

WSR 10-15-033
RULES OF COURT
STATE SUPREME COURT

[July 8, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
 OF THE AMENDMENTS TO CrR 4.2(g)-) NO. 25700-A-961
 STATEMENT OF DEFENDANT ON)
 PLEA OF GUILTY TO NON-SEX)
 OFFENSE; CrR 4.2(g)-STATEMENT OF)
 PLEA OF GUILTY TO SEX OFFENSE;)
 CrR 4.2(g)-"OFFENDER REGISTRA-)
 TION" ATTACHMENT; JuCR 7.7-STATE-)
 MENT ON PLEA OF GUILTY; AND JuCR)
 7.7-"OFFENDER REGISTRATION")
 ATTACHMENT)

The Pattern Forms Committee having recommended the adoption of the proposed amendments to CrR 4.2(g)-Statement of Defendant on Plea of Guilty to Non-Sex Offense; CrR 4.2(g)-Statement of Plea of Guilty to Sex Offense; CrR 4.2(g)-"Offender Registration" Attachment; JuCR 7.7-Statement on Plea of Guilty; and JuCR 7.7-"Offender Registration" Attachment, and the Court having determined that the proposed amendments will aid in the prompt and orderly administration of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as shown below hereto are adopted.

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

DATED at Olympia, Washington this 8th day of July, 2010.

Madsen, C.J.

C. Johnson, J.

Owens, J.

Alexander, J.

Fairhurst, J.

Sanders, J.

J. M. Johnson, J.

Chambers, J.

Stephens, J.

Superior Court of Washington for	
<u>State of Washington</u> , Plaintiff	
vs.	
_____	Defendant

No.
Statement of Defendant on Plea of Guilty to Non-Sex Offense (Felony) (STTDFG)

1. My true name is: _____.

2. My age is: _____.

3. The last level of education I completed was _____.

4. I Have Been Informed and Fully Understand That:

(a) I have the right to representation by a lawyer and if I cannot afford to pay for a lawyer, one will be provided at no expense to me.

(b) I am charged with: _____.

The elements are: _____.

5. I Understand I Have the Following Important Rights, and I Give Them Up by Pleading Guilty:

(a) The right to a speedy and public trial by an impartial jury in the county where the crime was allegedly committed;

(b) The right to remain silent before and during trial, and the right to refuse to testify against myself;

(c) The right at trial to hear and question the witnesses who testify against me;

(d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

(e) The right to be presumed innocent unless the State proves the charge beyond a reasonable doubt or I enter a plea of guilty;

(f) The right to appeal a finding of guilt after a trial.

6. In Considering the Consequences of my Guilty Plea, I Understand That:

(a) Each crime with which I am charged carries a maximum sentence, a fine, and a **Standard Sentence Range** as follows:

COUNT NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	COMMUNITY CUSTODY	MAXIMUM TERM AND FINE
1					
2					
3					

*Each sentencing enhancement will run consecutively to all other parts of my entire sentence, including other enhancements and other counts. The enhancement codes are: (F) Firearm, (D) Other deadly weapon, (V) VUCSA in protected zone, (VH) Veh. Hom, see RCW 46.61.520, (JP) Juvenile present, (CSG) Criminal street gang involving minor, (AE) Endangerment while attempting to elude.

(b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.

(c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.

(d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.

(e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.

(f) For crimes committed prior to July 1, 2000: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the total period of confinement is more than 12 months, and if this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community custody. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community custody. The actual period of community custody may be longer than my earned early release period. During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

[] For offenses committed after July 1, 2000 but prior to July 26, 2009, the court may impose a community custody range as follows: for serious violent offenses, 24 to 36 months; for crimes against persons, 9 to 12 months; for offenses under 69.50 and 69.52, 9 to 12 months.

For crimes committed on or after July 1, 2000: In addition to sentencing me to confinement, under certain circumstances the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months, but only if the crime I have been convicted of falls into one of the offense types listed in the following chart. For the offense of failure to register as a sex offender, regardless of the length of confinement, the judge will sentence me to 36 months of community custody. If the total period of confinement ordered is more than 12 months, and if the crime I have been convicted of falls into one of the

offense types listed in the following chart, the court will sentence me to community custody for the term established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.728 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody term will be based on the offense type that dictates the longest term of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY TERM
Serious Violent Offenses	36 months
Violent Offenses	18 months
Crimes Against Persons as defined by RCW 9.94A.411(2)	12 months
Offenses under Chapter 69.50 or 69.52 RCW (not sentenced under RCW 9.94A.660)	12 months
Offenses involving the unlawful possession of a firearm where the offender is a criminal street gang member or associate	12 months

Certain sentencing alternatives may also include community custody.

During the period of community custody I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, including additional conditions of community custody that may be imposed by the Department of Corrections. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74.04.005 (6)(h), and may result in the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

(g) The prosecuting attorney will make the following recommendation to the judge: _____

_____.

[] The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.

(h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless it finds substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences:

(i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.

(ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.

(iii) The judge may also impose an exceptional sentence above the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

(iv) The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

If the court imposes a standard range sentence, then no one may appeal the sentence. If the court imposes an exceptional sentence after a hearing, either the State or I can appeal the sentence.

(i) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

(j) I may not possess, own, or have under my control any firearm unless my right to do so is restored by a superior court in Washington State, and by a federal court if required. I must immediately surrender any concealed pistol license. RCW 9.41.040.

(k) I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08.520.

(l) Government assistance may be suspended during any period of confinement.

(m) I will be required to have a biological sample collected for purposes of DNA identification analysis. I will be required to pay a \$100.00 DNA collection fee.

Notification Relating to Specific Crimes: *If any of the following paragraphs DO NOT APPLY, counsel and the defendant shall strike them out. The defendant and the judge shall initial all paragraphs that DO APPLY.*

(n) This offense is a most serious offense or "strike" as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.

(o) The judge may sentence me as a first-time offender instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days' confinement and up to two years community custody plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation,

and to pursue a prescribed course of study or occupational training.

(p) The judge may sentence me under the Parenting Sentencing Alternative if I qualify under Laws of 2010, ch. 224, §2. If I am eligible, the judge may order DOC to complete either a risk assessment report or a chemical dependency screening report, or both. If the judge decides to impose the Parenting Sentencing Alternative, the sentence will consist of 12 months of community custody and I will be required to comply with the conditions imposed by the court and by DOC. At any time during community custody, the court may schedule a hearing to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. The court may modify the conditions of community custody or impose sanctions. If the court finds I violated the conditions or requirements of the sentence or I failed to make satisfactory progress in treatment, the court may order me to serve a term of total confinement within the standard range for my offense.

(q) If this crime involves kidnapping involving a minor, including unlawful imprisonment involving a minor who is not my child, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.

(r) If this is a crime of domestic violence, I may be ordered to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.

(s) If this crime involves prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.

(t) The judge may sentence me under the drug offender sentencing alternative (DOSA) if I qualify under RCW 9.94A.660. If I qualify and the judge is considering a residential chemical dependency treatment-based alternative, the judge may order that I be examined by DOC before deciding to impose a DOSA sentence. If the judge decides to impose a DOSA sentence, it could be either a prison-based alternative or a residential chemical dependency treatment-based alternative.

If the judge imposes the **prison-based alternative**, the sentence will consist of a period of total confinement in a state facility for one-half of the midpoint of the standard range, or 12 months, whichever is greater. During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose a term of community custody of one-half of the midpoint of the standard range.

If the judge imposes the **residential chemical dependency treatment-based alternative**, the sentence will consist of a term of community custody equal to one-half of the midpoint of the standard sentence range or two years, whichever is greater, and I will have to enter and remain in a certified residential chemical dependency treatment program for a period of **three to six months**, as set by the court.

As part of this sentencing alternative, the court is required to schedule a progress hearing during the period of residential chemical dependency treatment and a treatment

termination hearing scheduled three months before the expiration of the term of community custody. At either hearing, based upon reports by my treatment provider and the department of corrections on my compliance with treatment and monitoring requirements and recommendations regarding termination from treatment, the judge may modify the conditions of my community custody or order me to serve a term of total confinement equal to one-half of the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

During the term of community custody for either sentencing alternative, the judge could prohibit me from using alcohol or controlled substances, require me to submit to urinalysis or other testing to monitor that status, require me to devote time to a specific employment or training, stay out of certain areas, pay \$30.00 per month to offset the cost of monitoring and require other conditions, such as affirmative conditions, and the conditions described in paragraph 6(e). The judge, on his or her own initiative, may order me to appear in court at any time during the period of community custody to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. If the court finds that I have violated the conditions of the sentence or that I have failed to make satisfactory progress in treatment, the court may modify the terms of my community custody or order me to serve a term of total confinement within the standard range.

___ (u) If I am subject to community custody and the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.

___ (v) If this crime involves the manufacture, delivery, or possession with the intent to deliver methamphetamine, including its salts, isomers, and salts of isomers, or amphetamine, including its salts, isomers, and salts of isomers, a mandatory methamphetamine clean-up fine of \$3,000 will be assessed. RCW 69.50.401 (2)(b).

___ (w) If this crime involves a violation of the state drug laws, my eligibility for state and federal food stamps, welfare, and education benefits may be affected. 20 U.S.C. § 1091(r) and 21 U.S.C. § 862a.

___ (x) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the judge finds I used a motor vehicle in the commission of this felony.

___ (y) If this crime involves the offense of vehicular homicide while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999, an additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.505(14).

___ (z) If I am pleading guilty to felony driving under the influence of intoxicating liquor or any drugs, or felony actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, in addition to the provisions of chapter 9.94A RCW, I will be required to undergo alcohol or chemical dependency treatment services during incarceration. I will be required to pay the costs of treatment unless the court finds that I am indigent. My driving privi-

leges will be suspended, revoked or denied. Following the period of suspension, revocation or denial, I must comply with ignition interlock device requirements.

___ (aa) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. This law does not apply to crimes committed on or after July 24, 2005, by a juvenile who was tried as an adult after decline of juvenile court jurisdiction. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6[n].

___ (bb) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.

___ (cc) The offense(s) I am pleading guilty to include(s) a Violation of the Uniform Controlled Substances Act in a protected zone enhancement or manufacture of methamphetamine when a juvenile was present in or upon the premises of manufacture enhancement. I understand these enhancements are mandatory and that they must run consecutively to all other sentencing provisions.

___ (dd) The offense(s) I am pleading guilty to include(s) a deadly weapon, firearm, or sexual motivation enhancement. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.

___ (ee) If I am pleading guilty to (1) unlawful possession of a firearm(s) in the first or second degree and (2) felony theft of a firearm or possession of a stolen firearm, I am required to serve the sentences for these crimes consecutively to one another. If I am pleading guilty to unlawful possession of more than one firearm, I must serve each of the sentences for unlawful possession consecutively to each other.

___ (ff) If I am pleading guilty to the crime of unlawful practices in obtaining assistance as defined in RCW 74.08-331, no assistance payment shall be made for at least six months if this is my first conviction and for at least 12 months if this is my second or subsequent conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290.

___ (gg) The judge may authorize work ethic camp. To qualify for work ethic authorization my term of total confinement must be more than twelve months and less than thirty-six months, I cannot currently be either pending prosecution or serving a sentence for violation of the uniform controlled substance act and I cannot have a current or prior conviction for a sex or violent offense.

7. I plead guilty to:

count _____
count _____
count _____
in the _____ Information. I have received a copy of that Information.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime. This is my statement: _____

_____ [] Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment, if applicable. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Defendant

I have read and discussed this statement with the defendant. I believe that the defendant is competent and fully understands the statement.

Prosecuting Attorney

Defendant's Lawyer

Print Name

WSBA No. Print Name

WSBA No.

The defendant signed the foregoing statement in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is included below.

Interpreter's Declaration: I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands. I have interpreted this document for the defendant from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter

Print Name

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: _____

Judge

Superior Court of Washington for	
<u>State of Washington</u> , Plaintiff	No. Statement of Defen- dant on Plea of Guilty to Sex Offense (Felony) (STDFG)
vs. _____	Defendant

The elements are: _____

5. I Understand I Have the Following Important Rights, and I Give Them Up by Pleading Guilty:

- (a) The right to a speedy and public trial by an impartial jury in the county where the crime was allegedly committed;
- (b) The right to remain silent before and during trial, and the right to refuse to testify against myself;
- (c) The right at trial to hear and question the witnesses who testify against me;
- (d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;
- (e) The right to be presumed innocent unless the State proves the charge beyond a reasonable doubt or I enter a plea of guilty;
- (f) The right to appeal a finding of guilt after a trial.

