WSR 13-21-001 NOTICE OF PUBLIC MEETINGS DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission) [Filed October 2, 2013, 1:12 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is a notice of cancellation for the October 24, 2013, department of health, pharmacy quality assurance commission *regular* business meeting.

	Time	Location
October 24, 2013	9:00 a.m.	Blackriver Training and
		Conference Center
		Snoqualmie Room
		800 Oakesdale Avenue S.W.
		Renton, WA 98057

If you need additional information, please contact Doreen E. Beebe, Health Services Consultant 4, Washington Department of Health, Pharmacy Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4834, fax (360) 236-2901, e-mail Doreen.Beebe@doh.wa.gov, web www.doh.wa.gov.

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

WSR 13-21-004 NOTICE OF PUBLIC MEETINGS COLUMBIA BASIN COLLEGE

[Filed October 3, 2013, 9:47 a.m.]

The Columbia Basin College board of trustees will participate in a training event offered by the Trustees Association of Community and Technical Colleges on October 2, 2013, at the Washington State Convention Center in Seattle, Washington. No official action will be taken during this session, which is for training purposes only.

If you have any questions, please contact Lupe Perez at (509) 542-4802.

WSR 13-21-007 NOTICE OF PUBLIC MEETINGS DEPARTMENT OF HEALTH

(Board of Physical Therapy) [Filed October 4, 2013, 8:28 a.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health, board of physical

therapy, for the year 2013. The board of physical therapy meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via listserv and the department of health web site (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board of physical therapy reserves the right to change or amend agendas at the meeting.

Date	Time	Location
February 25, 2013	10:00 a.m.	Kent
April 8, 2013	10:00 a.m.	Kent
June 17, 2013	9:00 a.m.	Spokane
August 12, 2013	10:00 a.m.	Conference Call
September 18, 2013	12:00 p.m.	Conference Call
October 21, 2013	8:00 a.m.	Tumwater
December 2, 2013	10:00 a.m.	Kent

If you need further information, please contact Kris Waidely, Program Manager, Board of Physical Therapy, Washington Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4847, (360) 236-2901, kris. waidely@doh.wa.gov, www.doh.wa.gov.

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

WSR 13-21-010 NOTICE OF PUBLIC MEETINGS TACOMA COMMUNITY COLLEGE

[Filed October 4, 2013, 10:45 a.m.]

A joint meeting between the Tacoma Public School District board and Tacoma Community College trustees has been scheduled for October 16, 2013, from 8:00 a.m. - 10:00 a.m. at Tacoma Public Schools Central Office, 601 South 8th Street, 4th Floor Auditorium, Tacoma, WA.

If you need any other information, Cathie Bitz can be reached at (253) 566-5101.

WSR 13-21-011 NOTICE OF PUBLIC MEETINGS GRAYS HARBOR COLLEGE

[Filed October 4, 2013, 10:45 a.m.]

The Grays Harbor College board of trustees will hold a retreat on October 29, 2013, from 9:00 a.m. until noon. The meeting will be held in the boardroom of the Manspeaker Instructional Building on the Grays Harbor College campus.

[1] Miscellaneous

WSR 13-21-012 NOTICE OF PUBLIC MEETINGS GRAYS HARBOR COLLEGE

[Filed October 4, 2013, 10:46 a.m.]

The date of the Grays Harbor College board of trustees meeting scheduled for Tuesday, October 15, 2013, has been rescheduled to Tuesday, October 29, 2013. The meeting will begin at 1:00 p.m. in the boardroom of the Manspeaker Instructional Building on the Grays Harbor College campus.

WSR 13-21-018 NOTICE OF PUBLIC MEETINGS LAW ENFORCEMENT OFFICERS' AND FIREFIGHTERS' PLAN 2 RETIREMENT BOARD

[Filed October 7, 2013, 11:03 a.m.]

The law enforcement officers' and firefighters' plan 2 retirement board has changed their October 23, 2013, meeting date to October 16, 2013.

The October 16, 2013, meeting will be held at the Capital Event Center from 9:30 a.m. - 3:00 p.m. located at 6005 Tyee Drive S.W., Tumwater, WA 98512.

Please feel free to contact Jessica Burkhart at (360) 586-2322 or e-mail recep@leoff.wa.gov with questions.

WSR 13-21-019 NOTICE OF PUBLIC MEETINGS PUGET SOUND PARTNERSHIP

(Puget Sound Partnership Leadership Council)
[Filed October 7, 2013, 11:58 a.m.]

Due to the federal government shutdown, the Puget Sound partnership leadership council meeting location has CHANGED from NOAA Northwest Fisheries Science Building to The Mountaineers, Goodman Room B, 7700 Sand Point Way N.E., Seattle. Meeting materials and directions are posted on the web page at http://www.psp.wa.gov/LC_meetings.php.

WSR 13-21-020 NOTICE OF PUBLIC MEETINGS RECREATION AND CONSERVATION OFFICE

(Recreation and Conservation Funding Board)
[Filed October 7, 2013, 12:57 p.m.]

The recreation and conservation funding board is changing the date of the following regular meeting:

FROM: November 6-7, 2013.

TO: November 6, 2013.

The meeting will be in Room 172 of the Natural Resources Building in Olympia, Washington, beginning at 9 a.m.

For further information, please contact Rebecca Connolly at (360) 902-2637 or check recreation and conservation

office's (RCO) web page at http://www.rco.wa.gov/boards/rcfb meetings.shtml.

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

WSR 13-21-039 RULES COORDINATOR STUDENT ACHIEVEMENT COUNCIL

[Filed October 9, 2013, 11:50 a.m.]

Pursuant to RCW 34.05.312, the Washington student achievement council has designated a new rules coordinator effective immediately: Kristin Ritter, Washington Student Achievement Council, 917 Lakeridge Way S.W., P.O. Box 43430, Olympia, WA 98504-3430, kristinr@wsac.wa.gov, phone (360) 753-7810, fax (360) 704-6210.

