

**WSR 07-22-001**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
(Fish and Wildlife Commission)  
[Filed October 24, 2007, 2:21 p.m.]

At its October 12-13, 2007, commission meeting, the fish and wildlife commission selected the following dates and locations for 2008:

**Fish and Wildlife Commission**  
**2008 Meeting Calendar**

DATE	FUNCTION	LOCATION
January 4	Conference Call	Olympia
January 10	Joint meeting with Oregon's Commission	Vancouver, Washington
January 11-12	Meeting	Vancouver, Washington
January 18	Conference Call	Olympia
February 1-2	Meeting	Olympia
February 15	Conference Call	Olympia
March 7-8	Meeting	Olympia
March 21	Conference Call	Olympia
April 4	Conference Call	Olympia
April 11-12	Meeting	Tri Cities
April 18	Conference Call	Olympia
May 2-3	Meeting	Stevens County
May 16	Conference Call	Olympia
June 6-7	Meeting	Grays Harbor County
June 20	Conference Call	Olympia
July 18-19	Meeting	Spokane
August 8-9	Meeting	Bellingham
August 15	Conference Call	Olympia
September 5-6	Meeting	Issaquah
September 19	Conference Call	Olympia
October 3-4	Meeting	Ellensburg
October 17	Conference Call	Olympia
November 7-8	Meeting	Leavenworth
November 21	Conference Call	Olympia
December 5-6	Meeting	Olympia
December 19	Conference Call	Olympia

Additional meetings and conference calls may be scheduled on an as-needed basis. Changes to the schedule and agendas will be posted on the web page at <http://www.wdfw.wa.gov/com/meetings.htm>.

For more information, please contact the commission office at (360) 902-2267 or visit the commission web page at [www.wdfw.wa.gov/com/comintro.htm](http://www.wdfw.wa.gov/com/comintro.htm) for further information.

Washington fish and wildlife commission meetings are open to the public and conducted at barrier-free sites. All meetings are recorded, except during executive sessions. Contact Susan Yeager in the commission office at (360) 902-2267 if you need special assistance.

**WSR 07-22-002**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE INDEPENDENT**  
**LIVING ASSOCIATION**  
[Filed October 24, 2007, 2:58 p.m.]

Quarterly Meetings 2008\*

January 16	Olympia
April 11	Seattle
July 11	Bellingham
October 10	Yakima County

\*Exact locations and times to be determined later.

Contact Rob Honan, Executive Director, SILC, (360) 725-3695, e-mail [honanrw@dshs.wa.gov](mailto:honanrw@dshs.wa.gov).

**WSR 07-22-003**  
**NOTICE OF PUBLIC MEETINGS**  
**CLEMENCY AND PARDONS BOARD**  
[Filed October 24, 2007, 3:23 p.m.]

**AMENDED**

**Clemency and Pardons Board Special Meeting**  
NOVEMBER 1, 2007 - 10:00 A.M.

A special meeting of the clemency and pardons board is scheduled for November 1, 2007, at 10:00 a.m., at the Seattle University, Sullivan Hall, 901 12th Avenue, Seattle, located in the Dean's Conference Room located on the 2nd floor.

The agenda items are as follows:

1. Petition of John Stewart.
2. Continued review and revision to proposed policies and procedures.

**WSR 07-22-006**  
**NOTICE OF PUBLIC MEETINGS**  
**RECREATION AND**  
**CONSERVATION OFFICE**  
(Invasive Species Council)  
[Filed October 25, 2007, 9:40 a.m.]

The next public meeting of the Washington invasive species council (WISC) will be **Thursday, November 15, 2007, from 9:00 a.m. to 3:00 p.m.** in Room 172, at the Natural Resource Building, 1111 Washington Street, Olympia, WA 98501.

For further information, please contact Rachel Utley, WISC, (360) 902-3012.

WISC schedules all public meetings at barrier free sites. Persons who need special assistance, such as large type materials, may contact Rachel Utley at the number listed above or by e-mail at RachelU@rco.wa.gov.

**WSR 07-22-007**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**SERVICES FOR THE BLIND**

(Rehabilitation Council)  
 (Department of Services for the Blind Community)  
 [Filed October 25, 2007, 9:41 a.m.]

**DSB Community Meeting**  
**Friday, November 30, 2007**  
**4:30 - 6:30 p.m.**

**Location:**  
**Hampton Inn & Suites - Bremerton**  
**Kitsap Meeting Room**  
**150 Washington Avenue**  
**Bremerton, WA 98309**  
**(360) 405-0200**

**We Want To Hear From You!**

Community meetings give us a chance to inform you about the latest changes at the department of services for the blind (DSB) and to discuss issues and challenges. We want to know about your experience with our services. What is working well in your community? What could we do better? What needs are not being met? We will use your comments to develop our state and strategic plans for the coming year.

Whether you are a past, present, or potential consumer of the DSB, a family member, a community service provider, a friend to someone who is blind, a member of a blind consumer organization, or an interested citizen, we want to hear from you. Please join us to talk to us in person at our upcoming Bremerton community meeting.

**State Rehabilitation Council Meeting**  
**Saturday, December 1, 2007**  
**9 a.m. - 4 p.m.**

**Location:**  
**Hampton Inn & Suites - Bremerton**  
**Kitsap Meeting Room**  
**150 Washington Avenue**  
**Bremerton, WA 98309**  
**(360) 405-0200**

The purpose of the state rehabilitation council for the DSB is to develop, analyze, make recommendations, and agree to state goals, the state plan, state policies, and state activities to insure that persons who are blind in Washington state receive the most effective and efficient services possible. Council meetings are held on a quarterly basis and follow a set agenda. Members from the public are encouraged

to attend and participate in **public comment scheduled from 10-10:30 a.m.** A copy of the agenda is available upon request.

DSB is committed to providing a barrier free environment for everyone who attends the meeting(s). If you need a reasonable accommodation to attend the meeting(s), please make those requests at least two weeks in advance. DSB does not provide transportation to or from the meeting(s).

For more information about either meeting, contact Marla Oughton directly at (206) 721-6430, toll-free at 1-800-552-7103, or by e-mail at maroughton@dsb.wa.gov. You may also visit DSB's web site at www.dsb.wa.gov to see where the next quarterly meetings will be held.

**WSR 07-22-011**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE UNIVERSITY**

[Filed October 25, 2007, 3:07 p.m.]

Pursuant to RCW 42.30.075, the November 16, 2007, board of regents meeting at Washington State University has been canceled.

Inquiries regarding this cancellation may be directed to the WSU board of regents office, (509) 335-6666.

**WSR 07-22-012**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE UNIVERSITY**

[Filed October 25, 2007, 3:57 p.m.]

Pursuant to RCW 42.30.075, following are the changes to the 2008 board meeting schedule for the Washington State University board of regents:

February 1, 2008	Vancouver (previously scheduled in Pullman)
March 21, 2008	Tri-Cities (previously scheduled in Spokane)
May 2, 2008	Pullman
July 22-24 Retreat	Walla Walla (addition to the previous schedule)
August 29, 2008	Seattle
October 17, 2008	Pullman
November 21, 2008	Pullman

The board of regents also adopted their 2009 board meeting schedule listed below:

January 30	Vancouver
March 27	Tri-Cities
May 8	Pullman
July 21-23 Retreat	location to be determined
September 4	Pullman
October 9	Spokane
November 20	Seattle

Inquiries about the meeting can be directed to the WSU board of regents office, (509) 335-6666.