6. In Considering the Consequences of my Guilty Plea, I Understand That:

- (a) Each crime with which I am charged carries a maximum sentence, a fine, and a **Standard Sentence Range** as follows:

- 1. My true name is: _____.
- 2. My age is: _____.
- 3. The last level of education I completed was ____.
- 4. I Have Been Informed and Fully Understand That:**
 - (a) I have the right to representation by a lawyer and if I cannot afford to pay for a lawyer, one will be provided at no expense to me.
 - (b) I am charged with: _____.

COUNT NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	COMMUNITY CUSTODY	MAXIMUM TERM AND FINE
1					
2					
3					

*Each sentencing enhancement will run consecutively to all other parts of my entire sentence, including other enhancements and other counts. The enhancement codes are: (F) Firearm, (D) Other deadly weapon, (SM) Sexual Motivation, RCW 9.94A.533(8), (SCF) Sexual conduct with a child for a fee, RCW 9.94A.533(9), (CSG) Criminal street gang involving minor, (AE) Endangerment while attempting to elude.

(b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.

(c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.

(d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.

(e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensa-

tion fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.

(f) For sex offenses committed prior to July 1, 2000: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is more than one year, the judge will order me to serve three years of community custody or up to the period of earned early release, whichever is longer. During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

For sex offenses committed on or after July 1, 2000 but prior to September 1, 2001: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is over one year, the judge will sentence me to community custody for 36 months or up to the period of earned release, whichever is longer. During the period of community custody to which I am sentenced, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

For sex offenses committed on or after September 1, 2001: (i) Sentencing under RCW 9.94A.507: If this offense is any of the offenses listed in subsections (aa) or (bb), below, the judge will impose a maximum term of confinement consisting of the statutory maximum sentence of the offense and a minimum term of confinement either within the standard range for the offense or outside the standard range if an exceptional sentence is appropriate. The minimum term of confinement that is imposed may be increased by the Indeterminate Sentence Review Board if the Board determines by a preponderance of the evidence that it is more likely than not that I will commit sex offenses if released from custody. In addition to the period of confinement, I will be sentenced to community custody for any period of time I am released from total confinement before the expiration of the maximum sentence. During the period of community custody I will be under the supervision of the Department of Corrections and I will have restrictions and requirements placed upon me, which may include electronic monitoring, and I may be required to participate in rehabilitative programs.

(aa) If the current offense is any of these offenses or attempt to commit any of these offenses:

Rape in the first degree	Rape in the second degree
Rape of a child in the first degree committed when I was at least 18 years old	Rape of a child in the second degree committed when I was at least 18 years old
Child molestation in the first degree committed when I was at least 18 years old	Indecent liberties by forcible compulsion
Any of the following offenses with a finding of sexual motivation:	
Murder in the first degree	Murder in the second degree
Homicide by abuse	Kidnapping in the first degree
Kidnapping in the second degree	Assault in the first degree
Assault in the second degree	Assault of a child in the first degree
Assault of a child in the second degree	Burglary in the first degree

(bb) If the current offense is any sex offense and I have a prior conviction for any of these offenses or attempt to commit any of these offenses:

Rape in the first degree	Rape in the second degree
Rape of a child in the first degree	Rape of a child in the second degree
Child molestation in the first degree	Indecent liberties by forcible compulsion
Any of the following offenses with a finding of sexual motivation:	
Murder in the first degree	Murder in the second degree
Homicide by abuse	Kidnapping in the first degree

Kidnapping in the second degree	Assault in the first degree
Assault in the second degree	Assault of a child in the first degree
Assault of a child in the second degree	Burglary in the first degree

(ii) If this offense is a sex offense that is not listed in paragraph 6 (f)(i), then in addition to sentencing me to a term of confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is over one year, or if my crime is failure to register as a sex offender, the judge will sentence me to community custody for 36 months or up to the period of earned release, whichever is longer. During the period of community custody to which I am sentenced, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, which may include electronic monitoring.

For sex offenses committed on or after March 20, 2006: For the following offenses and special allegations, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater:

1) If the offense is rape of a child in the first degree, rape of a child in the second degree or child molestation in the first degree and the offense includes a special allegation that the offense was predatory.

2) If the offense is rape in the first degree, rape in the second degree, indecent liberties by forcible compulsion, or kidnapping in the first degree with sexual motivation and the offense includes special allegation that the victim of the offense was under 15 years of age at the time of the offense.

3) If the offense is rape in the first degree, rape in the second degree with forcible compulsion, indecent liberties with forcible compulsion, or kidnapping in the first degree with sexual motivation and this offense includes a special allegation that the victim of the offense was, at the time of the offense, developmentally disabled, mentally disordered, or a frail elder or vulnerable adult.

Community Custody Violation: If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

(g) The prosecuting attorney will make the following recommendation to the judge: _____

[] The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.

(h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless it finds substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences:

(i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.

(ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.

(iii) The judge may also impose an exceptional sentence above the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

(iv) The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

If the court imposes a standard range sentence, then no one may appeal the sentence. If the court imposes an exceptional sentence after a hearing, either the State or I can appeal the sentence.

(i) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

(j) I may not possess, own, or have under my control any firearm unless my right to do so is restored by a superior court in Washington State, and by a federal court if required. I must immediately surrender any concealed pistol license. RCW 9.41.040.

(k) I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08.520.

(l) Government assistance may be suspended during any period of confinement.

(m) I will be required to register where I reside, study or work. The specific registration requirements are described in the "Offender Registration" Attachment.

(n) I will be required to have a biological sample collected for purposes of DNA identification analysis. I will be required to pay a \$100.00 DNA collection fee.

(o) I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.

Notification Relating to Specific Crimes: If any of the following paragraphs DO NOT APPLY, counsel and the defendant shall strike them out. The defendant and the judge shall initial all paragraphs that DO APPLY.

(p) This offense is a most serious offense or "strike" as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the offense for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole. In addition, if this offense is (i) rape in the first degree, rape of a child in the first degree, rape in the second degree, rape of a child in the second

degree, indecent liberties by forcible compulsion, or child molestation in the first degree, or (ii) murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree, with a finding of sexual motivation, or (iii) any attempt to commit any of the offenses listed in this sentence and I have at least one prior conviction for one of these listed offenses in this state, in federal court, or elsewhere, the offense for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.

___ (q) **Special sex offender sentencing alternative:** In addition to other eligibility requirements under RCW 9.94A.670, to be eligible for the special sex offender sentencing alternative, I understand that I must voluntarily and affirmatively admit that I committed all of the elements of the crime(s) to which I am pleading guilty. I make my voluntary and affirmative admission in my statement in paragraph 11.

For offenses committed before September 1, 2001: The judge may suspend execution of the standard range term of confinement under the special sex offender sentencing alternative (SSOSA) if I qualify under former RCW 9.94A.120(8) (for offenses committed before July 1, 2001) or RCW 9.94A.670 (for offenses committed on or after July 1, 2001). If the judge suspends execution of the standard range term of confinement, I will be placed on community custody for the length of the suspended sentence or three years, whichever is greater; I will be ordered to serve up to 180 days of total confinement; I will be ordered to participate in sex offender treatment; I will have restrictions and requirements placed upon me; and I will be subject to all of the conditions described in paragraph 6(e). Additionally, the judge could require me to devote time to a specific occupation and to pursue a prescribed course of study or occupational training. If a violation of the sentence occurs during community custody, the judge may revoke the suspended sentence.

For offenses committed on or after September 1, 2001: The judge may suspend execution of the standard range term of confinement or the minimum term of confinement under the special sex offender sentencing alternative (SSOSA) if I qualify under RCW 9.94A.670. If the judge suspends execution of the standard range term of confinement for a sex offense that is not listed in paragraph 6 (f)(i), I will be placed on community custody for the length of the suspended sentence or three years, whichever is greater. If the judge suspends execution of minimum term of confinement for a sex offense listed in paragraph 6 (f)(i), I will be placed on community custody for the length of the statutory maximum sentence of the offense. In addition to the term of community custody, I will be ordered to serve up to 180 days of total confinement if I committed the crime prior to July 1, 2005, or up to 12 months with no early release if I committed the crime on or after July 1, 2005; I will be ordered to participate in sex offender treatment; I will have restrictions and requirements placed upon me, which may include electronic monitoring; and I will be subject to all of the conditions described in paragraph 6(e). Additionally, the judge could require me to devote time to a specific occupation and to pursue a pre-

scribed course of study or occupational training. If a violation of the sentence occurs during community custody, the judge may revoke the suspended sentence.

__ (r) If this is a crime of domestic violence, the court may order me to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.

__ (s) If I am subject to community custody and the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.

__ (t) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the judge finds I used a motor vehicle in the commission of this felony.

__ (u) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. This law does not apply to crimes committed on or after July 24, 2005, by a juvenile who was tried as an adult after decline of juvenile court jurisdiction. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6[p].

__ (v) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.

__ (w) The offense(s) I am pleading guilty to include a deadly weapon, firearm or sexual motivation enhancement. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.

__ (x) For crimes committed on or after July 22, 2007: If I am pleading guilty to rape of a child in the first, second, or

third degree or child molestation in the first, second or third degree, and I engaged, agreed or offered to engage the victim in sexual intercourse or sexual contact for a fee, or if I attempted, solicited another, or conspired to engage, agree or offer to engage the victim in sexual intercourse or sexual contact for a fee, then a one-year enhancement shall be added to the standard sentence range. If I am pleading guilty to more than one offense, the one-year enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to the enhancement.

7. I plead guilty to:

count _____
count _____
count _____
count _____
in the _____ Information. I have

received a copy of that Information.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime. This is my statement: _____

[] Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Defendant

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

Prosecuting Attorney

Defendant's Lawyer

Print Name

WSBA No. Print Name

WSBA No.

The defendant signed the foregoing statement in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is attached.

Interpreter's Declaration: I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret, in the _____ language, which the defendant understands. I have interpreted this document for the defendant from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter

Print Name

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: _____

Judge

Case Name _____

Cause No. _____

"Offender Registration" Attachment: sex offense, or kidnapping offense involving a minor as defined in Laws of 2010, ch. 267 § 1. (If required, attach to Statement of Defendant on Plea of Guilty.)

1. General Applicability and Requirements: Because this crime involves a sex offense, or a kidnapping offense involving a minor as defined in Laws of 2010, ch. 267 § 1, I will be required to register.

If I am a resident of Washington, I must register with the sheriff of the county of the state of Washington where I reside. I must register within three business days of being sentenced unless I am in custody, in which case I must register at the time of my release with the person designated by the agency that has jurisdiction over me. I must also register within three business days of my release with the sheriff of the county of the state of Washington where I will be residing.

If I am not a resident of Washington but I am a student in Washington or I am employed in Washington or I carry on a vocation in Washington, I must register with the sheriff of the county of my school, place of employment, or vocation. I must register within three business days of being sentenced unless I am in custody, in which case I must register at the time of my release with the person designated by the agency that has jurisdiction over me. I must also register within three business days of my release with the sheriff of the county of my school, where I am employed, or where I carry on a vocation.

2. Offenders Who are New Residents or Returning Washington Residents: If I move to Washington or if I leave this state following my sentencing or release from custody but later move back to Washington, I must register within three business days after moving to this state. If I leave this state following my sentencing or release from custody, but later while not a resident of Washington I become employed in Washington, carry on a vocation in Washington, or attend school in Washington, I must register within three business days after attending school in this state or becoming employed or carrying out a vocation in this state.

3. Change of Residence Within State: If I change my residence within a county, I must provide, by certified mail, with return receipt requested or in person, signed written notice of my change of residence to the sheriff within three

business days of moving. If I change my residence to a new county within this state, I must register with the sheriff of the new county within three business days of moving. Also within three business days, I must provide, by certified mail, with return receipt requested or in person, signed written notice of my change of address to the sheriff of the county where I last registered.

