to order the following to be provided at public expense: all filing fees; attorney fees; preparation, reproduction, and distribution of briefs; preparation of verbatim report of proceedings; and preparation of necessary clerk's papers.

The following certificate is made in support of this motion.

DATED: _____ Signature
(Defendant) (Respondent) (Petitioner)
(personal pronouns (optional))

Signature
Name of Attorney for (Defendant) (Respondent)
(Petitioner)
(personal pronouns (optional))
WSBA# _____

CERTIFICATE

I, _____, certify as follows:
1. That I have previously been found indigent by this court.
2. That the highest level of education I have completed is:
() Grade School () High School () College or greater
3. That I have held the following jobs:
4. That I: () have not received job training
() have received the following job
training: _____.

5. That I: () do not have a mental or physical disability that would affect my ability to work
() have the following mental or physical disability that would affect my ability to work:

6. That I: () do not have children or family members that normally depend on me for financial support
() have the following children or family members that normally depend on me for support

7. That I: () do not anticipate my financial condition improving in the foreseeable future through inheritance, sale of land, or similar.
() anticipate my financial condition improving in the foreseeable future as follows:

I, _____, certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signature

Date

Name of (Defendant) (Respondent) (Petitioner)

Place

RAP FORM 16. Petition Against State Officer (Rule 16.2(b))

No. (appellate court) SUPREME COURT OF THE STATE OF WASHINGTON

(Name of petitioner),)
Petitioner,)
v.) PETITION AGAINST STATE OFFICER
(Name of respondent),)
Respondent.)

Petitioner alleges:

(Set forth in numbered, descriptively titled paragraphs, as in a complaint in a civil action, a short and plain statement of the claim showing that petitioner is entitled to relief. Conclude with a demand for judgment for the relief sought. See CR 10.)

(Date)

Signature

Attorney for Petitioner

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

RAP FORM 17. Personal Restraint Petition for Person Confined by State or Local Government

[Rule 16.7]

No. (appellate court)

[Put name of appellate court that you want to hear your case.]

OF THE STATE OF WASHINGTON

[Put your name here],)

) PERSONAL RESTRAINT
PETITION

Petitioner.)

If there is not enough room on this form, use the back of these pages or use other paper. Fill out all of this form and other papers you are attaching before you sign this form in front of a notary.

A. STATUS OF PETITIONER

I, _____, (full name, personal pronouns (optional), and address) apply for relief from confinement. I am _____ am not _____ now in custody serving a sentence upon conviction of a crime. (If not serving a sentence upon conviction of a crime) I am now in custody because of the following type of court order:

(identify type of order)
1. The court in which I was sentenced is _____.
2. I was convicted of the crime(s) of _____.

3. I was sentenced after trial _____, after plea of guilty on _____.
The judge who imposed sentence was _____
(date of sentence)

(name of trial court judge)
4. My lawyer at trial court was _____
name and address if known; if none, write "none")

5. I did _____ did not _____ appeal from the decision of the trial court. (If the answer is that I did), I appealed to _____
(name of court or courts to which appeal was taken)

My lawyer on appeal was _____
(name and address if known; if none, write "none")
The decision of the appellate court was _____ was not _____ published. (If the answer is that it was published, and I have this information), the decision is published in _____
(volume number, Washington Appellate Reports or

Washington Reports, and page number)
6. Since my conviction I have _____ have not _____ asked a court for some relief from my sentence other than I have already written above. (If the answer is that I have asked), the court I asked was _____

(name of court or courts in which relief was sought)
Relief was denied on _____
(date of decision or, if more than one, dates of all decisions)
7. (If I have answered in question 6 that I did ask for relief), the name of my lawyer in the proceeding mentioned in my answer to question 6 was _____

(name and address if known; if none, write "none")

8. If the answers to the above questions do not really tell about the proceedings and the courts, judges and attorneys involved in your case, tell about it here:

B. GROUNDS FOR RELIEF

(If I claim more than one reason for relief from confinement, I attach sheets for each reason separately, in the same way as the first one. The attached sheets should be numbered "First Ground", "Second Ground", "Third Ground", etc.). I claim that I have _____ (number) reason(s) for this court to grant me relief from the conviction and sentence described in Part A.

_____ Ground
(First, Second, etc.)

1. I should be given a new trial or released from confinement because (Here state legal reasons why you think there was some error made in your case which gives you the right to a new trial or release from confinement.):

2. The following facts are important when considering my case (After each fact statement, put the name of the person or persons who know the fact and will support your statement of the fact. If the fact is already in the record of your case, indicate that, also.):

3. The following reported court decisions (include citations if possible) in cases similar to mine show the error I believe happened in my case (If none are known, state "None known".):

4. The following statutes and constitutional provisions should be considered by the court (If none are known, state "None known".):

5. This petition is the best way I know to get the relief I want, and no other way will work as well because _____

C. STATEMENT OF FINANCES

If you cannot afford to pay the filing fee or cannot afford to pay an attorney to help you, fill this out. If you have enough money for these things, do not fill out this part of the form.

1. I do _____ do not _____ ask the court to file this without making me pay the filing fee because I am so poor I cannot pay the fee.

2. I have a spendable balance of \$ _____ in my prison or institution account.

3. I do _____ do not _____ ask the court to appoint a lawyer for me because I am so poor I cannot afford to pay a lawyer.

4. I am _____ am not _____ employed. My salary or wages amount to \$ _____ a month. My employer is _____

_____ (name and address)

5. During the past 12 months I did _____ did not _____ get any money from a business, profession or other form of self-employment. (If I did, it was and the total income I got was \$ _____.)

(kind of self-employment)

6. During the past 12 months, I did _____ did not _____ get any rent payments. If so, the total amount I got was \$ _____.

_____ get any interest. If so, the total amount I got was \$ _____.

_____ get any dividends. If so, the total amount I got was \$_____.

_____ get any other money. If so, the amount of money I got was \$_____.

7. _____ have any cash except as said in answer 2. If so, the total amount of cash I have is \$_____.

_____ have any savings accounts or checking accounts. If so, the amount in all accounts is \$_____.

_____ own stocks, bonds, or notes. If so, their total value is \$_____.

8. List all real estate and other property or things of value which belong to you or in which you have an interest. Tell what each item of property is worth and how much you owe on it. Do not list household furniture and furnishings and clothing which you or your family need.

Items Value

9. I am _____ am not _____ married. If I am married, my wife or husband's name and address is _____

10. All of the persons who need me to support them are listed here.

Name and Address Relationship Age

11. All the bills I owe are listed here.

Name of creditor Address Amount you owe money to

D. REQUEST FOR RELIEF

I want this court to:

_____ vacate my conviction and give me a new trial

_____ vacate my conviction and dismiss the criminal charges against me without a new trial

_____ other (specify) _____

E. OATH OF PETITIONER

THE STATE OF WASHINGTON)

) ss.

County of _____)

After being first duly sworn, on oath, I depose and say: That I am the petitioner, that I have read the petition, know its contents, and I believe the petition is true.

[sign here]

SUBSCRIBED AND SWORN to before me this _____ day of _____.

Notary Public in and for the State of Washington, residing at _____

If a notary is not available, explain why none is available and indicate who can be contacted to help you find a notary:

Then sign below:

I declare that I have examined this petition and to the best of my knowledge and belief it is true and correct.

[date].

[sign here]

RAP FORM 18. Motion

(Rule 17.3(a))

No. (appellate court)

(SUPREME COURT or COURT OF APPEALS, DIVISION _____) OF THE STATE OF WASHINGTON

(Title of trial court proceeding with parties designated as in rule 3.4)) MOTION FOR (identity relief sought)

1. IDENTITY OF MOVING PARTY

(Name), (designation of moving party, for example: "Appellant" or "Assignee of Respondent's interest in the judgment being reviewed") asks for the relief designated in Part 2.

2. STATEMENT OF RELIEF SOUGHT

(State the relief sought, for example: "Substitution of John Doe as respondent in place of Alvin Jones".)

3. FACTS RELEVANT TO MOTION

(Here state facts relevant to motion with reference to or copies of parts of the record relevant to the motion. For example: "Alvin Jones, plaintiff, obtained a judgment against defendant, Henry Hope (Judgment, CP 17). Alvin Jones assigned the judgment to John Doe after defendant filed his Notice of Appeal. A true copy of the assignment is attached. Defendant did not assert a counterclaim against plaintiff in the trial court".)

4. GROUNDS FOR RELIEF AND ARGUMENT

(Here state the grounds for the relief sought with authority and supporting argument. For example: "RAP 3.2(a) authorizes substitution of parties when the interest of a party in the subject matter of the review has been transferred. Substitution should be granted here as defendant has no claim against plaintiff-respondent and respondent no longer has an interest in the judgment which is the subject matter of this appeal".)

(Date)

Respectfully submitted,

Signature

Attorney for (Appellant, Respondent, or Petitioner)

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

RAP FORM 19. Notice of Motion

(RAP 17.4(a))

(SUPREME COURT or COURT OF APPEALS, DIVISION _____) OF THE STATE OF WASHINGTON

(Title of trial court proceeding with parties designated as in rule 3.4)) No. (appellate court) NOTICE FOR MOTION

To: (Names of persons entitled to notice and their attorneys. See RAP 17.4(a).)

(Name of moving party), (appellant, petitioner, or respondent), will bring on for hearing (name of motion, for example: "Motion To Substitute Appellant") on (date). The motion will be heard by the (Judges, Commissioner, or Clerk) at (hour), or as soon thereafter as the motion can be heard. The address of the place of hearing is (room number and address).

(Date)

Signature

(Name of attorney) (personal pronouns (optional))

Washington State Bar Association membership number Attorney for (Appellant, Respondent, or Petitioner)

RAP FORM 20. Motion To Modify Ruling

(Rule 17.7)

No. (appellate court)

(SUPREME COURT or COURT OF APPEALS, DIVISION _____)
OF THE STATE OF WASHINGTON

(Title of trial court proceeding with parties designated as in rule 3.4))
) MOTION TO MODIFY RULING
)

1. IDENTITY OF MOVING PARTY

(Name of moving party), (designation of moving party) asks for the relief designated in Part 2.

2. STATEMENT OF RELIEF SOUGHT

Modify ruling of the (Clerk or Commissioner) filed on (date). The ruling (state substance of ruling, for example: "denied the motion to be substituted as respondent in place of Alvin Jones") This court should (State relief requested, for example: "authorize the requested substitution".).

3. FACTS RELEVANT TO MOTION

(Here state facts relevant to original motion, with reference to or copies of parts of the record relevant to that motion. The facts set forth in the original motion may be incorporated by reference. For example: "The facts are set out in Part 3 of the original motion to the commissioner.")

4. GROUNDS FOR RELIEF AND ARGUMENT

(Here state the grounds for relief sought with authority and supporting argument. The grounds for relief set forth in the original motion may be incorporated by reference.)

(Date)

Respectfully submitted,

Signature

Attorney for (Appellant, Respondent or Petitioner)

(Name, (personal pronouns (optional))), address, telephone number, and Washington State Bar Association membership number of attorney)

RAP FORM 21. Civil Appeal Statement

(Rule 5.5(c))

COURT OF APPEALS, DIVISION _____
OF THE STATE OF WASHINGTON

(Title of trial court)
 proceeding with parties) CIVIL APPEAL STATEMENT
 designated as in rule 3.4))

1. NATURE OF THE CASE AND DECISION

(State the substance of the case below and the basis for the trial court decision. For example: "Defendant was driving his automobile when struck from the rear by a truck driven by Jones. An automobile coming from the opposite direction driven by an uninsured motorist crossed the center line into the lane occupied by defendant and collided with the defendant's car. Defendant settled his claim against Jones and executed a release without the consent of plaintiff insurance company. The policy issued by plaintiff contained a provision which excluded coverage under the uninsured motorist provisions for bodily injury to an insured who has made any settlement with any person without the written consent of the company. The trial court held that this exclusion violated public policy by restricting the uninsured motorist coverage required by RCW 48.22.030 and declared the exclusion void.")

2. ISSUES PRESENTED FOR REVIEW

(State the issues the party intends to present for review by the Court of Appeals. For example: "Whether a provision which excludes coverage when the insured does not secure the insurer's consent before settling with any person responsible for any injury violates public policy by restricting the uninsured motorist coverage required by RCW 48.22.030?" List under each issue the legal authority relevant to that issue.)

3. RELIEF SOUGHT IN COURT OF APPEALS

(State the relief the party seeks in the Court of Appeals. For example: "Reversal of trial court decision with directions to enter judgment declaring that defendant is not covered by the uninsured motorist provisions of the liability policy issued by plaintiff.")

4. TRIAL COURT

(Name of County) County Superior Court

5. JUDGE

(Name of Trial Court Judge)

6. DATE OF DECISION

(The date the decision was entered in the trial court)

7. POST-DECISION MOTIONS

(State each post-decision motion made in the trial court including the nature of the motion, the date the motion was made, the decision on the motion, and the date the decision was entered.)

8. NOTICE OF APPEAL

The notice of appeal was filed on date. A copy of the notice of appeal is attached to this statement.

9. COUNSEL

Counsel for appellant (name of appellant) is (name, address, and telephone number of attorney). Counsel for respondent (name of respondent) is (name, address, and telephone number of attorney).

10. METHOD OF DISPOSITION IN TRIAL COURT

(State the method used to decide the case in the trial court. For example: "summary judgment, order of dismissal, judgment after trial to the court, judgment after jury trial.")

11. RELIEF GRANTED BY TRIAL COURT

(State the relief granted by the trial court. For example: "The trial court entered a judgment declaring that defendant has coverage under the uninsured motorist provisions of the automobile liability policy issued by plaintiff.")

12. RELIEF DENIED BY TRIAL COURT

(State the relief sought by the party making the statement which was denied by the trial court. For example: "Plaintiff sought a judg-

ment declaring that the uninsured motorist provision of the automobile liability policy no longer provided coverage to defendant.")

13. CERTIFICATE OF COUNSEL

I, attorney for appellant (name of appellant), certify that this appeal is taken in good faith and not for purposes of delay.

I further certify that my client (is or is not) prepared to immediately take all steps to complete the appeal. (If the statement indicates the party is not prepared to immediately take all steps to complete the appeal, state here why the party is not prepared to immediately complete the appeal.)

(Date)

Signature

Attorney for Appellant

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

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.

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

WSR 22-15-073
 RULES OF COURT
 STATE SUPREME COURT
 [July 15, 2022]

IN THE MATTER OF THE) ORDER
 SUGGESTED AMENDMENTS TO) NO. 25700-A-1465
 JuCR 7.16—QUASHING AND)
 ISSUING WARRANTS)

The Superior Court Judges' Association, having recommended the suggested amendments to JuCR 7.16—Quashing and Issuing Warrants, and the Court having approved the suggested amendments for publication; Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2023.

(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, 2023. 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 15th day of July, 2022.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment to the
 WASHINGTON STATE JUVENILE COURT RULES (JuCR)

JuCR 7.16: Quashing and Issuing Warrants

Submitted by the Superior Court Judges' Association and Washington Association of Juvenile Court Administrators

June 7, 2022

A. Name of Proponent: Superior Court Judges' Association
 Washington Association of Juvenile Court Administrators

B. Spokesperson: Jennifer Forbes, President, SCJA
 David Reynolds, President, WAJCA

C. Purpose:

The Superior Court Judges' Association (SCJA) and Washington Association of Juvenile Court Administrators (WAJCA) respectfully ask the Supreme Court to rescind JuCR 7.16.

JuCR 7.16 was originally authorized as part of an Emergency Order in response to the COVID-19 pandemic. (See Sec. 1, below, Rulemaking Chronology of JuCR 7.16). As a permanent rule, it removes substantive authority granted to the Superior Court by the Legislature. This action contravenes GR 9's purpose to "provide necessary governance of court procedure and practice and to promote justice by ensuring a fair and expeditious process." GR 9(a).

JuCR 7.16 conflicts with RCW 13.40.040 (See Sec. 2.c, below, Substantive Policy vs. Procedure), as well as JuCR 7.5 (b) and (f). As provided by JuCR 6.6, "RCW 13.40.040 and RCW 13.40.050 are the only authority for taking a juvenile into custody and holding the juvenile in detention." In conformity with RCW 13.40.040, JuCR 7.5 (b) and (f) authorize an arrest warrant "to prevent serious bodily harm to the juvenile or another ...". A court rule cannot abrogate substantive authority granted by the Legislature.

If the Supreme Court is unwilling to rescind JuCR 7.16, the proponents renew their suggested amendments that were rejected by Supreme Court Order No. 25700-A-1393 on December 3, 2021. These amendments include:

- Delete the emergency quashing provisions retained from the Emergency Order to the final rule.
- Make explicit that the rule addresses ex parte bench warrants.
- Make explicit that a bench warrant can be issued to protect the safety of the juvenile as well as the public.
- Provide graduated procedures to respond to a juvenile's failure to appear at a scheduled court hearing, ranging from juvenile department staff locating the juvenile and scheduling new court dates, authorizing a "catch and release" warrant to be served by law enforcement, to detention for commission of a new offense or threat to the safety of the young person or the public.

These suggested amendments, at a minimum, are necessary for several reasons. First, no evident procedural justification existed to convert an Emergency Order to a permanent rule on an accelerated basis as the conditions created by COVID-19 subsided. Second, the Rule needs clarification so it is applied uniformly across the state and does not restrain the inherent judicial authority to enforce court orders. Third, the process associated with rejection of the proposed amendments prevented a meaningful opportunity to address the concerns raised by SCJA and WAJCA. Consequently, proponents ask the Rules Committee to openly consider these suggested Rule amendments and provide a process for a meaningful dialogue.