Gene Sharratt Executive Director

WSR 13-21-041 NOTICE OF PUBLIC MEETINGS DEPARTMENT OF NATURAL RESOURCES

(Natural Heritage Advisory Council) [Filed October 9, 2013, 12:31 p.m.]

The natural heritage advisory council will meet on the following dates:

January 2013	Cancelled
April 16, 2013	10:00 a.m. to 4:30 p.m. Best Western Plus Parkersville Inn & Suites 121 Second Street Washougal, WA 98671
April 17, 2013	Field trip
June 19, 2013	10:00 a.m. to 12:00 p.m. Teleconference Natural Resources Building 1111 Washington Street S.E. Room 432 Olympia, WA 98501

Regular council business generally includes consideration of proposals for new natural areas, additions to existing natural areas, and management activities within existing natural areas.

Cancelled

October 16, 2013

For further information contact the Department of Natural Resources, Natural Heritage Program, 1111 Washington Street S.E., Olympia, WA 98504-7014, (360) 902-1916.

Miscellaneous [2]

WSR 13-21-044 DEPARTMENT OF ECOLOGY

[Filed October 9, 2013, 5:15 p.m.]

To the Office of the Code Reviser

October 7, 2013

Attention: Washington State Register

The 2006 amendments to Chapter 173-503 WAC have been invalidated by order of the Supreme Court in the matter of *Swinomish Tribal Comm'y v. Dep't Ecology*, Supreme Court of the State of Washington No. 87672-0 (October 3, 2013).

This invalidates the 2006 amendments to Chapter 173-503, adopted by Ecology Order No. 05-15, WSR 06-11-070 (May 15, 2006 eff. June 15, 2006).

Sincerely,

Maia D. Bellon Director

WSR 13-21-045 DEPARTMENT OF ECOLOGY

[Filed October 10, 2013, 2:10 p.m.]

PUBLIC NOTICE

Announcing a Review and Comment Period for a Draft Washington State Department of Transportation Municipal Stormwater General Permit

Draft Permit: The Washington state department of ecology (ecology) issued a general permit to the Washington state department of transportation (WSDOT) on January 21, 2009. The permit covers discharges from its municipal separate storm sewer system (MS4). MS4s are conveyances or a system of conveyances including roads with drainage systems, streets, catch basins, ditches, man-made channels, and storm drains.

The effective date of this permit was February 21, 2009, and it expires March 6, 2014. A new draft permit is available for review and comment from **November 6, 2013, until January 10, 2014**. The new draft permit continues WSDOT's stormwater management program, adds requirements for new water cleanup areas impacted by WSDOT stormwater sewer system and expands WSDOT's requirements to implement low impact development best management practices where feasible.

Purpose of the Permit: State and federal regulations require WSDOT to have national pollutant discharge elimination system (NPDES) permit coverage in areas covered by Phase I and Phase II of the municipal stormwater permit program. This permit covers stormwater runoff from state highways, rest areas, park and ride lots, ferry terminals, and maintenance facilities. The permit addresses these legal requirements and regulates the discharge of pollutants to protect water quality in Washington state.

Copies of the Draft Permit: You may download a copy of the permit and fact sheet at http://www.ecy.wa.gov/programs/wq/stormwater/municipal/wsdot.html. You may request copies of the permit or fact sheet from the water quality program reception at (360) 407-6600.

Ecology Contact: Foroozan Labib, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696, phone (360) 407-6439, fax (360) 407-6426, e-mail foroozan.labib@ecy.wa.gov.

Submitting Written and Oral Comments: Ecology will accept written and oral comments on the draft WSDOT municipal stormwater general permit and fact sheet until 5 p.m., January 10, 2014. Ecology prefers comments be submitted by e-mail. E-mailed comments must contain the commenter's name and postal address. Comments should reference specific text when possible.

Ecology prefers comments be submitted by e-mail to foroozan.labib@ecy.wa.gov. Written comments must be postmarked or received via e-mail no later than 5 p.m., January 10, 2014.

Submit written, hard copy comments to Foroozan Labib, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696.

Hearing and Workshop: A public workshop to explain the proposed changes to the permit, followed by a public hearing, will be held in Lacey, Washington. The purpose of the hearing is to provide an opportunity for people to give formal oral testimony and comments on the proposed permit.

Wednesday, January 8, 2014, 1:30 p.m., Department of Ecology, 300 Desmond Drive S.E., Lacey, WA.

Issuing the WSDOT Municipal Stormwater General Permit: After ecology receives and considers all public comments, it will make necessary changes, issue the permit and a response to comments. Ecology expects to issue the permit in March 2014.

WSR 13-21-049 CLEMENCY AND PARDONS BOARD

[Filed October 11, 2013, 12:52 p.m.]

Quarterly Hearings for the Year 2014

The Washington state clemency and pardons board hereby gives notice of the quarterly hearing dates and times scheduled for the year 2014, to be held in the John A. Cherberg Building¹:

¹The location of these meetings are subject to change depending on the availability of the legislative building during the 2014 legislative session.

Date	Time
March 14, 2014	10:00 a.m.
June 13, 2014	10:00 a.m.
September 12, 2014	10:00 a.m.
December 12, 2014	10:00 a.m.

[3] Miscellaneous

WSR 13-21-051 NOTICE OF PUBLIC MEETINGS FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

[Filed October 11, 2013, 4:57 p.m.]

2014 Meeting Schedule

January 24	Olympia
March 21	Kent
May 30	Vancouver
July 18	Suquamish
September 19	Yakima
November 21	Everett

WSR 13-21-054 INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF LABOR AND INDUSTRIES

[Filed October 14, 2013, 1:50 p.m.]

Pursuant to RCW 34.05.230, following is a policy and interpretive statement issued by the department of labor and industries regarding the fraud prevention and labor standard division policies.