4. Leaving the State or Moving to Another State: If I move to another state, or if I work, carry on a vocation, or attend school in another state I must register a new address, fingerprints, and photograph with the new state within three business days after establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state. If I move out of state, I must also send written notice within three business days of moving to the new state or to a foreign country to the county sheriff with whom I last registered in Washington State.

5. Notification Requirement When Enrolling in or Employed by a Public or Private Institution of Higher Education or Common School (K-12): If I am a resident of Washington and I am admitted to a public or private institution of higher education, I shall, within three business days prior to arriving at the institution, notify the sheriff of the county of my residence of my intent to attend the institution. If I become employed at a public or private institution of higher education, I am required to notify the sheriff of the county of my residence of my employment by the institution within three business days prior to beginning to work at the institution. If my enrollment or employment at a public or private institution of higher education is terminated, I am required to notify the sheriff of the county of my residence of my termination of enrollment or employment within three business days of such termination. If I attend, or plan to attend, a public or private school regulated under Title 28A RCW or chapter 72.40 RCW, I am required to notify the sheriff of the county of my residence of my intent to attend the school. I must notify the sheriff within three business days prior to arriving at the school to attend classes. The sheriff shall promptly notify the principal of the school.

6. Registration by a Person Who Does Not Have a Fixed Residence: Even if I do not have a fixed residence, I am required to register. Registration must occur within three business days of release in the county where I am being

supervised if I do not have a residence at the time of my release from custody. Within three business days after losing my fixed residence, I must send signed written notice to the sheriff of the county where I last registered. If I enter a different county and stay there for more than 24 hours, I will be required to register with the sheriff of the new county not more than three business days after entering the new county. I must also report in person to the sheriff of the county where I am registered on a weekly basis. The weekly report will be on a day specified by the county sheriff's office, and shall occur during normal business hours. I must keep an accurate accounting of where I stay during the week and provide it to the county sheriff upon request. The lack of a fixed residence

Date: _____

SUPERIOR COURT OF WASHINGTON COUNTY OF _____		NO: STATEMENT ON PLEA OF GUILTY (STJOPG)
JUVENILE COURT		
STATE OF WASHINGTON vs.	Respondent	

1. My true name is: _____
I am also known as: _____.
2. My age is _____. Date of Birth: _____.
3. I have been informed and fully understand that I have the right to a lawyer, and that if I cannot afford to pay for a lawyer, the judge will provide me with one at no cost. I understand that a lawyer can look at the social and legal files in my case, talk to the police, probation counselor and prosecuting attorney, tell me about the law, help me understand my rights, and help me at trial.
4. I understand that I am charged with Count 1 _____

the elements of which are _____:

Count 2 _____

the elements of which are _____

And I have been given a copy of the charge(s).

LOCAL SANCTIONS:

COUNT	SUPERVISION	COMMUNITY RESTITUTION	FINE	DETENTION	CVC	RESTITUTION
<input type="checkbox"/> 1	0 to 12 months	0 to 150 hours	\$0 to \$500	0 to 30 Days	\$75/\$100	<input type="checkbox"/> As required <input type="checkbox"/> _____
<input type="checkbox"/> 2	0 to 12 months	0 to 150 hours	\$0 to \$500	0 to 30 Days	\$75/\$100	<input type="checkbox"/> As required <input type="checkbox"/> _____
<input type="checkbox"/> 3	0 to 12 months	0 to 150 hours	\$0 to \$500	0 to 30 Days	\$75/\$100	<input type="checkbox"/> As required <input type="checkbox"/> _____

I understand that, if community supervision is imposed, I will be required to comply with various rules, which could include school attendance, curfew, law abiding behavior, associational restrictions, counseling, treatment, urinalysis, and/or other conditions deemed appropriate by the judge. Failure to comply with the conditions of supervision could result in a violation being found and further confinement imposed for the violation up to 30 days.

JUVENILE REHABILITATION ADMINISTRATION (JRA) COMMITMENT:

COUNT	WEEKS AT JUVENILE REHABILITATION ADMINISTRATION (JRA) FACILITY	CVC	RESTITUTION
<input type="checkbox"/> 1	<input type="checkbox"/> 15 - 36 <input type="checkbox"/> 30 - 40 <input type="checkbox"/> 52 - 65 <input type="checkbox"/> 80 - 100 <input type="checkbox"/> 103 - 129 <input type="checkbox"/> 180 - Age 21	\$75/\$100	<input type="checkbox"/> As required <input type="checkbox"/> _____

is a factor that may be considered in determining a sex offender's risk level and shall make me subject to disclosure to the public at large pursuant to RCW 4.24.550.

7. Application for a Name Change: If I apply for a name change, I must submit a copy of the application to the county sheriff of the county of my residence and to the state patrol not fewer than five days before the entry of an order granting the name change. If I receive an order changing my name, I must submit a copy of the order to the county sheriff of the county of my residence and to the state patrol within three business days of the entry of the order. RCW 9A.44.130(7).

Defendant's signature _____

5. I UNDERSTAND I HAVE THE FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM ALL UP BY PLEADING GUILTY:

- a. I have the right to a speedy and public trial in the county where the offense(s) allegedly occurred.
 - b. I have the right to remain silent before and during trial, and I need not testify against myself.
 - c. I have the right to hear and question witnesses who might testify against me.
 - d. I have the right to testify and to have witnesses testify for me. These witnesses may be required to appear at no cost to me.
 - e. I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty.
 - f. I have the right to appeal a finding of guilt after trial.
6. I have been informed that in order to determine an appropriate sentence regarding the charges to which I plead guilty in this matter, the judge will take into consideration my criminal history, which is as follows:

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____
- f. _____

7. The Standard Sentencing Range, which was calculated using my criminal history as referenced in Paragraph 6, above, is as follows:

COUNT	WEEKS AT JUVENILE REHABILITATION ADMINISTRATION (JRA) FACILITY	CVC	RESTITUTION
[] 2	[] 15 - 36 [] 30 - 40 [] 52 - 65 [] 80 - 100 [] 103 - 129 [] 180 - Age 21	\$75/\$100	[] As required [] ___
[] 3	[] 15 - 36 [] 30 - 40 [] 52 - 65 [] 80 - 100 [] 103 - 129 [] 180 - Age 21	\$75/\$100	[] As required [] ___

I understand that, if I am committed to a Juvenile Rehabilitation Administration (JRA) facility, following my release I may be required to comply with a program of parole for a number of months. I understand that if placed on parole, I will be under the supervision of a parole officer. The conditions of parole will restrict my actions and may require me to participate in activities and programs including, but not limited to, evaluation, treatment, education, employment, community restitution, electronic monitoring, and urinalysis. Failure to comply with the conditions of parole may result in parole revocation and further confinement. If the offense to which I am pleading guilty is a sex offense, failure to comply with the conditions of parole may result in further confinement of up to 24 weeks.

I understand that if I am pleading guilty to two or more offenses, the disposition terms shall run consecutively (one term after the other) subject to the limitations in RCW 13.40.180.

I understand that if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding.

8. RIGHT TO APPEAL SENTENCE: I understand, that the judge must impose a sentence within the standard range, unless the judge finds by clear and convincing evidence that the standard range sentence would amount to a manifest injustice. If the judge goes outside the standard range, either the state or I can appeal that sentence. If the sentence is within the standard range, no one can appeal the sentence.

9. MAXIMUM PUNISHMENT: I have been informed, and fully understand, that the maximum punishment I can receive is commitment until I am 21 years old, but that I may be incarcerated for no longer than the adult maximum sentence for this offense.

10. COUNTS AS CRIMINAL HISTORY: I understand that my plea of guilty and the judge's acceptance of my plea will become part of my criminal history. I understand that if I am pleading guilty to two or more offenses that arise out of the same course of conduct, only the most serious offense will count as an offense in my criminal history. I understand that my guilty plea will remain part of my criminal history when I am an adult and may affect my ability to remain in the Juvenile Justice System should I re-offend. I understand that the judge will consider my criminal history when sentencing me for any offense that I commit in the future as an adult or juvenile.

11. GROUNDS FOR DEPORTATION: If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

12. NOTIFICATION RELATING TO SPECIFIC CRIMES: IF ANY OF THE FOLLOWING PARAGRAPHS DO NOT APPLY, THEY SHOULD BE STRICKEN AND INITIALED BY THE DEFENDANT AND THE JUDGE.

[A] SUSPENSION/REVOCAION OF DRIVING PRIVILEGE FOR FIREARMS OR DRUGS: I have been informed that if the

offense that I am pleading guilty to involves a finding that I was armed with a firearm when I committed the offense or if the offense was a violation of RCW 9.41.040 (2)(a)(iii) or chapters 66.44, 69.41, 69.50 or 69.52 and I was 13 years of age or older when I committed the offense, then the plea will result in the suspension or revocation of my privilege to drive.

[B] SUSPENSION/REVOCAION OF DRIVING PRIVILEGE FOR DRIVING OFFENSES: I have been informed that if the offense that I am pleading guilty to is any felony in the commission of which a motor vehicle was used, reckless driving, driving or being in physical control of a motor vehicle while under the influence of intoxicants, driving while license suspended or revoked, vehicular assault, vehicular homicide, hit and run, theft of motor vehicle fuel, or attempting to elude a pursuing police vehicle, the plea will result in the suspension or revocation of my privilege to drive.

[C] OFFENDER REGISTRATION FOR SEX OFFENSE OR KIDNAPPING OFFENSE: Because this crime involves a sex offense, or a kidnapping offense involving a minor, or sexual misconduct with a minor in the second degree, communication with a minor for immoral purposes, or attempt, solicitation, or conspiracy to commit a sex offense or a kidnapping offense involving a minor, as defined in Laws of 2010, ch. 267, § 1, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.

[D] DNA TESTING: Pursuant to RCW 43.43.754, if this crime involves a felony, or an offense which requires sex or kidnapping offender registration, or any of the following offenses: stalking, harassment, communication with a minor for immoral purposes, assault in the fourth degree with sexual motivation, custodial sexual misconduct in the second degree, failure to register as a sex or kidnapping offender, patronizing a prostitute, sexual misconduct with a minor in the second degree, or violation of a sexual assault protection order, I will be required to have a biological sample collected for purposes of DNA identification analysis.

[E] HIV TESTING: If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus. RCW 70.24.340.

[F] DOMESTIC VIOLENCE ASSESSMENT: If this offense involves domestic violence, I may be required to pay a domestic violence assessment of up to \$100.

[G] CRIME LAB FEES: If this offense involves a controlled substance, I will be required to pay \$100 for the State Patrol Crime Lab fees to test the substance.

[H] SCHOOL NOTIFICATION: If I am enrolled in a common school, the court will notify the principal of my plea of guilty if the offense for which I am pleading guilty is a violent offense as defined in RCW 9.94A.030; a sex offense as defined in RCW 9.94A.030; inhaling toxic fumes under chapter 9.47A RCW; a controlled substance violation under chapter 69.50 RCW; a liquor violation under RCW

66.44.270; or any crime under chapters 9.41, 9A.36, 9A.40, 9A.46, and 9A.48 RCW. RCW 13.04.155.

[I] SCHOOL ATTENDANCE WITH VICTIM PROHIBITED: I understand that if I am pleading guilty to a sex offense, I will not be allowed to attend the school attended by the victim or victim's siblings. RCW 13.40.160.

[J] FEDERAL BENEFITS: I understand that if I am pleading guilty to a felony drug offense, my eligibility for state and federal food stamps and welfare will be affected. 21 U.S.C. § 862a.

[K] MANDATORY MINIMUM SENTENCE: The crime of _____ has a mandatory minimum sentence of at least _____ weeks of total confinement. The law does not allow any reduction of this sentence.

[L] RIGHT TO POSSESS FIREARMS: [JUDGE MUST READ THE FOLLOWING TO OFFENDER] I have been informed that if I am pleading guilty to any offense that is classified as a felony or any of the following crimes when committed by one family or household member against another: assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence; that I may not possess, own, or have under my control any firearm unless my right to do so has been restored by a superior court in Washington State, and by a federal court if required. RCW 9.41.040(1).

[M] FIREARMS POSSESSION OR COMMISSION WHILE ARMED:

[i] Minimum 10 Days for Possession Under Age 18: I understand that the offense I am pleading guilty to includes possession of a firearm in violation of RCW 9.41.040 (1)(b)(iii), and pursuant to RCW 13.40.193, the judge will impose a mandatory minimum disposition of 10 days of confinement, which must be served in total confinement without possibility of release until a minimum of 10 days has been served.