**WSR 07-22-013**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 (Prevailing Wage Advisory Committee)  
 [Filed October 26, 2007, 7:31 a.m.]

Per chapter 42.30 RCW, the Open Public Meetings Act, the prevailing wage advisory committee will be holding a special meeting on October 30, 2007, at 9:00 a.m., at the Department of Labor and Industries, 7273 Linderson Way S.W., Tumwater, WA.

Please call (360) 902-6411, if you have questions.

**WSR 07-22-017**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON SCHOOL FOR THE DEAF**  
 [Filed October 26, 2007, 8:52 a.m.]

The board of trustees for the Washington School for the Deaf (WSD) will hold a stakeholders meeting and their November board of trustees meeting as follows:

Stakeholders meeting	Thursday November 8, 2007	7 - 9 p.m.
Board of trustees meeting	Friday November 9, 2007	9 a.m. - 2 p.m.

Both meetings will be held at the Hearing, Speech, and Deafness Center, 1625 19th Avenue, Seattle, WA 98122.

**WSR 07-22-027**  
**NOTICE OF PUBLIC MEETINGS**  
**BELLINGHAM TECHNICAL COLLEGE**  
 [Filed October 29, 2007, 9:10 a.m.]

**Board of Trustees**  
**Regular Board Meeting Schedule**  
**2008**

Pursuant to RCW 42.30.075, the Bellingham Technical College board of trustees' regular meetings during 2008 will be held on the third Thursday of each month except July. Meetings will begin at 9 a.m. in the College Services Building Board Room, Bellingham Technical College, 3028 Lindbergh Avenue, Bellingham, WA 98225.

- January 17, 2008
- February 21, 2008
- March 20, 2008
- April 17, 2008
- May 15, 2008

- June 19, 2008
- August 21, 2008
- September 18, 2008
- October 16, 2008
- November 20, 2008
- December 18, 2008

If you have questions, please contact Ronda Laughlin at (360) 752-8334 or e-mail rlaughlin@btc.ctc.edu.

**WSR 07-22-028**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed October 29, 2007, 9:16 a.m.]

**Notice of Prevailing Rate of Wage Change - Roofers and Metal Fabricators**

As per RCW 39.12.015, 39.12.020 and WAC 296-127-011 the department of labor and industries has determined that the prevailing rate of wage published on August 1, 2007 (WSR 07-16-113) for the classifications of roofers and metal fabricators were updated incorrectly. Effective immediately, the correct wage rates for the classification of roofers were published on October 12, 2007, and for the classification of metal fabricators on October 15, 2007.

The department has determined that this change is necessary to correct an error that was made in updating these wages. Absent this change, L&I will be enforcing an incorrect prevailing wage, which irreparably harms contractors, workers and the people of the state of Washington. This correction is necessary to ensure the correct application of prevailing wages and the general welfare.

If you have any questions or require additional information please feel free to contact Dave Soma at (360) 902-5310 or SOMD235@LNI.WA.GOV.

**WSR 07-22-029**  
**NOTICE OF PUBLIC MEETINGS**  
**CONSERVATION COMMISSION**  
 (Farmland Preservation Task Force)  
 [Filed October 29, 2007, 9:21 a.m.]

The office of farmland preservation was created by the legislature in the 2007 session. This is an act relating to farmland preservation; amending RCW 89.08.530 and 89.08.540; adding a new section to chapter 90.84 RCW; adding a new chapter to Title 89 RCW; providing an expiration date; and declaring an emergency. The task force was created within the Washington state conservation commission.

The first meeting of the farmland preservation task force is scheduled for December 5, 2007, at 9:00 a.m., at the J. A. Cherberg Building, Room 115, 304 15th, Olympia, WA.

**WSR 07-22-034**  
**INTERPRETIVE STATEMENT**  
**PUBLIC DISCLOSURE COMMISSION**

[Filed October 30, 2007, 11:53 a.m.]

The commission adopted **Interpretation 07-03, Campaign Activities on the Internet**. The interpretation addresses reporting requirements as it pertains to political advertising on the internet, web sites, blogs, media exemption, e-mails, and other questions related to activities on the internet.

The commission meeting materials can be found at [www.pdc.wa.gov](http://www.pdc.wa.gov) under commission meetings. For additional information concerning this interpretation contact Suemary Trobaugh, Administrative Officer, at (360) 753-1985, toll free 1-877-601-2828 or e-mail at [strobaugh@pdc.wa.gov](mailto:strobaugh@pdc.wa.gov).

The next regular meeting of the public disclosure commission is tentatively scheduled for December 6, 2007.

**WSR 07-22-044**  
**POLICY STATEMENT**  
**MARINE EMPLOYEES' COMMISSION**

[Filed October 31, 2007, 8:41 a.m.]

**NOTICE OF ADOPTION OF POLICY STATEMENT**

Title: Uniformed Service Shared Leave Pool.

Issuing Entity: Marine employees' commission.

Description: In compliance with chapters 357-31 WAC, 41.04, 43.79 RCW. Policy adopted to allow marine employees' commission employees to donate leave to the uniformed services shared leave pool.

Contact: Kathy Marshall, Administrator, Marine Employees' Commission, Evergreen Plaza Building, Suite 104, P.O. Box 40902, Olympia, WA 98504-0902, phone (360) 586-6354.

Effective Date: October 1, 2007.

Kathy J. Marshall  
 Administrator

**WSR 07-22-045**  
**NOTICE OF PUBLIC MEETINGS**  
**EDMONDS COMMUNITY COLLEGE**

[Filed October 31, 2007, 10:10 a.m.]

Following are revisions to the 2007 meeting schedule of the Edmonds Community College board of trustees.

The November 8 regular meeting has been rescheduled to begin at 3:30 p.m. in Snohomish Hall, Room 304A, Edmonds Community College.

A special meeting has been scheduled for November 8, 5:30 - 7:00 p.m. in Snoqualmie Hall, Room 250, Edmonds Community College. This will be a joint board meeting with Everett, Cascadia, Shoreline and Skagit Community colleges.

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

**WSR 07-22-047**  
**INTERPRETIVE AND POLICY STATEMENT**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed October 31, 2007, 12:19 p.m.]

In accordance with RCW 34.05.230(12), following are the policy and interpretive statements issued by the department regarding the insurance services division policies.

If you have any questions or need additional information, please call Josh Swanson at (360) 902-6805.

**Insurance Services**  
**Provider Bulletin 07-07 Replacement of Linear Analog Hearing Aids.**

This provider bulletin became effective September 17, 2007. This bulletin applies to state fund, self-insurance and crime victims' compensation.

To announce a policy about replacing linear analog hearing aids. A linear analog hearing aid issued by the insurer may be replaced with a nonlinear digital or analog hearing aid under the following conditions: The worker returns a linear analog hearing aid to their dispenser or audiologist because the: Hearing aid is inoperable or worker is experiencing an inability to hear, and the insurer has given prior authorization to replace the hearing aid.

The insurer will also pay the associated professional fitting fee (dispensing fee) when the replacement of linear analog with nonlinear digital or analog hearing aid is authorized.

Contact Bob Mayer, P.O. Box 44322, Olympia, WA 98504, phone (360) 902-5021.