SCJA and WAJCA are committed to what we believe was the original intent of JuCR 7.16. Courts across Washington have worked diligently for years to reduce juvenile detention rates. A widely-recited narrative to the contrary is inaccurate and dismissive of the dedicated juvenile court staff and judges who every day devote themselves to helping youth, families, and the communities they serve. The juvenile court divisions of Washington's judicial branch deserve to be heard on at least an equal basis as community-based system partners.

1. Rulemaking Chronology of JuCR 7.16

JuCR 7.16 did not exist before the COVID-crisis began in 2020. The genesis of the rule began with Supreme Court Emergency Order No. 25700-B-606, Amended No. 25700-B-607 on March 20, 2020, to ensure that juveniles were not brought to congregate care detention centers on outstanding warrants, some of which were old and no longer valid. It also limited the court's ability to issue a warrant for juvenile offenders who failed to appear for a court hearing or violation of a court order "unless necessary to the immediate preservation of public or individual safety."

On March 26, 2020, the Washington Defender Association and Washington Association of Criminal Defense Lawyers proposed emergency rule JuCR 7.16, labeled as "*during the COVID-19 Public Health Emergency ...*" See GR 9 Cover Sheet (emphasis added). Chief Justice Stephens asked

SCJA and WAJCA for comments. Before responding, SCJA and WAJCA representatives from across Washington conferred and uniformly agreed that suggested JuCR 7.16 was unnecessary. In our March 30, 2020 letter to Chief Justice Stephens the SCJA and WAJCA explained, among other things, that juvenile courts already had taken measures to address the serious health emergency. Detention rates were at historic lows. Detained youth were being held primarily on serious offenses including murder and attempted murder, rape, robbery, assault, and juveniles being prosecuted as adults. Local prosecutors, defense counsel, and courts also were quashing warrants to prevent unnecessary detentions and were not issuing new warrants except where the circumstances posed a serious risk to public safety. Accordingly, conditions to justify a suggested rule were already under intense review and being addressed on a local level. See, March 30, 2020 Letter to Chief Justice Stephens.

On July 9, 2020, Order No. 25700-A-1303 was entered, "*In the Matter of the Proposed New Rule JuCR 7.16 - Governing Warrant Quashes During COVID-19 Public Health Emergency.*" By this Order, proposed JuCR 7.16 was published for comment, with submissions due by September 30, 2020. Importantly, the phrase "or individual safety" was removed from the sections that specify conditions under which a warrant could be issued for violation of a court order.

Between summer 2020 and March 2021, JuCR 7.16 was a discussion topic during the Court Recovery Task Force Juvenile Law Committee meetings. Suggestions for tiered warrants and other steps to take before a warrant was issued were being considered by all stakeholders. In public comment, SCJA again highlighted the challenges posed by removing individual safety as a condition justifying issuance of a bench warrant. These discussions were abruptly stopped by other stakeholders when JuCR 7.16 was made permanent.¹

¹ SCJA and WAJCA membership remained (and continue to remain) open to discussions for addressing juvenile warrants. It has been recommended that we obtain the support of the original JuCR 7.16 proponents in order for our amendments to have a path forward. However, based on our prior experience, detailed above, we believe that such an effort would be futile without this Court demonstrating a willingness to consider an amendment in the first place. While we respect the value of having input from various stakeholders, the positions of agencies that represent one aspect of the continuum of care should not control whether those charged with balancing facts and fairly implementing court rules have an opportunity to present our concerns to this Court.

Effective February 1, 2021, JuCR 7.16 in its current form became the permanent court rule, not an *emergency* rule (as it was proposed) subject to ongoing review and termination as determined by the course of the emergency justifying its adoption. Since then, SCJA and WACJA have been seeking clarification, surveying consequences, and discussing responses.

On October 13, 2021, SCJA submitted under GR 9 suggested amendments to JuCR 7.16 that retain the spirit of the rule, as we understood it, but clarified its application and provide meaningful and practical alternatives. As part of our initial GR submission, SCJA and WAJCA gathered examples from across the state of ways in which confusion and restrictions inherent in the rule have resulted in genuine harm to young people.

On December 3, 2021, without response to SCJA or comment by the Rules Committee, the Supreme Court entered Order No. 25700-A-1393, *In the Matter of the Suggested Amendments to JuCR 7.16 - Quashing and Issuing Warrants*, in which by majority vote of the Supreme Court, SCJA's suggested amendments to JuCR 7.16 were "rejected." The Order no longer was titled as "During COVID Public Health Emergency," as it had been when published for comment. See Order No. 25700-A-1303, July 9, 2020.

Absent any explanation or comment by the Rules Committee or the Court itself, then-current SCJA and WAJCA Presidents sought to speak

with Justices Johnson and Yu, Rules Committee Co-Chairs, to understand the process by which the suggested amendments were rejected by a majority of the Supreme Court. We wanted to understand the basis for its "rejection," on the chance it involved a procedural failing that could be corrected. Justice Johnson; Justice Yu; Barbara Carr, WAJCA; and Judge Judith Ramseyer, SCJA, held a "virtual" conference on January 3, 2021. The Justices explained that the Rules Committee did not have a favorable view of the suggested amendments, so it was submitted to the full Supreme Court for discussion en banc. Consequently, the rejection was issued by Supreme Court order, signed by Chief Justice González, not by the Rules Committee. The Justices responded to concerns raised about disparate enforcement across the state, stating that this issue can be addressed by the courts through judicial education. They noted that disparate enforcement is not unique to JuCR 7.16. They reported the Court does not support the detention of "at-risk youth." Additionally, Justices Johnson and Yu stated that they felt SCJA's proposed amendments related to "substantive policy" rather than proposed procedures. Each of these concerns is addressed below.

In January 2022, Chief Justice González attended WAJCA's winter meeting. Concerns again were expressed about JuCR 7.16. Chief Justice González appeared open to discuss these concerns with WAJCA and SCJA. On March 7, 2022, Judges Rachelle Anderson and Jennifer Forbes met with Chief Justice González and shared their concerns in more detail. He reiterated his position - that persons with comments on court rules may advocate their concerns with the Justices. The Chief Justice offered that SCJA and WAJCA could present their concerns to the Supreme Court at one of its administrative en banc meetings. Consequently, SCJA President-Elect Judge Jennifer Forbes (now President) asked to discuss JuCR 7.16 with the Justices at an en banc meeting. The date was set for July 2022. On April 22, 2022, however, Chief Justice González sent Judge Forbes an email cancelling the meeting due to the need to "respect the rules committee process."

Through each of these efforts, and with this submission, the SCJA and WAJCA come to the Court in good faith with an earnest hope that the Court will be open to understanding our concerns and consider our proposed amendment. The SCJA and WAJCA are confused by the process and frustrated by our inability to discuss substantive issues concerning JuCR 7.16. This submission results from this confusion and frustration. Because it remains unclear whether this request should be submitted by the Supreme Court bench for reconsideration of Order No. 25700-A-1393 and/or whether the matter should be resubmitted to the Rules Committee we have elected to do both.

2. Problems with the Current Rule

a. Disparate Interpretation and Enforcement

Juvenile Court judges, administrators, and staff have the "responsibility for, being accountable for, and responding to the needs of youthful offenders and their victims." RCW 13.40.010. We are responsible to provide "necessary treatment, supervision, and custody" for offenders in the juvenile justice system. *Id.* These responsibilities are not limited to one segment of juvenile offenders, but to all who live in Washington, regardless of whether they are low, medium, or high-risk offenders and regardless of the causes for the behavior that led to their juvenile court involvement. Without question, causes for behavior are a substantial factor in all aspects of juvenile court supervision and adjudication, including a preference for community responses when consistent with public safety. Nonetheless, the court is responsible to adjudicated youth and to the public despite individual

circumstances. *Id.* JuCR 7.16 unnecessarily prevents judges and juvenile court partners from effectively performing their statutory responsibilities.

As noted above, JuCR 7.16 is not enforced uniformly in juvenile courts across the state. In some counties, the provisions that allow warrants to issue for failure to appear for court proceedings or for violations of court orders only where "individual circumstances ... pose a serious threat to public safety" are interpreted to mean a threat to the public at large, but not the safety of the juvenile offender. Others interpret the rule to allow a warrant to issue for failure to appear or violation of a court order if the individual circumstances include serious threat to the juvenile offender involved, as well as other public members. This means that depending on the county in which the young person is supervised, the court may or may not seek to locate them in response to violation of a court order and establish circumstances as to their safety. It is unacceptable that a young person is protected or not protected, held accountable or not held accountable, based on the county in which they are supervised.

Contrary to the suggestion noted above that this disparate enforcement can be cured by judicial education, judges do not issue warrants *sua sponte*. They are sought by prosecution or defense counsel. If either of these representatives believes a warrant is prohibited by the rule, one may not be sought, and the court's authority is called into question, or, at a minimum, a lack of clarity and disparate treatment is allowed to continue.

b. Detention of At-Risk Youth

The Supreme Court's concern that the proposed rule amendments will lead to the detention of at-risk youth is mistaken. JuCR 7.16 applies *only* to youth under pretrial conditions of release or adjudicated for *criminal* offenses. It does not apply to non-offender matters, such as at-risk-youth.²

² The Legislature has enacted specific statutes that establish policy governing the detention of at-risk youth. *See* RCW 13.32A.250. Indeed, even at-risk youth, who are not alleged to have committed a criminal offense, are subject to a warrant if there is probable cause that arrest is needed to prevent serious harm to the youth. RCW 13.32A.250(5).

As has been a trend for many years, juveniles who engage in low-level offenses are diverted from juvenile court and not under court supervision. Until the Legislature determines that juveniles are not subject to criminal laws, the court is responsible to hold them accountable for their actions and to respond to their needs.

The idea that JuCR 7.16 prevents the detention of low-risk youth also reveals a lack of accurate information about juvenile detention practices in Washington. Detention of juveniles in Washington has for many years been much lower than national statistics. Approximately 80% of the country detains youth at higher rates than Washington.³ During the COVID-19 pandemic, juvenile courts on their own initiative revised local booking standards to limit intake, as they have been doing for years. *See* RCW 13.40.038. Detention populations were reduced to historic lows.⁴ While serious crime, including crimes committed by juveniles, has been increasing nationally and in Washington during the pandemic, Washington detention centers continue to reflect this commitment to maintaining low detention rates.

³ Rovner, J. (February 2021) *Racial Disparities in Youth Incarceration Persist*. Washington, D.C.: The Sentencing Project. Available at: <https://www.sentencingproject.org/wp-content/uploads/2021/02/Racial-Disparities-in-Youth-Incarceration-Persist.pdf>.

⁴ In 2020, Washington detention rates decreased by 49%. Gilman, A.B., & Sanford, R. (2021) *Washington State Juvenile Detention 2020 Annual Report*, Olympia, WA: Washington State Center for Court Research, Administrative Office of the Courts.

A snapshot of detention statistics from the Administrative Office of the Courts (AOC) before, during, and in our current improving

stages of the public health crisis, support the reality that Washington courts do not excessively detain juvenile offenders. A narrative to the contrary is incorrect.

Detention Counts by Primary Offense: 2/1/2020, 2/1/2021, 2/1/2022

	2/1/2020	% Felony	2/1/2021	% Felony	2/1/2022	% Felony
Statewide*	298	65%	180	71%	129	91%
King Co**	31	84%	19	90%	24	100%

*Unknown offenses, reported by WSCRR on holds for adult court, Tribal courts, and JR, have been excluded

King County numbers are **included in statewide totals

Detention rates for King County, Washington's most populace county, are included in the statewide numbers, but are listed separately to illustrate how detention is used in Washington. Offenses for which juveniles were detained in King County on February 1, 2022 are: Assault 1, Bomb Threats, Burglary 2, Child Molestation 1, Att. Drive by Shooting, age 16 or 17, Kidnap 1, Att. Murder 1, Murder 2, Rape 2, Rape 3, Rape of a Child 1, Robbery 1, Att. Robbery 1, Robbery 1, age 16 or 17, Robbery 2, Unlawful Possession of Payment Instruments, Unlawful Possession of a Firearm 2. While youth are detained for gross misdemeanors and violation of court orders, a perception that this response is used excessively is not supported by the facts.

c. Substantive Policy vs. Procedure

SCJA and WAJCA do not agree that their proposed amendments deal with substantive law or policy. Our proposed amendments were drafted in response to the current Court rule and relate to the issuance of warrants in a manner that is consistent with state law. The rule itself, however, substantively restricts a trial judge's statutory authority. On this basis it should be rescinded.

JuCR 7.16 prohibits a judge from issuing a warrant for the arrest of a juvenile who has violated a judge's order to appear or to comply with conditions of release, except under specific circumstances showing serious threat to the public. Superior Court judges, however, have broader authority. By statute, a judge may take juvenile offenders into custody and detain them with probable cause when a juvenile has violated terms of a disposition order, **and**

- is unlikely to appear for further proceedings, **or**
- to protect the juvenile from him or herself, **or**
- is a threat to public safety ...

See RCW 13.40.040. In other words, Superior Court judges have statutory authority to enforce their disposition orders without the individualized circumstances JuCR 7.16 requires. They also explicitly may detain a juvenile offender who violates a disposition order when acting to protect the young person from harm. *Id.*

The Supreme Court exceeds its rulemaking authority when it substantively denies Superior Courts authority granted by the Legislature. JuCR 7.16 was enacted by emergency order to address emergency conditions. Through an opaque process, inconsistent with GR 9 (a)(2), a more restrictive version of the proposed rule than was originally proposed was converted from emergency to permanent status. Accordingly, SCJA and WAJCA ask the Supreme Court to rescind JuCR 7.16.

If the Supreme Court declines to rescind the Rule on substantive grounds, it should nonetheless adopt the proposed procedural amendments. They make explicit that the phrase "poses a serious threat to

public safety" includes threat to the individual youth as well as the public at large. This clarification will correct procedural confusion leading to disparate application of the rule and restore court authority granted by RCW 13.40.040. Further, SCJA and WAJCA propose graduated interventions to secure a juvenile's attendance at a court hearing and enforcement of a court order, up to and including warrant and detention where serious circumstances persist.

3. Unintended and Dangerous Consequences of JuCR 7.16

Although widely asserted, scant empirical evidence exists to conclude that short-term detention is traumatic for juveniles.⁵ Indeed, the cited Washington State review published by Administrative Office of the Courts in 2021 found that most published studies on the effect of detention include adult and juvenile samples, and/or do not distinguish between short-term detention in local facilities and longer-term incarceration.⁶ Juvenile courts also know from extensive experience the severe trauma some young people endure - physical abuse, sexual abuse, interpersonal and community violence - can be life-altering. This violent trauma can have both immediate and long-lasting consequences, including death, injury, and physical and emotional disability. Research repeatedly links trauma of this nature experienced by youth with poor physical health, substance abuse, and mental illness in adulthood.⁷ Thus, a judge's ability to intervene to protect a juvenile offender's safety is as important as it is for the protection of any other public member.

⁵ Gilman, A., Walker, S., Vick, K., & Sanford, R. (2021). *The Impact of Detention on Youth Outcomes: A Rapid Evidence Review, Crime and Delinquency*. Sage Publications.

⁶ *Ibid.*

⁷ See RCW 70.305.010(1); *Adverse Childhood Experiences (ACES)*. BRFSS 2015-2017, 25 states, CDC Vital Signs, November 2019. CDC. <https://www.cdc.gov/vitalsigns/aces/index.html>.

When JuCR 7.16 became effective February 1, 2021, SCJA and WAJCA wanted to understand how the rule affected pending juvenile offender cases. Beginning in March 2021, juvenile courts began collecting information related to its real-life application. Over a four-month period, SCJA and WAJCA received twenty reports detailing challenges faced by vulnerable youth and their families due to the requirements of JuCR 7.16.⁸ A sampling of these reports was included in the proposed amendments submitted in October 2021; they are repeated here.

⁸ The JuCR 7.16 outcome data collection form, is referred to in the following references as a Story Form. The form was developed by the Washington Association of Juvenile Court Administrators and distributed to juvenile court professionals statewide for use following court proceedings.

- In Mason County, a father submitted a declaration to the local juvenile court seeking detention of his child who had threatened and assaulted him and was refusing court-ordered mental health treatment. A warrant pursuant to JuCR 7.16 was denied as the threat to the father was not immediate. The next day, the youth was arrested for stabbing an adult male at a local park. He subsequently was adjudicated for Assault in the Second Degree.⁹

⁹ Dunn, M. (2021) Mason County. JuCR 7.16 Story Form. Unpublished.

- In Snohomish County, a mother of a 15-year-old repeatedly asked for help from social service providers and the court to get treatment for her child's co-occurring mental health diagnoses and substance use disorder. Her daughter, who is under juvenile court supervision, consumes drugs in the home. A warrant for violation of probation was denied under JuCR 7.16, and the whereabouts of the child now are unknown. The mother states,

Just by engaging in the lifestyle she does currently proves she is danger to herself and those around her, and especially her family. Where is our protection? She desperately needs mental and substance abuse help.¹⁰

¹⁰ Carlson, J. (2021) Snohomish County. JuCR 7.16 Story Form. Unpublished.

- In Whatcom County, a 14-year-old child under court supervision for adjudication of assault and property crimes missed their court-ordered counseling and school. The child has a history of mental health disorders and substance abuse, and the parent believes the child is vulnerable to sex trafficking.¹¹ A warrant for violation of probation was denied under JuCR 7.16. The parent writes, "I think its [sic] ridiculous that the law only cares about the safety of the city and not the safety of the child ... Now I have to worry about her safety all the time."