[ii] Unlawful Possession with Stolen Firearm: I understand that if the offenses I am pleading guilty to include both a conviction under RCW 9.41.040 for unlawful possession of a firearm in the first or second degree and one or more convictions for the felony crimes of theft of a firearm or possession of a stolen firearm, that the sentences imposed for these crimes shall be served consecutively to each other. A consecutive sentence will also be imposed for each firearm unlawfully possessed.

[iii] Armed During Commission of Any Offense: I understand that if the offense I am pleading guilty to includes a finding that either I or my accomplice was armed with a firearm during the commission of the offense, that the standard range disposition shall be determined pursuant to RCW 13.40.160, unless the judge finds a manifest injustice, in which case the disposition shall be determined pursuant to

RCW 13.40.193(3). Such confinement will run consecutive to any other sentence that may be imposed.

[iv] Armed During Commission of a Felony: I further understand that the offense I am pleading guilty to includes a finding that either myself or my accomplice was armed with a firearm during the commission of a felony (other than possession of a machine gun, possession of a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first or second degree, or use of a machine gun in a felony) and, therefore, the following mandatory periods of total confinement will be added to my sentence: For a class A felony, six (6) months; for a class B felony, four (4) months; and for a class C felony, two (2) months. Such confinement will run consecutive to any other sentence that may be imposed.

13. I understand that the prosecuting attorney will make the following recommendation to the judge:

14. I understand that the probation counselor will make the following recommendation to the judge:

15. Although the judge will consider recommendations of the prosecuting attorney and the probation officer, the judge may impose any sentence he or she feels is appropriate, up to the maximum allowed by law.

16. The judge has asked me to state in my own words what I did that makes me guilty of this crime. This is my statement:

[] Instead of making a statement, I agree that the judge may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

17. I plead guilty to count _____ in the _____ Information. I have received a copy of that Information.

18. I make this plea freely. No one has threatened to harm me or anyone else to get me to plead guilty.

19. No one has made any promises to make me plead guilty, except as written in this statement.

20. I have read or someone has read to me everything printed above, and in Attachment "A," if applicable, and I understand it in full. I have been given a copy of this statement. I have no more questions to ask the judge.

Dated: _____

Respondent

I have read and discussed this statement with the respondent and believe that the respondent is competent and fully understands the statement.

Deputy Prosecuting Attorney WSBA No. Attorney for Respondent WSBA No.

Type or Print Name Type or Print Name

JUDGE'S CERTIFICATE

The foregoing statement was signed by the respondent in open court in the presence of his or her lawyer and the undersigned judge. The respondent asserted that [check appropriate box]:

- (a) The respondent had previously read the entire statement above and that the respondent understood it in full;
(b) The respondent's lawyer had previously read to him or her the entire statement above and that the respondent understood it in full; or
(c) An interpreter had previously read to the respondent the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is attached.

INTERPRETER'S DECLARATION: I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret in the language, which the defendant understands. I have interpreted this document for the defendant from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city), (state), on (date).

Interpreter Print Name

I find the respondent's plea of guilty is knowingly, intelligently and voluntarily made. Respondent understands the charges and the consequences of the plea. There is a factual basis for the plea. The respondent is guilty as charged.

Dated: Judge/Commissioner

Case Name Cause No.

D.O.B:

"Offender Registration" Attachment: Offender Registration For Sex Offense or Kidnapping Offense (If required, attach to Statement on Plea of Guilty.)

1. General Applicability and Requirements: Because this crime involves a sex offense or a kidnapping offense involving a minor as defined in Laws of 2010, ch. 267 § 1, I will be required to register.

If I am a resident of Washington, I must register with the sheriff of the county of the state of Washington where I reside. I must register within three business days of being sentenced unless I am in custody, in which case I must register at the time of my release with the person designated by the agency that has jurisdiction over me and I must also register within three business days of my release with the sheriff of the county of the state of Washington where I will be residing.

If I am not a resident of Washington but I am a student in Washington or I am employed in Washington or I carry on a vocation in Washington, I must register with the sheriff of the county of my school, place of employment, or vocation. I must register within three business days of being sentenced unless I am in custody, in which case I must register at the time of my release with the person designated by the agency

that has jurisdiction over me and I must also register within three business days of my release with the sheriff of the county of the state of Washington where I am a student, where I am employed or where I carry on a vocation.

2. Offenders Who are New Residents or Returning Washington Residents: If I move to Washington or if I leave this state following my sentencing or release from custody but later move back to Washington, I must register within three business days after moving to this state. If I leave this state following my sentencing or release from custody, but later while not a resident of Washington I become employed in Washington, carry on a vocation in Washington, or attend school in Washington, I must register within three business days after attending school in this state or becoming employed or carrying out a vocation in this state.

3. Change of Residence Within State: If I change my residence within a county, I must provide, by certified mail, with return receipt requested or in person, signed written notice of my change of residence to the sheriff within three business days of moving. If I change my residence to a new county within this state, I must register with the sheriff of the new county within three business days of moving. Also within three business days, I must provide, by certified mail,

with return receipt requested or in person, signed written notice of my change of address to the sheriff of the county where I last registered.

4. Leaving the State or Moving to Another State: If I move to another state, or if I work, carry on a vocation, or attend school in another state, I must register a new address, fingerprints, and photograph with the new state within three business days after establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state. If I move out of the state, I must also send written notice within three business days of moving to the new state or to a foreign country to the county sheriff with whom I last registered in Washington State.

5. Notification Requirement When Enrolling in or Employed by a Public or Private Institution of Higher Education or Common School (K-12): If I am a resident of Washington and I am admitted to a public or private institution of higher education, I shall, within three business days prior to arriving at the institution, notify the sheriff of the county of my residence of my intent to attend the institution. If I become employed at a public or private institution of higher education, I am required to notify the sheriff of the county of my residence of my employment by the institution within three business days prior to beginning to work at the institution. If my enrollment or employment at a public or private institution of higher education is terminated, I am required to notify the sheriff of the county of my residence of my termination of enrollment or employment within three business days of such termination. If I attend, or plan to attend, a public or private school regulated under Title 28A RCW or chapter 72.40 RCW, I am required to notify the sheriff of the county of my residence of my intent to attend the

Date: _____

school. I must notify the sheriff within three business days prior to arriving at the school to attend classes. The sheriff shall promptly notify the principal of the school.

6. Registration by a Person Who Does Not Have a Fixed Residence: Even if I do not have a fixed residence, I am required to register. Registration must occur within three business days of release in the county where I am being supervised if I do not have a residence at the time of my release from custody. Within three business days after losing my fixed residence, I must send signed written notice to the sheriff of the county where I last registered. If I enter a different county and stay there for more than 24 hours, I will be required to register with the sheriff of the new county not more than three business days after entering the new county. I must also report in person to the sheriff of the county where I am registered on a weekly basis. The weekly report will be on a day specified by the county sheriff's office, and shall occur during normal business hours. I must keep an accurate accounting of where I stay during the week and provide it to the county sheriff upon request. The lack of a fixed residence is a factor that may be considered in determining a sex offender's risk level and shall make me subject to disclosure to the public at large pursuant to RCW 4.24.550.

7. Application for a Name Change: If I apply for a name change, I must submit a copy of the application to the county sheriff of the county of my residence and to the state patrol not fewer than five days before the entry of an order granting the name change. If I receive an order changing my name, I must submit a copy of the order to the county sheriff of the county of my residence and to the state patrol within three business days of the entry of the order. RCW 9A.44.130(7).

Respondent's signature

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.

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.

WSR 10-16-001

**NOTICE OF PUBLIC MEETINGS
TASK FORCE FOR REFORM OF EXECUTIVE
AND LEGISLATIVE PROCEDURES
DEALING WITH TAX PREFERENCES**

[Filed July 21, 2010, 12:26 p.m.]

July 22, 2010
9:00 a.m. - 11:00 a.m.
John A. Cherberg Building
Senate Hearing Room 3
Olympia, Washington

WSR 10-16-009

**NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE**

[Filed July 21, 2010, 4:11 p.m.]

Following is a revision to the 2010 regular meeting schedule of the Edmonds Community College board of trustees.

A special study session has been scheduled in conjunction with the presidential search committee on the Edmonds Community College campus, on July 27, 2010, at 8:00 a.m., Snohomish Hall 304.

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

WSR 10-16-013

**NOTICE OF PUBLIC MEETINGS
GUARANTEED EDUCATION
TUITION PROGRAM**

[Filed July 22, 2010, 8:54 a.m.]

In accordance with RCW 28B.95.020 and WAC 14-276-030, the advanced college tuition program, known as the guaranteed education tuition (GET) program has made a revision to the committee meeting schedule:

GET Committee Meeting Cancelled	Monday, August 9, 2010 2:00 p.m. - 4:00 p.m. State Investment Board Olympia, Washington 98504
GET Committee Meeting and Study Session	Tuesday, September 28, 2010 2:00 p.m. - 4:00 p.m. State Investment Board Olympia, Washington 98504

If anyone wishes to request disability accommodations, notice should be given to the GET program at least ten days in advance of the meeting in question. Notice may be given by any of the following methods: (360) 753-7860 (voice); (360) 753-7809 (TDD); or (360) 704-6200 (fax).

Please contact Betsy Hagen, 753-7860, if you need additional information.

WSR 10-16-014

**NOTICE OF PUBLIC MEETINGS
LAKE WASHINGTON
TECHNICAL COLLEGE**

[Filed July 22, 2010, 8:54 a.m.]

Revised September 2010 LWTC Board Meeting Location and Time

Pursuant to RCW 42.30.075, following is a change of the Lake Washington Technical College board of trustees' regular meeting for September 2010 in the Washington State Register.

Lake Washington Technical College's September 2010 regular board of trustees meeting has been rescheduled for September 13, 2010, beginning at 4:00 p.m. at the Redmond Campus, Room R116, 6505 176th Avenue N.E., Redmond, WA 98502.

WSR 10-16-015

**NOTICE OF PUBLIC MEETINGS
CLEMENCY AND PARDONS BOARD**

[Filed July 22, 2010, 10:26 a.m.]

Notice of December 2010 Quarterly Hearings

The Washington state clemency and pardons board hereby gives notice that its quarterly hearings are scheduled for December 9 and 10, 2010, at 10:00 a.m., in Senate Hearing Room 3, of the John A. Cherberg Building, Olympia, Washington. The following petitions will be considered by the board¹:

DECEMBER 9, 2010

Petitioner:	Petition For:
Devitta Briscoe	Pardon
Carlos Cruz	Pardon
Raymond Edwards	Pardon
Telsche Jaderlund	Pardon
Dong Van Nguyen	Pardon
David Rivera	Pardon
Frederick Stannard II	Pardon

DECEMBER 10, 2010

Petitioner:	Petitioner For:
Michael Harris	Commutation
Barry Massey	Commutation

¹At the board's discretion, the order of the petitions to be called for hearing is subject to change.

WSR 10-16-018
NOTICE OF PUBLIC MEETINGS
DEVELOPMENTAL DISABILITIES COUNCIL

[Filed July 23, 2010, 8:33 a.m.]

Please note the following change in meeting location:
 The following meeting was initially published as being held at the Red Lion River Inn in Spokane, Washington. The location has been changed to the Conference Center at SeaTac Airport, SeaTac, Washington. All other details remain the same.

Date	Time	Meeting	Place
September 16, 2010	9:00 a.m. - 4:00 p.m.	Workgroups/ Committees	The Conference Center at SeaTac Airport, SeaTac, Washington
September 17, 2010	9:00 a.m. - 1:00 p.m.	Council Meeting	The Conference Center at SeaTac Airport, SeaTac, Washington

For questions contact Autumn Dryden at (360) 586-3563 or autumn.dryden@ddc.wa.gov.

WSR 10-16-019
NOTICE OF PUBLIC MEETINGS
WORKFORCE TRAINING AND
EDUCATION COORDINATING BOARD

[Filed July 23, 2010, 8:33 a.m.]

The workforce training and education coordinating board will hold their scheduled board retreat on July 28 and 29 at The Evergreen State College in Olympia. The meeting will be held in the Longhouse on the campus.