**Insurance Services**  
**Provider Bulletin 07-08 Insurer Activity Prescription Form (APF).**

This provider bulletin becomes effective November 1, 2007. This bulletin applies to state fund, self-insurance and crime victims' compensation. The insurer activity prescription form (APF) is designed to reduce paperwork for healthcare providers by replacing multiple forms with one form. The APF integrates medical information on workers' conditions, restrictions, and prognoses. The goal is to improve communication between healthcare providers, employers, insurers, and workers to aid in return to work.

Contact Joanne McDaniel, P.O. Box 44322, Olympia, WA 98504, phone (360) 902-6817.

**Insurance Services**  
**Provider Bulletin 07-09 Home Modification Benefit.**

This provider bulletin replaces PB 96-11 and becomes effective November 15, 2007. This bulletin applies to state fund, self-insurance and crime victims' compensation.

This provider bulletin explains the home modification benefit for catastrophically injured workers and the reimbursement process.

Contact Keith Klinger, P.O. Box 44329, Olympia, WA 98504, phone (360) 902-6362.

**Insurance Services**  
**Repeal Policy: PB 96-11 Home Modification Policy 11.10.**

This provider bulletin is being replaced by PB 07-09 effective November 15, 2007. This bulletin applies to state fund, self-insurance and crime victims' compensation.

Contact Keith Klinger, P.O. Box 44329, Olympia, WA 98504, phone (360) 902-6362.

#### Insurance Services

##### Repeal Policy: 97-04 Neuromuscular Electrical Stimulation (NMES) Device.

This provider bulletin has been deleted because the information is available at <http://www.lni.wa.gov/ClaimsIns/Providers/Treatment/CovMedDev/SpecCovDec/NMES.asp>.

Contact Cecilia Maskell, P.O. Box 44322, Olympia, WA 98504, phone (360) 902-5161.

#### Insurance Services

##### Repeal Policy: PB 99-01 Adoption of the New 1999 Billing Codes and Fee Schedule Changes.

This provider bulletin has been deleted because the information is either obsolete or available at:

Chiropractic fee schedule clarification - <http://www.lni.wa.gov/ClaimsIns/Files/ProviderPay/FeeSchedules/2007FS/Marfsall.pdf>.

Dry Hydrotherapy - <http://www.lni.wa.gov/ClaimsIns/Providers/Treatment/CovMedDev/SpecCovDec/aquamed.asp>.

Hearing Aids - <http://www.lni.wa.gov/ClaimsIns/Files/ProviderPay/FeeSchedules/2007FS/Marfsall.pdf>.

Medical Examiners' Handbook - <http://www.lni.wa.gov/IPUB/252-001-000.pdf>.

Medical Reimbursement Methods Evaluation Project - Project completed June 30, 1999.

Outpatient Prospective Payment System Project - <http://www.lni.wa.gov/ClaimsIns/Files/ProviderPay/FeeSchedules/2007FS/Marfsall.pdf>.

Post-Acute Head Injury Program - <http://www.lni.wa.gov/ClaimsIns/Files/ProviderPay/FeeSchedules/2007FS/Marfsall.pdf>.

TENS - <http://www.lni.wa.gov/ClaimsIns/Files/ProviderPay/FeeSchedules/2007FS/Marfsall.pdf>.

Contact Cecilia Maskell, P.O. Box 44322, Olympia, WA 98504, phone (360) 902-5161.

Josh Swanson

#### WSR 07-22-049

#### DEPARTMENT OF ECOLOGY

[Filed October 31, 2007, 3:53 p.m.]

#### Public Hearing Air Quality Program

#### Ecology Recommends Designations and a Nonattainment Area for the 2006 PM<sub>2.5</sub> Standard

The department of ecology (ecology) is holding a public hearing to receive comment on recommendations the state of Washington is considering submitting to the United States Environmental Protection Agency (EPA). These recommendations are on designations and a nonattainment area for the federal twenty-four-hour standard for fine particulate matter.

**Background information:** The EPA revised the air quality standard for fine particulate matter less than 2.5

microns in size (PM<sub>2.5</sub>) in 2006. The reason for changing the standard was to better protect public health. EPA changed the standard from 65 micrograms per cubic meter to 35 micrograms per cubic meter.

When EPA changes an air quality standard, states can make recommendations to EPA on whether areas in the state should be designated "attainment" (meeting the standard), "nonattainment" (not meeting the standard), or "unclassifiable" (there is not enough information to determine if the area meets the standard).

**Ecology's recommendations:** After examining EPA's monitoring data, ecology proposes to make the following recommendations:

#### Attainment:

- Duwamish area of Seattle
- Lake Forest Park
- Marysville
- Spokane

#### Nonattainment:

- \*South Tacoma

\*The Puget Sound Clean Air Agency (PSCAA) developed the proposed nonattainment area for Tacoma, which is within PSCAA's jurisdiction, on the basis of the nine factors in EPA guidance and with input from a variety of organizations. The proposed area is the entire area within the Pierce County comprehensive urban growth area (CUGA), except for:

- Areas to the south and southwest (including Fort Lewis and McChord Air Force Base), and
- The area to the east along and east of the Puyallup River-White River valleys (including Sumner, Auburn, Pacific, Bonney Lake, and Orting).

#### \*Unclassifiable:

- Moose Lodge in Vancouver
- S. 4th Avenue in Yakima

\*Unclassifiable areas had monitors that were discontinued but restarted in January 2007.

**Public hearing schedule:** Ecology will hold a hearing to receive public comment on the draft PM<sub>2.5</sub> recommendations and the proposed nonattainment area boundary on Wednesday, December 5, 2007, at 7:00 p.m., at the Pierce County Library and Administrative Center (PAC Building), 3005 112th Street E., Tacoma, WA 98446.

**You can view more information about the recommendations at the following locations:**

Department of Ecology  
Air Quality Program  
300 Desmond Drive  
Lacey, WA 98503

Department of Ecology  
Central Regional Office  
15 West Yakima Avenue  
Yakima, WA 98902-3401

Department of Ecology  
Northwest Regional Office  
3190 160th Avenue S.E.  
Bellevue, WA 98008-5452

Department of Ecology  
Eastern Regional Office  
4601 North Monroe Street  
Spokane, WA 99205-1295

Department of Ecology  
Vancouver Field Office  
2108 Grand Boulevard  
Vancouver, WA 98661-4622  
Southwest Clean Air Agency  
11815 N.E. 99th Street, Suite 1294  
Vancouver, WA 98682

Spokane Regional Clean Air Agency  
1101 West College Avenue, Suite 403  
Spokane, WA 99201

Pierce County Library  
3005 112th Street East  
Tacoma, WA 98446-2215

Yakima Library  
102 North 3rd Street  
Yakima, WA 98901

Puget Sound Clean Air Agency  
1904 3rd Avenue, Suite 105  
Seattle, WA 98101-2038

Yakima Regional Clean Air Authority  
6 South 2nd Street, Room 1016  
Yakima, WA 98901

Marysville Library  
6120 Grove Street  
Marysville, WA 98270

Vancouver Library  
1007 East Mill Plain Boulevard  
Vancouver, WA 98663

**How to comment:** You must provide your comments by 5:00 p.m. December 10, 2007. You can comment in person at the hearing, or mail, e-mail or fax your comments to Doug Schneider, Department of Ecology, P.O. Box 4700, Olympia, WA 98504-7600, fax (360) 407-7534, e-mail dsch461@ecy.wa.gov.

**For more information:** Contact Doug Schneider at the contact information provided above.

If you need special accommodations, please call Tami Dahlgren of the air quality program at (360) 407-6800 by November 28. If you have a hearing loss, call 711 for Washington Relay Service. If you have a speech disability, call 877-833-6341.