¹¹ Mobley, K. (2021) Whatcom County. JuCR 7.16 Story Form. Unpublished.

- Behavioral health service providers also face difficulty discussing with clients the limitations on warrants under JuCR 7.16 and how to navigate the court system. One substance use disorder professional writes:

Often, I have youth repeatedly ask about potential legal consequences for actions and am unable to stress the importance of following probation requirements and laws in a tangible way to them. I have found that clients have become more confused following these changes and often do not know what is expected of them.¹²

¹² Goldner, H. (2021) Catholic Community Services Recovery Centers, Skagit County. *Letter regarding ruling 7.16*. Unpublished.

- In Spokane County, a youth known to the court escalated their dangerous behaviors. In 2019, the youth was placed under court supervision for assault and property offenses. While under supervision, the youth failed to stay in contact, a warrant was issued, and the youth eventually was arrested on new charges of assault and property offenses. The youth was sentenced to Juvenile Rehabilitation (JR) in March 2020 and, with credit for time served, released in the Fall. The youth again failed to stay in contact, and a warrant was issued in October 2020. The warrant was quashed early 2021 due to JuCR 7.16. In May 2021, the youth was arrested and charged with Murder in the First Degree.¹³

¹³ McPherson, J. (2021) Spokane County. JuCR 7.16 Story Form. Unpublished.

Since our October 2021 submission, the impacts of JuCR 7.16 remain ongoing. Many of those impacts would be repetitious of the examples given above, and therefore are not included in this submission. One unfortunate incident, however, demonstrates the true life-and-death nature sometimes at play in the work of juvenile courts and how JuCR 7.16 can impede the important role courts play in aiding families and children.

- In Okanogan County a mother sought treatment and help for her 17-year-old daughter who was under court supervision on 3 different cases involving malicious mischief and assaultive behavior with a history of co-occurring mental health and substance use. The youth was at treatment, then aborted treatment unsuccessfully and returned to Okanogan county. Once home, she immediately slipped back into her old life style and a violation was filed. A hearing

was set for 1/12/22, instead of a warrant being issued, pursuant to JuCR 7.16. She failed to appear for her court date on 1/12/22 and, again, a warrant was not issued due to JuCR 7.16. Instead, another court date was set for 1/26/22. At the second "failure to appear" hearing a warrant was again requested and finally issued. On February 14, 2022, it was reported by her mother that the youth reached Lewiston, Idaho, got access to a firearm and had shot herself on February 11, 2022.¹⁴

¹⁴ Rabidou, D. (2022) Okanogan County. JuCR 7.16 Story Form. Unpublished.

SCJA and WAJCA have collected these and more stories from juvenile probation counselors, behavioral health partners, and parents. While the original intent of JuCR 7.16 was to address the COVID-19 crisis and health risks posed by congregate care, it now enacts a policy-decision that the court cannot act to protect the safety of a young person under its authority. This policy fails to recognize that the risk of harm youth can pose to themselves exposes them to grave danger, leaves families in crisis, and squanders an opportunity to engage behavioral support. The result often is that the youth next appears in court on new charges, exacerbating court involvement rather than reducing it. The young people who fall into this category are not a majority of juvenile offenders. For those in this group, however, the court's ability to intervene is critically important.

Proposed amendments have been carefully drafted to respect the underlying intent of the rule, keeping juveniles out of detention absent a serious safety risk. The amendments also expressly recognize - as all who work in juvenile court recognize - there are times when the danger to a youth posed by remaining at large is more severe than that experienced by short-term detention.

4. Amendments to JuCR 7.16(a)

Proposed amendments to JuCR 7.16(a) shift the focus on quashing warrants, as was its purpose when the rule first was issued in response to COVID-19, to authorizing a bench warrant for alleged violation of a court order in limited circumstances. To issue an *ex parte* bench warrant, the court expressly must find a warrant is necessary to preserve "public" safety (which as noted has been variously interpreted) OR the personal safety of the young person. The court must articulate facts specific to the case that justify the warrant. JuCR 7.16 (a)(1) also allows the court to toll community supervision in proceedings if a warrant is not issued. SCJA and WAJCA strongly assert these revisions are necessary for courts to interrupt emergent danger to the youth involved and the public at large, and for accountability under conditions of supervision.

5. Amendments to JuCR 7.16(b)

Proposed amendments to JuCR 7.16(b) tighten the procedures a court must use before issuing a warrant for failure to appear for a scheduled court hearing. Subsection (b)(1) requires the court to order the juvenile department to determine why the youth failed to appear and to make concrete efforts to resolve barriers to attendance. The court must reschedule the hearing and allow for extensions, with the intent of overcoming any specific barriers to the youth's participation. Only after this process has been exhausted may the court issue a warrant to compel the individual's attendance at a missed hearing.

For juveniles charged with offenses against a person, such as assault, robbery, or sexual assault, the court can issue a warrant after attempting to locate the youth as described above. In all cases, the court also is authorized to issue a warrant directing law enforcement

to locate the young person and their parent/guardian(s) to provide notice of the next court date. This limited warrant serves several important purposes: (1) courts can access the valuable assistance of law enforcement; (2) it provides the youth and the family with explicit notice to keep the offender on track; and (3) it keeps the youth out of detention. If a juvenile offender fails to appear after having been served with this notice, only then would the court have discretion to issue a warrant to enforce compliance with its orders.

SCJA and WAJCA further propose to remove the original language of subsection (b)(2) pertaining to CrR 3.3(c), to eliminate confusion over the applicability of JuCR 7.8(c) in these circumstances. New language maintains the court's ability to issue a warrant to preserve individual or public safety—as was provided in the original Emergency Order—once a youth fails to appear for a juvenile offender proceeding. Taken together, the proposed amendments to JuCR 7.16(b) create clear and uniform procedures to resolve barriers to court attendance.

The proposed amendments to JuCR 7.16 are not made lightly but are made with the thoughtful contributions of juvenile court staff and judges who confront every day the challenge of serving these youth, their families, and the community. SCJA and WAJCA support continued reductions in juvenile detention, particularly the disproportionate detention of youth of color. Some counties are fortunate to have robust services such as mental health and substance abuse treatment, housing, family reunification, and school support available to youth outside of the court system. A majority of counties, however, do not have access to adequate community support programs or secure crisis centers where a young person can safely access services. Absent adequate resources for youth outside of the justice system, courts must use all available tools to responsibly balance specific threats to individual and public safety with the potential harm of short-term detention.

D. Hearing: A hearing is requested for a meaningful discussion on issues raised.

E. Expedited Consideration: Due to the irregular process that has delayed full consideration of the proposed amendments, expedited consideration is requested.

JuCR 7.16

QUASHING AND ISSUING WARRANTS

~~(a) Quash Warrants Issued for Violation of Court Order Related to Juvenile Offense Proceedings. For all juvenile offense proceedings, all outstanding warrants due to an alleged "Violation of a Court Order" shall be quashed by the court within 10 days of this court rule being enacted unless a finding of serious public safety threat is made in the record of the case to support the warrant's continued status. No new warrants~~ The Court shall not issue an ex parte emergency bench warrant for a juvenile in a juvenile offense proceeding based on an alleged violation of a court order unless a finding is made that the individual circumstances of the alleged "Violation of a Court Order" pose a serious threat to public the court finds that the warrant is necessary for the preservation of public or individual safety.

~~(1) Following the quashing of a warrant related to a community supervision matter~~ If the Court does not find cause to authorize a warrant, the Court may make a finding that community supervision is tolled until the next court hearing where the respondent is present either in person, by phone, or by videoconference.

(2) If a future court date is set, the Superior Court shall make best efforts to provide written notice to the respondent of the new court date.

~~(b) Quash Warrants Issued for Failure To Appear for a Court Hearing Related to Juvenile Offense Proceedings. For all juvenile offense proceedings, all outstanding warrants issued for a Failure to Appear juvenile offense proceeding shall be quashed by the court within 10 days of this court rule being enacted unless a finding of serious public safety threat is made in the record of the case to support the warrant's continued status. No new bench warrants shall issue unless a finding is made that the individual circumstances of the Failure to Appear poses a serious threat to public safety. for a juvenile who fails to appear for a scheduled court hearing in a juvenile offense proceeding except as follows:~~

~~(1) Following the quashing of the warrant, the Superior Court shall make best efforts to provide written notice to the respondent of the new court date. If a juvenile fails to appear for a scheduled court hearing after being given notice to attend, the Court shall order the juvenile department to attempt to locate the juvenile to discover the reason for non-attendance, and the juvenile department shall make efforts to work with the juvenile to resolve the barriers to court attendance. The Court shall re-schedule the hearing within 14 days. Additional hearings may be set or time extended if necessary to ensure compliance. If reasonable attempts to secure the juvenile's attendance have failed, or if the juvenile department has been unable to locate the juvenile after diligent effort, the Court may issue a warrant to ensure the juvenile's attendance as follows:~~

~~(a) If the youth is charged with or has been convicted of a crime against a person, the court may issue a warrant authorizing arrest and detention of the youth;~~

~~(b) For any offense, the court may authorize a warrant directing law enforcement to locate the juvenile and the juvenile's parent or guardian and provide the juvenile and the parent or guardian with a new court date at which the juvenile shall appear. If the youth thereafter fails to appear at the new court date, the court may then issue a warrant authorizing arrest and detention of the youth.~~

~~(2) Notwithstanding the requirements of paragraph (1), if a juvenile fails to appear for a scheduled court hearing after being given notice to attend, the Court may immediately issue a warrant if the court finds that juvenile's circumstances or behavior pose a threat to the juvenile or another person's safety.~~

~~(2) Pursuant to CrR 3.3(c), the new commencement date shall be the date of the respondent's next appearance in person, by phone, or by videoconference.~~

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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 22-15-086

AGENDA

DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed July 18, 2022, 5:15 p.m.]

The department of labor and industries' (L&I) prepares a semi-annual rules development agenda in January and July each year to inform the public of expected upcoming rule changes. Pursuant to RCW 34.05.314, the agenda is filed with the office of the code reviser for publication in the Washington State Register. This report details current and anticipated rule-making activities for L&I. This agenda is for informational purposes, and the noted dates of anticipated rule-making actions are estimates. There may be additional rule-making activities not anticipated at this time, such as to implement new state laws, meet federal requirements, or other circumstances.

L&I encourages the public to be involved in the rule-making processes by attending public hearings and submitting comments regarding rules. Rule-making information is available on the agency website at <https://www.lni.wa.gov/rulemaking-activity/>. To stay informed of our progress and be notified of any changes, please sign up for email notifications <https://public.govdelivery.com/accounts/WADLI/subscriber/new>. Under General, select *Rules Update*.

Please contact Tracy West at 360-902-6954 or Tracy.West@lni.wa.gov if you have any questions.

KEY

CR: "Code reviser" on the rule-making forms, which are produced by the office of the code reviser for use by all state agencies.

CR-101: Preproposal statement of inquiry filed under RCW 34.05.310.

CR-102: Proposed rule-making notice filed under RCW 34.05.320 or 34.05.340.

CR-103: Rule-making order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

CR-105: Expedited rule-making proposal filed under RCW 34.05.353.

RCW: Revised Code of Washington.

WAC: Washington Administrative Code.

WSR: Washington State Register official filing reference number given by the office of the code reviser when a notice is filed.

**Semi-Annual Rules Development Agenda
July 1 - December 31, 2022**

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
Division: Division of Occupational Safety and Health (DOSH)						
296-36 296-155 Part Q	Compressed air (tunnels)	This rule making is in response to petitions and other requests from labor and business industry stakeholders to update the compressed air work requirements in chapters 296-36 and 296-155 WAC, Part Q.	9/18/12 12-19-075	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-62 296-155	Lead	This rule making is in response to a petition and a series of stakeholder meetings. This rule making was initiated to update existing lead standards in both general industry and construction in light of increasing evidence of the hazards associated with occupational lead exposure.	4/19/16 16-09-092	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516
296-67	Process safety management of highly hazardous chemicals for petroleum refineries	The purpose of this rule making is to amend existing sections and create several new sections in chapter 296-67 WAC, Safety standards for process safety management of highly hazardous chemicals, which will only apply to petrochemical refining facilities. The current rules are outdated, not having been updated in over 20 years and do not reflect current industry practices.	8/22/17 17-17-134	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516
296-52	Safety standards for possession, handling, and use of explosives	The purpose of this rule making is to update the safety standards concerning explosives in order to reflect technological advancements in explosives over the past 10 to 30 years, and better align with federal regulations. Focus areas will likely include definitions, licensing, storage, background check requirements, public disclosure, and transportation, among others sections.	1/23/18 18-03-162	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516
296-71 (new chapter)	High-hazard facilities— Workforce (ESHB 1817)	The purpose of this proposed rule making is to create a new chapter of rules implementing the advanced safety training requirements under chapter 49.80 RCW adopted by the Washington state legislature in 2019. Chapter 49.80 RCW requires owners of petroleum refining or petrochemical manufacturing facilities use a skilled and trained workforce when contracting for construction, alteration, demolition, installation, repair, or maintenance work. This rule making includes requirements for advanced safety training certification for workers, curriculum for in-person classroom and laboratory instruction, and approval of training providers.	2/18/20 20-05-073	3/22/22 22-07-086	Anticipate filing 9/6/22	Chris Miller DOSH Standards Program 360-902-5516

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-307	Temporary worker housing (TWH)	The purpose of this rule making, in conjunction with the department of health (DOH), is to consider permanent amendments to further protect occupants in temporary worker housing and cherry harvest camps. In February 2020, Governor Inslee proclaimed a state of emergency in Washington state as a result of the coronavirus disease 2019 (COVID-19) outbreak, followed by proclamations and amendments. DOH and L&I also responded to the COVID-19 pandemic by adopting emergency rules (CR-103E) to protect occupants from COVID-19 hazards in licensed TWH.	9/10/20 20-19-050	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516
296-62	Wildfire smoke	The purpose of this rule making is to develop new workplace safety and health rules regarding wildfire smoke. Some of the issues that may be addressed include: Identification of harmful exposures; communication; training and instruction; and control of harmful exposures. L&I filed emergency rules (CR-103E) on July 16, 2021 (WSR 21-15-067), to ensure these requirements were in place during the 2021 fire season while permanent rule making is on-going. Emergency rules were filed again on June 1, 2022 (WSR 22-12-094), for the 2022 fire season.	10/20/20 20-21-093	Anticipate filing February 2023	Anticipate filing late spring 2023	Chris Miller DOSH Standards Program 360-902-5516
To be determined	Occupational exposures to infectious or contagious diseases (ESSB 5092)	The purpose of this rule making is to implement the requirements of 2021's ESSB 5092, section 220(8), to establish occupational health protections related to infectious diseases to ensure the state has general guidelines to follow in the case of an infectious disease outbreak. This would include when there is an outbreak subject to a public health emergency under a national or state-declared state of emergency.	5/13/21 21-11-051	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-155	Trenching rescue and excavation plan	The purpose of this rule making is to require employers to develop and implement a written excavation plan detailing appropriate risk analysis and rescue planning prior to beginning any work that requires a protective system (generally defined as any excavation four feet or deeper that is not in stable, solid rock).	6/22/21 21-13-140	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516
296-155	Cranes, rigging, and personnel lifting	The purpose of this rule making is to amend the safety standards for cranes and derricks in construction, due in part to the Occupational Safety and Health Administration (OSHA) updating their standards. This rule making is also intended to provide clarity on L&I's interpretation of requirements related to crane decertification and reinstatement. In addition, state-initiated amendments will also be considered to address other areas in chapter 296-155 WAC relating to cranes that either need to be updated based on current industry practice or clarifying some of the language to maintain safety and health protections for employees. Due to OSHA updating their standard, prior rule-making preproposals regarding these subjects initiated in 2018 and 2019 were withdrawn under WSR 21-14-078 and 21-14-079.	7/6/21 21-14-080	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-62 296-307	Ambient heat exposure	The purpose of this rule making is to consider occupational heat exposure hazards from high ambient temperatures in all industries, including outdoor and indoor exposures. Requirements considered, but not limited to, include: Trigger temperatures or another measure of environmental conditions, stress to the human body such as the heat index or wet bulb globe temperature, time frames for when the rule is in effect, preventative measures (such as water, shade or other cooling means, and rest time/breaks), emergency response measures, training, and planning. L&I filed emergency rules (CR-103E) for outdoor heat exposure on July 9, 2021 (WSR 21-15-017), to ensure requirements were in place during the summer of 2021 while permanent rule making is ongoing. Emergency rules were filed again on June 1, 2022 (WSR 22-12-095), for the summer of 2022.	8/17/21 21-17-135	Anticipate filing February 2023	Anticipate filing late spring 2023	Chris Miller DOSH Standards Program 360-902-5516
296-115	Safety requirements for charter boats	The purpose of this rule making is to better align chapter 296-115 WAC, Safety requirements for charter boats, with chapter 88.04 RCW, the Charter Boat Safety Act; chapter 49.17 RCW, the Washington Industrial Safety and Health Act; and United States Coast Guard requirements under 46 C.F.R. In addition, this rule making will address items from an audit of the charter boat program.	12/21/21 22-01-197	Anticipate filing winter 2022	To be determined	Chris Miller DOSH Standards Program 360-902-5516
296-360	Safety and health discrimination protections (ESHB 1097)	The purpose of this rule making is to implement 2021's ESHB 1097 related to safety and health discrimination.	1/4/22 22-02-055	5/4/22 22-10-107	7/1/22 22-14-090	Chris Miller DOSH Standards Program 360-902-5516
296-155 296-305	Reference corrections regarding fall protection	The purpose of this rule making is to correct references in fall protection rules, in order to create clarity and provide accuracy.	N/A	5/3/22 22-10-065 (CR-105)	Anticipate filing 7/19/22	Chris Miller DOSH Standards Program 360-902-5516