If you have any questions or need additional information, please call Suchi Sharma at (360) 902-6744.

Fraud Prevention and Labor Standards Division: Prevailing Wage Program.

Title: Prevailing Wage Determination letter.

Subject: Prevailing wage requirements for travel time and loading and unloading employer's truck.

Date Issued: August 30, 2013.

Description: The document is a letter of determination issued by the industrial statistician of the prevailing wage program pursuant to RCW 39.12.015. This determination discusses the question of application of prevailing wage requirements for travel time, and loading and unloading an employer's truck.

Web site: http://www.lni.wa.gov/TradesLicensing/Prev Wage/files//Policies/TravelAndTruckLoadingTime.pdf

Contact: Industrial Statistician, Prevailing Wage Program, Department of Labor and Industries, P.O. Box 44540, Olympia, WA 98504-4540, (360) 902-5335, PW1@Lni.wa. gov.

Suchi Sharma Counsel for Executive Policy Government Affairs and Policy Division

WSR 13-21-062 INTERPRETIVE AND POLICY STATEMENT DEPARTMENT OF LABOR AND INDUSTRIES

[Filed October 16, 2013, 10:24 a.m.]

Under RCW 34.05.230, following is a policy and interpretive statement issued by the department of labor and industries regarding the division of occupational health and safety policies.

If you have any questions or need additional information, please call Suchi Sharma at (360) 902-6744.

Suchi Sharma Counsel for Executive Policy and Rules Coordinator

Title: Division of Occupational Safety and Health Interpretative Statement.

Subject: Determination of applicability of RCW 34.05.-110 to violations issued under chapters 49.17, 49.19, 49.22, 70.74, 70.77, 88.04 RCW, RCW 72.23.400 and 72.23.410.

Date Issued: October 16, 2013.

Description: Applicability of RCW 34.05.110 to violations issued under chapters 49.17, 49.19, 49.22, 70.74, 70.77, 88.04 RCW, RCW 72.23.400 and 72.23.410. Under RCW 34.05.110, small businesses are eligible for a waiver of penalties and fines for a first-time paperwork violation and an opportunity to correct other violations.

The director of labor and industries has determined that the requirements of chapter 35.110 RCW do not apply to violations or citations issued under the Washington Industrial Safety and Health Act, chapter 49.17 RCW, due to a conflict with federal law or program requirements, including, but not limited to, federal requirements that Washington's enforcement be at-least-as-effective-as enforcement under the Occupational Safety and Health Act. It is further determined that these federal requirements are a prescribed condition to the allocation of federal funds to the state, and that the effect of the violations present a direct danger to public health.

The director has also determined that the requirements of RCW 34.05.110 do not apply to violations issued under the following statutes as the effect of these violations presents a direct danger to public health: Chapter 49.19 RCW, Workplace violence in healthcare; chapter 49.22 RCW, Asbestos; chapter 49.22 RCW, Safety—Crime prevention; chapter 70.74 RCW, Explosives; chapter 70.77 RCW, Fireworks Act; chapter 88.04 RCW, Charter boat safety; RCW 72.23.400 Workplace safety plan; and 72.23.410 Violence prevention training. These determinations were made by the director of labor and industries in 2009 pursuant to chapter 358, Laws of 2009, and apply to the 2010 amendments under chapter 194, Laws of 2010, and the 2011 amendments under chapter 18, Laws of 2011.

Web site: http://www.lni.wa.gov/Safety/Rules/.

Contact: Alan Lundeen, Standards and Technical Services Senior Program Manager, Division of Occupational Safety and Health, Department of Labor and Industries, P.O. Box 44610, Olympia, WA 98504-4610, (360) 902-4758, lund235@lni.wa.gov.

Miscellaneous [4]

WSR 13-21-063 NOTICE OF PUBLIC MEETINGS TRANSPORTATION IMPROVEMENT BOARD

[Filed October 16, 2013, 11:27 a.m.]

The following dates and locations list the meeting schedule for the 2014 transportation improvement board.

DATE	CITY
January 30-31	Olympia
March 27-28	Tacoma
May 29-30	Yakima
September 25-26	Spokane Valley
November 20-21	Everett

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

WSR 13-21-072 NOTICE OF PUBLIC MEETINGS HORSE RACING COMMISSION

[Filed October 17, 2013, 10:39 a.m.]

2014 MEETING DATES

DATE	TOPIC	LOCATION
Friday, January 10, 2014		9:30 a.m. Auburn City
Friday, February 14, 2014	Emerald Downs Race Dates Emerald Downs Officials Class C Race Dates Class C Officials	Council Chambers 25 West Main Auburn, WA 98001
Friday, March 14, 2014	TwinSpires Renewal; Agency GMAP Report	"
Friday, April 18, 2014*	Approval of Split Sample Labs *Subject to change (Emd opening?)	"
May, no meeting		
Friday, June 13, 2014	TVG Renewal	"
July, no meeting		
Friday, August 8, 2014	Annual Review of License Fees (WAC 260-36-085)	"
Friday, September 12, 2014	Approval of Agency Budget/Request Legis- lation Annual Review of Source Market Fee Distribution	п
Friday, October 10, 2014	XpressBet Renewal WHRC Meeting Dates for 2015	"
Friday, November 14, 2014		
December, no meeting		

WSR 13-21-073 RULES COORDINATOR BATES TECHNICAL COLLEGE

[Filed October 17, 2013, 10:40 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for Bates Technical College is Becky Welch, 1101 South Yakima Avenue, Tacoma, WA 98405-4895, phone (253) 680-7100, fax (253) 680-7101, e-mail bwelch@bates.ctc.

J. Ron Langrell President

WSR 13-21-078 NOTICE OF PUBLIC MEETINGS UTILITIES AND TRANSPORTATION COMMISSION

[Filed October 17, 2013, 1:19 p.m.]