**WSR 07-22-056**  
**NOTICE OF PUBLIC MEETINGS**  
**FREIGHT MOBILITY**  
**STRATEGIC INVESTMENT BOARD**

[Filed November 1, 2007, 11:32 a.m.]

**2008 Meeting Schedule**

January 25	Olympia
March 21	TBA
May 9	TBA
July 18	Suquamish
September 19	TBA
November 21	SeaTac

**WSR 07-22-057**  
**NOTICE OF PUBLIC MEETINGS**  
**SIRTI**

[Filed November 1, 2007, 11:33 a.m.]

At the October 18, 2007, Sirti board of directors meeting, action was taken to cancel the regularly scheduled December 20, 2007, board meeting.

**WSR 07-22-062**  
**OFFICE OF**  
**INSURANCE COMMISSIONER**

[Filed November 1, 2007, 2:59 p.m.]

**NOTICE OF PUBLIC HEARING**

Insurance Commissioner Mike Kreidler will conduct a public hearing on November 15 at the Best Western Executive Inn in Seattle for the purpose of hearing from Washington residents about activities that may constitute unfair methods of competition or unfair trade practices related to Medicare Advantage plans. In particular, concerns have been brought to the attention of the insurance commissioner about the availability to consumers of Medicare Advantage and other plans and access to health care providers who participate in these plans.

In late 2005, UnitedHealth Group sought the commissioner's approval for its acquisition of Pacificare of Washington, which provides Medicare Advantage plans to some 46,000 Washington seniors through its Secure Horizons products. After a hearing, the commissioner approved that acquisition on condition that United maintain the status quo of Pacificare's Washington operations until it resolved the commissioner's main areas of concern, including claims handling and provider contracts.

Since providing his conditional approval, the commissioner has received complaints that United is engaging in anti-competitive activities through its now wholly-owned entity, Pacificare of Washington. These activities are reported to include threats to terminate or adversely affect Pacificare's contracts with physicians and other health care providers unless they refuse to contract with a newly licensed

entrant into the Medicare Advantage market. The commissioner is concerned that such activities may result in reduced competition in this market in Washington, displace seniors from their long-term physician relationships, and limit access for senior patients to Medicare Advantage plans and the physicians of their choice.

Under the authority of RCW 48.02.060, the commissioner may conduct hearings which are useful and proper for the efficient administration of the insurance code. The commissioner will consider all testimony and written comments\* and consider whether further regulation pursuant to RCW 48.30.010 is required in order to prevent unfair methods of competition or unfair trade practices related to access to Medicare Advantage plans and the physicians and other health care providers who contract with them.

Date: Thursday, November 15, 2007  
 Time: 9 a.m. - Noon  
 Location: Best Western Executive Inn  
 Vashon Room  
 200 Taylor Avenue North  
 Seattle, WA

\*Written comments are welcome and may be submitted to OIC legal affairs at reneem@oic.wa.gov by 5 p.m. on November 22.

**WSR 07-22-068**

**NOTICE OF PUBLIC MEETINGS  
 BENTON CLEAN AIR AGENCY**

[Filed November 2, 2007, 9:30 a.m.]

We would like to publish two changes that the Benton Clean Air Authority has made effective November 1, 2007.

First, we have changed our name. We dropped the word "Authority" and replaced it with the word "Agency," making our new name the "Benton Clear Air Agency." This change was made by board resolution and minute action.

The second change is a new address. The Benton Clean Air Agency has purchased a building and we are in process of moving. The new address is 526 South Clodfelter Road, Kennewick, WA 99336, (509) 783-1304.

The regular monthly board meetings will be held at the conference room at the new location. The time remains unchanged with staff briefing beginning at 5:00 p.m. and the regular meeting beginning at 5:30 p.m.

**WSR 07-22-070**

**HOUSING FINANCE COMMISSION**

[Filed November 2, 2007, 2:09 p.m.]

**NOTICE OF PUBLIC HEARING**

The Washington state housing finance commission (the "commission") will hold an open public hearing for the purpose of accepting public comment on the biennial review of amendments to the commission's housing finance plan, as

required by laws governing the commission. The public hearing will be held at 1:00 p.m., Thursday, December 20, 2007, at the Commission Offices, 1000 Second Avenue, in its Board Room, 28th Floor, Seattle, WA.

The state housing finance plan provides the general policies of the commission and specific policies with regard to the programs of the commission. The plan outlines the manner in which the commission intends to issue bonds and allocate and use other financial resources during the period in accordance with the goals and objectives of the plan.

The commission is encouraging public comment on the proposed housing finance plan. Interested parties and individuals are encouraged to send written comments to the commission at the address provided below or to attend the public hearing. A copy of the proposed document may be obtained by telephone at 1-800-767-4663; e-mail at April.Kristjansson@wshfc.org; or by written request to the commission and will be available at the commission as of November 19, 2007.

Written public comment is invited, but must be received by 5:00 p.m., Wednesday, December 19, 2007, in the offices of the Washington State Housing Finance Commission, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046. Verbal testimony will be heard from all interested members of the public attending the hearing. The commission will consider the public testimony and written comments on potential changes made to its housing finance plan.

Kim Herman  
 Executive Director

**WSR 07-22-071**

**NOTICE OF PUBLIC MEETINGS  
 HEALTH CARE AUTHORITY**

(Health Technology Clinical Committee)

[Filed November 2, 2007, 2:34 p.m.]

**2008 Public Meeting Schedule**

	<b>Date of Public Meeting</b>	<b>Location</b>
1.	<b>Friday, February 15, 2008</b> 8:00 a.m. - 4:30 p.m.	<b>Marriott Hotel</b> 3201 South 176th Street Seattle, WA 98188
2.	<b>Friday, May 9, 2008</b> 8:00 a.m. - 4:30 p.m.	<b>Marriott Hotel</b> 3201 South 176th Street Seattle, WA 98188
3.	<b>Friday, August 15, 2008</b> 8:00 a.m. - 4:30 p.m.	<i>TBA</i>
4.	<b>Friday, November 14, 2008</b> 8:00 a.m. - 4:30 p.m.	<i>TBA</i>

If you are a person with a disability and need special accommodation, please contact Denise Santoyo at (360) 923-2742.

**WSR 07-22-073**

**NOTICE OF PUBLIC MEETINGS  
SHORELINE COMMUNITY COLLEGE**

[Filed November 5, 2007, 9:26 a.m.]

Pursuant to RCW 42.30.075, Shoreline Community College board of trustees shall hold regular meetings at 4:00 p.m. in the Board Room (#1011M) in the Administration Building (#1000) at Shoreline Community College, 16101 Greenwood Avenue North, Shoreline, WA. The board is scheduled to meet on the following dates in calendar year 2008:

Winter Quarter	Spring Quarter	Fall Quarter
January 23, 2008	April 24, 2008	September 24, 2008
February 27, 2008	May 28, 2008	October 22, 2008
March 19, 2008	June 25, 2008*	December 3, 2008

\*The June 25, 2008, board meeting will be held in Room 5 at Shoreline Community College's Lake Forest Park location (SCC@LFP), Lake Forest Park Towne Center, 17171 Bothell Way N.E., Suite A220, Lake Forest Park, WA.

In the event of a change to a regular meeting date, notice of the change will be submitted to the office of the code reviser a minimum of twenty days prior to the rescheduled meeting date.