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-27 296-817	Hearing loss updates	The purpose of this rule making is to align WAC 296-27-01113 with the language in OSHA's rule requiring recording hearing loss discovered under an employer's hearing conservation program, and requiring employers record every standard threshold shift identified with thresholds above the 25 dB average. This rule making will also update the images of equations in WAC 296-817-30015, which are blurry and not useful for readers.	N/A	5/4/22 22-10-106 (CR-105)	Anticipate filing 7/19/22	Chris Miller DOSH Standards Program 360-902-5516
296-880	Unified safety standards for fall protection	The purpose of this rule making is to amend sections of the fall protection rule that address roofing activities including leading edge work, work performed on a low or flat pitch roof, and ski area facility and operations in order to make them at-least-as-effective-as OSHA, as required by the Washington state plan.	5/17/22 22-11-070	7/5/22 22-14-097	Anticipate filing 9/20/22	Chris Miller DOSH Standards Program 360-902-5516
296-307 Part I	Worker protection standard (pesticides)	The purpose of this rule making is to clarify language and correct errors to better align the worker protection standard with the Washington state department of agriculture worker protection standard found at chapter 16-233 WAC; and to comply with and be at-least-as-effective-as the United States Environmental Protection Agency.	N/A	5/31/22 22-12-078 (CR-105)	Anticipate filing 8/23/22	Chris Miller DOSH Standards Program 360-902-5516
296-801 (new chapter)	Protecting temporary workers (SHB 1206)	The purpose of this rule making is to create a new chapter to protect temporary workers by implementing requirements from 2021's SHB 1206 and codified as RCW 49.17.490. This law requires staffing agencies to assess the employer's safety and health practices at the workplace that the employee will be working, and includes requirements for staffing agencies and worksite employers.	N/A	6/21/22 22-13-150 (CR-105)	Anticipate filing 9/6/22	Chris Miller DOSH Standards Program 360-902-5516
296-304	Safety standards for ship repair, shipbuilding, and ship breaking	The purpose of this rule making is to better align these rules with OSHA's personal protective equipment requirements for eye and face protection for shipyard employment found in 29 C.F.R 1915, Subpart I. This rule making may also incorporate housekeeping and formatting changes.	7/5/22 22-14-098	Anticipate filing 8/23/22	Anticipate filing 11/22/22	Chris Miller DOSH Standards Program 360-902-5516

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-56	Longshore water operations; restrooms in ports and railyards (HB 1706)	The purpose of this rule making is to align the standard with OSHA, address items in change log, and other eRules and housekeeping items. Changes to align with HB 1706 regarding truck operators access to restrooms when operating in/on a port or railyard property. New requirements to include access to restrooms and space for lactation.	Anticipate filing 9/6/22	Anticipate filing 11/1/22	To be determined	Chris Miller DOSH Standards Program 360-902-5516
296-850	Beryllium	The purpose of this rule making is to update the standard regarding occupational exposure to beryllium, beryllium compounds, and dermal exposure issues, due to OSHA updating their standard.	N/A	Anticipate filing fall 2022 (CR-105)	To be determined	Chris Miller DOSH Standards Program 360-902-5516
296-305	Firefighters	The purpose of this rule making is to address a petition received related to personal protective equipment used in hazardous material response. This will also include a review of the wildland firefighting chapter and urban wildland interface firefighting. There are additional change log items that need to be addressed.	Anticipate filing fall 2022	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516
296-55 (new chapter)	Arborists and tree trimming	The purpose of this rule making is to create a new chapter that covers worker protections for arborists in response to numerous injuries within this industry.	Anticipate filing December 2022	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516
296-900	Daily penalties for violating an order of immediate restraint (OIR) (ESHB 1097)	Rule making is anticipated to implement the provisions of 2021's ESHB 1097 related to daily penalties for violating an Order of immediate restraint, including establish[ed] inspection procedures and enforcement policies related to calculating penalties when OIRs and/or red tags are placed; and provide guidance on how to correctly calculate penalties arising from the placement of an OIR or a red tag.	To be determined	To be determined	To be determined	Chris Miller DOSH Standards Program 360-902-5516
Division: Field Services and Public Safety						
296-150F	Factory assembled structures (FAS): Factory-built housing and commercial structures	The purpose of this rule making is to update the rules regarding factory-built housing and commercial structures, to include panelized construction. This rule making will include intent to make the rules related to E2SHB 1257 Energy efficiency, HB 1486 Delegation of authority, and SB 5383 Tiny homes.	7/2/19 19-14-106	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-96	Elevator rules (safety codes)	The purpose of this rule making is to consider adopting new safety codes from the 2019 edition of the American Society of Mechanic [Mechanical] Engineers (ASME) A17.1/CSA B44 - 2019, Safety Code for Elevators and Escalators, and other related codes. The 2019 edition of ASME A17.1 would replace the current 2016 code. The elevator program is also considering updates, clarification, housekeeping, and other changes to the rules. This rule making excludes the rules with fees due to a separate rule making in progress.	10/19/21 21-21-088	Anticipate filing 9/20/22	Anticipate filing 11/22/22	Alicia Curry Field Services and Public Safety 360-902-6244
296-400A	Plumber certification rules—Phase 3	The purpose of this rule making is to consider amendments under chapter 206-400A WAC, Plumber certification rules, in order to implement the legislative changes made within 2020's Plumbing Act (chapter 153, Laws of 2020, SB 6170), updates to continuing education, training programs, and other necessary updates to all plumbing rules.	1/18/22 22-03-073	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
296-96	Elevator fee increase	The purpose of this rule making is to propose a 17 percent fee increase for funding of a new conveyance management system (CMS). The increase also supports other operating expenses for the elevator program. The CMS is the database used to provide permitting, inspection, and other information. Our current system is aging, failing, and no longer meets the service needs of our customers.	3/22/22 22-07-088	5/17/22 22-11-069	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
296-150C 296-150F 296-150I 296-150M 296-150P 296-150T 296-150V	FAS fee increase	The purpose of this rule making is to propose changes to the FAS rules to increase fees by 5.86 percent and housekeeping changes. The fee increase is the maximum allowed by the state office of financial management for fiscal year 2023.	4/20/22 22-09-086	6/21/22 22-13-147	Anticipate filing 9/20/22	Alicia Curry Field Services and Public Safety 360-902-6244

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-46B-945	Electrical rules (SSB 6126 Good cause allowance)	The purpose of this rule making is to consider changes that provide exceptions to electrician apprenticeship completion for "good cause" as allowed under RCW 19.28.195, until July 1, 2025. This rule making also considers updates and housekeeping changes to the rule. In 2018, SSB 6126 (chapter 249, Laws of 2018) implemented apprenticeship requirements for journey level electrician exam candidates. This rule making implements the new legislation.	Anticipate filing 8/2/22	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
296-150C 296-150F 296-150P 296-150R 296-150V	FAS: Factory-built housing and commercial structures	The purpose of this rule making is to consider adopting permanent rules for design plan reviews by licensed professional engineers, architects, or firms for commercial coaches, factory-built and commercial structures, recreational park trailers, recreational vehicles, and conversion vendor units. L&I adopted emergency rules to allow for third party reviews to take place and is still in the process of evaluating the effect of emergency rule. L&I plans to work with stakeholder groups for input on possibly adopting permanent rules.	Anticipate filing 8/16/22	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
296-200A	Contractor registration—Classification updates	The purpose of this rule making is to consider updates to the definitions for specialty contractor classifications.	To be determined	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
296-46B	Electrical rules (code adoption)	The purpose of this rule making is to consider changes to adopt new safety codes from the 2023 edition of the National Fire Protection Agency (NFPA) 70, the National Electrical Code (NEC), along with updates, housekeeping, and other rule changes.	To be determined	To be determined	To be determined	Alicia Curry Field Services and Public Safety 360-902-6244
Division: Fraud Prevention and Labor Standards						
296-05	Apprenticeship rules (E2SSB 5600)	The purpose of this rule making is to update the apprenticeship rules in accordance with E2SSB 5600, which adds a sustainability assessment requirement to all new apprenticeship program applications and requires the Washington state apprenticeship and training council to establish industry sector-based platforms in eight areas.	5/3/22 22-10-067	Anticipate filing January 2023	Anticipate filing May 2023	Ellen Saline Fraud Prevention and Labor Standards 360-902-4475

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-127	Prevailing wage: Repeal rules for subprevailing wage certificates (SB 5763)	The purpose of this rule making is to repeal WAC 296-127-400 through 296-127-470 to align with the prevailing wage statute. SB 5763 (chapter 55, Laws of 2022) repealed RCW 39.12.022, which allowed individuals with disabilities to be paid a prevailing wage lower than applicable prevailing wage rates set by L&I by issuing subprevailing wage certificates.	N/A	5/3/22 22-10-066 (CR-105)	Anticipate filing 7/19/22	Reasa Pearson Prevailing Wage 360-902-5331
296-128	Transportation network companies (TNC) and drivers (ESHB 2076)	The purpose of this rule making is to implement SHB 2076 (2022 legislative session). ESHB 2076 requires L&I to conduct rule making regarding deduction and remittance reimbursements from the driver resource center to a transportation network company. Additional rules are needed to clarify the new requirements for transportation network companies and driver protections relating to minimum compensation, paid sick time, retaliation and deactivations, and administrative violations. Rules are also needed to carry out and enforce the new requirements and help L&I coordinate with the driver resource center.	5/17/22 22-11-080	Anticipate filing 9/20/22	Anticipate filing 11/22/22	Bridget Osborne Employment Standards 360-902-5552
296-140	Clean energy: Labor standards for tax incentives	The purpose of this rule making is to implement labor standard certification requirements for clean and renewable energy tax incentives under 2022's 2SHB 1988 and ESSB 5714. L&I filed emergency rules (CR-103E) on July 1, 2022 (WSR 22-14-094), to ensure requirements are in place on July 1, 2022, as required under the law.	6/21/22 22-13-148	Anticipate filing 8/23/22	Anticipate filing 11/1/22	Ellen Saline Fraud Prevention and Labor Standards 360-902-4475
296-127	Prevailing wage: Ordinary maintenance	The purpose of this rule making is to clarify the definition of "ordinary maintenance." HB 1975 amended RCW 35.82.070 relating to property management services provided to housing authority properties, which includes clearer definitions of "ordinary maintenance" specific to housing authorities. Prior to passage of HB 1975, L&I filed a CR-101 on February 16, 2022 (WSR 22-05-099), which was withdrawn on June 21, 2022 (WSR 22-13-154).	N/A	6/21/22 22-13-152 (CR-105)	Anticipate filing 8/23/22	Reasa Pearson Prevailing Wage 360-902-5331

Division: Insurance Services

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-17 296-17A	Employment covered by RCW 51.32.187 (Department of Energy (DOE) Hanford Site Contractors)	<p>The purpose of this rule making is to allow contractors of DOE working at the Hanford site to have their contractors and subcontractors covered under the state fund.</p> <p>L&I filed continuances on October 27 and November 6, 2020, ultimately extending the comment period to February 1, 2021, under WSR 20-22-038 and 20-23-017.</p> <p>The CR-102 proposal was withdrawn (WSR 21-04-019) due to the need for more stakeholder involvement and coordination. L&I will continue working with stakeholders to refine proposed rules for potential future rule making.</p>	3/3/20 20-06-060	9/22/20 20-19-132 (withdrawn)	To be determined	Jo Anne Attwood Employer Services 360-902-4777
296-15 296-17 296-17A	Classification , reporting, and penalties amendments for 2023	<p>The purpose of this rule making is to implement clear rule writing to ensure staff and customers can easily understand and apply the workers' compensation insurance classification and reporting rules. Classification development studied some subclassifications for potential reduction in number; and reviewed classification and reporting rules for improvement and clarification.</p> <p>SHB 2409 requires penalties in chapter 51.48 RCW be updated every three years based on the consumer price index. As part of this rule making, L&I will review state fund and self-insured rules to assess removing penalty amounts to eliminate the need to perform rule making every three years when those penalty amounts change based on the consumer price index.</p>	3/1/22 22-06-078	Anticipate filing 8/2/22	Anticipate filing 10/18/22	Jo Anne Attwood Employer Services 360-902-4777
296-17 296-17B	Industrial insurance premium rates 2023	The purpose of this rule making is to establish the premium rates and experience rating parameters for calendar year 2023.	6/21/22 22-13-146	Anticipate filing 9/20/22	Anticipate filing 11/30/22	Jo Anne Attwood Employer Services 360-902-4777
	Drywall rules rewrite	The purpose of this rule making is to rewrite the drywall rules for clarity and ease of administration for our customers.	To be determined	To be determined	To be determined	Jo Anne Attwood Employer Services 360-902-4777

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-23	Independent medical examinations (IMEs) (ESSB 6440)	The purpose of this rule making is to create new rules required by ESSB 6440 to address how to accommodate an injured worker if no approved IME in the specialty needed is available in a reasonably convenient location, as well as how telemedicine IMEs may be used.	10/6/20 20-20-111	To be determined	To be determined	Kristen Baldwin-Boe Health Services Analysis 360-902-6815
296-20 296-23	Medical aid rules— Conversion factors	The purpose of this rule making is to update rates for most professional health care services for injured workers, which are published annually in the medical aid rules and fee schedules.	Anticipate filing December 2022	Anticipate filing February 2023	Anticipate filing May 2023	Megan Lemon 360-902-5161 Bob Mayer Health Services Analysis 360-902-5021
296-14	Occupational disease presumption (SSB 6214, HB 1913)	The purpose of this rule making is to amend existing rules to align with RCW 51.32.185 and clarify presumptive occupational disease coverage for certain firefighters, law enforcement officers, and emergency medical technicians covered under workers' compensation. The rule making implements legislation passed during the 2018 and 2019 sessions, chapter 264, Laws of 2018, SSB 6214; and chapter 133, Laws of 2019, HB 1913, which updated to RCW 51.32.185 regarding an occupational disease presumption.	11/19/19 19-23-081	Anticipate filing 7/19/22	Anticipate filing 10/4/22	Jordan Ely Legal Services 360-902-4616
296-21	Master's level therapists (MLTs) pilot	The purpose of this pilot rule making is to allow MLTs to treat injured workers. L&I decided to initiate a pilot to help determine how MLTs can best be incorporated into the workers' compensation setting. Under this pilot, these current provisions related to treatment by MLTs are waived for pilot participants only. The pilot began on January 1, 2020, and the exceptions granted are effective throughout a four-year pilot period or as otherwise specified.	12/3/19 19-24-087	To be determined	To be determined	Suzy Campbell Legal Services 360-902-5003

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-14	Verification for presumptive coverage of frontline employees and health care workers (ESSB 5115 and ESSB 5190)	The purpose of this rule making is to implement ESSB 5115 and 5190 (2021 legislative session), which created a new presumption for frontline and health care workers that any infectious or contagious diseases which are the subject of a public health emergency are occupational diseases during a health emergency. RCW 51.32.181 and 51.32.390 explain that frontline and health care workers must provide verification that they contracted the infectious or contagious disease that is the subject of the public health emergency. A new rule is needed in order to define "verification" and any associated processes the workers must follow in order to prove contraction of the infectious or contagious disease.	6/21/22 22-13-149	Anticipate filing 9/20/22	To be determined	Jordan Ely Legal Services 360-902-4616
296-14	Presumptive PTSD coverage (SSB 6214 and SHB 2758)	The purpose of this rule making is to explain clearly when a presumption exists for the groups identified in both SSB 6214 and SHB 2758, and when a presumption does not exist what must occur to meet the definition of occupational disease. SSB 6214 also requires L&I to adopt rules implementing this distinction. Prior to the passage of SHB 2758, L&I filed a CR-101 on August 21, 2018 (WSR 18-17-151), which will be withdrawn once a new CR-101 is filed.	Anticipate filing 7/19/22	Anticipate filing 11/22/22	To be determined	Jordan Ely Legal Services 360-902-4616
296-14	Pension discount rate 2023	The purpose of this rule making is to lower the pension discount rate (PDR) to better align with the rate of return for long-term treasuries for self-insured pensions. The PDR is the interest rate used to account for the time value of money when evaluating the present value of future pension payments.	Anticipate filing 8/2/22	Anticipate filing 11/22/22	To be determined	Suzy Campbell Legal Services 360-902-5003
296-20	Reopenings (SHB 1902)	SHB 1902 (2022) expands the time period L&I or the self-insured employer can retroactively pay time-loss and treatment benefits on reopened claims if specific exceptions are met. A rule is needed to clarify when and how L&I or the self-insured employer can pay these benefits beyond 60 days prior to the receipt of the application, up to 120 days.	Anticipate filing 8/23/22	Anticipate filing 12/6/22	To be determined	Suzy Campbell Legal Services 360-902-5003

WAC Chapter	Rule Subject	Purpose and Scope of Rule Making	Preproposal Notice (CR-101) Filing Date and WSR #	Proposed Rule (CR-102 or CR-105) Filing Date and WSR #	Permanent Rule (CR-103) Filing Date and WSR #	Agency Contact
296-20	Osteopathic physician assistants	The purpose of this rule making is to make language on physician assistants in the medical aid rules consistent with language in SHB 2378 (chapter 80, Laws of 2020). This bill amends some sections in DOH Title 18 RCW by deleting references to "osteopathic physician assistants" and repealing chapter 18.57A RCW, Osteopathic physician assistants. Effective July 1, 2022, all physician assistants will be regulated under chapter 18.71A RCW, Physician assistants.	N/A	To be determined (CR-105)	To be determined	Jami Lifka Office of the Medical Director Jami.Lifka@Lni.wa.gov
296-17B	Retrospective rating for workers' compensation insurance	This rule making will address extending requirements for businesses that enroll in individual retro plans and revise enrollment requirements for businesses under common majority ownership.	11/5/13 13-22-071	To be determined	To be determined	Rachelle Bohler Retrospective Rating 360-902-5967
296-17B	Retrospective rating for workers' compensation insurance— Common ownership (pilot)	This pilot rule making will consider/allow exceptions to the retroactive rating program's current common ownership rule (WAC 296-17B-770) as written.	8/5/15 15-16-132	To be determined	To be determined	Rachelle Bohler Retrospective Rating 360-902-5967
296-17 296-17B	Retrospective rating insurance tables update	The purpose of this rule making is to consider updating the retrospective rating insurance tables. When WAC 296-17B-010 was updated in 2017, L&I made a commitment to "repeat the studies that resulted in the hazard group assignments and changes to retrospective plan tables that are shown in WAC 296-17-901, 296-17B-300, 296-17B-560, 296-17B-830, and 296-17B-910 through 296-17B-990. The repeated studies will determine whether the results are consistent with the expectation of improved fairness in the distribution of the retrospective rating refunds among participants. These repeated studies will be done by April 1, 2020. The department will evaluate and if necessary update the tables beginning at WAC 296-17B-910 every five (5) years." (WSR 17-12-020).	4/20/22 22-09-085	Anticipate filing 10/4/22	Anticipate filing May 2023	Jessica Nau Retrospective Rating 360-902-5694

Tracy West
Rules Coordinator

**WSR 22-16-002
NOTICE OF PUBLIC MEETINGS
STATE INDEPENDENT
LIVING COUNCIL**

[Filed July 20, 2022, 2:03 p.m.]