The following is the schedule for the 2014 regular public meetings of the Washington utilities and transportation commission:

January 16, 2014
January 30, 2014
February 14, 2014
February 27, 2014
March 13, 2014
March 27, 2014
April 10, 2014
April 24, 2014
May 8, 2014
May 29, 2014
June 12, 2014
June 26, 2014
July 10, 2014
July 24, 2014
August 14, 2014
August 28, 2014
September 11, 2014
September 24, 2014
October 16, 2014
October 30, 2014
November 14, 2014
November 26, 2014
December 11, 2014
December 30, 2014

All commission meetings will commence at 9:30 a.m. on the scheduled day. The meetings will be held in the Commission's Main Hearing Room, Second Floor, Richard Hemstad

[5] Miscellaneous

Building, 1300 South Evergreen Park Drive S.W., Olympia, WA.

Assistance with sign language interpreters or information in alternate formats will be provided when requested ten days prior to the meeting date, by contacting the ADA coordinator at (360) 664-1132 or TTY 800-416-5289.

WSR 13-21-083 POLICY STATEMENT UTILITIES AND TRANSPORTATION COMMISSION

[Filed October 17, 2013, 3:09 p.m.]

NOTICE OF POLICY STATEMENT

Document Title: Policy Statement on the Evaluation of the Cost-Effectiveness of Natural Gas Conservation Programs, Docket UG-121207.

Subject: In the matter of the commission investigation into natural gas conservation programs.

Effective Date: October 9, 2013.

Document Description: The Washington utilities and transportation commission (commission) describes the method for evaluating the cost-effectiveness of natural gas programs. The policy statement provides a summary of the commission's investigation into the use of different cost-effectiveness tests for natural gas conservation programs and measures. The policy statement further discusses the standardization of conservation program evaluations. The commission issued a policy statement on October 9, 2013.

To receive a copy of the policy statement, contact the commission by phone (360) 664-1160, fax (360) 586-1150, or e-mail records@utc.wa.gov, or go to the commission's web site at www.utc.wa.gov/121207.

Washington State Utilities and Transportation Commission

Steven V. King Executive Director and Secretary

WSR 13-21-088 NOTICE OF PUBLIC MEETINGS STATE INVESTMENT BOARD

[Filed October 18, 2013, 9:45 a.m.]

Pursuant to WAC 287-01-030, the Washington state investment board's regular board meetings for 2014 will be held on the third Thursday of each month, beginning at 9:30 a.m. at the board's office, located at 2100 Evergreen Park Drive S.W., Olympia, WA, with one exception, there will not be an August meeting.

If you have any questions, please contact Kristi Haines, at Khaines@sib.wa.gov or (360) 956-4612.

WSR 13-21-089 NOTICE OF PUBLIC MEETINGS TRANSPORTATION COMMISSION

[Filed October 18, 2013, 9:45 a.m.]

2014 Meeting Schedule

I 01 00	01 .
January 21-22 (Tuesday-Wednesday)	Olympia
` ,	01 .
February 18-19	Olympia
(Tuesday-Wednesday)	
March 18-19	Olympia
(Tuesday-Wednesday)	
April 16	Pullman
(Wednesday)	
May 20	Bellingham
(Tuesday	
June 17-18	Olympia
(Tuesday-Wednesday)	
July 15-16	Olympia
(Tuesday-Wednesday)	J 1
September 23	Ellensburg
(Tuesday)	
October 14-15	Olympia
(Tuesday-Wednesday)	Olympia
November 18	Lakewood
(Tuesday)	Lukewood
December 9-10	Okamania
(Tuesday-Wednesday)	Olympia
(Tuesday-wednesday)	

Olympia meetings will be held between 9:00 a.m. and 5:00 p.m. in Room 1D2 of the Transportation Building, 310 Maple Park Drive S.E., Olympia, WA.

Locations for our local meetings are yet to be determined and will be published on our web site prior to the meeting date.

WSR 13-21-090 NOTICE OF PUBLIC MEETINGS SEATTLE COMMUNITY COLLEGES

[Filed October 18, 2013, 9:45 a.m.]

In compliance with RCW 42.30.075, following is the Seattle Community Colleges - District VI board of trustees regular meeting schedule for 2014, which was adopted by the board on October 10, 2013.

If you have any questions, please contact Harrietta Hanson at (206) 934-3850.

BOARD OF TRUSTEES 2014 MEETING SCHEDULE

Approved by the Board of Trustees on October 10, 2013

The board of trustees meetings begin with a study session or reception at 2:00 p.m. Regular meeting agenda sessions will begin at 3:00 p.m. Dates and locations of the meet-

Miscellaneous [6]

ings are noted below. All meetings are on the second Thursday of the month, except January and May.

-	
DATE	LOCATION
January 16	SCCD (Siegal Center)
-	1500 Harvard Avenue
	Seattle, WA 98122
February 13	North Seattle Community College
•	(NSCC)
	9600 College Way North
	Seattle, WA 98103
March 13	South Seattle Community College
	(SSCC)
	6000 16th Avenue S.W.
	Seattle, WA 98106
April 10	Seattle Central Community College
	(SCCC)
	1701 Broadway
	Seattle, WA 98122
May 15	SCCD (Siegal Center)
	1500 Harvard Avenue Seattle, WA 98122
T 10	
June 12	North Seattle Community College
	(NSCC) 9600 College Way North
	Seattle, WA 98103
July 10	South Seattle Community College
July 10	(SSCC)
	6000 16th Avenue S.W.
	Seattle, WA 98106
August	No Meeting
September 11	Seattle Central Community College
1	(SCCC)
	1701 Broadway
	Seattle, WA 98122
October 9	SCCD (Siegal Center)
	1500 Harvard Avenue
	Seattle, WA 98122
November 13	North Seattle Community College
	(NSCC)
	9600 College Way North
	Seattle, WA 98103
December 11	South Seattle Community College
	(SSCC)
	6000 16th Avenue S.W.
	Seattle, WA 98106

WSR 13-21-092 NOTICE OF PUBLIC MEETINGS RECREATION AND CONSERVATION OFFICE

(Recreation and Conservation Funding Board) [Filed October 18, 2013, 12:09 p.m.]