Please feel free to contact Julie Anderson, (360) 753-5677 or janderson@wtb.wa.gov, if you have any questions.

WSR 10-16-020
NOTICE OF PUBLIC MEETINGS
MINT COMMISSION

[Filed July 23, 2010, 8:34 a.m.]

The Washington mint commission has changed the following regular meeting:

From: Tuesday, November 9, 2010.

To: Tuesday, November 2, 2010.

If you need further information contact Shane Johnson, 100 North Fruitland Street, Suite B, Kennewick, WA 99336,

office (509) 585-5460, fax (509) 585-2671, shanej@agmgt.com.

WSR 10-16-021
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
 (Public Employees Benefits Board)

[Filed July 23, 2010, 9:22 a.m.]

Amended 2010 Meeting Schedule

The public employees benefits board meetings will be held at the Health Care Authority, the Sue Crystal Center Conference Room, 676 Woodland Square Loop S.E., Lacey, WA, unless otherwise noted below. The meetings begin at 1:00 p.m.

- August 18, 2010
- September 15, 2010
- October 20, 2010
- November 17, 2010
- December 15, 2010

If you are a person with a disability and need a special accommodation, please contact Lynn Kennedy, (360) 923-2829.

WSR 10-16-024
AGENDA
BOARD OF
PILOTAGE COMMISSIONERS

[Filed July 23, 2010, 11:09 a.m.]

Semi-Annual Rule-Making Agenda
July through December 2010

Below is the board of pilotage commissioner's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

If necessary, additional rule-making activity may arise that is not on this agenda.

Please direct any questions about this agenda to Peggy Larson, Rules Coordinator, 2901 Third Avenue, Suite 500, Seattle, WA 98121, (206) 515-3904, fax (206) 515-3906, e-mail Larsonp@wsdot.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102)	Permanent (CR-103)
363-116-070	Collection of fees	Filed 6/19/10		
363-116-300	Pilotage rates for the Puget Sound pilotage district	Filed 6/19/10		
363-116-360	Exempt vessels	Filed 6/19/10		

Peggy Larson
 Rules Coordinator

WSR 10-16-029

AGENDA

**DEPARTMENT OF HEALTH
STATE BOARD OF HEALTH**

[Filed July 26, 2010, 9:37 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 10-17 issue of the Register.

WSR 10-16-034

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

(Forum on Monitoring Salmon and Watershed Health)

[Filed July 26, 2010, 10:32 a.m.]

The public meetings of the forum on monitoring salmon and watershed health will be at the Natural Resources Building, NRB 172, Olympia, Washington. The dates are as follows:

- Wednesday, March 30, 2011 9:00 a.m. to 4:00 p.m.
- Wednesday, June 29, 2011
- Wednesday, August 24, 2011
- Wednesday, November 2, 2011

For further information, please contact Lucienne Guyot, at the recreation and conservation office (RCO), (360) 725-3943.

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

WSR 10-16-039

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

(Invasive Species Council)

[Filed July 27, 2010, 8:48 a.m.]

The next public meeting of the Washington invasive species council (WISC) will be **Thursday, September 9, 2010, from 9:00 a.m. to 3:00 p.m.** in room 172, at the Natural Resources Building, 1111 Washington Street, Olympia, WA 98501.

For further information, please contact Rachel LeBaron Anderson, 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 LeBaron Anderson at the number listed above or by e-mail at Rachel.LeBaronAnderson@rco.wa.gov.

WISC information can be found at www.InvasiveSpecies.wa.gov.

WSR 10-16-040

**NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD**

[Filed July 27, 2010, 8:49 a.m.]

The following transportation improvement board meeting has been cancelled: **September 23-24, 2010, in Walla Walla.**

Please contact Eileen Bushman at 586-1146 or at eileenb@tib.wa.gov if you need additional information.

WSR 10-16-041

**NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD**

[Filed July 27, 2010, 8:49 a.m.]

The following dates and locations list the meeting schedule for the 2011 transportation improvement board.

DATE	CITY
January 20-21*	Olympia
March 24-25	Mt. Vernon
June 23-24	Spokane
September 22-23	Richland
November 17-18**	Seattle

*Meeting date moved to THIRD Thursday and Friday of month due to mandatory agency closures.

**Meeting date moved to THIRD Thursday and Friday of month due to Thanksgiving.

Please contact Eileen Bushman at 586-1146 or at eileenb@tib.wa.gov if you need additional information.

WSR 10-16-042

**NOTICE OF PUBLIC MEETINGS
BOARD OF TAX APPEALS**

[Filed July 27, 2010, 8:50 a.m.]

The regular monthly public meeting of the board of tax appeals, scheduled for 9:30 a.m., Friday, August 13, 2010, has been cancelled.

WSR 10-16-045
AGENDA
EMPLOYMENT SECURITY DEPARTMENT
 [Filed July 27, 2010, 10:38 a.m.]

Semi-Annual Rule-Making Agenda
July 31, 2010 - January 31, 2011

The following is employment security department's (ESD) semi-annual rule-making 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.

If you have any questions, please contact Pamela Ames, ESD Rules Coordinator, at (360) 902-9387, or e-mail at pames@esd.wa.gov.

WAC CHAPTER	SUBJECT	AGENCY CONTACT	TIMING	SCOPE OF RULE CHANGES
Title 192 WAC Benefit rules	General review of UI benefit rules.	Juanita Myers (360) 902-9665	CR-101 - 7/8/09 CR-102 - 3/1/10 CR-103 - 5/24/10	Supplemental hearing on new WAC 192-110-001 scheduled for September 2010.
Chapter 192-04 WAC, Practice and procedure	Commissioner's review and petitions for advisement.	Juanita Myers (360) 902-9665	CR-101 - 3/23/10 CR-102 - July 2010 CR-103 - TBD	Update rules related to the commissioner's review of OAH decisions and clarify the department's authority to request that a decision be taken under advisement.
Chapters 192-300 through 192-350 WAC	General review of UI tax and wage rules.	Art Wang (360) 902-9587	CR-101 - July 2010 CR-102 - TBD CR-103 - TBD	Update, revise, and clarify policy related to UI taxes. Some of the substantive topics include: When employers become inactive and how this affects coverage of corporate officers, priorities for application of payments, NSF charges, and record-keeping requirements for employers. Many other changes are minor or technical.
WAC 192-320-035	Implementation of SSB 6524 on delinquent taxes.	Art Wang (360) 902-9587	CR-101 - July 2010 CR-102 - TBD CR-103 - TBD	Implement SSB 6524 for delinquent tax rates beginning with tax rate year 2011.

WSR 10-16-050
NOTICE OF PUBLIC MEETINGS
FORENSIC INVESTIGATIONS COUNCIL
 [Filed July 28, 2010, 9:02 a.m.]

Pursuant to RCW 42.30.075, the forensic investigations council meeting scheduled for August 27, 2010, at the WA Counties Building in Olympia, Washington, is being cancelled.

If you have questions or need further information, David McEachran can be reached at (360) 676-6784.

WSR 10-16-052
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 [Filed July 28, 2010, 10:02 a.m.]

Notice of Interpretive or Policy Statement

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

Economic Services Administration
Division of Child Support (DCS)

Document Title: Canary Notice 274: Payment Services Only (PSO) Centralization.

Subject: PSO centralization.
 Effective Date: July 22, 2010.

Document Description: This canary notice explains changes to DCS policy made in order to allow DCS to reassign all PSO cases to the Everett field office.

To receive a copy of the interpretive or policy statements, contact Jeff Kildahl, Division of Child Support, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5278, TDD/TTY (360) 753-9122, fax (360) 586-3274, e-mail JKildahl@dshs.wa.gov, web site <http://www.dshs.wa.gov/dcs/>.

WSR 10-16-053

**NOTICE OF PUBLIC MEETINGS
 LOTTERY COMMISSION**

[Filed July 28, 2010, 10:04 a.m.]

**Meeting Dates and Locations
 2010**

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

February 4, 2010	Lottery Headquarters Drawing Studio	Olympia, Washington
April 29, 2010	Lottery Headquarters Drawing Studio	Olympia, Washington
June 3, 2010	Lottery Headquarters Drawing Studio	Olympia, Washington
August 18, 2010	Conference Rooms A, B, C JA Cherberg Building Work session will begin at 10:00 a.m.	Olympia, Washington
August 19, 2010	Lottery Headquarters Drawing Studio Formal meeting will begin at 8:30 a.m.	Olympia, Washington
August 26, 2010	Lottery Headquarters Drawing Studio	Olympia, Washington
October 28, 2010	Lottery Headquarters Drawing Studio	Olympia, Washington

WSR 10-16-054

**NOTICE OF PUBLIC MEETINGS
 EDMONDS COMMUNITY COLLEGE**

[Filed July 28, 2010, 10:07 a.m.]

Following is a revision to the 2010 regular meeting schedule of the Edmonds Community College board of trustees.

A special study session has been scheduled on the Edmonds Community College campus on July 29, 2010, at 7:30 a.m., Clearview Building 122.

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

WSR 10-16-055

ATTORNEY GENERAL'S OFFICE

[Filed July 28, 2010, 10:10 a.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
 WASHINGTON ATTORNEY GENERAL**

The Washington attorney general issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the attorney general's office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the attorney general's office of your interest by August 25, 2010. This is not the due date by which comments must be received. However, if you do not notify the attorney general's office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the attorney general's office of your intention to comment by calling (360) 586-0728, or by writing to the Office of the Attorney General, Solicitor General Division, Attention Jeffrey T. Even, Deputy Solicitor General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you may be provided with a copy of the opinion request in which you are interested; information about the attorney general's opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

If you are interested in receiving notice of new formal opinion requests via e-mail, you may visit the attorney general's web site at www.atg.wa.gov/AGOOpinions/default.aspx for more information on how to join our opinions list-serv.

The attorney general's office seeks public input on the following opinion request(s):

**Opinion Docket No. 10-07-04
 Request by Barbara Bailey, State Representative, District 10**

1. If a standing committee is regularly scheduled, noticed, and open to the public, may a majority of the city council members attend, but not participate in, the standing committee meeting without violating the OPMA?
2. If a standing committee is regularly scheduled, noticed, and open to the public, may a majority of the city council members attend, and participate in, the standing committee meeting without violating the OPMA?
3. If a standing committee is regularly scheduled, noticed, and open to the public, and a majority of the city council members attend, but do not participate in, the standing committee meeting, is it both a standing committee meeting and a full council meeting, and must notice for a special meeting be provided separately for the full council meeting in addition to the notice for the standing committee meeting in order for the meeting to comply with the requirements of the OPMA?

4. If a standing committee is regularly scheduled, noticed, and open to the public, and a majority of the city council members attend, and participate in, the standing committee meeting, is it both a standing committee meeting and a full

council meeting, and must notice for a special meeting be provided separately for the full council meeting in addition to the notice for the standing committee meeting in order for the meeting to comply with the requirements of the OPMA?

WSR 10-16-058

AGENDA

ATTORNEY GENERAL'S OFFICE

[Filed July 28, 2010, 3:35 p.m.]

Semi-Annual Rule-Making Agenda

July 1 through December 31, 2010

This is the office of the attorney general's semi-annual rule-making 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.

If you have questions about this rule-making agenda, please contact Rebecca Podszus, Rules Coordinator, P.O. Box 40100, Olympia, WA 98504-0100, phone (360) 586-2683, fax (360) 664-0228, e-mail rebeccap3@atg.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
44-06	Amendment to the AGO rules on public records.	Filed March 12, 2008 WSR 08-07-032		

Rebecca Podszus
Rules Coordinator

WSR 10-16-059

AGENDA

OFFICE OF

INSURANCE COMMISSIONER

[Filed July 29, 2010, 8:38 a.m.]

Rule Development Agenda

July 31, 2010, through January 31, 2011 [2011]

The commissioner proposed the following rule making. Each proposed rule is currently between the CR-101, CR-102, and CR-105 stage. They are currently under review and there may be further rule-making activity before January 31, 2011 [2011]. If you have any questions regarding any of these rule makings, please contact Meg Jones at megj@oic.wa.gov or (360) 725-7170.