The following is the schedule of regular meetings for the Washington state independent living council (SILC) for 2023.

Once specific locations have been determined, an updated notice will be sent. A time for public comment will be available. All are welcome to attend.

Date	Time	Location
January 19, 2023	9:00 a.m. - 4:00 p.m.	Olympia, Washington
January 20, 2023	9:00 a.m. - 1:00 p.m.	
April 6, 2023	9:00 a.m. - 4:00 p.m.	Seattle, Washington
April 7, 2023	9:00 a.m. - 1:00 p.m.	
July 13, 2023	9:00 a.m. - 4:00 p.m.	Ellensburg, Washington
July 14, 2023	9:00 a.m. - 1:00 p.m.	
October 5, 2023	9:00 a.m. - 4:00 p.m.	Marysville/Lakewood, Washington
October 6, 2023	9:00 a.m. - 1:00 p.m.	

For accommodation requests or for further information, please contact SILC at 800-624-4105.

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

WSR 22-16-003
NOTICE OF PUBLIC MEETINGS
TRAFFIC SAFETY COMMISSION
 [Filed July 20, 2022, 2:09 p.m.]

Following is the schedule of regular meetings for the Cooper Jones active transportation safety commission [council] for 2023:

Date	Time	Location
January 18, 2023	10 a.m. - 2:30 p.m.	Virtual via Microsoft Teams AND/OR Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944
March 15, 2023	10 a.m. - 12:30 p.m.	Virtual via Microsoft Teams AND/OR Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944
May 17, 2023	10 a.m. - 12:30 p.m.	Virtual via Microsoft Teams AND/OR Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944
July 19, 2023	10 a.m. - 12:30 p.m.	Virtual via Microsoft Teams AND/OR Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944
September 20, 2023	10 a.m. - 12:30 p.m.	Virtual via Microsoft Teams AND/OR Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944
November 15, 2023	10 a.m. - 12:30 p.m.	Virtual via Microsoft Teams AND/OR Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944

COVID[-19] pandemic restrictions will determine whether the meetings are held virtually, in-person, or both. If you need further information, please contact Jessie Knudsen at 360-791-5496 or jknudsen@wtsc.wa.gov.

**WSR 22-16-004
POLICY STATEMENT
LIQUOR AND CANNABIS
BOARD**

[Filed July 20, 2022, 2:17 p.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title of Policy Statement: Transfer of Wet Flower from Licensed Cannabis Producers to Licensed Cannabis Processor. Policy Statement Number PS22-03.

Issuing Entity: Washington state liquor and cannabis board (WSLCB).

Subject Matter: This policy statement describes how WSLCB will continue to allow licensed cannabis producers to wholesale and transfer wet cannabis flower to licensed cannabis processor locations without packaging wet cannabis flower into lots.

Effective Date: July 20, 2022.

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

WSR 22-16-005
NOTICE OF PUBLIC MEETINGS
GAMBLING COMMISSION
 [Filed July 20, 2022, 3:18 p.m.]

Revised 2022 Commission Meetings Schedule

January 13 and 14 Thursday and Friday	Gambling Commission Lacey, Washington (virtual)
February 7 Monday	Special Gambling Commission Lacey, Washington (virtual)
March 10 and 11 Thursday and Friday	Gambling Commission Lacey, Washington (virtual)
April 14 and 15 Thursday and Friday	Gambling Commission Lacey, Washington (virtual)
May 12 and 13 Thursday and Friday	Gambling Commission Lacey, Washington (hybrid)
June 9 and 10 Canceled	Gambling Commission
July 14 and 15 Thursday and Friday	Liquor and Cannabis Board The Union Tower Building 1025 Union Avenue S.E. Olympia, WA (hybrid)
August 11 and 12 Thursday and Friday	Liquor and Cannabis Board The Union Tower Building 1025 Union Avenue S.E. Olympia, WA (hybrid)
September 8 and 9 Thursday and Friday	Liquor and Cannabis Board The Union Tower Building 1025 Union Avenue S.E. Olympia, WA (hybrid)
October 6 and 7 Thursday and Friday	Gambling Commission Lacey, Washington (hybrid)
November 9 and 10 Wednesday and Thursday	Gambling Commission Lacey, Washington (hybrid)
December	NO MEETING

Beginning with the May 2022 commission meeting, all future commission meetings will be a hybrid model whereby the public will be able to attend the meetings virtually or in-person at the address provided.

Contact Julie Anderson, 360-486-3453, Julie.anderson@wsgc.wa.gov.

WSR 22-16-010

AGENDA

DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed July 21, 2022, 1:26 p.m.]

SEMI-ANNUAL RULE-MAKING AGENDA

July - December 2022

The following is the department of retirement systems' (DRS) semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

Additional rule-making activity may occur which is not listed on this agenda as conditions warrant. If you have questions about this rule-making agenda, contact Rubi Reaume, Rules Coordinator, P.O. Box 48380, Olympia, WA 98504-8380, phone 360-664-7311, email rubi.reaume@drs.wa.gov.

WAC Citation	Subject Matter/Purpose of Rule	Current Activity/Anticipated Dates		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
415-104-111, 415-104-109 (new section)	Law enforcement officers' and firefighters' (LEOFF) Plan 2 return to work options: To clarify language regarding the benefit options available to LEOFF Plan 2 retirees and members who return to work in a DRS-covered position.	WSR 22-11-025 Filed 5/10/2022	CR-102 - TBD	TBD
415-112-640 (new section)	Teachers' retirement system (TRS) Plan 2 and 3 disability benefits: To clarify TRS Plan 2 and 3 disability retirement benefits, including eligibility and application requirements.	WSR 21-12-098 Filed 6/2/2021	CR-102 - TBD	TBD
415-02-500, 415-02-510, 415-02-530, 415-02-540	Property division in dissolution orders: To update and clarify the rules related to property division dissolution orders involving the retirement plan. Updates include the elimination of certain fees.	WSR 21-11-098 Filed 5/19/2021	CR-102 - October 2022	TBD
415-111-310, 415-111-320, 415-501-485, 415-501-487, 415-501-488, 415-501-491, 415-501-510	Deferred compensation program (DCP) and Plan 3 distribution options: To ensure customers understand their distribution options from their defined contribution (Plan 3) or DCP accounts, with the addition of new options permitted by the federal SECURE and CARES Acts, and the removal of direct purchases of commercial annuities.	WSR 21-07-139 Filed 3/24/2021	CR-102-Filed on 7/6/2022 Public hearing 8/9/2022	August 2022
415-02-380	Nonspouse survivor benefit option: To comply with Internal Revenue Service regulations governing nonspousal survivor benefits from a retirement plan.	WSR 21-04-142 Filed 2/3/2021	CR-102 - TBD	TBD

WAC Citation	Subject Matter/Purpose of Rule	Current Activity/Anticipated Dates		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
415-108-710, 415-110-710, 415-112-525	Retiree employment in an ineligible position: Eligibility for retirement requires a 30-day separation from covered employment. This amendment will clarify whether the 30-day separation requirement is met if the member has been employed in a position that is ineligible for membership in a retirement plan.	WSR 20-24-128 Filed 12/2/2020	CR-102 - TBD	TBD
TBD	Public safety employees' retirement system (PSERS) disability benefits: To support the implementation of HB 1669 - 2021-22 concerning disability benefits in PSERS.	August 2022	CR-102 - TBD	TBD
TBD	Retiree return to work limits for retirees from public employees' retirement system (PERS), teachers' retirement system (TRS), and school employees' retirement system (SERS) return to work option: To support the implementation of HB 1699 - 2021-22 permitting individuals retired from PERS, TRS, SERS additional opportunities to work for a school district for up to 1,040 hours per school year while in receipt of pension benefits until July 1, 2025.	August 2022	CR-102 - TBD	TBD
TBD	Law enforcement officers' and firefighters' (LEOFF) Plan 1 and 2 benefit enhancements: To support the implementation of SHB 1701 and SB 5791 adding benefit enhancements to LEOFF Plan 1 and 2.	August 2022	CR-102 - TBD	TBD
415-108-170	Repeal business hours rule: In compliance with RCW 42.04.060, the agency's business hours are posted on the agency's website and office building. This rule is no longer necessary.		CR-105 - August 2022	October 2022
415-104-480	LEOFF Plan 2 medical reimbursement: To clarify what type of medical premiums are available for reimbursement for a LEOFF Plan 2 member who is catastrophically disabled in the line of duty.	TBD	CR-102 - TBD	TBD

WAC Citation	Subject Matter/Purpose of Rule	Current Activity/Anticipated Dates		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
TBD	Roth 457 option for DCP: To support the implementation of EHB 1752 adding a Roth option for DCP customers.	TBD	CR-102 - TBD	TBD

Rubi Reaume
Rules Coordinator

WSR 22-16-013
RULES COORDINATOR
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed July 21, 2022, 3:00 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Professional Educator Standards Board is Liisa Preslan, 600 Washington Street S.E., Olympia, WA 98504-7236, phone 360-725-6275, fax 360-586-4548, email rulespesb@k12.wa.us.

Liisa J. Preslan
Paraeducator Workforce Development Program Manager

WSR 22-16-015

AGENDA

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

[Filed July 22, 2022, 11:40 a.m.]

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [22-17](#) issue of the Register.

WSR 22-16-023

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed July 25, 2022, 2:43 p.m.]

INTERPRETIVE STATEMENT ISSUED

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

ETA 3133.2022 - *Withdrawal of Published Determinations*

This ETA announces the withdrawal of certain published determinations, or Washington tax decisions (WTDs), that should no longer be followed. The following WTD has been withdrawn: Det. 14-0159, 34 WTD 257 (2015). The department published ETA 3233.2022, *Discount Vouchers and Other Types of Payment or Credit Vouchers* to replace the withdrawn WTD.

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 22-16-024

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed July 25, 2022, 2:52 p.m.]

INTERPRETIVE STATEMENT ISSUED

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

ETA 3133.2022 - *Processing Perishable Meat Products*

This ETA explains who is entitled to the preferential business and occupation (B&O) tax rate provided in RCW 82.04.260 for slaughtering, breaking, and/or processing perishable meat products and/or selling these products at wholesale.

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 22-16-029

AGENDA

EMPLOYMENT SECURITY DEPARTMENT

[Filed July 25, 2022, 4:18 p.m.]

**Semi-Annual Rule-Making Agenda
July 2022 - January 2023**

The employment security department (ESD) prepares a semi-annual rule-making agenda in January and July each year to inform the public of expected upcoming rule changes. Pursuant to RCW 34.05.314, the agenda is published in the Washington State Register.

ESD encourages the public to be involved in the rule-making processes by attending public hearings and submitting comments on rules. To stay informed of our progress and be notified of any changes, please sign up for email notifications <https://public.govdelivery.com/accounts/WAESD/subscriber/new>. Additional rule-making information is available on the agency website at <https://esd.wa.gov/newsroom/rulemaking>.

Subject Matter or Division	WAC Chapter or Sections	Purpose and Scope of Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Unemployment insurance benefits	192-310-010, 192-310-030, and 192-310-050	Requiring employers to include the Standard Occupational Classification (SOC) code or job title of each worker in their quarterly tax reports (SHB 2308 - 2020).	Filed May 12, 2021, in WSR 21-11-031	CR-102 expected August 2022	Will be completed prior to October 1, 2022
Unemployment insurance benefits	192-240-025	Updates unemployment insurance qualifications for health care workers (ESSB 5190 - 2021).	Filed May 13, 2021, in WSR 21-11-052	Filed June 28, 2022, in WSR 22-14-049	Expected August 2022
Unemployment insurance benefits	To be determined	Updates work search requirements with new flexibility provided to the department in SHB 1493 (2021).	Filed May 28, 2021, in WSR 21-12-067	To be determined	To be determined
Unemployment insurance benefits	192-110-095, 192-320-078, 192-320-082, 192-140-098, 192-150-055, 192-180-005, 192-180-025, 192-180-040, 192-270-065, 192-250-020, 192-250-045, 192-110-015, 192-310-030, 192-140-090, 192-04-210, 192-110-050, 192-320-072, 192-240-070, and 192-110-006	Reviewing phase 1, phase 3, and phase 4 emergency rules adopted as part of the state's COVID-19 pandemic response for permanent adoption.	Filed June 10, 2020, in WSR 20-13-041; March 10, 2021, in WSR 21-07-035; December in WSR 22-01-192	Filed December 20, 2021, in WSR 22-01-191, 22-01-204, and 22-01-192	Filed June 2, 2022 in WSR 22-13-007, 22-13-008, and 22-13-009

Subject Matter or Division	WAC Chapter or Sections	Purpose and Scope of Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Unemployment insurance benefits	192-110-095, 192-320-078, 192-320-082, 192-140-098, 192-150-055, 192-180-005, 192-180-025, 192-180-040, 192-270-065, 192-250-020, 192-250-045, 192-110-015, 192-310-030, 192-140-090, 192-04-210, 192-110-050, 192-320-072, 192-240-070, and 192-110-006	Expanding access to shared work by removing the requirement that an employer be legally registered in the state for at least six months. This is a supplemental filing to WSR 20-13-041.	Filed June 10, 2020 in WSR 20-13-041; March 10, 2021, in WSR 21-07-035; December in WSR 22-01-192	Filed June 22, 2022, in WSR 22-13-172	Expected August 2022
Unemployment insurance benefits	192-150-112	Aligns WAC 192-150-112 with new definitions of domestic violence contained in E2SHB 1320 (2021).		CR-105 filed November 3, 2021, in WSR 21-22-110	Filed February 15, 2022, in WSR 22-05-077
Unemployment insurance benefits	192-170-015	Defining verification of underlying health conditions.	Filed August 11, 2021, WSR 21-17-059	Filed November 19, 2021, in WSR 21-24-018	Filed June 2, 2022, in WSR 22-13-010
Unemployment insurance benefits	192-190-020	Repealing lump sum retirement deductions.		CR-105 filed December 13, 2021, in WSR 22-01-125	Filed February 25, 2022, in WSR 22-06-054
Unemployment insurance benefits	192-110-150	Updating a cross-reference regarding benefit certifications.		CR-105 filed November 17, 2021, in WSR 21-23-100	Filed February 7, 2022, in WSR 22-05-029
Unemployment insurance benefits	192-110-145	Adopting brief adjudicative proceedings.	Filed June 21, 2022, in WSR 22-16-008	To be determined	To be determined
Unemployment insurance benefits	192-150-180	Updating a cross-reference in RCW 50.20.050, regarding part-time quits.		Filed June 2, 2022	Expected September 2022
Unemployment insurance benefits	To be determined	Updating eligibility for unemployment insurance benefit eligibility for claimants on a leave of absence.	Filed July 6, 2022, in WSR 22-15-002	To be determined	To be determined
Paid family and medical leave	192-500-185, 192-620-035, 192-620-040, and 192-800-125	Updates regarding waiting period requirements, filing petitions for review, and other clarifying guidance.	Filed November 2, 2021, in WSR 21-22-106	Filed March 2, 2022, in WSR 22-06-093	Filed April 26, 2022, in WSR 22-10-031
Paid family and medical leave	WAC 192-520-010 and 192-610-025	Implementation of 2SSB 5649 (2022 legislation) regarding parties to collective bargaining agreements, new provisions for leave taken for the postnatal period or death of a child, and documentation requirements.	Filed March 31, 2022, in WSR 22-08-049	Filed June 22, 2022, in WSR 22-13-176	Expected August 2022
Long-term services and supports (WA Cares)	192-935-005 and 192-935-010	The third phase of rule making for initial implementation of Title 50B RCW regarding employer audits.	Filed November 2, 2021, in WSR 21-22-107	Expected August 2022 - to be combined with WSR 22-08-039	Expected September 2022
Long-term services and supports (WA Cares)	192-905-005, 192-905-006, 192-905-007, 192-905-010, 192-910-015, 192-915-005, and 192-915-015	Implementation of SHB 1732 and ESHB 1733 delaying the WA Cares fund program by 18 months and adding four new voluntary exemptions.	Filed March 30, 2022, in WSR 22-08-039	Expected August 2022 - to be combined with WSR 21-22-107	Expected September 2022
Paid family and medical leave	192-500-185, 192-620-035, 192-620-040, and 192-800-125	Updates regarding waiting period requirements, filing petitions for review, and other clarifying guidance.	Filed November 2, 2021, in WSR 21-22-106	Filed March 2, 2022, in WSR 22-06-093	Filed April 26, 2022, in WSR 22-10-031

Subject Matter or Division	WAC Chapter or Sections	Purpose and Scope of Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Paid family and medical leave	192-520-010 and 192-610-025	Implementation of 2SSB 5649 (2022 legislation) regarding parties to collective bargaining agreements, new provisions for leave taken for the postnatal period or death of a child, and documentation requirements.	Filed March 31, 2022, in WSR 22-08-049	Filed June 22, 2022, in WSR 22-13-176	Expected August 2022

ESD is responsible for initiating rule making to implement new state laws, meet federal requirements, and to meet unforeseen circumstances. Because of this variability, this agenda is prepared for informational purposes only and any dates noted herein are planning estimates that are subject to change. Additional rule making can occur in addition to what is listed on the agenda.