Please call (206) 546-4552 or e-mail Lori Y. Yonemitsu at [lyonemitsu@shoreline.edu](mailto:lyonemitsu@shoreline.edu) if you need further information.

**WSR 07-22-074**

**NOTICE OF PUBLIC MEETINGS  
CLARK COLLEGE**

[Filed November 5, 2007, 9:27 a.m.]

Pursuant to RCW 42.30.075, following is the board of trustees meeting schedule for Clark College for the year of 2008.

The board of trustees of Clark College currently hold its meetings on the fourth Monday of the month at 5:00 p.m. except in the months of March, July, November and December. All meetings are held at Clark College in the Penguin Student Building Conference Rooms 258B & C of Gaiser Hall.

- January 28
- February 25
- March 10 (Tenure Vote)
- April 28
- May 19
- June 23
- July - No Meeting
- August 25
- September 22
- October 27
- November 17
- December 15

**WSR 07-22-075**

**NOTICE OF PUBLIC MEETINGS  
SHORELINE COMMUNITY COLLEGE**

[Filed November 5, 2007, 9:28 a.m.]

The trustees from Cascadia Community College, Edmonds Community College, Everett Community College, Shoreline Community College and Skagit Valley College will hold a special meeting, beginning at 5:30 p.m. on Thursday, November 8, 2007, for the purpose of discussing the upcoming legislative session and the state board for community and technical college's legislative agenda.

This special meeting will take place in the Snoqualmie Room (#250) in the Central Washington University - Lynnwood Center, 20000 68th Avenue West, Lynnwood, WA.

Please call (206) 546-4552 or e-mail Lori Y. Yonemitsu at [lyonemitsu@shoreline.edu](mailto:lyonemitsu@shoreline.edu) if you need further information.

**WSR 07-22-076**

**NOTICE OF PUBLIC MEETINGS  
RECREATION AND CONSERVATION  
OFFICE**

(Biodiversity Council)

[Filed November 5, 2007, 9:28 a.m.]

The next public meeting of the Washington biodiversity council will be Wednesday, December 12, 2007, from 8:30 a.m. to 4:00 p.m. at The Longhouse, The Evergreen State College, Olympia, Washington.

For further information, please contact Sarah Gage, Washington Biodiversity Council, (360) 902-3027.

**WSR 07-22-077**

**RULES OF COURT  
STATE SUPREME COURT**

[November 1, 2007]

IN THE MATTER OF THE ADOPTION ) ORDER  
OF THE AMENDMENTS TO GR 14 ) NO. 25700-A-878

The Washington State Association of County Clerks having recommended the adoption of the proposed amendment to GR 14, and the Court having the proposed amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendment as attached hereto is to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Office of the Administrator for the Court's websites in January 2008.

(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, 2008. Comments may be sent to the fol-



lowing addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 1st day of November, 2007.

For the Court  
 Gerry L. Alexander  
 \_\_\_\_\_  
 CHIEF JUSTICE

### **GR 9 Cover Sheet**

#### **Suggested Amendment for General Rule (GR) 14 Concerning Format for Pleadings and Other Papers**

#### **Submitted by the Washington State Association of County Clerks**

**Purpose:** The purpose of this General Rule 14 (GR 14) amendment request is to clarify existing language and intent. Specifically, the language in question is GR 14(b), which states:

*"(b) Except for Exhibits. This rule is not mandatory for exhibits, but the use of exhibits that comply with this rule is encouraged if it does not impair legibility."*

The Clerk's Association's position is the above GR 14 excerpt refers to trial and/or hearing exhibits and not to "exhibits" (attachments) to pleadings, motions, and other papers. Challenges by attorneys and pro se parties have been persistent, and the consistent challenge is that the word "exhibit" is synonymous with the word "attachment".

The difference in interpretation is significant as attorneys and pro ses routinely file pleadings with the Superior Court (Clerk) that contain attachments that do not comply with the 8-1/2 by 11 inch requirement discussed in GR 14(a). Examples of non-complying documents or items that are attached to pleadings include, but are not limited to, cassette tapes, compact disks, and video cassette tapes, photographs, charts, plat maps, etc.

Because the County Clerks are statutorily required to preserve court records in perpetuity (permanently), accepting non-complying pleadings places an enormous records management burden on them. Specifically, non-complying documents often cannot be microfilmed and/or electronically scanned due to their size, which is the preferred and primary method of permanently preserving records. And, some items such as cassette tapes, compact disks, etc. cannot be preserved in any manner other than their physical form. The inability to capture records in either microfilm or electronic media due to size or physical constraints places an undue and unrealistic burden on Clerks who now must preserve these records, in perpetuity, in their physical form. Moreover, non-complying documents are not conducive with electronic filing of documents or with Electronic Document Management Systems (EDMS). The majority of Clerks in Washington state either have implemented and operate an EDMS or are in the process of developing and implementing one. And, several Clerks have implemented electronic filing which is statutorily authorized, and the movement towards this technol-

ogy is being considered in several other Clerk's offices state wide as the technology continues to evolve.

GR 31 (c)(4) provides the definition of a "court record" and includes "exhibit" in that definition. Again, the Clerk's Association maintains that the word "exhibit" refers to trial or hearing exhibits, which are managed and preserved differently, and does not relate to documents or other items attached to a pleading, motion, or other paper. Additionally, Clerks have also relied on Civil Rule (CR) 5(e) - Filing With the Court Defined, which states:

*"...The Clerk may refuse to accept for filing any paper presented for that purpose because it is not presented in proper form as required by these rules or any local rules or practices..."*

Further, Washington State Auditors have and enforce a strict document format and filing standard for documents submitted for recording. These requirements are outlined in RCW 65.04.045 and are similar in language to that of GR 14 with regard to paper size and format requirements. The Clerk's Association strongly believes that similar unambiguous language is needed for court records to ensure these critical public records are preserved.

While many Superior Courts have adopted local court rules regarding format and filing of pleadings, to include the provision of "working copies" directly to the judicial officer, the conflicting and unclear language regarding "exhibits" in GR 14 continues to be an issue.

The enclosure provides proposed amended language to GR 14.

#### **RULE GR 14 FORMAT FOR PLEADINGS AND OTHER PAPERS**

(a) Format Requirements. All pleadings, motions, and other papers, including attachments thereto, filed with the court shall be legibly written or printed. The use of letter-size paper (8-1/2 by 11 inches) is mandatory. The writing or printing shall appear on only one side of the page. The top margin of the first page shall be a minimum of three inches, the bottom margin shall be a minimum of one inch and the side margins shall be a minimum of one inch. All subsequent pages shall have a minimum of one inch margins. Papers filed shall not include any colored pages, highlighting or other colored markings.

(b) Exception for Trial or Hearing Exhibits. This rule is not mandatory for trial or hearing exhibits, but the use of trial or hearing exhibits that comply with this rule is encouraged if it does not impair legibility.

(c) Application of Rule. This rule shall apply to all proceedings in all courts of the State of Washington unless otherwise specifically indicated by court rule.

(d) Citation Format. Citations shall conform with the format prescribed by the Reporter of Decisions. (See Appendix 1.)

[Adopted effective September 1, 1990; amended effective April 1, 2001; September 1, 2003.]