The recreation and conservation funding board is changing the date of the following regular meeting:

FROM: November 6, 2013. TO: November 7, 2013.

The original date of this meeting was November 6-7, 2013. It was previously changed to November 6 only, and is now changed to November 7 only.

The meeting will be in Room 172 of the Natural Resources Building in Olympia, Washington, beginning at 9 a.m.

For further information, please contact Leslie Frank at (360) 902-0220 or check recreation and conservation office's (RCO) web page at http://www.rco.wa.gov/boards/rcfb_meetings.shtml.

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

WSR 13-21-093 NOTICE OF PUBLIC MEETINGS RECREATION AND CONSERVATION OFFICE

(Recreation and Conservation Funding Board) [Filed October 18, 2013, 12:12 p.m.]

The public meetings for the recreation and conservation funding board for 2014 will be held on the following dates:

Dates	Location
January 9, 2014	Olympia Natural Resources Building Room 172
April 16-17, 2014	Olympia Natural Resources Building Room 172
July 16-17, 2014	Vancouver, Washington
August 26, 2014	Conference Call
October 29-30, 2014	Olympia Natural Resources Building Room 172

For further information, please contact Leslie Frank at (360) 902-0220 or check recreation and conservation office's (RCO) web page at http://www.rco.wa.gov/boards/rcfb_meetings.shtml.

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

[7] Miscellaneous

WSR 13-21-095 NOTICE OF PUBLIC MEETINGS RECREATION AND CONSERVATION OFFICE

(Salmon Recovery Funding Board) [Filed October 18, 2013, 12:16 p.m.]

The public meetings for the salmon recovery funding board for 2014 will be held on the following dates:

Dates	Location
March 19-20, 2014	Olympia Natural Resources Building Room 172
June 4-5, 2014	Olympia Natural Resources Building Room 172
August 26, 2014	Conference Call
September 17-18, 2014	Upper Columbia Region
December 3-4, 2014	Olympia Natural Resources Building Room 172

For further information, please contact Leslie Frank at (360) 902-0220 or check recreation and conservation board's (RCO) web page at http://www.rco.wa.gov/boards/srfb_meetings.shtml.

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

WSR 13-21-096 NOTICE OF PUBLIC MEETINGS STATUTE LAW COMMITTEE

[Filed October 21, 2013, 9:47 a.m.]

A statute law committee meeting has been scheduled for Tuesday, December 10, 2013. The meeting will begin at noon and will end at approximately 2:00 p.m. Agenda items include approval of minutes, a general overview of publications, current office activities, financial status of accounts, and code maintenance.

The meeting will be held in the senate rules room on the second floor of the legislative building.

Debbie Deibert or K. Kyle Thiessen are the contact persons for information concerning this meeting and can be reached at (360) 786-6777.

WSR 13-21-097 HEALTH CARE AUTHORITY

[Filed October 21, 2013, 10:02 a.m.]

NOTICE

Title or Subject: Apple Health Plus Managed Care Program.

Effective Date: February 1, 2014.

Description: Medicaid State Plan Amendment 13-42. Beginning January 1, 2014, the state of Washington will implement portions of the Affordable Care Act (ACA) by:

- Expanding medicaid eligibility to individuals with a modified adjusted gross income up to one hundred thirty-eight percent of the federal poverty level (FPL);
- Offering qualified health plans (QHPs) through Washington's health benefit exchange (HBE) to individuals not eligible for medicaid. A QHP is a commercial insurance plan that follows established limits on cost-sharing (like deductibles, copayments, and out-of-pocket maximum amounts), and meets other requirements of the ACA.

The health care authority (HCA) anticipates many individuals with incomes near the eligibility threshold of one hundred thirty-eight percent FPL will experience frequent changes in their family income. When their income exceeds the threshold, they will lose their medicaid eligibility and will instead be eligible for QHP coverage through the HBE. When their income drops below the threshold, they become eligible for medicaid. As their income fluctuates, so does their eligibility for either of these insurance affordability programs. This movement between the programs is commonly referred to as "churn."

To address this "churn," HCA intends to implement the apple health plus (AHP) program. The goal of this voluntary program is to ensure continuity of care for individuals and families. AHP will be a medicaid managed care program that will allow QHP enrollees who experience changes in income to remain with the same insurance carrier when they transition from QHP coverage to medicaid, if the carrier is contracted with HCA as a limited medicaid managed care organization. Current medicaid enrollees with family members enrolled in a QHP will also have the option to enroll in AHP.

To obtain approval for AHP, the HCA intends to submit a 1932(a) State Plan Amendment 13-42, adding AHP as a new program to Washington's medicaid state plan.

For additional information, contact Robert Longhorn, Division of Health Care Services, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-0764, TDD/TTY 1-800-848-5429, fax (360) 753-7315, e-mail Robert.Longhorn@hca.wa. gov.

Miscellaneous [8]

WSR 13-21-098 NOTICE OF PUBLIC MEETINGS INDETERMINATE SENTENCE REVIEW BOARD

[Filed October 21, 2013, 11:19 a.m.]

The indeterminate sentence review board has cancelled the October 28, 2013, board meeting scheduled to begin at 10:00 a.m.

The cancellation will be posted to our web site at www.doc.wa.gov/isrb.