This agenda does not constitute a rule or rule-making action. Any errors or omissions in this agenda do not affect the actual rules or rule-making notices filed with the office of the code reviser and published in the Washington State Register.

The rule-making process can appear complex. ESD has outlined the process on its website to help constituents understand and become involved <https://www.esd.wa.gov/newsroom/rulemaking-process>. If you have additional questions, please contact the agency rules coordinator, Scott E. Michael, 360-890-3448, or email rules@esd.wa.gov.

WSR 22-16-030

AGENDA

DEPARTMENT OF

CHILDREN, YOUTH, AND FAMILIES

[Filed July 25, 2022, 4:31 p.m.]

Following is the department of children, youth, and families (DCYF) semi-annual rule-making agenda for July 1 through December 31, 2022. This agenda will be published in the Washington State Register as required in RCW 34.05.314 and distributed to interested parties. It is also available on the DCYF rule-making web page.

This agenda represents DCYF rule making that is anticipated or under development at this time. There may be additional rule-making activities needed to implement legislative actions, comply with federal mandates, or meet unforeseen circumstances.

Semi-Annual Rule-Making Agenda
July 1 - December 31, 2022

WAC Sections	Subject Matter	CR-101 Filings	CR-102 or CR-105 Filings	CR-103E Filings
110-30-0230 and 110-30-0280	Child Protective Services: Amending to better align WAC 110-30-0230 and 110-30-0280 with RCW 26.44.125.	Exempt	WSR 22-07-030 Filed 4/26/22	
110-148-1326	Licensing - Foster Care: Amending to implement chapter 304, Laws of 2021, which authorizes the department to issue child-specific foster care licenses.	WSR 21-12-013 Filed 5/120/21 [5/20/21]	WSR 22-09-087 Filed 5/24/22	
110-145-1425, 110-145-1430, 110-145-1440, 110-145-1445, 110-145-1450, 110-145-1460, 110-145-1475, 110-145-1490, and 110-145-1725	Licensing - Foster Care: Amending education, experience, and other prerequisites for executive directors, program managers, case managers, direct care staff, case management consultants, and volunteers who work in [as] group care facilities and crisis residential centers.	WSR 21-01-032 Filed 12/7/20	WSR 22-01-207 Filed 12/21/21 Supplement WSR 22-12-070 Filed 5/27/21	
110-300-0221	Licensing - Early Learning Child Care: Amending in response to a petition for rule making requires early learning providers to prevent the viewing of a partially or fully undressed child during diaper changes by members of the public who are not on the early learning premises.	WSR 21-24-004 Filed 11/18/21	WSR 22-12-069 Filed 5/27/21	
Chapter 110-300D	Licensing - Outdoor Preschool Pilot Project: Expedited repealer proposed upon the completion of the pilot authorized by now expired RCW 43.216.740.		WSR 22-13-022 Filed 6/3/22	
110-15-0200	Working Connections and Seasonal Child Care Programs - Rates: Amending to increase child care center rates.	Exempt	WSR 22-13-001 Filed 6/1/22	WSR 22-14-096 Filed 7/1/22 [7/1/22]
Chapter 110-720 110-03-0020 110-03-0490	Juvenile Rehabilitation and Administrative Hearings: Repealing rules that authorized collecting the costs of support, treatment, and confinement from families of incarcerated youth.	WSR 22-09-053 Filed 4/15/22		WSR 22-13-071 Filed 6/9/22
110-03-0530 110-03-0590	Administrative Hearings: Amending to update the instructions for petitioning for review of initial administrative hearing orders.	Exempt		
Chapter 110-50	Child Welfare: Amending to change the types of cases referred to Division of Child Support to revise conditions under which child support is not collected.	WSR 22-04-056 Filed 1/27/22		
Chapter 110-425	Early Childhood Education and Assistance Program (ECEAP): Rules are needed to implement section 204, chapter 199, Laws of 2021 (eligibility for three- to five-year old children who are not age eligible for kindergarten), subsection 205 (early ECEAP entry), section 206 (enrollment), and section 403 (eligibility for birth to three ECEAP).	WSR 22-10-040 Filed 4/27/22		
Title 110 WAC	Juvenile Rehabilitation: DCYF expects to develop rules to implement E2SHB 1186 (2021), which created a community transition services program for youth and young adults in juvenile rehabilitation residential facilities.	WSR 21-13-019 Filed 6/21/21		
Title 110 WAC (new chapter)	Licensing - Early Learning Child Care: Developing rules that will set standards for a pilot project authorized by section 229, chapter 334, Laws of 2021, to explore the feasibility of licensing multi-site child care programs that operate under one owner or entity.	WSR 22-04-018 Filed 1/21/22		

WAC Sections	Subject Matter	CR-101 Filings	CR-102 or CR-105 Filings	CR-103E Filings
Title 110 WAC (new chapter)	Licensing - Outdoor Nature-Based Programs: Developing rules that will set foundational standards for licensed outdoor nature-based early learning programs.	WSR 21-12-013 Filed 5/20/21		
Chapter 110-300	Licensing - Early Learning Child Care: DCYF is considering amendments intended to better clarify emergency exit requirements, update immunization requirements necessary to align chapter 110-300 WAC with the department of health's rules, and make other technical corrections.	WSR 21-15-060 Filed 2/16/21		
Chapters 110-300 and 110-16	Licensing - Early Learning Child Care and Working Connections and Seasonal Child Care Programs: Planned rule making will expand the viability of dual licenses to provider foster care and child care in a family home.	WSR 22-09-054 Filed 4/8/22		
Chapter 110-16	License-Exempt Child Care: Anticipated rules will authorize waivers under certain circumstances for license-exempt child care providers participating in working connections child care who are not able to comply with certain requirements.	WSR 22-12-064 Filed 5/27/22		
Chapter 110-01	Public Disclosure: Anticipated amendments will better align rules with current public disclosure procedures.	Anticipated		
Title 110 WAC	Relative Guardianship Assistance: Developing new rules for eligibility, application, and program standards consistent with 42 U.S.C. 673 to ensure relative guardianship subsidy payments comply with guidelines for expenditure of federal grant monies. Rules will clarify the application process, program standards, and the process for adjudicating denied applications.	WSR 20-15-092 Filed 7/15/20		
Chapter 110-15	Working Connections and Seasonal Child Care: Developing rules to implement dual language awards and trauma-informed care supports as authorized for child care providers by chapter 199, Laws of 2021.	WSR 21-15-028 Filed 7/12/21		
Title 110 WAC	COVID-19: The department anticipates emergency rule making in response to COVID-19 developments and to implement related governor's proclamations.			
Title 110 WAC	Technical corrections are necessary following the establishment of DCYF following the mergers of DSHS children's and juvenile rehabilitation administrations and the department of early learning.		Anticipated	

Brenda Villarreal
Rules Coordinator

WSR 22-16-033
PUBLIC RECORDS OFFICER
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed July 26, 2022, 12:04 p.m.]

Effective August 1, 2022, pursuant to RCW 42.56.580, the public records officer for the Department of Retirement Systems is Mike Ricchio, P.O. Box 48380, Olympia, WA 98504-8380, 360-664-7854, and public records requests should be sent to mike.ricchio@drs.wa.gov.

Johnna Craig
Public Records Officer

WSR 22-16-036

PUBLIC RECORDS OFFICER

OLYMPIC COLLEGE

[Filed July 26, 2022, 3:22 p.m.]

The public records officer for Olympic College is Elizabeth Mohny, Public Records Manager, Olympic College, Building 5, Room 514, 1600 Chester Avenue, Bremerton, WA 98337-1699, phone 360-473-2848, email publicrecords@olympic.edu.

Dr. Marty Cavalluzzi
President

WSR 22-16-038

AGENDA

LIQUOR AND CANNABIS
BOARD

[Filed July 27, 2022, 8:20 a.m.]

Pursuant to RCW 34.05.314, this report describes current and anticipated rule development activities for the liquor and cannabis board (WSLCB). If you have any questions regarding this report or WSLCB rule development activities, please contact Katherine Hoffman, WSLCB policy and rules manager at 360-664-1622 or katherine.hoffman@lcb.wa.gov.

This agenda is for informational purposes, and the noted dates of anticipated rule-making actions are estimates. Any errors in the agenda do not affect the rules and rule-making notices filed with the office of the code reviser and published in the Washington State Register. There may be additional WSLCB rule development activities that cannot be forecasted as the agency initiates rule making to implement new state laws, meet federal requirements, or meet unforeseen circumstances. The "KEY" below explains terms and acronyms.

KEY

CR: "Code reviser" on the notice forms created by the office of the code reviser for use by all state agencies.

CR-101: Preproposal statement of inquiry filed under RCW 34.05.310.

CR-102: Proposed rule-making notice filed under RCW 34.05.320 or 34.05.340.

CR-103: Rule-making order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

RCW: Revised Code of Washington.

WAC: Washington Administrative Code.

WSR: Washington State Register official filing reference number given by the office of the code reviser when a notice is filed.

**Liquor Related Rule Development Agenda
July 1 - December 31, 2022**

RCW/ SESSION LAW	RULE TITLE/ DESCRIPTION	CR-101	CR-101 WSR #	CR-102	CR-102 WSR #	CR-103	CONTACT	PHONE
RCW 66.08.030	General liquor rule housekeeping and modernization.	Fall 2022	TBD	Winter 2022	TBD	Spring 2023	Audrey Vasek	360-664-1758
SB 5940 (chapter 64, Laws of 2022) RCW 66.08.030	Contract packaging services endorsement for domestic alcohol manufacturer licensees (breweries, wineries, and distilleries). WSLCB is considering creating new rule sections and amending or repealing existing rule sections in Title 314 WAC as necessary to implement SB 5940 (chapter 64, Laws of 2022; effective date June 9, 2022).	4/27/22	22-10-035	7/20/22	22-15-121	9/14/22	Audrey Vasek	360-664-1758

**Cannabis-Related Rule Development Agenda
July 1 - December 31, 2022**

RCW/ SESSION LAW	RULE TITLE/ DESCRIPTION	CR-101	CR-101 WSR #	CR-102	CR-102 WSR #	CR-103	CONTACT	PHONE
RCW 69.50.335, 69.50.336, 69.50.342	Chapter 314-55 WAC concerning social equity in cannabis. WSLCB is considering new rules in response to future recommendations of the social equity in cannabis task force, and changes to current rule that will reduce barriers to entry in the legal cannabis market. Additional rules specifically related to this topic may be amended or created as necessary to accomplish the overarching goal of this project.	10/27/21	21-22-042	8/3/22	TBD	9/28/22	Kathy Hoffman	360-664-1622
RCW 69.50.335, 69.50.336, 69.50.342	WAC 314-55-010 Definitions, and 314-55-560 Evaluation of additives, solvents, ingredients or compounds used in the production of cannabis products. WSLCB is considering creating new, amending, or repealing existing rule sections as necessary to identify and further define terms including, but not limited to: Additives, solvents, ingredients, compounds, or concentrates used in the production or processing of cannabis products.	5/11/22	22-11-032	9/14/22	TBD	11/23/22	Robert DeSpain	360-664-4519
RCW 66.50.342, 69.50.345	Cannabis canopy. WSLCB is considering amending WAC 314-55-075 to clarify the standards and protocols for measuring and calculating the square footage area of cannabis plant canopy as defined in WAC 314-55-010.	8/31/22	TBD	1/18/23 (Tentative)	TBD	3/29/23 (Tentative)	Jeff Kildahl	360-664-1781
RCW 66.50.342, 69.50.345	Cannabis advertising	Summer 2022	TBD	Winter 2022	TBD	Spring 2023	Robert DeSpain	360-664-4519

**General Rule Development Agenda
July 1 - December 31, 2022**

RCW/ SESSION LAW	RULE TITLE/DESCRIPTION	CR-105	CR-105 WSR #	CR-103	CR-103 WSR #	CONTACT	PHONE
RCW 66.08.030, 69.50.342	Title 314 WAC, Liquor and cannabis board. WSLCB is updating obsolete building, email, and web addresses in Title 314 WAC, including the following eight sections: WAC 314-20-018, 314-24-175, 314-42-001, 314-55-073, 314-60-015, 314-60-025, 314-60-070, and 314-60-080.	8/17/22	TBD	10/26/22	TBD	Audrey Vasek	360-664-1758

WSR 22-16-039

**NOTICE OF PUBLIC MEETINGS
LAW ENFORCEMENT OFFICERS' AND
FIREFIGHTERS' PLAN 2 RETIREMENT BOARD**

[Filed July 27, 2022, 10:20 a.m.]

The law enforcement officers' and firefighters' Plan 2 retirement board has voted to cancel their August 24 meeting date.

The next scheduled meeting will be September 28, 2022, and will be held at the Washington state investment board with public access available by Zoom video conference and phone.

Please feel free to contact 360-586-2320 or email Jessie.jackson@leoff.wa.gov with any questions.

WSR 22-16-041

AGENDA

OFFICE OF

ADMINISTRATIVE HEARINGS

[Filed July 27, 2022, 11:22 a.m.]

State legislature requires each state agency to prepare a semi-annual agenda of any rules that may be under development (see RCW 34.05.314). The office of administrative hearings (OAH) is a state agency that hears and independently resolves disputes between the public and other state agencies. At OAH, we encourage the public to be involved in shaping the rules that govern our society. You can get involved by attending public hearings, submitting written comments, or both.

The agenda below briefly describes changes that we anticipate making to OAH rules. This agenda is filed with the office of the code reviser for publication in the Washington State Register. The agenda is also available on our website at <https://oah.wa.gov/Content-Area-Management/Rule-Making-Hub/Rulemaking-Activities>.

If you have any questions regarding rules or rule making, please contact Rules Coordinator, Barb Cleveland, at 360-407-2700 or at rulemaking@oah.wa.gov.

ACRONYM KEY

CR: "Code reviser" on the rule-making forms, which are produced by the office of the code reviser for use by all state agencies.

CR-101: Prenotice statement of inquiry filed under RCW 34.05.310.

CR-102: Proposed rule-making notice filed under RCW 34.05.320 or 34.05.340.

CR-103: Rule-making order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

CR-105: Expedited rule-making proposal filed under RCW 34.05.353.

RCW: Revised Code of Washington.

WAC: Washington Administrative Code.

WSR: Washington State Register official filing reference number given by the office of the code reviser when a notice is filed.

**Semi-Annual Rules Development Agenda
July 1 - December 31, 2022**

WAC	Rule Subject	Purpose of Potential Rule Development	Estimated Filing Date—Prenotice Statement of Inquiry (CR-101)	Estimated Filing Date—Proposed Rule (CR-102 or CR-105)	Estimated Filing Date—Permanent Rule (CR-103)
10-24	Access to OAH facilities and services	To ensure that OAH's accommodation procedures for people with disabilities are "clearly and simply stated, so that [they] can be understood by those required to comply." RCW 34.05.220(5).	9/21/22	To be determined	To be determined

WAC	Rule Subject	Purpose of Potential Rule Development	Estimated Filing Date— Prenotice Statement of Inquiry (CR-101)	Estimated Filing Date—Proposed Rule (CR-102 or CR-105)	Estimated Filing Date—Permanent Rule (CR-103)
10-08	Model rules of procedure	<p>To ensure that the model rules comply with RCW 34.05.220(5), that the rules are "clearly and simply stated, so that [they] can be understood by those required to comply."</p> <p>To ensure that the model rules comply with RCW 34.05.250, that the rules are "appropriate for use by as many agencies as possible" and that the rules "deal with all general functions and duties performed in common by the various agencies."</p>	10/26/22	To be determined	To be determined
10-04	Agency organization— Public records	To clarify organization structure and methods of requesting public records.	12/7/22	To be determined	To be determined
10-16-010	Complaint procedures	To add electronic communication methods, to revise complaint page limits, and to clarify and simplify language.	12/7/22	To be determined	To be determined

WSR 22-16-042
NOTICE OF PUBLIC MEETINGS
STATE INDEPENDENT
LIVING COUNCIL

[Filed July 27, 2022, 11:57 a.m.]