WAC	RCW Authority	Subject	Current Activity			
			CR-103E	CR-101	CR-105	CR-102
WAC 284-74-420	48.02.060	CSO mortality tables.		07-18-005 8/22/01 [8/22/07]		
Chapter 284-04 WAC	48.02.060	Standards for safeguarding customer information.		08-10-096 5/7/08		
Chapter 284-29 WAC	48.02.060, 48.29.005, 48.29.140, 48.29.143, 48.29.147	Title insurance rate filing and statistical reporting.		09-02-075 1/7/09		10-12-103 6/2/10
WAC 284-43-410	48.02.060	Utilization review of medical services.		09-23-062 11/12/09		10-13-143 6/23/10

WAC	RCW Authority	Subject	Current Activity			
			CR-103E	CR-101	CR-105	CR-102
Chapter 284-164 WAC	48.02.060, chapter 230, Laws of 2010	Excess flood or business interruption insurance MAP.		10-08-052 4/5/10		10-13-144 6/23/10
New WAC	48.02.060, 48.07.205	Business continuity plans.		10-13-142 6/23/10		
WAC 284-23-806	48.02.060	Juvenile life insurance.	10-14-067 Expires 10/28/10		10-14-109 7/7/10	
New WAC 284-30-670	48.02.060	Conducting business in own legal name.	10-14-071 7/1/10	10-14-097 7/6/10		

Possible Rule Makings: In addition to the proposed rules listed above, the commissioner continues the effort to update and clarify the code. In the period before January 31, 2011, subjects that may be considered for rule making in this effort include:

- Association health plans data call.
- Chiropractic fair pay.
- Compensation disclosure: Producers.
- Continuing education on-line: Producers.
- Conversion plans.
- Crop adjuster: Permanent.
- Disability insurance loss ratios.
- Federal financial reform implementation.
- Federal health care reform implementation.
- Long-term care partnership.
- Medicare supplement insurance policy exchange.
- Property and casualty insurance rates.
- Senior designation—Producers.
- Suitability of sales of annuities.
- Surplus line broker registration.
- Usage-based insurance program.
- WAC review: Agency Administration.
- WARP board.

Mike Kreidler

WSR 10-16-060

AGENDA

**DEPARTMENT OF
EARLY LEARNING**

[Filed July 29, 2010, 8:42 a.m.]

**Semi-Annual Rule-Making Agenda under RCW 34.05.314
July 1 through December 31, 2010**

The department of early learning (DEL) prepares a semi-annual rule-making agenda in January and July of each year to let the public know about DEL rule changes underway or planned. The current agenda also updates the 2007 child care provider rule review plan prepared under RCW 43.215.502. DEL rules are part of the Washington Administrative Code (WAC), and permanent DEL rules can be found on-line at Title 170 WAC. This agenda includes links to rule-making notices that DEL has filed with the office of the code reviser for publication in the Washington State Register. Find current information about department rule-making activity on-line at DEL Rules Under Development.

Subject Matter	WAC Chapter or Sections	Description (Contact the DEL Rules Coordinator at rules@del.wa.gov for current information on these rule actions.)	Emergency Rule (CR-103E)	Preproposal Notice (CR-101)	Proposed Rule (CR-102) and Public Hearing or (CR-105) Expedited Rule	Permanent Rule (CR-103P)
Common terms, definitions and standards.	New WAC chapter, and possible revisions of other DEL rules in Title 170 WAC	Adopting a new DEL WAC chapter to include terms, definitions or standards that apply to more than one DEL WAC chapter or program. Other DEL WAC chapters may be revised to eliminate duplication.	None.	Filed 12/24/08 as WSR 09-01-185.	To be determined.	To be determined.
Public records, DEL organization.	New chapter 170-01 WAC	Adopting a new DEL WAC chapter on public records requests, and adopting DEL organization and index rules required by law.	None.	Filed 8/27/09 as WSR 09-18-055.	Proposal anticipated in fall 2010.	To be determined.
DEL hearing rules.	Chapter 170-03 WAC	Adopting technical changes needed to make the rules consistent with other DEL WAC chapters and to revise hearing procedures. Some changes to procedural rules do not require filing a CR-101 preproposal notice.	None.	Anticipated filing this period if needed.	To be determined.	To be determined.
DEL background checks rules.	Chapter 170-06 WAC	Revising the list of crimes that may disqualify a person from working in child care, and procedures for disqualification, reconsideration and due process. Reviewing the rules for consistency with the law and considering whether to apply DEL background check rules to other early learning programs.	None.	Filed 12/24/08 as WSR 09-01-184.	To be determined.	To be determined.
Head start coordination.	Chapter 170-12 WAC	No current rule-making activity.	None.	N/A	N/A	N/A
Early childhood education and assistance program (ECEAP).	Chapter 170-100 WAC	Amending ECEAP rules consistent with 2010 HB 2371. The bill changes the definition of "eligible child" to include children eligible for special education regardless of income.	None.	Filed 5/13/10 as WSR 10-11-064.	Filed 7/7/10 as WSR 10-14-118. Public hearing 8/10/10.	Anticipated in fall 2010.
Working connections child care (WCCC) and seasonal child care (SCC) subsidy programs.	Chapter 170-290 WAC	Revising WCCC subsidy rules to implement 2010 HB [E2SHB] 3141 extending WCCC eligibility to twelve months for families with a child in head start, early head start or ECEAP.	None.	Filed 1/12/10 as WSR 10-03-033.	Filed 5/21/10 as WSR 10-11-127. Public hearings June 22, 23, 24, 25 and 26, 2010.	Filed 7/15/10 as WSR 10-15-063. Effective 8/15/10.
Working connections child care (WCCC) and seasonal child care (SCC) subsidy programs.	Chapter 170-290 WAC	Possible revisions to the WCCC rules to meet anticipated shortfalls in the state's WorkFirst budget, and to continue implementing 2010 HB [E2SHB] 3141.	None.	Filed 7/21/10 as WSR 10-15-116.	To be determined.	To be determined.
Hand sanitizers in DEL-licensed child care facilities.	Chapters 170-151, 170-295, and 170-296 WAC	Revising rules to allow the use of alcohol-based hand sanitizers in licensed child care for children over twelve months of age with written permission of a parent or guardian.	Filed 6/17/10 as WSR 10-13-104.	Filed 10/22/10 as WSR 09-22-012.	Proposed rule anticipated in August 2010; public hearings in Fall 2010.	Anticipated in fall 2010.
School-age child care programs and child care centers.	Chapters 170-151 and 170-295 WAC	Increasing licensing fees for school-age programs and child care centers as directed by the legislature in the 2010-11 Supplemental Operating Budget Bill, ESSB 6444, section 614(14).	Filed 6/14/10 as WSR 10-13-072.	Filed 6/14/10 as WSR 10-13-071.	Anticipated in August 2010; public hearings in Fall 2010.	Anticipated in fall 2010.

Subject Matter	WAC Chapter or Sections	Description (Contact the DEL Rules Coordinator at rules@del.wa.gov for current information on these rule actions.)	Emergency Rule (CR-103E)	Preproposal Notice (CR-101)	Proposed Rule (CR-102) and Public Hearing or (CR-105) Expedited Rule	Permanent Rule (CR-103P)
School-age child care centers.	Chapter 170-151 WAC	Revising the entire school age child care licensing WAC chapter. DEL has contracted School's Out Washington (SOWA), a nonprofit group, to review the current rules, gather stakeholder input, and recommend possible WAC changes. SOWA made its recommendations in July 2010. DEL will review the SOWA recommendations and write draft and proposed rules. See the SOWA web site to learn more.	None.	Filed 4/23/09 as WSR 09-10-009.	Anticipated in 2011.	To be determined.
Child care centers.	WAC 170-295-3030	Anticipated rule making due to a public petition (under RCW 34.05.330) to amend WAC 170-295-3030 When is a child or staff member too ill to be at child care?	None	Anticipated this period.	To be determined.	To be determined.
Child care centers.	Chapter 170-295 WAC	Review of this chapter is planned to start in 2011.	None.	To be determined.	To be determined.	To be determined.
Family home child care.	Chapter 170-296 WAC	Revising the family home child care WAC chapter using a negotiated rule-making team (NRMT) consisting of parents, child care providers, the Service Employees International Union, advocates, Washington Child Care Resource and Referral network and DEL staff. The NRMT met from January 2007 through December 2009 to review and recommend draft rules. During the current period, DEL plans to continue developing the formal proposed rules, hold public hearings, and adopt the final rules.	None	Filed 12/1/06 as WSR 06-24-051.	Anticipated in Fall 2010.	Anticipated in late 2010.
Department of early learning rules.	All chapters of Title 170 WAC	As DEL Title 170 WAC or other agency rules are revised, DEL may revise its rules to update names, references or other information to keep DEL rules current.	N/A	N/A	Expedited or proposed rule making as needed.	As needed.

Permanent rules adopted in the twelve months prior to this report:

- WSR 09-22-043 - DEL working connections and seasonal child care subsidy program rules. Permanent rules filed on October 28, 2009, and effective December 1, 2009. Revising working connections child care subsidy rules in chapter 170-290 WAC; incorporating seasonal child care subsidy rules as new Part III of chapter 170-290 WAC; and repealing all sections of chapter 170-292 WAC, Seasonal child care.
- WSR 10-15-063 - DEL working connections and seasonal child [care] subsidy program rules. Permanent rules filed July 15, 2010, and effective August 15, 2010. Amending WAC 170-290-0082 to implement section 2(2) of E2SHB 3141, extending eligibility to twelve months for families in the WCCC program who have a child enrolled in head start, early head start or the early childhood education and assistance program, and related revisions.

Notes:

The DEL rule-making agenda is prepared for information purposes, and anticipated rule-making dates or periods noted in this agenda are planning estimates that are subject to change. This agenda does not constitute a rule or rule-making action. Any errors or omissions in this agenda do not affect the actual DEL rules or rule-making notices filed with the office of the code reviser and published in the Washington State Register.

There may be additional DEL rule making that cannot be forecasted as the department adopts rules to implement new state laws, to meet federal requirements, or to meet unforeseen circumstances. Emergency rules noted, if any, are those in effect at the time this agenda was filed with the code reviser or were the last emergency rules filed prior to this agenda on the particular subject.

For more information about DEL rule making, or to join a mailing list to receive DEL rule notices and draft materials, please e-mail Rules@del.wa.gov, or write to the: DEL Rules Coordinator, P.O. Box 40970, Olympia, WA 98504-0970.

CR means "code reviser." The legislature's office of the code reviser creates the rule-making notice forms filed by all state agencies.

CR-101 is a preproposal statement of inquiry notice filed under RCW 34.05.310.

CR-102 may be a proposed rule-making notice filed under RCW 34.05.320; a continuance notice under RCW 34.05.325, or a supplemental proposed rule-making notice under RCW 34.05.340.

CR-103E is an emergency rule-making order filed under RCW 34.05.350.

CR-103P is a permanent rule-making order filed under RCW 34.05.360.

CR-105 is an expedited rule-making notice filed under RCW 34.05.353.

WSR means "Washington State Register." The **WSR numbers** noted in the agenda are the official filing numbers assigned by the office of the code reviser and entered on materials submitted for publication in the Washington State Register.

WSR 10-16-062

NOTICE OF PUBLIC MEETINGS

TACOMA COMMUNITY COLLEGE

[Filed July 29, 2010, 9:11 a.m.]

Pursuant to RCW 42.30.075, the following is the 2010-11 schedule for District 22 Tacoma Community College board of trustees' meetings.

Month	Day	Time
September 16, 2010	Thursday	4:00
October 14, 2010	Thursday	4:00
November 10, 2010	Wednesday	4:00
December 9, 2010	Thursday	4:00
January 13, 2011	Thursday	4:00
January 21, 2011	Friday	8:00 - 5:00
February 10, 2011	Thursday	4:00
March 10, 2011	Thursday	2:30 - 6:00
April 14, 2011	Thursday	4:00
April 27, 2011	Wednesday	3:30 - 5:00
May 12, 2011	Thursday	4:00
June 8, 2011	Wednesday	4:00
June 24-25, 2011	Friday-Saturday	1 1/2 days
July	No meeting	
August	No meeting	

All meetings of the board of trustees will be held at Tacoma Community College, 6501 South 19th Street, Tacoma, WA 98466. The meetings begin at 4:00 p.m. unless otherwise noted.

If you need any other information, you may call Cathie Bitz at (253) 566-5101 or e-mail cbitz@tacomacc.edu.