**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 07-22-078
RULES OF COURT
STATE SUPREME COURT

[November 1, 2007]

IN THE MATTER OF THE ADOPTION ) ORDER
OF THE AMENDMENTS TO ER 1011 ) NO. 25700-A-879
[1101] (c)(4) )

The Superior Court Judges' Association having recom-
mended the adoption of the proposed amendment to ER 1011
[1101] (c)(4), and the Court having approved the proposed
amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the pro-
posed amendment as attached hereto is to be published for
comment in the Washington Reports, Washington Register,
Washington State Bar Association and Office of the Admin-
istrator for the Court's websites in January, 2008.

(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, 2008. Comments may be sent to the fol-
lowing addresses: P.O. Box 40929, Olympia, Washington
98504-0929, or Camilla.Faulk@courts.wa.gov. Comments
submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 1st day of Novem-
ber, 2007.

For the Court
Gerry L. Alexander
CHIEF JUSTICE

GR 9 Cover Sheet
Suggested Changes to ER 1101 (c)(4)

(C) Purpose: The Abuse of Vulnerable Adults Act
(Act), chapter 74.34 RCW, provides a number of protections
for vulnerable adults. One section of the Act provides that
vulnerable adults may seek orders of protection from acts of
abandonment, abuse, exploitation, or neglect. (RCW
74.34.110.) In 2007, the Legislature amended the process for
obtaining these protection orders. Among other changes,
"interested persons" may now petition for the orders on
behalf of a vulnerable adult, court filing fees are waived, and
the Administrative Office of the Courts (AOC) is directed to
create mandatory forms and instructions, in English and other
languages, for use in obtaining these orders.

The SCJA proposes amending ER 1101 (c)(4) to add
vulnerable adult protection orders to the existing rule which
provides that the rules of evidence, other than with respect to
privileges, need not be applied in protection order proceed-
ings under RCW 26.50 (domestic violence) and RCW 10.14
(harassment). The same reason that it has been made easier
for parties to present evidence in domestic violence and
harassment protection order hearings exists with vulnerable
adult protection orders; there is a need for a simplified pro-
cess for these proceedings, to make sure the protection of the
courts is available to all persons who need such assistance.

In testimony to the Legislature when the 2007 amend-
ments to the Act were being considered, it was noted that
"[t]his bill makes the process easier, which is important
because the current law is cumbersome, inefficient, and
expensive." (H.B. Report on Engrossed Second H.B. 1008,
60th Leg., Reg. Sess., p. 5 (Wash. 2007).) Amending ER
1101 (c)(4) to include vulnerable adult protection orders will
assist in making the procedure for obtaining such an order
easier for the parties. Adding vulnerable adult protection
orders to the rule will also aid the courts by making the pro-
cedures consistent with other similar case types in which pro-
tection orders may be issued. An increase is expected in the
number of filings for vulnerable adult protection orders as a
result of the legislative changes, particularly the requirement
that AOC create new standardized instructions and forms for
this proceeding, the use of which is mandatory as of October
1, 2007, and the change allowing an "interested person" to
petition on behalf of the vulnerable adult.

This suggested rule change also contains a suggested
revision to the caption of ER 1101 (c)(4), to clarify the scope
of the subsection. The present caption of the subsection is
"Applications for Domestic Violence Protection." However,
the present subsection actually applies to both domestic vio-
lence proceedings and to harassment protection orders and
the suggested rule change would expand the subsection to
include vulnerable adult protection orders. The suggested
caption, "Applications for Protection Orders", more accu-
rately describes the subsection.

WASHINGTON RULES OF EVIDENCE (ER)

RULE 1101. APPLICABILITY OF RULES

(a) - (b) [No changes.]

(c) When Rules Need Not Be Applied. The rules (other
than with respect to privileges) need not be applied in the fol-
lowing situations:

(1) - (3) [No changes.]

(4) Applications for Domestic Violence Protection
Orders. Protection order proceedings under RCW 10.14, and
26.50 and 10.14 74.34. When a judge proposes to consider
information from a domestic violence database, the judge
shall disclose the information to each party present at the
hearing; on timely request, provide each party with an oppor-
tunity to be heard; and, take appropriate measures to alleviate
litigants' safety concerns. The judge has discretion not to dis-
close information that he or she does not propose to consider.

(d) [No changes.]

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 Reg-
ister pursuant to the requirements of RCW 34.08.040.

WSR 07-22-079
RULES OF COURT
STATE SUPREME COURT

[November 1, 2007]

IN THE MATTER OF THE ADOPTION ) ORDER
OF THE AMENDMENTS TO CrR 3.1(d), ) NO. 25700-A-880
JuCR 9.2(d) and CrRLJ 3.1(d) )

Justice Sanders having recommended the adoption of the proposed amendments to CrR 3.1(d), JuCR 9.2(d), and CrRLJ 3.1(d), and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as attached hereto are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Office of the Administrator for the Court's websites in January, 2008.

(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, 2008. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 1st day of November, 2007.

For the Court  
Gerry L. Alexander  
\_\_\_\_\_  
CHIEF JUSTICE

SUGGESTED AMENDMENT  
CrR 3.1, JuCR 9.2, and CrRLJ 3.1

**PURPOSE:** The proposed rules provide minimal standards to be satisfied before a judicial officer may appoint an attorney to render services to an indigent person. These standards are contained in the Standards for Indigent Defense Services as endorsed by the Washington State Bar Association.

The purpose of the proposed rules is to place responsibility with the appointing judicial authority to require minimum expertise, competence and ability in those appointed to better insure adequate representation of the indigent client. This is and should be a judicial function.

**. Suggested Rule Change to CrR 3.1(d)**

CrR 3.1 (a)-(c) and (e)-(f) [unchanged]

(d) Assignment of Lawyer.

(1) Unless waived, a lawyer shall be provided to any person who is financially unable to obtain one without causing substantial hardship to the person or to the persons family. A lawyer shall not be denied to any person merely because the person's friends or relatives have resources adequate to retain a lawyer or because the person has posted or is capable of posting bond.

(2) The ability to pay part of the cost of a lawyer shall not preclude assignment. The assignment of a lawyer may be conditioned upon part payment pursuant to an established method of collection.

(3) Information given by a person to assist in the determination of whether the person is financially able to obtain a lawyer shall be under oath and shall not be available for use by the prosecution in the pending case in chief.

(4) Before appointing a lawyer for an indigent person, the court shall satisfy itself that proposed counsel has demonstrated the proficiency, ability and commitment to quality representation appropriate to the proceedings, pursuant to the Standards for Indigent Defense Services as endorsed by the Washington State Bar Association.

**. Suggested Rule Change to JuCR 9.2(d)**

JuCR 9.2 (a)-(c) [unchanged]

(d) Juvenile Offense Proceedings. The court shall provide a lawyer at public expense in a juvenile offense proceeding when required by RCW 13.40.080(10), RCW 13.40.140(2), or rule 6.2.

(1) Before appointing a lawyer in a juvenile offense proceeding, the court shall satisfy itself that proposed counsel has demonstrated the proficiency, ability and commitment to quality representation appropriate to the proceedings, pursuant to the Standards for Indigent Defense Services as endorsed by the Washington State Bar Association.

**Suggested Rule Change to CrRLJ 3.1(d)**

CrRLJ 3.1 (a)-(c) and (e)-(f) [unchanged]

(d) Assignment of Lawyer.

(1) Unless waived, a lawyer shall be provided to any person who is financially unable to obtain one without causing substantial hardship to the person or to the persons family. A lawyer shall not be denied to any person merely because his or her friends or relatives have resources adequate to retain a lawyer or because he or she has posted or is capable of posting bond.