WSR 13-21-099 RULES OF COURT STATE SUPREME COURT

[October 18, 2013]

IN THE MATTER OF THE ADOPTION)	ORDER
OF GR 12.4 - ACCESS TO RECORDS)	NO. 25700-A-1036
OF THE WASHINGTON STATE BAR)	
ASSOCIATION)	

The Washington State Bar Association having recommended the adopting of a new GR 12.4, and the Court having considered the rule and two publications for written comments, and having determined that the proposed rule will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby ORDERED:

- (a) That the new rule as shown below is adopted.
- (b) That the new rule will be published in the Washington Reports and will become effective on July 1, 2014.

DATED at Olympia, Washington this 18th day of October, 2013.

	Madsen, C.J.
C. Johnson, J.	Owens, J.
Fairhurst, J.	J. M. Johnson, J.
Stephens, J.	Wiggins, J.
Gonzalez, J.	Gordon McCloud, J.

NEW RULE

GENERAL RULES (GR)

Rule 12.4—Washington State Bar Association Access to Records

- (a) Policy and Purpose. It is the policy of the Washington State Bar Association to facilitate access to Bar records. A presumption of public access exists for Bar records, but public access to Bar records is not absolute and shall be consistent with reasonable expectations of personal privacy, restrictions in statutes, restrictions in court rules, or as provided in court orders or protective orders issued under court rules. Access shall not unduly burden the business of the Bar.
- **(b) Scope.** This rule governs the right of public access to Bar records. This rule applies to the Washington State Bar

Association and its subgroups operated by the Bar including the Board of Governors, committees, task forces, commissions, boards, offices, councils, divisions, sections, and departments. This rule also applies to boards and committees under GR 12.2 administered by the Bar. A person or entity entrusted by the Bar with the storage and maintenance of Bar records is not subject to this rule and may not respond to a request for access to Bar records, absent express written authority from the Bar or separate authority in rule or statute to grant access to the documents.

(c) Definitions.

- 1. "Access" means the ability to view or obtain a copy of a Bar record.
- 2. "Bar record" means any writing containing information relating to the conduct of any Bar function prepared, owned, used, or retained by the Bar regardless of physical form or characteristics. Bar records include only those records in the possession of the WSBA and its staff or stored under Bar ownership and control in facilities or servers. Records solely in the possession of hearing officers, non-Bar staff members of boards, committees, task forces, commissions, sections, councils, or divisions that were prepared by the hearing officers or the members and in their sole possession, including private notes and working papers, are not Bar records and are not subject to public access under this rule. Nothing in this rule requires the Bar to create a record that is not currently in possession of the Bar at the time of the request.
- 3. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation in paper, digital or other format.

(d) Bar Records - Right of Access.

- 1. The Bar shall make available for inspection and copying all Bar records, unless the record falls within the specific exemptions of this rule, or any other state statute (including the Public Records Act, chapter 42.56 RCW) or federal statute or rule as they would be applied to a public agency, or is made confidential by the Rules of Professional Conduct, the Rules for Enforcement of Lawyer Conduct, the Admission to Practice Rules and associated regulations, the Rules for Enforcement of Limited Practice Officer Conduct, General Rule 25, court orders or protective orders issued under those rules, or any other state or federal statute or rule. To the extent required to prevent an unreasonable invasion of personal privacy interests or threat to safety or by the above-referenced rules, statutes or orders, the Bar shall delete identifying details in a manner consistent with those rules, statutes or orders when it makes available or publishes any Bar record; however, in each case, the justification for the deletion shall be explained in writing.
- 2. In addition to exemptions referenced above, the following categories of Bar records are exempt from public access except as may expressly be made public by court rule:
- a. Records of the personnel committee, and personal information in Bar records for employees, appointees, members, or volunteers of the Bar to the extent that disclosure would violate their right to privacy, including home contact information (unless such information is their address of record), Social Security numbers, driver's license numbers,

[9] Miscellaneous

identification or security photographs held in Bar records, and personal data including ethnicity, race, disability status, gender, and sexual orientation. Membership class and status, bar number, dates of admission or licensing, addresses of record, and business telephone numbers, facsimile numbers, and electronic mail addresses (unless there has been a request that electronic mail addresses not be made public) shall not be exempt, provided that any such information shall be exempt if the Executive Director approves the confidentiality of that information for reasons of personal security or other compelling reason, which approval must be reviewed annually.

- b. Specific information and records regarding
- 1) internal policies, guidelines, procedures, or techniques, the disclosure of which would reasonably be expected to compromise the conduct of disciplinary or regulatory functions, investigations, or examinations;
- 2) application, investigation, and hearing or proceeding records relating to lawyer, Limited Practice Officer, or Limited License Legal Technician admissions, licensing or discipline, or that relate to the work of ELC 2.5 hearing officers, the Board of Bar Examiners, the Character and Fitness Board, the Law Clerk Board, the Limited Practice Board, the MCLE Board, the Limited License Legal Technician Board, the Practice of Law Board, or the Disciplinary Board in conducting investigations, hearings or proceedings; and
- 3) the work of the Judicial Recommendation Committee and the Hearing Officer selection panel, unless such records are expressly categorized as public information by court rule.
- c. Valuable formulae, designs, drawings, computer source code or object code, and research data created or obtained by the Bar.
- d. Information regarding the infrastructure, integrity, and security of computer and telecommunication networks, databases, and systems.
- e. Applications for licensure by the Bar and annual licensing forms and related records, including applications for license fee hardship waivers and any decision or determinations on the hardship waiver applications.
- f. Requests by members for ethics opinions to the extent that they contain information identifying the member or a party to the inquiry.

Information covered by exemptions will be redacted from the specific records sought. Statistical information not descriptive of any readily identifiable person or persons may be disclosed.

- 3. Persons Who Are Subjects of Records.
- a. Unless otherwise required or prohibited by law, the WSBA has the option to give notice of any records request to any member or third party whose records would be included in the WSBA's response.
- b. Any person who is named in a record, or to whom a record specifically pertains, may present information opposing the disclosure to the applicable decision maker.
- c. If the Bar decides to allow access to a requested record, a person who is named in that record, or to whom the records specifically pertains, has a right to initiate review or to participate as a party to any review initiated by a requester. The deadlines that apply to a requester apply as well to a person who is a subject of a record.