We invite you, the disability community and our allies, to join us to gather your feedback and input about living in your community with a disability. This information will inform and guide us as we develop the three-year state independent living plan for Washington state.

[Note: Contact agency for Zoom meeting links.]

August 15, 2022	Community: S.W. Washington 4 - 5:30 p.m.	Zoom link here [Phone] 253-215-8782 Meeting ID 868 7587 3959 Passcode 944446
August 19, 2022	Community: Ellensburg/Central Washington 10:30 [a.m.] - 12 p.m. 5:30 - 7 p.m.	Zoom link here [Phone] 312-626-6799 Meeting ID 897 1465 5003 Passcode 961778 Zoom link here [Phone] 646-931-3860 Meeting ID 897 9390 7021 Passcode 669525
August 22, 2022	Community: N.W. Washington 10:30 [a.m.] - 12:30 p.m.	Zoom link here [Phone] 253-215-8782 Meeting ID 826 3285 5234 Passcode SPIL
August 24, 2022	Community: S.W. Washington 1:00 - 3:00 p.m.	Zoom link here [Phone] 253-215-8782 Meeting ID 853 4610 1560 Passcode SPIL
August 30, 2022	Community: King County 10:30 [a.m.] - 12 p.m. Time: 5:30 - 7 p.m.	Zoom link here [Phone] 312-626-6799 Meeting ID 828 7342 7179 Passcode 357051 Zoom link here [Phone] 312-626-6799 Meeting ID 854 8399 5947 Passcode 584006

ASL and Cart services will be provided. Other accommodations, contact Rebecca at Rebecca.rodriquez@dshs.wa.gov.

WSR 22-16-044

AGENDA

**DEPARTMENT OF
NATURAL RESOURCES**

[Filed July 27, 2022, 3:34 p.m.]

Rules Development Agenda
July to December 2022

WAC CHAPTER OR SECTION	PURPOSE OF RULE BEING DEVELOPED OR AMENDED
332-30-166	Fees need to be adjusted to meet costs associated with management and monitoring of the disposal sites.
332-24-217	HB [SHB] 1423 requires rule making to set a framework for resolving conflicts related to violations of RCW 76.04.205, and will define how files are calculated when a violation occurs.
332-130-020, 332-130-050, 332-130-080	Updates to existing land boundary survey standards to accommodate changes in professional practice.

WSR 22-16-045

AGENDA

PARAEDUCATOR BOARD

[Filed July 27, 2022, 3:57 p.m.]

Title 179 WAC Semi-Annual Rule-Making Agenda
for July 2022 to January 2023

Following is the paraeducator board, Title 179 WAC, semi-annual rules development agenda for publication in the Washington State Register. This list identifies rules that are under active development and rules that the agency anticipates beginning action on during the next six months.

Current information on rule-making activity is available on our website. As circumstances warrant, there may be additional rule-making activity not on this agenda. That information will be posted on our website.

If you have questions about this agenda, contact Liisa Preslan, rules coordinator, email liisa.preslan@k12.wa.us, phone 360-790-2139.

WAC Citation	Subject Matter of Rule	Activity
WAC 179-17-030	Requirements of the advanced paraeducator certificate.	CR-102 anticipated November 2022. CR-103 anticipated January 2023.

WSR 22-16-050

AGENDA

PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed July 27, 2022, 8:12 p.m.]

Title 181 WAC Semiannual Rule-making Agenda
for July 2022 to January 2023

Following is the professional educator standards board, Title 181 WAC, semi-annual rules development agenda for publication in the Washington State Register. This list identifies rules that are under active development and rules that the agency anticipates beginning action on during the next six months.

Current information on rule-making activity is available on our website. As circumstances warrant, there may be additional rule-making activity not on this agenda. That information will be posted on our website.

If you have questions about this agenda, contact Jisu Ryu, email jisu.ryu@k12.wa.us, and phone 360-867-8510.

WAC Citation	Subject Matter of Rule	Activity
WAC 181-79A-231	Amend WAC to expand the scope of the transitional certificate as a pandemic response for certificate renewal.	CR-103P Anticipated September 2022. CR-103E Anticipated September 2022.
WAC 181-78A-100	Amend WAC to change program review cycle for educator preparation programs. Clarifies language.	CR-101 Anticipated November 2022.
WAC 181-82A-212	Amend WAC with new language regarding what type of organizations are eligible to offer a specialty endorsement.	CR-101 Anticipated in September 2022. CR-102 Anticipated in November 2022.
WAC 181-82-110	Amend WAC to clarify the scope of out-of-assignment policy.	CR-103E Anticipated in August 2022. CR-105 Anticipated in August 2022.

Jisu Ryu
Rules Coordinator

WSR 22-16-051

NOTICE OF PUBLIC MEETINGS

WASHINGTON STATE LOTTERY

(Lottery Commission)

[Filed July 28, 2022, 9:08 a.m.]

Washington's lottery commission has changed the following regular meetings:

From: August 18, 2022, Lottery headquarters and Microsoft Teams meeting.

To: August 18, 2022, Microsoft Teams meeting.

From: October 27, 2022, Lottery headquarters and Microsoft Teams meeting.

To: October 27, 2022, Microsoft Teams meeting.

From: December 15, 2022, Lottery headquarters and Microsoft Teams meeting.

To: December 15, 2022, Microsoft Teams meeting.

If you require additional information, please contact Stephanie Porter at 360-810-2887, or email SPorter@walottery.com.

WSR 22-16-052
POLICY STATEMENT
UNIVERSITY OF WASHINGTON
[Filed July 28, 2022, 10:19 a.m.]

The University of Washington has recently created or revised the following bylaws, orders, policy statements, scholastic regulations, and faculty code:

- "Admission," revised June 3, 2022 (SGP, Chapter 101).
- "Gift Acceptance," new June 27, 2022 (APS 36.3).
- "Advisory Committees and Boards of the Board of Regents," revised May 13, 2022 (BRG, Standing Orders, Chapter 4).
- "Eligibility and Enrollment Priority for University On-Site Childcare Centers," revised May 13, 2022 (APS 51.1).
- "Requirements for the Bachelor's Degree," revised April 29, 2022 (SGP, Chapter 114, Section 2).
- "Membership of Faculty Councils and Faculty Committees," revised April 15, 2022 (FCG, Chapter 21, Section 21-61).
- "Advisory Committees and Boards of the Board of Regents," revised March 10, 2022 (BRG, Standing Orders, Chapter 4).
- "Naming Policy," revised March 10, 2022 (BRG, Regent Policy No. 50).
- "The Grading System," revised February 18, 2022 (SGP, Scholastic Regulations, Chapter 110, Section 1).
- "Official International Student Travel," revised February 15, 2022 (SGP, Student Policies, Chapter 211).
- "Types of University Personnel," revised February 1, 2022 (APS 40.1).
- "Family and Medical Leave Act (FMLA) Coverage for University Employees," revised February 1, 2022 (APS 45.5).

For more information regarding University of Washington policy, please visit washington.edu/admin/rules/policies/.

For more information regarding these materials, contact Barbara Lechtanski, Director of University Policy and Rules Office, University of Washington, Box 351210, Seattle, WA 98195-1210, email rules@uw.edu.

WSR 22-16-053

AGENDA

UNIVERSITY OF WASHINGTON

[Filed July 28, 2022, 10:32 a.m.]

**Semi-Annual Agenda for Rules under Development
(Per RCW 34.05.314)
July 2022**

Rule-making activity not now anticipated may be added if conditions warrant between semi-annual agendas.

1. Rule making is anticipated for chapter 478-04 WAC, Organization, during the second half of 2022.

2. Rule making is anticipated for chapter 478-140 WAC, Rules and regulations for the University of Washington governing student education records, during the second half of 2022.

3. Rule making is anticipated for chapter 478-156 WAC, Rules for the University of Washington, Seattle Campus residence halls, single student and family housing apartments, during the second half of 2022.

4. Rule making is anticipated for chapter 478-276 WAC, Governing access to public records, during the second half of 2022.

For more information concerning the above rules, please contact Barbara Lechtanski, Director of University Policy and Rules Office, Washington State Rules Coordinator for University of Washington, Box 351210, Seattle, WA 98195-1210, phone 206-543-9219, email rules@uw.edu, web washington.edu/rules.

WSR 22-16-054

NOTICE OF APPEAL

OFFICE OF THE GOVERNOR

[Filed July 28, 2022, 1:46 p.m.]

NOTICE OF APPEAL

RCW 34.05.330(3)

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

On July 6, 2022, the Governor's Office received an appeal from Kenneth Harp, relating to the State Board of Health's denial of a petition to repeal or amend WAC 246-105-070 (*Duties of health care providers or organizations*). The Governor's Office denied the appeal on July 28, 2022.

DATE: July 28, 2022

Taylor K. Wonhoff
Deputy General Counsel
to the Governor

WSR 22-16-057

AGENDA

**NOXIOUS WEED
CONTROL BOARD**

[Filed July 28, 2022, 2:41 p.m.]

Following is the state noxious weed control board's semi-annual rules development agenda for the period of July 1 through December 31, 2022. This document is being sent in compliance with RCW 34.05.314.

The board may undertake additional rule-making activity as conditions warrant. If you have any questions, please contact Mary Fee at 360-902-2053 or mfee@agr.wa.gov.

**Semi-Annual Rules Agenda
July 1 - December 31, 2022
P.O. Box 42560
Olympia, WA 98504-2560**

WAC Number	Rule Title	Agency Contact	CR-101	Tentative Timeline CR-102	CR-103	Subject of Rule Making
16-750	State noxious weed list and schedule of monetary penalties	Mary Fee Executive Secretary Phone: 360-902-2053	July	September	November	Possible changes to the noxious weed lists and state weed board bylaws.

Mary Fee
Executive Secretary

WSR 22-16-062
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE

(Invasive Species Council)

[Filed July 29, 2022, 8:54 a.m.]

The Washington invasive species council (WISC) is changing the location, time, and date of the regular quarterly meeting scheduled for September 15, 2022:

FROM: September 15, 2022, from 9:00 a.m. to 3:00 p.m., to be determined.

TO: Council tour on September 28, 2022, from 12:00 to 3:00 p.m., depart from Northern Quest Resort, 303 South Kalispel Way, Airway Heights, WA 99001.

Council meeting on September 29, 2022, from 9:00 a.m. to 3:00 p.m., online via Zoom and in-person in Pavilion Room, Northern Quest Resort, 303 South Kalispel Way, Airway Heights, WA 99001.

For further information, please contact Justin Bush, WISC, at 360-902-3088 or justin.bush@rco.wa.gov, or at WISC website 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 email leslie.frank@rco.wa.gov.

WSR 22-16-064

AGENDA

DEPARTMENT OF COMMERCE

[Filed July 29, 2022, 9:03 a.m.]

Following is the department of commerce semi-annual rules development agenda for publication in the Washington State Register, pursuant to RCW 34.05.314. There may be additional rule-making activity not on the agenda as conditions warrant.

Please contact Dave Pringle if you have questions, dave.pringle@commerce.wa.gov or 360-918-6033.

Semi-Annual Rule-Making Agenda
July through December 2022

Division	WAC Citation	Subject Matter/ Purpose of Rule	Current Activity/Approximate Filing Date
Energy— Energy policy	194-24	Implement appliance standards and design requirements as enacted in HB 1619 (2022).	Currently, legal counsel is reviewing our draft rules and CR-101. Proposed timeline: CR-101: Filed prior to August 3, draft rules released simultaneously. CR-102: Prior to September 21. Earliest public Hearing: November 21. Expedited adoption: December 20.
Energy— Energy policy	194-24-180	To establish a permanent effective date for the demand responsive water heater standard, established by HB 1444 (2019).	This communications standard has been suspended by emergency rule several times from November 2021 - June 2022 due to supply chain difficulties as a result of the COVID-19 pandemic. Commerce has currently issued a CR-102 proposing an effective date of January 1, 2023. Earliest public hearing: August 30. CR-103: Shortly after. Earliest adoption date: September 16.
Energy— Buildings	194-50	Rule making to implement SB 5722 (2022), which expands the Clean Buildings Act and requires commerce to develop a building performance standard for a new tier of buildings.	CR-101: Filed fall 2022 (allows the buildings team time to do workshops and stakeholding). CR-102/CR-103/Small business economic impact statement will all be completed and filed in 2023.
LGD—Public works board	399-80-010	The enablement and creation of a preapplication process for the broadband program (subsections (4)(a), (4)(b), (5)).	Expected to begin late July 2022 and conclude no later than December 31, 2022.
LGD—Public works board	399-80-010	Updates the application notice requirements to broadband providers and removes previous contact requirements (subsection (5)(o)).	Expected to begin late July 2022 and conclude no later than December 31, 2022.

Division	WAC Citation	Subject Matter/ Purpose of Rule	Current Activity/Approximate Filing Date
LGD—Public works board	399-80-010	States the public works board must publish proposed geographic broadband project service areas on its website, as well as preapplications (within three business days of the close of the preapplication cycle), and sets an objection period for 30 days for the proposed project (subsections (7)(a), (7)(b), (7)(c)).	Expected to begin late July 2022 and conclude no later than December 31, 2022.
LGD—Public works board	399-80-010	Removes the utilities and transportation commission technical feasibility review (subsection 10).	Expected to begin late July 2022 and conclude no later than December 31, 2022.
LGD—Public works board	399-80-010	Authorizes the public works board to make low-interest or interest-free loans or grants to eligible applicants for emergency public works broadband projects (subsection (14)).	Expected to begin late July 2022 and conclude no later than December 31, 2022.
LGD—Public works board	399-80-010	Protect financial, commercial, and proprietary information.	Expected to begin late July 2022 and conclude no later than December 31, 2022.

Dave Pringle
Rules Coordinator

WSR 22-16-065

**NOTICE OF PUBLIC MEETINGS
STUDENT ACHIEVEMENT COUNCIL**

[Filed July 29, 2022, 9:49 a.m.]

The committee on advanced tuition payment and college savings (WA529 committee) has changed the following regular meeting:

From: Wednesday, September 14, 2022, 2:00 - 4:00 p.m., virtual meeting, registration required, <https://us02web.zoom.us/j/844866163>. Physical location: TBD.

To: Wednesday, September 14, 2022, 2:00 - 4:00 p.m., hybrid meeting, Zoom, registration required, <https://us02web.zoom.us/j/844866163>. Physical location: 919 Lakeridge Way S.W., Olympia, WA 98502, K-20 conference room.

If you need further information, contact Christina Crawford, 360-485-1186, christinac@wsac.wa.gov.

WSR 22-16-068

NOTICE OF PUBLIC MEETINGS

HUMAN RIGHTS COMMISSION

[Filed July 29, 2022, 11:08 a.m.]

The following times, dates, and locations are for commission meetings for 2022:

Washington state human rights commission, commission meeting on August 18, 2022, at 9:30 a.m., via telephone conference, 711 South Capitol Way, Suite 402, Olympia, WA 98504, Conference Line 833-598-2099 (toll free), 564-999-2000 (Olympia), Access Code 678 922 955#.

**WSR 22-16-069
INTERPRETIVE AND POLICY STATEMENT
DEPARTMENT OF ECOLOGY**

[Filed July 29, 2022, 11:48 a.m.]

Notice of Interpretive and Policy Statements

Under chapter 42.56 RCW, 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 these statements.

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 following the instructions on the public records requests web page at <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>.

Updated Statements:

Title of Interpretive/ Policy Statement	Web Link (if applicable)
Spills Program CORE Procedure - CORE 12: Enforcement	Not applicable

WSR 22-16-071

AGENDA

DEPARTMENT OF ECOLOGY

[Filed July 29, 2022, 2:32 p.m.]

Pursuant to RCW 34.05.314, following is the department of ecology's rule agenda for January 1 through December 2022.

If you have any questions, please contact Katie Wolt by phone 360-407-6998 or email Katie.wolt@ecy.wa.gov.