(2) The ability to pay part of the cost of a lawyer shall not preclude assignment. The assignment of a lawyer may be conditioned upon part payment pursuant to an established method of collection.

(3) Information given by a person to assist in the determination of whether he or she is financially able to obtain a lawyer shall be under oath and shall not be available for use to the prosecution in the pending case in chief.

(4) Before appointing a lawyer for an indigent person, the court shall satisfy itself that proposed counsel has demonstrated the proficiency, ability and commitment to quality representation appropriate to the proceedings, pursuant to the Standards for Indigent Defense Services as endorsed by the Washington State Bar Association.

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

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

**WSR 07-22-080**  
**RULES OF COURT**  
**STATE SUPREME COURT**

[November 1, 2007]

IN THE MATTER OF THE ADOPTION ) ORDER  
OF THE AMENDMENTS TO GR 23 ) NO. 25700-A-881

The Certified Professional Guardian Board having recommended the adoption of the proposed amendment to GR 23, and the Court having approved the proposed amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendment as attached hereto is to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Office of the Administrator for the Court's websites in January, 2008.

(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, 2008. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 1st day of November, 2007.

For the Court
Gerry L. Alexander
CHIEF JUSTICE

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 07-23 issue of the Register.

WSR 07-22-081
RULES OF COURT
STATE SUPREME COURT

[November 1, 2007]

IN THE MATTER OF THE ADOPTION ) ORDER
OF THE AMENDMENTS TO CrR 4.1— ) NO. 25700-A-882
ARRAIGNMENT, CrR4.2—PLEAS, )
CrRLJ 4.1—ARRAIGNMENT AND )
CrRLJ 4.2—PLEAS; NEW APR 27—PRO- )
VISION OF LEGAL SERVICES FOL- )
LOWING DETERMINATION OF MAJOR )
DISASTER AND AMENDMENT TO RPC )
5.5—UNAUTHORIZED PRACTICE OF )
LAW; MULTIJURISDICTIONAL PRACTICE )
OF LAW—COMMENT 14; ER ))
408—COMPROMISE AND OFFERS TO )
COMPROMISE; ER 410—INADMISSI- )
BILITY OF PLEAS, OFFERS OF PLEAS, )
AND RELATED STATEMENTS; CrR )
8.3—DISMISSAL AND CrRLJ 8.3—DIS- )
MISSAL; RAP 2.2—DECISIONS OF THE )
SUPERIOR COURT THAT MAY BE )
APPEALED AND RALJ 2.2—WHAT )
MAY BE APPEALED; RPC 1.8—CON- )
FLICT OF INTEREST: CURRENT CLI- )
ENTS: SPECIFIC RULES; NEW GR 34— )
WAIVER OF COURT AND CLERK'S )

FEES AND CHARGES IN CIVIL MAT- )
TERS AND APPENDIX A, B, C AND D; )
JuCR 7.15—WAIVER OF RIGHT TO )
COUNSEL; APR 12—LIMITED PRACTICE )
RULE FOR CLOSING OFFICERS; )
APPENDIX APR 12—REGULATIONS OF )
THE APR 12 LIMITED PRACTICE )
BOARD; DISCIPLINARY REGULA- )
TIONS APPLICABLE TO APR 12.1; )
CONTINUING EDUCATION REGULA- )
TIONS OF THE LIMITED PRACTICE )
BOARD; NEW RULES OF PROFESSIONAL )
SAL [PROFESSIONAL] CONDUCT FOR )
LIMITED PRACTICE OFFICERS; RULES )
FOR ENFORCEMENT OF LIMITED )
PRACTICE OFFICER CONDUCT; ELC )
15.4—TRUST ACCOUNT OVERDRAFT )
NOTIFICATION; RPC 1.15A—SAFE- )
GUARDING PROPERTY; RPC 1.5— )
FEES; RPC 5.5—UNAUTHORIZED )
PRACTICE OF LAW; MULTIJURISDIC- )
TIONAL PRACTICE OF LAW; APR 15— )
LAWYERS' FUND FOR CLIENT PRO- )
TECTION—RULE 5—ELIGIBLE )
CLAIMS AND RULE 6—PROCEDURES )
AND ELC 13.9—COSTS AND )
EXPENSES )

The Washington State Bar Association having recommended the adoption of the proposed amendments to CrR 4.1—Arraignment, CrR 4.2—Pleas, CrRLJ 4.1—Arraignment and CrRLJ 4.2—Pleas; New APR 27—Provision of Legal Services Following Determination of Major Disaster and Amendment to RPC 5.5—Unauthorized Practice of Law; Multijurisdictional Practice of Law—Comment 14; ER 408—Compromise and Offers to Compromise; ER 410—Inadmissibility of Pleas, Offers of Pleas, and Related Statements; CrR 8.3—Dismissal and CrRLJ 8.3—Dismissal; RAP 2.2—Decisions of the Superior Court That May Be Appealed and RALJ 2.2—What May Be Appealed; RPC 1.8—Conflict of Interest: Current Clients: Specific Rules; New GR 34—Waiver of Court and Clerk's Fees and Charges in Civil Matters and Appendix A, B, C AND D; JuCR 7.15—Waiver of Right to Counsel; APR 12—Limited Practice Rule for Closing Officers; Appendix APR 12—Regulations of the APR 12 Limited Practice Board; Disciplinary Regulations Applicable to APR 12.1; Continuing Education Regulations of the Limited Practice Board; New Rules of Professional Conduct for Limited Practice Officers; Rules for Enforcement of Limited Practice Officer Conduct; ELC 15.4—Trust Account Overdraft Notification; RPC 1.15A—Safeguarding Property; RPC 1.5—Fees; RPC 5.5—Unauthorized Practice of Law; Multijurisdictional Practice of Law; APR 15—Lawyers' Fund for Client Protection—Rule 5—Eligible Claims and Rule 6—Procedures and ELC 13.9—Costs and Expenses, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as attached hereto are to be published for comment in the Washington Reports, Washington Register,

Washington State Bar Association and Office of the Administrator for the Court's websites in January, 2008.

(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, 2008. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 1st day of November, 2007.

For the Court  
Gerry L. Alexander  
 CHIEF JUSTICE

**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 07-24 issue of the Register.

**WSR 07-22-089**  
 NOTICE OF PUBLIC MEETINGS  
 DEPARTMENT OF  
 GENERAL ADMINISTRATION  
 (Capitol Campus Design Advisory Committee)  
 [Filed November 6, 2007, 8:46 a.m.]

General Administration Building  
 210 11th Avenue S.W.  
 Room 207  
 Olympia, WA  
 November 8, 2007  
 10:00 - 1:15

**WSR 07-22-092**  
 NOTICE OF PUBLIC MEETINGS  
 LAKE WASHINGTON  
 TECHNICAL COLLEGE  
 [Filed November 6, 2007, 8:50 a.m.]

Pursuant to RCW 42.30.075, we are hereby notifying you of the following amended date when the Lake Washington Technical College board of trustees is scheduled to hold a regular meeting in April.

Instead of holding a meeting on Monday, December 3, 2007, the board of trustees will meet on Monday, December 10, 2007.

Appropriate advertising of this meeting change will take place ten days prior to the meeting. Work sessions begin at 5:00 p.m. in Room W302E at the college; the regular meeting agenda begins at 5:45 p.m. in Room W305 at the college.