(e) Bar Records—Procedures for Access.

- 1. General Procedures. The Bar Executive Director shall appoint a Bar staff member to serve as the public records officer to whom all records requests shall be submitted. Records requests must be in writing and delivered to the Bar public records officer, who shall respond to such requests within 30 days of receipt. The Washington State Bar Association must implement this rule and adopt and publish on its website the public records officer's work mailing address, telephone number, fax number, and e-mail address, and the procedures and fee schedules for accepting and responding to records requests by the effective date of this rule. The Bar shall acknowledge receipt of the request within 14 days of receipt, and shall communicate with the requester as necessary to clarify any ambiguities as to the records being requested. Records requests shall not be directed to other Bar staff or to volunteers serving on boards, committees, task forces, commissions, sections, councils, or divisions.
 - 2. Charging of Fees.
 - a. A fee may not be charged to view Bar records.
- b. A fee may be charged for the photocopying or scanning of Bar records according to the fee schedule established by the Bar and published on its website.
- c. A fee not to exceed \$30 per hour may be charged for research services required to fulfill a request taking longer than one hour. The fee shall be assessed from the second hour onward
- (f) Extraordinary Requests Limited by Resource Constraints. If a particular request is of a magnitude or burden on resources that the Bar cannot fully comply within 30 days due to constraints on time, resources, and personnel, the Bar shall communicate this information to the requester along with a good faith estimate of the time needed to complete the Bar's response. The Bar must attempt to reach agreement with the requester as to narrowing the request to a more manageable scope and as to a timeframe for the Bar's response, which may include a schedule of installment responses. If the Bar and requester are unable to reach agreement, the Bar shall respond to the extent practicable, clarify how and why the response differs from the request, and inform the requester that it has completed its response.
- **(g) Denials.** Denials must be in writing and shall identify the applicable exemptions or other bases for denial as well as a written summary of the procedures under which the requesting party may seek further review.

(h) Review of Records Decisions.

- 1. Internal Review. A person who objects to a record decision or other action by the Bar's public records officer may request review by the Bar's Executive Director.
- a. A record requester's petition for internal review must be submitted within 90 days of the Bar's public records officer's decision, on such form as the Bar shall designate and make available.
- b. The review proceeding is informal, summary, and on the record.
- c. The review proceeding shall be held within five working days. If that is not reasonably possible, then within five working days the review shall be scheduled for the earliest practical date.

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- 2. External Review. A person who objects to a records review decision by the Bar's Executive Director may request review by the Records Request Appeals Officer (RRAO) for the WSBA.
- a. The requesting party's request for review of the Executive Director's decision must be deposited in the mail and postmarked or delivered to the Bar not later than 30 days after the issuance of the decision, and must be on such form as the Bar shall designate and make available.
- b. The review will be informal and summary, but in the sole discretion of the RRAO may include the submission of briefs no more than 20 pages long and of oral arguments no more than 15 minutes long.
- c. Decisions of the RRAO are final unless, within 30 days of the issuance of the decision, a request for discretionary review of the decision is filed with the Supreme Court. If review is granted, review is conducted by the Chief Justice of the Washington Supreme Court or his or her designee in accordance with procedures established by the Supreme Court. A designee of the Chief Justice shall be a current or former elected judge. The review proceeding shall be on the record, without additional briefing or argument unless such is ordered by the Chief Justice or his or her designee.
- d. The RRAO shall be appointed by the Board of Governors. The Bar may reimburse the RRAO for all necessary and reasonable expenses incurred in the completion of these duties, and may provide compensation for the time necessary for these reviews at a level established by the Board of Governors.
- (i) Monetary Awards Not Allowed. Attorney fees, costs, civil penalties, or fines may not be awarded under this rule.

(j) Effective Date of Rule.

- 1. This rule goes into effect on July 1, 2014, and applies to records that are created on or after that date.
- 2. Public access to records that are created before that date are to be analyzed according to other court rules, applicable statutes, and the common law balancing test; the Public Records Act, Chapter 42.56 RCW, does not apply to such Bar records, but it may be used for non-binding guidance.

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

WSR 13-21-100 RULES OF COURT STATE SUPREME COURT

[October 18, 2013]

IN THE MATTER OF THE ADOPTION) ORDER OF GR 31.1 - ACCESS TO ADMINIS-TRATIVE RECORDS) ORDER

The Board for Judicial Administration having recommended the adoption of a new GR 31.1 (originally proposed as GR 31A); and

The Court having considered the rule, the testimony received at a public hearing, and three publications for written comments; and

The Court having determined that the proposed rule will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby ORDERED:

- (a) That the new rule as shown below is adopted and will be published in the Washington Reports.
- (b) The new rule does not become effective until after necessary steps of implementation and training have been completed. The rule will go into effect on a future date to be determined by the Supreme Court based upon a recommendation from the Board for Judicial Administration.

DATED at Olympia, Washington this 18th day of October, 2013.

	Madsen, C.J.
C. Johnson, J.	Owens, J.
Fairhurst, J.	J. M. Johnson, J.
Stephens, J.	Wiggins, J.
Gonzalez, J.	Gordon McCloud, J.
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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 13-22 issue of the Register.

WSR 13-21-106 NOTICE OF PUBLIC MEETINGS BOARD OF ACCOUNTANCY

[Filed October 21, 2013, 2:06 p.m.]