WSR 10-16-066

AGENDA

FOREST PRACTICES BOARD

[Filed July 29, 2010, 10:32 a.m.]

Rule Development Agenda

July - December 2010

The forest practices board's mandate is to adopt rules to protect the state's public resources while maintaining a viable forest products industry. The following rule proposals are under development or are anticipated during this time period. There may be additional rule-making activity not on the agenda as conditions warrant.

1. Notice of Forest Practice to Affected Indian Tribes. The board may consider rule making to clarify rules that require landowners to meet with tribes when an application involves a cultural resource.

2. Administrative Appeals. The board may consider an expedited rule-making process to implement legislation passed in 2010 (SHB 2935) that streamlined environmental and land use administrative appeals and made actions by the department of natural resources appealable to the pollution control hearings board. Also included is a new subsection in WAC 222-20-050 which documents the existence of the "notice of a conversion to a nonforestry use" (2007 legislation).

3. Riparian Open Space Program. The board may consider rule making to implement SSB 5401, 2009 session which expanded the program to include the acquisition of conservation easements on forest land that contains critical habitat for threatened or endangered species as designated by the board. The legislation also changed the type of channel migration lands eligible for acquisition from "unconfined avulsing channel migration zones" to simply "unconfined channel migration zones."

4. Biomass Definition. The board may consider rule making to amend WAC 222-16-010 by adding "removal of forest biomass" to the definition of "forest practice"; and adding a definition of "forest biomass."

5. Road Maintenance and Abandonment Plan. The board may consider rule making to amend WAC 222-24-050 and 222-24-051 to allow landowners to apply for an extension of the road maintenance and abandonment plan (RMAP) deadline for up to five years (to July 2021).

6. Watershed Analysis Mass Wasting Prescriptions. The board may consider rule making on watershed analysis mass wasting prescriptions.

Contact Person: Patricia Anderson, FPB Rules Coordinator, DNR, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1413, fax (360) 902-1428, e-mail patricia.anderson@dnr.wa.gov.

WSR 10-16-070**AGENDA****OFFICE OF THE CODE REVISER**

[Filed July 29, 2010, 2:06 p.m.]

**Semi-Annual Rule-Making Agenda
July through December 2010**

Following is the office of the code reviser's semi-annual rule-making 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.

If you have questions about this rule-making agenda, please contact Kerry S. Radcliff, Rules Coordinator, P.O. Box 40551, Olympia, WA 98504 0551, phone (360) 786-6697, fax (360) 786-1529, e-mail Radcliff.Kerry@leg.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
Chapter 1-21 WAC	The changes may include, but not be limited to, filing deadlines; creating explanatory language that will set out in rule a process for accepting electronic filings; and clarifying specific procedures for filing WSR documents.	WSR 06-01-003 filed December 7, 2005 CR-101 supplemental in 2010	CR-102 in 2010 or 2011	CR-103 in 2011

Kerry S. Radcliff
Rules Coordinator

WSR 10-16-073**AGENDA****HEALTH CARE AUTHORITY**

[Filed July 30, 2010, 8:39 a.m.]

**Semi-Annual Rule-Making Agenda
July through December 2010**

The following is the Washington health care authority's (HCA) semi-annual rule-making 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. If you have questions about this rule-making agenda, please contact Jason B. Siems, Rules Coordinator, P.O. Box 42700, Olympia, WA 98504, phone (360) 923-2720, e-mail Jason.Siems@hca.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		CR-101 Preproposal	CR-102 or CR-105	CR-103
182-08, 182-12 and 182-16	Annual updates to public employees' benefits board eligibility rules to reflect changes in state and federal law.	Filed June 2, 2010 WSR 10-12-104	September 2010	November 2010
182-04	Updates to HCA rules governing public disclosure requests.	Filed May 26, 2010 WSR 10-12-045	Filed July 19, 2010 WSR 10-15-090	August 2010
182-25	Reorganization of basic health program rules to include Washington health program.	Filed June 18, 2010 WSR 10-13-107	October 2010	November 2010
182-26	Amendments to health insurance partnership rules to address legislative changes.	Filed June 17, 2010 WSR 10-13-105	August 2010	October 2010

Jason Siems
Rules Coordinator

WSR 10-16-074
PUBLIC RECORDS OFFICER
DEPARTMENT OF LICENSING

[Filed July 30, 2010, 10:07 a.m.]

Hannah Fultz remains the public records officer for the department of licensing.

Please change the contact fax number for her to (360) 570-7063. The rest of the information remains the same.

Walt Fahrer, Administrator
 Finance and Administration Division

WSR 10-16-075
OFFICE OF THE GOVERNOR

[Filed July 30, 2010, 10:07 a.m.]

DIRECTIVE BY THE GOVERNOR
 10-12

Lowering of the Washington State and United States Flags

I hereby direct that Washington State and United States flags at all state agency facilities be lowered to half-staff **Tuesday, August 3, 2010**, in memory of U.S. Army First Lieutenant Robert N. Bennedsen, 25, of Vashon Island, who was killed in action in Afghanistan July 18.

Please notify your staff and all of your field offices and facilities around the state.

Flags should remain at half-staff until close of business Tuesday, or first thing Wednesday morning, August 4.

Other government entities, citizens and businesses are encouraged to join this recognition.

Please call (360) 902-0383 if you have any questions about this flag lowering.

Christine O. Gregoire
 Governor

WSR 10-16-078
NOTICE OF PUBLIC MEETINGS
BEEF COMMISSION

[Filed July 30, 2010, 10:03 a.m.]

2010 Scheduled Meeting Dates

January 21, 2010 (Thursday)		Conference call
March 17 - 18, 2010 (Wed/Thurs)	Bellevue	Strategic planning/ board meeting
April 15, 2010 (Thursday)	Ellensburg	Budget meeting
June 3, 2010 (Thursday)	Ellensburg	Annual meeting
August 12, 2010 (Thursday)	Ellensburg	Regular board meeting
November 11, 2010 (Thursday)	Roslyn	Regular board meeting

(in conjunction with Washington Cattlemen's Association Convention)

WSR 10-16-087
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Traumatic Brain Injury Strategic Partnership Advisory Council)

[Filed July 30, 2010, 11:35 a.m.]

2010 Meeting Schedule

DATE	LOCATION
Thursday, January 7	Holiday Inn Express SeaTac
Thursday, March 4	Holiday Inn Express SeaTac
Thursday, May 27	Holiday Inn Express SeaTac
Thursday, July 15	To be determined
Thursday, September 2	To be determined
Thursday, November 4	To be determined

WSR 10-16-088
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Traumatic Brain Injury Strategic Partnership Advisory Council)

[Filed July 30, 2010, 11:35 a.m.]

2010 Meeting Schedule

DATE	LOCATION
Thursday, September 2 9:00 a.m. - 2:00 p.m.	Meeting in SeaTac area Location to be determined
Thursday, November 4 9:00 a.m. - 2:00 p.m.	Meeting in SeaTac area Location to be determined

For additional information please contact Samantha Asbjornsen at 800-422-3263 or e-mail asbjosj@dshs.wa.gov.

WSR 10-16-089
AGENDA
PUBLIC DISCLOSURE COMMISSION

[Filed July 30, 2010, 11:49 a.m.]

Agenda for Rules Under Development
July - December 2010

Agency Contact: Lori Anderson, Communications and Training Officer, P.O. Box 40908, Olympia, WA 98504-0908, phone (360) 664-2737, toll free 1-877-601-2828, fax (360) 753-1112, e-mail landerson@pdc.wa.gov.

At present, the public disclosure commission has seventeen rules under development and plans to review and update three chapters of the Washington Administrative Code:

1. **Topic:** Exempt activities—Definitions, reporting (bona fide political parties).

Status: WAC 390-17-060 was adopted on an emergency basis, effective June 30, 2010, to implement section 602, chapter 204, Laws of 2010. Permanent rule making will begin later this year.

Statutory Authority: RCW 42.17.370(1).

Statute Being Implemented: RCW 42.17.640 (15)(c).

WAC Cite: WAC 390-17-060 Exempt activities—Definitions, reporting.

2. **Topic:** Campaign finance issues implicated by the United States Supreme Court's March 2008 decision upholding I-872 (top two primary).

Status: Emergency WAC 390-05-274, 390-05-196, and 390-05-275, effective June 30, 2010, were adopted to address campaign finance issues implicated by the court's decision. Section 101, chapter 204, Laws of 2010, effective January 1, 2012, will alleviate some of the issues resulting from the top two primary decision. Upon the expiration of the three emergency rules and until 2012, the commission will once again be faced with the discordance of I-872 and chapter 42.17 RCW. The commission, therefore, will begin rule making later this year to adopt, on a permanent basis, the three emergency rules currently in effect.

Statutory Authority: RCW 42.17.370(1).

Statute Being Implemented: Chapter 42.17 RCW.

WAC Cite: WAC 390-05-274 Party affiliation, party preference, etc., 390-05-196 Bona fide political party—Application of term, and 390-05-275 Definition—Party organization.

3. **Topic:** Sponsor identification on independent expenditure ads and electioneering communications.

Status: The commission will amend WAC 390-18-010 and 390-18-030 to implement section 505, chapter 204, Laws of 2010, which requires disclosure of the controlling person's name on independent expenditures and electioneering communications sponsored by a political committee.

Statutory Authority: RCW 42.17.370(1).

Statute Being Implemented: RCW 42.17.510.

WAC Cite: WAC 390-18-010 Advertising, political advertising, electioneering communications, and independent expenditures and 390-18-030 Advertising—Exemptions from identification.

4. **Topic:** Filing campaign disclosure reports at locations other than the public disclosure commission.

Status: Permanent rule making is underway to implement section 505, chapter 205, Laws of 2010, which eliminated the requirement that campaign reports be filed with county elections officials. Draft language has been approved and a public hearing on the amendments and repealer will be held in September 2010.

Statutory Authority: RCW 42.17.370(1).

Statute Being Implemented: Section 505, chapter 205, Laws of 2010.

WAC Cite: WAC 390-13-100 Duties of elections officials receiving copies of campaign finance reports, 390-16-011 Forms—Registration statement for political committees, 390-16-012 Forms—Registration statement for candidates, 390-16-041 Forms—Summary of total contributions and

expenditures, 390-16-0115 Mini campaign reporting—Conditions for granting use, 390-16-314 Independent expenditure—Disclosure, and 390-19-030 Electronic filing—Reporting threshold.

5. **Topic:** Certain candidates and public service announcements.

Status: The commission adopted Interpretation 10-01, Public Service Announcements by State Elected Officials and Municipal Officers, effective June 24, 2010, as a first step in implementing section 703, chapter 204, Laws of 2010. The commission may engage in permanent rule making later this year to supersede Interpretation 10-01.

Statutory Authority: RCW 42.17.370(1).

Statute Being Implemented: Section 703, chapter 204, Laws of 2010.

WAC Cite: WAC 390-05-525.

6. **Topic:** Campaign contribution limits.

Status: Permanent rule making is underway to implement chapter 206, Laws of 2010, which extended campaign contribution limits to all county office, city council, and mayoral candidates. Draft language has been approved and a public hearing on the amendments will be held in September 2010.

Statutory Authority: RCW 42.17.370(1).

Statute Being Implemented: Chapter 206, Laws of 2010.

WAC Cite: WAC 390-16-038 Definition—Aggregate, 390-17-309 Identification of affiliated entities, and 390-17-302 Contributions after the primary election.

7. **Topic:** Public records.

Status: The commission may file a preproposal statement with the code reviser giving notice that it is considering possible changes to chapters 390-13 and 390-14 WAC that will recognize and adopt relevant provisions of the state's model public records rules and address technological advancements in the delivery of public records.

A public hearing and possible adoption of amended rules may occur later this year.

Statutory Authority: RCW 42.17.370(1).

Statute Being Implemented: Chapter 42.17 RCW.

WAC Cite: Chapters 390-13 and 390-14 WAC.

8. **Topic:** Enforcement of chapter 42.17 RCW.

Status: The commission intends to examine current enforcement rules relating to (a) brief enforcement hearings and the maximum penalty that may be imposed, and (b) the complaint dismissal process.

A public hearing and possible adoption of amended rules may occur later this year.

Statutory Authority: RCW 42.17.370(1).

Statute Being Implemented: Chapter 42.17 RCW.