**WSR 07-22-105**  
 NOTICE OF PUBLIC MEETINGS  
 RECREATION AND  
 CONSERVATION OFFICE  
 (Salmon Recovery Funding Board)  
 [Filed November 6, 2007, 3:03 p.m.]

At a regular meeting on September 27, 2007, the salmon recovery funding board adopted the following meeting schedule:

Date	Days	Location
February 14 and 15, 2008	Thursday-Friday	NRB Room 172 Olympia, Washington
May 8 and 9, 2008	Thursday-Friday	To be determined
July 10 and 11, 2008	Thursday-Friday	NRB Room 172 Olympia, Washington
October 16 and 17, 2008	Thursday-Friday	NRB Room 172 Olympia, Washington
December 11 and 12, 2008	Thursday-Friday	NRB Room 172 Olympia, Washington

**WSR 07-22-106**  
 NOTICE OF PUBLIC MEETINGS  
 RECREATION AND  
 CONSERVATION OFFICE  
 (Forum on Monitoring)  
 [Filed November 6, 2007, 3:04 p.m.]

The next public meeting of the forum on monitoring (Executive Order #04-03) has been scheduled for Thursday, December 6, 2007, from 9:00 a.m. to 2:30 p.m. in Room #172 of the Natural Resources Building in Olympia.

For further information, please contact Amie Fowler, recreation and conservation office (RCO), (360) 902-3086.

The RCO schedules all public meetings at barrier free sites. Persons who need special assistance, such as large type materials, may contact Amie Fowler at the number listed above or by e-mail at AmieF@rco.wa.gov.

**WSR 07-22-107**  
 NOTICE OF PUBLIC MEETINGS  
 RECREATION AND  
 CONSERVATION OFFICE  
 (Salmon Recovery Funding Board)  
 [Filed November 6, 2007, 3:04 p.m.]

The next public meeting of the salmon recovery funding board will be Thursday, December 13, 2007, from 8:00 a.m. to 5:00 p.m., and December 14, 2007, from 8 a.m. to 12:00 p.m. in the Kitsap Conference Center, 100 Washington Avenue, Bremerton.

For further information, please contact Amie Fowler, recreation and conservation office (RCO), (360) 902-3086 or check the web page at <http://www.rco.wa.gov/srfb/board/schedules.htm>.

The RCO schedules all public meetings at barrier free sites. Persons who need special assistance, such as large type

materials, may contact Amie Fowler at the number listed above or by e-mail at amief@rco.wa.gov.

**WSR 07-22-111**  
**NOTICE OF PUBLIC MEETINGS**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed November 7, 2007, 9:28 a.m.]

The following is the schedule for the 2008 regular public meetings of the Washington utilities and transportation commission:

January 10, 2008  
 January 31, 2008  
 February 14, 2008  
 February 28, 2008  
 March 13, 2008  
 March 27, 2008  
 April 10, 2008  
 April 30, 2008  
 May 15, 2008  
 May 28, 2008  
 June 12, 2008  
 June 26, 2008  
 July 10, 2008  
 July 31, 2008  
 August 14, 2008  
 August 28, 2008  
 September 11, 2008  
 September 25, 2008  
 October 9, 2008  
 October 30, 2008  
 November 13, 2008  
 November 26, 2008  
 December 11, 2008  
 December 23, 2008

All commission meetings will commence at 9:30 a.m. on the scheduled day. The meetings will be held in the Commission's Main Hearing Room, Second Floor, Richard Hemstad Building, 1300 South Evergreen Park Drive S.W., Olympia, WA.

Assistance with sign language interpreters or information in alternate formats will be provided when requested ten days prior to the meeting date, by contacting the ADA coordinator at (360) 664-1133 or TTY 800-416-5289.

**WSR 07-22-117**  
**DEPARTMENT OF ECOLOGY**

[Filed November 7, 2007, 10:32 a.m.]

**PUBLIC NOTICE**

**Public Workshops and Hearings to Accept Comments on the  
 Draft Industrial Stormwater General Permit**

**The Industrial Stormwater General Permit:** The industrial stormwater NPDES and state waste discharge general permit (ISWGP), issued by the Washington state department of ecology (ecology) on September 20, 2002, expired on September 20, 2007. Ecology reissued its ISWGP on August 15, 2007, without changes for an interim period (until May 31, 2008) while we redeveloped a new draft permit.

Ecology has revised the permit for a second public comment period. The proposed draft ISWGP and fact sheet are available for review and public comment from **November 21, 2007, until 5 p.m. PST on January 10, 2008.**

Ecology redeveloped a second draft permit for public comment using input from internal and external stakeholders. Ecology received a wide spectrum of comments addressing proposed requirements in the first draft permit, including comments on a new approach to permitting recommended in a report delivered to the legislature in December 2006. Three issues emerged from the comments that require reconsideration of decisions made for the February 2007 draft. The three issues are:

- The basis of the benchmarks.
- Use of the season median of sample results to trigger corrective action.
- The corrective action program to remedy benchmark exceedances.

You may review the second draft permit and fact sheet at the web site <http://www.ecy.wa.gov/programs/wq/stormwater/industrial/index.html>. The fact sheet provides information on the industries covered under the permit, including discharge characteristics, compliance with the previous permit, and the legal and technical basis for the permit conditions.

**Requesting Copies of the Permit:** You may download copies of the draft permit and fact sheet from the web site <http://www.ecy.wa.gov/programs/wq/stormwater/industrial/index.html>; or you may request copies from Julie Robertson, phone (360) 407-6575, e-mail [jrob461@ecy.wa.gov](mailto:jrob461@ecy.wa.gov).

**Submitting Written and Oral Comments:** Ecology will accept written and oral comments on the second draft ISWGP and fact sheet. Comments should reference specific text when possible and address the following:

- Technical issues.
- Accuracy and completeness of information.
- The scope of facilities proposed for coverage.
- Adequacy of environmental protection and permit conditions.
- Any other concern that would result from issuance of the revised permit.

Ecology prefers comments be submitted by e-mail to [industrialstormwatercomments@ecy.wa.gov](mailto:industrialstormwatercomments@ecy.wa.gov). Written comments must be postmarked or received via e-mail no later than **5 p.m. PST, January 10, 2008.**

You may provide oral comments by testifying at the public hearings.

Submit written, hard copy comments to Lionel Klikoff, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

**Public Workshops/Hearings:** Ecology will conduct public workshops and hearings on the second draft general permit at the four locations listed below. At the workshops, ecology will explain the general permit, identify changes from the previous permit, and answer questions to facilitate testimony during the hearing. The hearings provide an opportunity for people to give formal oral testimony and comments on the proposed permit. Public hearings begin immediately after the workshops and conclude as soon as public testimony is completed.

January 4, 2008 (2 p.m.)	Centralia Timberland Regional Library 110 South Silver Centralia (360) 736-0183
January 7, 2008 (9 a.m.)	Skagit County PUD 1415 Freeway Drive Mount Vernon (360) 424-7104
January 8, 2008 (1 p.m.)	Spokane Shadle Library West 2111 Wellesley Avenue Spokane (509) 444-5390
January 9, 2008 (9 a.m.)	Yakima County Courthouse 128 North 2nd Street Yakima (509) 574-1502

**Issuing the Final Industrial Stormwater General Permit:** Ecology will issue the final permit after receiving and considering all public comments. Ecology expects to issue the general permit in the spring of 2008. When issued, ecology will send a copy of the notice of issuance and ecology's responses to the comments to all persons who submitted written comments or gave public testimony.