**Rule Agenda
July - December 2022**

Admin. Order Number	WAC Chapter	Date of filing CR-101	Date of filing CR-102	Date of filing CR-103	Rule-Making Lead
Open Rule Making					
21-04	Chapter 173-424 WAC, Low carbon fuel standard; and chapter 173-445 WAC, Air quality fees	July 20, 2021	July 18, 2022	Est. November 30, 2022	Rachel Assink
20-02	Chapter 173-445 WAC, Greenhouse gas assessment for projects	April 21, 2020	Est. Spring 2023	TBD	Diane Butorac
18-09	Chapter 173-340 WAC, Model Toxics Control Act	December 20, 2018	Est. Fall 2022	Est. Spring 2023	Clint Stanovsky
21-06	Chapter 173-446 WAC, Climate Commitment Act program	August 4, 2021	Est. Spring 2022	Est. October 2022	Josh Grice
21-08	Chapter 173-455 WAC, Air quality fee rule—New source review	September 23, 2021	Est. August 31, 2022	Est. November 2022	Caitlin Cannon
21-02	Chapter 173-443 WAC, Fluorinated gases; and chapter 173-455 WAC, Air quality fee rule	August 16, 2021	Est. July 2023	Est. December 2023	Linda Kildahl
22-04	Chapter 173-201A WAC, Aquatic life toxics criteria	June 22, 2022	Est. October 2023	Est. April 2024	Marla Koberstein
21-09	Post-consumer plastic recycled content new rule, chapter 173-925 WAC	November 3, 2021	Est. July 2023	Est. December 31, 2023	Shannon Jones
21-03	Chapter 173-180 WAC, Facility oil handling standards; and chapter 173-184 WAC, Vessel oil transfer advance notice and containment requirements	August 3, 2021	Est. December 2022	Est. June 2023	Kim Morley
21-01	Safer products Washington rule, new chapter 173-337 WAC	November 17, 2021	Est. December 2022	Est. June 1, 2023	Stacey Callaway
21-12	Low emission vehicles, chapters 173-423 and 173-400 WAC	January 18, 2022	Est. Summer 2022	Est. December 2022	Adam Saul
22-01	Chapter XXX-XXX WAC, Pasco	July 12, 2022	Est. December 2022	Est. Spring 2023	Annie Sawabini
22-03	Water quality permit fees, chapter 173-224 WAC	June 7, 2022	Est. January 2023	Est. April 2023	Ligeia Heagy and Leslie Connelly
15-11	Chapter 173-331 WAC, Vehicle battery recycling program	December 15, 2015	Est. July 2023	Est. July 2024	Shannon Jones

Admin. Order Number	WAC Chapter	Date of filing CR-101	Date of filing CR-102	Date of filing CR-103	Rule-Making Lead
Exploratory Rule Makings					
17-03	Chapter 173-340 WAC, Model Toxics Control Act—Cleanup.	N/A	N/A	N/A	Clint Stanovsky
xx-xx	Chapter 173-460 WAC, Controls for new sources of toxic air pollutants.	On hold	N/A	N/A	TBD

Admin. Order Number	WAC Chapter	Date of filing CR-101	Date of filing CR-102	Date of filing CR-103	Rule Making Lead
On Hold Rule Making					
15-12	Chapter 173-333 WAC, Chemical action plans (formerly PBT)	10/12/15	On hold	On hold	Nate Lubliner
05-03	Chapter 173-525 WAC, Grays Elochoman instream resources protection and water management program WRIA 25	3/2/05	4/19/10 Continuance filed 6/16/10 Expired 11/1/10 On hold	On hold	Dave Christensen
05-04	Chapter 173-526 WAC, Cowlitz Instream resources protection and water management program WRIA 26	3/2/05	4/19/10 Continuance filed 6/16/10 Expired 11/1/10 On hold	On hold	Dave Christensen
05-02	Chapter 173-503A WAC, Samish River Subbasin instream resources protection program, lower and upper skagit water resources inventory area (WRIAs 3 and 4)	2/15/05	On hold indefinitely	On hold indefinitely	Dave Christensen

Katie Wolt

WSR 22-16-072
RULES COORDINATOR
ENVIRONMENTAL AND
LAND USE HEARINGS OFFICE
[Filed July 29, 2022, 3:12 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Environmental and Land Use Hearings Office is Jamie Merly, 1111 Israel Road S.W., Suite 301, Tumwater, WA 98501, phone 360-485-1282, fax 360-586-2253, email Jamie.Merly@elaho.wa.gov.

If you need additional information, please do not hesitate to contact Dominga Soliz at Dominga.Soliz@elaho.wa.gov or 360-819-6765.

Dominga Soliz
Director

WSR 22-16-073

AGENDA

ENVIRONMENTAL AND
LAND USE HEARINGS OFFICE

[Filed July 29, 2022, 3:13 p.m.]

Following is the environmental and land use hearings office's semi-annual rules development agenda for publication in the Washington State Register. This list identifies rules that we have under active development and rules that the agency anticipates starting some rule-making action on during the next six months.

This agenda is also available on our rule-making website. We update rule-making information on our website as rule-making progresses. If we start rule-making activities not listed on this agenda or stop listed rule-making activities, we immediately post that information to our rule-making website and inform interested and known affected parties.

If you have questions about this agenda, please contact our agency rules coordinator, Jamie Merly, at jamie.merly@eluh.wa.gov.

Semi-Annual Rule-Making Agenda

August 1, 2022 - January 31, 2023

Note: All proposals are related to board hearings.

WAC Citation	Purpose of Rule Making	Current Activity/Approx. Filing Date
Pollution Control Hearings Board		
WAC 371-08-305 (6)(a)	Amend rule to change the definition of "filing" of a document to: <ul style="list-style-type: none"> Remove the 10-page limit for electronic filings; Remove the requirement to file hard copies along with electronic filings. 	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 371-08-315 (2), (3)	Repeal rule. The rule restates the board function and jurisdiction that is provided by statute. Avoids unnecessary rule making when new jurisdiction is assigned by the legislature.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 371-08-335	Amend rule to add new subpart to align, without material change, with RCW 76.09.205 regarding the filing of appeals of department of natural resources' approval or disapproval of applications to conduct a forest practice, landscape plans or permits, or watershed analysis.	This rule will be adopted under expedited rule making RCW 34.05.353. We anticipate filing a proposal for Expedited rule making (CR-105) in September 2022.
WAC 371-08-335(2)	Amend rule to clarify what "date of receipt" means for the purposes of timely filing an appeal.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 371-08-340(9)	Amend rule to require proof of service to be filed with board clerk in order to perfect an appeal.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 371-08-390(10)	Amend rule to remove the authority of presiding officers to hold settlement conferences.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 371-08-440(1)	Amend rule regarding settlements before hearing to require parties to submit a request for a dismissal order rather than a dismissal order.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.

WAC Citation	Purpose of Rule Making	Current Activity/Approx. Filing Date
WAC 371-08-450(4)	Amend rule to change the deadline for filing/service of dispositive motions from 60 days to 90 days before hearing.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 371-08-560	Repeal rule. Removing the rule would eliminate the board's requirement to grant/deny applications for filing a certificate of appealability for direct review to the court of appeals. Parties could file for direct review without approval by the board.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
Shorelines Hearings Board		
WAC 461-08-305 (6)(a)	Amend rule to change the definition of "filing" of a document to: • Remove the 10-page limit for electronic filings; • Remove the requirement to file hardcopies along with electronic filings.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 461-08-350	Amend rule to require proof of service to be filed with board clerk in order to perfect a petition for review.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 461-08-410(10)	Amend rule to remove the authority of presiding officers to hold settlement conferences.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 461-08-465	Amend rule regarding settlements before hearing to require parties to submit a request for a dismissal order rather than a dismissal order.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 461-08-475 (4)(a)	Amend rule to change the deadline for filing/service of dispositive motions from 60 days to 90 days before hearing.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 461-08-575	Repeal rule. Removing the rule would eliminate the board's requirement to grant/deny applications for filing a certificate of appealability for direct review to the court of appeals. Parties could file for direct review without approval by the board.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
Growth Management Hearings Board		
WAC 242-03-230 (2)(a)	Amend rule to clarify requirements for the petitioner to serve the petition for review upon the respondent.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.
WAC 242-03-720	Amend rule to clarify that parties may stipulate to a dismissal after a hearing on the merits.	We anticipate filing a notice of proposed rule making (CR-102) in September 2022.

Dominga Soliz
Executive Director

WSR 22-16-074
PUBLIC RECORDS OFFICER
ENVIRONMENTAL AND
LAND USE HEARINGS OFFICE
[Filed July 29, 2022, 3:16 p.m.]

Pursuant to RCW 42.56.580, the public records officer for the Environmental and Land Use Hearings Office is Jamie Merly, 1111 Israel Road S.W., Suite 301, Tumwater, WA 98501, phone 360-485-1282, fax 360-586-2253, email Jamie.Merly@elaho.wa.gov.

If you need additional information, please do not hesitate to contact Dominga Soliz at Dominga.Soliz@elaho.wa.gov or 360-819-6765.

Dominga Soliz
Director

**WSR 22-16-075
RULES COORDINATOR
RECREATION AND CONSERVATION
OFFICE**

[Filed July 29, 2022, 4:04 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Recreation and Conservation Office is Nicholas Norton, 1111 Washington Street S.E., Olympia, WA 98501, phone 360-902-3137, email nicholas.norton@rco.wa.gov.

Nicholas Norton
Policy and Planning Specialist

**WSR 22-16-079
NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE**

[Filed August 1, 2022, 7:55 a.m.]

In compliance with RCW 42.30.075, the following are the 2022-2023 regular meetings of the board of trustees of South Puget Sound Community College, District 24:

Tuesday, September 20, 2022	2:30 p.m.	SPSCC Building 25, Boardroom
Tuesday, October 11, 2022	2:30 p.m.	SPSCC Building 25, Boardroom
Tuesday, November 8, 2022	2:30 p.m.	SPSCC Building 25, Boardroom
Tuesday, December 13, 2022	2:30 p.m.	SPSCC Building 25, Boardroom
Tuesday, January 10, 2023	2:30 p.m.	SPSCC Building 25, Boardroom
Tuesday, February 14, 2023	2:30 p.m.	SPSCC Building 25, Boardroom
Tuesday, March 14, 2023	2:30 p.m.	SPSCC Building 25, Boardroom
Tuesday, April 11, 2023	2:30 p.m.	SPSCC Building 25, Boardroom
Tuesday, May 9, 2023	2:30 p.m.	SPSCC Building 25, Boardroom
Tuesday, June 13, 2023	2:30 p.m.	SPSCC Building 25, Boardroom

If you have any questions, please contact Diana Toledo at 360-596-5206.

WSR 22-16-080

NOTICE OF PUBLIC MEETINGS

DAIRY PRODUCTS COMMISSION

[Filed August 1, 2022, 9:32 a.m.]

Dairy Farmers of Washington (DFW)
2022 Updated Board Meeting Schedule

September 26, 2022	DFW meeting Virtual meeting	2:00 - 5:00 p.m.
September 27, 2022	DFW meeting Museum of Flight Skyline Room 9404 East Marginal Way South Seattle, WA 98108	1:00 - 3:00 p.m.
November 2022 TBD	DFW board meeting Location TBD	8:00 a.m.
December 14, 2022	DFW board meeting Virtual meeting	8:00 a.m.

NOTE: Please confirm all final meeting start times and information to join virtual meetings with the Washington dairy products commission at 425-672-0687 or www.wadairy.org (board schedule).

WSR 22-16-083

NOTICE OF PUBLIC MEETINGS

GRAIN COMMISSION

[Filed August 1, 2022, 3:00 p.m.]

The Washington grain commission hereby complies with regulations as stated in RCW 42.30.075 and provides pertinent scheduled meeting changes for publication in the State Register. This change for the earlier published September regular meeting is submitted within the required 20-day notice prior to the new scheduled meeting date/time. This meeting will also have a Zoom remote access to attend virtually.

Was previously listed as: Regular, Wednesday, September 21, at 10:00 a.m.; and Thursday, September 22, at 8:00 a.m.

PLEASE CHANGE DATE TO READ: Regular, Thursday, **October 6**, at 10:00 a.m.; and Friday, **October 7**, at 8:00 a.m., remote access - Zoom meeting <https://us02web.zoom.us/j/82239894144>, Meeting ID 822 3989 4144.

WSR 22-16-085
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed August 1, 2022, 3:46 p.m.]

Notice of Interpretive or Policy Statement

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

Developmental Disabilities Administration (DDA)

Document Title: Public comment notice for proposed Developmental Disabilities Administration HCBS Waiver amendments.

Subject: Basic plus, core, and individual and family services (IFS) HCBS waiver amendments are available for 30 days of public comment from August 15 through September 26, 2022.

Effective Date: August 17, 2022.

Document Description: DDA within DSHS, in cooperation with the health care authority, is posting for 30 days of public comment amendments for basic plus, core, and IFS waivers. The amendments allow participants on the basic plus and core waivers to receive supported employment and community inclusion at the same time. Remote supports will be added to the basic plus, IFS, and core waivers. Community engagement will be revised to better distinguish it from community inclusion. Participants receiving residential habilitation in companion homes will be able to receive specialized habilitation. Amendments are available at <https://www.dshs.wa.gov/dda>.

To receive a copy of the interpretive or policy statements, contact Bob Beckman, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-407-1555, TDD/TTY 711 or 1-800-833-6388, fax 360-407-0955, email DDAWaiverAmendments@dshs.wa.gov, website <https://www.dshs.wa.gov/dda>.

WSR 22-16-086
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
 [Filed August 2, 2022, 5:09 p.m.]

TOTAL COST OF INSULIN WORK GROUP
Meeting Schedule

Date	Time	Location
August 25, 2022	2:00 - 5:00 p.m.	Webinar*
October 27, 2022	9:00 a.m. - 12:00 p.m.	Webinar*
December 6, 2022	9:00 a.m. - 12:00 p.m.	Webinar*
March 16, 2022 [2023]	9:00 a.m. - 12:00 p.m.	Webinar*

* Webinar link, meeting materials, and announcements will be emailed to the work group 15 days before the meeting date, HCAPharmacyStrategy&Innovation@hca.wa.gov.

For further assistance, please contact Nonye Connor, 360-725-2044, Nonye.Connor@HCA.wa.gov.

WSR 22-16-092

NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE

(Salmon Recovery Funding Board)

[Filed August 2, 2022, 10:07 a.m.]

The salmon recovery funding board is changing the **time** and **location** of the regular quarterly meeting scheduled for September 21-22, 2022:

FROM: September 21-22, 2022, from 9:00 a.m. to 5:00 p.m., Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA 98501.

to: September 21, 2022, from 9:00 a.m. to 5:00 p.m., Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA 98501; and

September 22, 2022, from 9:00 a.m. to **4:05 p.m.**, Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA 98501.

In-person and online via Zoom. Additional information can be found on recreation and conservation office's (RCO) web page Meetings - RCO (wa.gov).

For further information, please contact Julia McNamara, julia.mcnamara@rco.wa.gov or check RCO's web page at Meetings - RCO (wa.gov).

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

WSR 22-16-096
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
 [Filed August 2, 2022, 1:28 p.m.]

ASSOCIATED STUDENTS OF WASHINGTON STATE UNIVERSITY GLOBAL (ASWSUG)
FALL EXECUTIVE MEETING SCHEDULE

Meeting Name	Meeting Date	Meeting Time	Meeting Location (Zoom)
ASWSUG executive board meeting	August 2, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/99216994478?pwd=WjA4bGRyZm5leEJyRWZVOGdx0x4UT09&from=addon
ASWSUG executive board meeting	August 8, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	August 15, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	August 22, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	August 29, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	September 12, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	September 19, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	September 26, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	October 3, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	October 10, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	October 17, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	October 24, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	October 31, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	November 7, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	November 14, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	November 21, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	November 28, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon

Meeting Name	Meeting Date	Meeting Time	Meeting Location (Zoom)
ASWSUG executive board meeting	December 5, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	December 12, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon
ASWSUG executive board meeting	December 19, 2022	6 to 7 p.m. PST	https://wsu.zoom.us/j/93061442509?pwd=ejVPWUZSTUxpTFZKd2JzWXlPSzNMdz09&from=addon

WSR 22-16-098
RULES COORDINATOR
DEPARTMENT OF COMMERCE
[Filed August 2, 2022, 2:29 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington State Department of Commerce is Amanda Hathaway, 1011 Plum Street S.E., Olympia, WA 98504-2525, phone 360-789-0843, email amanda.hathaway@commerce.wa.gov.

Lisa J. Brown
Director

WSR 22-16-101
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed August 2, 2022, 2:59 p.m.]

NOTICE OF PUBLIC HEARING
SCHOOL DISTRICT ACCOUNTING MANUAL (WAC 392-123-010)
EDUCATIONAL SERVICE DISTRICT ACCOUNTING MANUAL (WAC 392-125-010)

Public Hearing: A public hearing will be held concerning revisions to the Accounting Manual for School Districts and the Educational Service District Accounting Manual, in accordance with WAC 392-123-010 and 392-125-010, respectively. The hearing will be held on Tuesday, September 6, 2022, at 11:00 a.m., via Zoom.

For information on participating via Zoom, please use this participant link [contact agency for link]. After you add your name to the participant list, you will receive a confirmation email with information about joining the meeting.

For questions concerning revisions to the manuals, please contact Paul Stone, School Apportionment and Financial Services, OSPI, P.O. Box 47200, Olympia, WA 98504-7200, email Paul.Stone@k12.wa.us.

Chris P. S. Reykdal
State Superintendent of Public Instruction

WSR 22-16-106

NOTICE OF PUBLIC MEETINGS

BILLY FRANK JR NATIONAL STATUARY

HALL SELECTION COMMITTEE

[Filed August 2, 2022, 4:41 p.m.]

Update to August 16 meeting: Hybrid option available and meeting length extended, at 8:30 a.m. - 1:30 p.m., online <https://us06web.zoom.us/j/85477450163#success>; in-person: Nisqually Tribe, 4840 Journey Street S.E., Olympia, WA 98513.

WSR 22-16-116

NOTICE OF PUBLIC MEETINGS

TRANSPORTATION COMMISSION

[Filed August 3, 2022, 10:32 a.m.]

The Washington state transportation commission (WSTC) has updated its meeting schedule for the balance of 2022. The September 13 and 14, 2022, meeting in Eugene, Oregon has been cancelled. WSTC will hold Zoom virtual meetings for its October and December meetings.

Following is WSTC's 2022 meeting schedule:

September 13 and 14	Tuesday and Wednesday	Eugene, Oregon
September 13 and 14	Tuesday and Wednesday	Battle Ground
October 18 and 19	Tuesday and Wednesday	Olympia - virtual
November 15 and 16	Tuesday and Wednesday	Anacortes
December 13 and 14	Tuesday and Wednesday	Olympia - virtual

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