WAC Cite: Chapter 390-37 WAC.

9. **Topic:** Penalties assessed by the public disclosure commission.

Status: The commission intends to draft rules to define mitigating and aggravating circumstances that will impact penalty assessments.

A public hearing and possible adoption of amended rules may occur later this year.

Statutory Authority: RCW 42.17.370(1).
Statute Being Implemented: RCW 42.17.395.
WAC Cite: Chapter 390-37 WAC.

A complete listing of rule-making activity from 1999 to present can be found on the public disclosure commission web site at www.pdc.wa.gov under Rule Making Activity.

July 30, 2010
 Lori Anderson
 Communications and
 Training Officer

have a meeting on November 19 beginning at 9:00 a.m. and location is to be determined.

The date and city location of the August through November meetings in 2010 are as follows:

August 12	Spokane
November 19	Olympia

The building or facility locations of the meetings have not yet been determined and will be announced at the close of each regular meeting. The meeting locations may be obtained by writing to the Director, Washington State Parks and Recreation Commission, P.O. Box 42650, Olympia, WA 98504-2650, or by calling (360) 902-8505.

WSR 10-16-098
NOTICE OF PUBLIC MEETINGS
PARKS AND RECREATION
COMMISSION

[Filed August 2, 2010, 10:11 a.m.]

Revisions to the 2010 Schedule of Regular Meetings

As required by RCW 42.30.075, Open Public Meetings Act, the following change to the regular meeting schedule of the Washington state parks and recreation commission is submitted for publishing in the Washington State Register.

The date of the September and December commission meetings will not occur. The Washington state park[s] and recreation commission reduced the number of meetings this year to help minimize budget expenses. The commission will

WSR 10-16-099
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
ASIAN PACIFIC AMERICAN AFFAIRS

[Filed August 2, 2010, 10:45 a.m.]

The commission on Asian Pacific American affairs has made a location change to the board meeting on November 20, 2010: From Redmond Senior Center, 8703 160th Avenue N.E., Redmond, WA 98502, to Vedic Cultural Center, 1420 228th Avenue S.E., Sammamish, WA 98075.

If you need further information contact Veasna Hoy, 210 11th Avenue S.W., Suite 301A, P.O. Box 40925, (360) 725-5667, veasnahoy@capaa.wa.gov, <https://capaa.wa.gov>.

WSR 10-16-100
AGENDA
DEPARTMENT OF
FISH AND WILDLIFE

[Filed August 2, 2010, 10:47 a.m.]

Semi-Annual Rule-Making Agenda
August through December 2010

Following is the Washington department of fish and wildlife's semi-annual rule-making 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.

If you have questions about this rule-making agenda, please contact Lori Preuss, WDFW Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155, or e-mail Lori.preuss@dfw.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
232-12-251	Removal of minerals, wood and artifacts from department lands.	WSR 10-02-074 filed on 1/5/10	CR-102 expected on or after 8/18/10	CR-103 expected on or after 10/27/09 [10/27/10]

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
232-36-051, 232-12-086, 232-12-423	Killing wildlife causing private property damage (corrects an error in WAC 232-36-051 and repeals WAC 232-12-086 and 232-12-423).	WSR 10-14-028 filed on 6/28/10 and WSR 10-15-051 filed on 7/14/10	CR-102 expected on or after 9/22/10	CR-103 expected on or after 10/26/10
220-52-069	Amends rules for the commercial scallop fishery to protect ESA-listed rockfish.	WSR 10-16-046 filed on 7/27/10	CR-102 expected on or after 10/20/10	CR-103 expected on or after 12/2/10
232-28-291	Bonus points reward system.	WSR 10-12-107 filed on 6/2/10	CR-102 expected on or after 8/18/10	CR-103 expected on or after 10/1/10
220-110-030, 220-110-340, 220-110-350	Appeals of hydraulic project approvals.	WSR 10-10-050 filed 4/29/10	WSR 10-13-179 filed on 6/23/10	CR-103 expected on or after 8/6/10
232-12-021, 232-12-134, 232-12-264, 232-28-434	Waterfowl regulations, trapper requirements, and importation/retention of dead nonresident wildlife.	WSR 09-18-054 filed on 8/27/09 and WSR 10-10-128 filed on 5/5/10	WSR 10-13-180 filed 6/23/10	CR-103 expected on or after 8/6/10
232-28-299	Hunter reporting requirements.	WSR 10-07-151 filed on 3/24/10	WSR 10-12-122 filed on 6/2/10	CR-103 expected on or after 8/6/10
232-12-069, 232-16-690, ch. 232-30 (new)	Nontoxic shot requirements, Bayview Game Reserve, and falconry regulations.	WSR 10-04-126 filed on 2/3/10	WSR 10-09-104 filed on 4/21/10	CR-103 expected on or after 8/6/10
220-56-255	Recreational halibut fishery boundaries.	CR-105 filed as WSR 10-12-065 on 5/27/10		CR-103 expected on or after 8/4/10
220-52-040	Implementing a program to recover lost or abandoned commercial crab gear.	WSR 09-06-075 filed 3/3/09	WSR 09-12-054 filed 5/28/09	CR-103 expected on or after 8/7/09

Lori Preuss
Rules Coordinator

WSR 10-16-119
AGENDA
CONSERVATION COMMISSION
[Filed August 3, 2010, 9:04 a.m.]

Semi-Annual Rule-Making Agenda
July through December 2010

Following is the Washington state conservation commission's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314. Additional rule-making activity not on the agenda may occur as conditions warrant.

If you have questions about this rule-making agenda, please contact Mark Clark, Executive Director, P.O. Box 47721, Olympia, WA 98504-7721, phone (360) 407-6200, e-mail commission@scc.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
New WAC in Title 135 WAC	Procedures and requirements for entering and exiting the office of conservation district supervisor.	WSR 08-01-117 filed December 18, 2007	CR-102 in 2010	CR-103 in 2010

Mark A. Clark
Executive Director

WSR 10-16-123

AGENDA

WESTERN WASHINGTON UNIVERSITY

[Filed August 3, 2010, 10:47 a.m.]

Notice of Semi-Annual Agenda for Rules Development

Pursuant to RCW 34.05.314, the following is Western Washington University's semi-annual agenda for (WAC) rules development for the term of July 1 through December 31, 2010:

1. Chapter 516-52 WAC, Health and safety. Rule-making amendments to comply with a state initiative adopted in 2006 that prohibits smoking in public places and workplaces. Preproposal CR-101 was filed February 10, 2010, as WSR 10-05-049. CR-102 anticipated in 2010 or 2011.

2. Chapter 516-23 WAC, Student rights and responsibilities code. Preproposal CR-101 was filed September 11, 2009, as WSR 09-19-061. CR-102 anticipated in 2011.

3. Chapter 516-09 WAC, Public records. Housekeeping amendments to WAC 516-09-020 and 516-09-030. Preproposal to be filed fall 2010.

4. Chapter 516-34 WAC, Leasing of university property for business purposes. Preproposal to be filed fall 2010.

5. Chapter 516-36 WAC, Use of university facilities—Scheduling. Preproposal to be filed fall 2010.

Additional rule-making activity not on the agenda may occur as conditions warrant. For more information concerning the semi-annual agenda, please contact Suzanne Baker, Rules Coordinator, Western Washington University, 516 High Street, Bellingham, WA 98225-9015, phone (360) 650-3117, e-mail Suzanne.Baker@wwu.edu.

Suzanne M. Baker
Rules Coordinator

WSR 10-16-126

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed August 3, 2010, 1:52 p.m.]

Prevailing Rate of Wage

As per RCW 39.12.015, 39.12.020 and WAC 296-127-011 and as was published on the internet on August 2, 2010,

the industrial statistician has determined the statewide prevailing rates of wage. These prevailing rates of wage are effective for public works projects bid on or after September 1, 2010.

Every contractor and subcontractor on every public works project must file a statement of intent to pay prevailing wages and an affidavit of wages paid. Both forms must be filed on every project. The filing of the affidavit of wages paid does not set aside the requirement to also file the statement of intent to pay prevailing wages. The department may fine contractors \$500 for failure to file these forms.

For more information on prevailing wage or a copy of the rates please visit our web site at www.lni.wa.gov/TradesLicensing/PrevailingWage/ or call (360) 902-5335.

David Soma
Prevailing Wage Manager
Industrial Statistician

WSR 10-16-127

NOTICE OF PUBLIC MEETINGS

NOXIOUS WEED

CONTROL BOARD

[Filed August 3, 2010, 2:09 p.m.]

The updated schedule for the Washington state noxious weed control board regular meeting in September 2010 is on Tuesday, September 14, 2010, at 9:00 a.m., Webinar teleconference.

If you would like to join the meeting via teleconference, please contact Cindy Orr for connection information by 12:00 p.m. on Monday, September 13, 2010. Connection information will include a toll-free number and pin. Please call Cindy at (360) 725-5764 or e-mail corr@agr.wa.gov.

WSR 10-16-152
DEPARTMENT OF ECOLOGY

[Filed August 4, 2010, 9:52 a.m.]

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT
Regional Haze State Implementation Plan (SIP)

The United States Environmental Protection Agency (EPA) adopted the regional haze rule on July 1, 1999. It established a program to improve visibility in one hundred fifty-six of the nation's national parks and wilderness areas, where visibility is especially important. Congress called these "mandatory Class I areas." See Washington's eight Class I areas at <http://www.ecy.wa.gov/programs/air/PDFS/wilderness.pdf>.

Washington must submit a plan to the EPA to reduce air pollutants that affect visibility in its Class 1 [I] areas. The regional haze SIP:

- Documents current conditions at Washington's mandatory Class 1 [I] areas.
- Establishes the base for controls in future SIPs.
- Begins the process of making reasonable progress toward the 2064 goal of natural visibility conditions.

Public hearing schedule: On Tuesday, September 28, 2010, at 6:00 p.m., at the Department of Ecology, Headquarters Building, Auditorium, 300 Desmond Drive S.E., Lacey, WA 98503.

Ecology will provide a link to participate in the hearing via the internet. Information about how to participate via the internet will be available on the regional haze SIP web page by September 21. View the regional haze SIP web page at http://www.ecy.wa.gov/programs/air/globalwarm_RegHaze/regional_haze.html.

How to review and comment: Ecology will accept comments on the draft regional haze SIP and appendices. The draft regional haze SIP and appendices will be available for review: On-line at <http://www.ecy.wa.gov/programs/air/airhome.html> and at the following locations: Bellingham Public Library, 210 Central Avenue, CS-9710, Bellingham, WA 98227-9710, (360) 778-7323; at the Seattle Public Library, Central Library, 1000 Fourth Avenue, Seattle, WA 98104, (206) 386-4636; at the Longview Public Library, 1600 Louisiana Street, Longview, WA 98632, (360) 442-5300; at the Twisp Library, 201 North Methow Valley Highway, Twisp, WA 98856-0237, (509) 997-4681; at the Mount Vernon City Library, 315 Snoqualmie Street, Mt. Vernon, WA 98273, (360) 336-6209; at the Port Townsend Public Library, 1220 Lawrence Street, Port Townsend, WA 98368, (360) 385-3181; and at the Wenatchee Library, 310 Douglas Street, Wenatchee, WA 98801-2864, (509) 662-5021.

Ecology will accept comments from August 25 to October 6. Send comments to: Doug Schneider, Department of Ecology, Air Quality Program, P.O. Box 47600, Olympia, WA 98504-7600, AQcomments@ecy.wa.gov.

Ecology's response to your comments: All of the comments we receive will become part of the official record. Ecology will compile a summary of oral and written comments received during the comment period and ecology's response to those comments.

For more information, contact Jeff Johnston, Department of Ecology, Air Quality Program, (360) 407-6115, jeff.johnston@ecy.wa.gov, or go to http://www.ecy.wa.gov/programs/air/globalwarm_RegHaze/regional_haze.html.

Ecology's Regional Haze Focus Sheet: <http://www.ecy.wa.gov/pubs/0902016.pdf>.

Documents related to the seven sources subject to BART requirements: http://www.ecy.wa.gov/programs/air/globalwarm_RegHaze/bart/BARTInformation.html.

If you need special accommodations, call the air quality program at (360) 407-6800. Persons with hearing loss, call 711 for Washington relay service. Persons with a speech disability, call 877-833-6344.