2014 BOARD MEETING SCHEDULE

Date	Time	Location
January 31, 2014 Friday	9:00 a.m.	The Doubletree Hotel Seattle Airport 18740 International Boule- vard SeaTac, WA
April 17, 2014 Thursday	9:00 a.m.	The Doubletree Hotel Seattle Airport 18740 International Boule- vard SeaTac, WA
July 24, 2014 Thursday	9:00 a.m.	The Doubletree Hotel Seattle Airport 18740 International Boule- vard SeaTac, WA
October 24, 2014 Friday	9:00 a.m.	The Doubletree Hotel Seattle Airport 18740 International Boule- vard SeaTac, WA

If you need further information or special assistance, such as enlarged type materials, please visit the board's web site at www.cpaboard.wa.gov or contact the board's clerk at the board office, TDD 800-833-6388, voice (360) 586-1026,

[11] Miscellaneous

or fax (360) 664-9190. The board schedules all public meetings at barrier free sites.

WSR 13-21-116 NOTICE OF PUBLIC MEETINGS SEATTLE COMMUNITY COLLEGES

[Filed October 22, 2013, 9:48 a.m.]

The Seattle Community Colleges District VI board of trustees' November 18 meeting is cancelled. Instead a work session has been scheduled on November 20 at 9 a.m. at Seattle Community College District Office, 1500 Harvard Avenue, Seattle, WA 98122.

The December 12 meeting is now rescheduled to December 5 at North Seattle Community College, 9600 College Way North, Seattle, WA 98103.

If you have any questions, please contact Harrietta Hanson at (206) 934-3850.

WSR 13-21-119 NOTICE OF PUBLIC MEETINGS BOARD OF

PILOTAGE COMMISSIONERS

[Filed October 22, 2013, 11:33 a.m.]

2013 MEETING SCHEDULE Revised October 15, 2013

The Washington state board of pilotage commissioners meets on the second Thursday of each month unless otherwise rescheduled or canceled. Meetings are held at 9:30 a.m., at 2901 Third Avenue, Seattle, WA.

January 10 February 5

March 26

April 11 Canceled

May 14

June 19

July 31

August 8 Canceled

September 10 October 15

November 15

December 10 December 13

In accordance with RCW 42.30.075, this schedule of regular meeting dates for the board of pilotage commissioners is filed with the office of the code reviser for publication in the Washington State Register.

WSR 13-21-133 NOTICE OF PUBLIC MEETINGS BOARD FOR VOLUNTEER FIREFIGHTERS AND RESERVE OFFICERS

[Filed October 22, 2013, 3:12 p.m.]

The state board for volunteer firefighters and reserve officers will meet in the James R. Larson Forum Building, 605 11th Avenue S.E., Suite 207, on January 17, April 18, June 20, and October 10, 2014, at 9:00 a.m.

WSR 13-21-150 NOTICE OF PUBLIC MEETINGS DEPARTMENT OF LABOR AND INDUSTRIES

(Board of Boiler Rules)
[Filed October 23, 2013, 11:40 a.m.]

Board Meetings - 2014

Per chapter 42.30 RCW, the Open Public Meetings Act, the board of boiler rules board meetings for 2014 have been scheduled for:

DATE	TIME	LOCATION
February 25-26, 2014	10:00 a.m.	Labor and Industries 950 Broadway Avenue Tacoma, WA
May 27-28, 2014	10:00 a.m.	Labor and Industries 950 Broadway Avenue Tacoma, WA
September 9-10, 2014	10:00 a.m.	Labor and Industries 950 Broadway Avenue Tacoma, WA
November 19-20, 2014	10:00 a.m.	Labor and Industries 950 Broadway Avenue Tacoma, WA

Please call (360) 902-6744, if you have questions.

WSR 13-21-151 NOTICE OF PUBLIC MEETINGS DEPARTMENT OF LABOR AND INDUSTRIES

(Elevator Advisory Committee) [Filed October 23, 2013, 11:40 a.m.]

Meetings - 2014

Per chapter 42.30 RCW, the Open Public Meetings Act, the elevator advisory committee meetings for 2014 have been scheduled for:

DATE	TIME	LOCATION
February 18, 2014	9:00 a.m.	Department of Labor and Industries 12806 Gateway Drive Tukwila, WA

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DATE	TIME	LOCATION
May 20, 2014	9:00 a.m.	Department of Labor and Industries 12806 Gateway Drive Tukwila, WA
August 19, 2014	9:00 a.m.	Department of Labor and Industries 12806 Gateway Drive Tukwila, WA
November 18, 2014	9:00 a.m.	Department of Labor and Industries 12806 Gateway Drive Tukwila, WA

Please call (360	902-6744, if you l	have questions.
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DATE	TIME	LOCATION
January 30, 2014	9:00 a.m.	Department of Labor and Industries 7273 Linderson Way S.W. Tumwater, WA
April 24, 2014	9:00 a.m.	To be determined.
July 31, 2014	9:00 a.m.	Department of Labor and Industries 7273 Linderson Way S.W. Tumwater, WA
October 30, 2014	9:00 a.m.	To be determined.

Please call (360) 902-6744, if you have questions.

WSR 13-21-152 NOTICE OF PUBLIC MEETINGS DEPARTMENT OF LABOR AND INDUSTRIES

(Factory Assembled Structures Advisory Board) [Filed October 23, 2013, 11:40 a.m.]

Meetings - 2014

Per chapter 42.30 RCW, the Open Public Meetings Act, the factory assembled structures advisory board meetings for 2014 have been scheduled for:

DATE	TIME	LOCATION
February 20, 2014	1:00 p.m.	Labor and Industries 7273 Linderson Way S.W. Tumwater, WA 98501
May 15, 2014	1:00 p.m.	Labor and Industries 7273 Linderson Way S.W. Tumwater, WA 98501
August 21, 2014	1:00 p.m.	Labor and Industries 7273 Linderson Way S.W. Tumwater, WA 98501
November 20, 2014	1:00 p.m.	Labor and Industries 7273 Linderson Way S.W. Tumwater, WA 98501

Please call (360) 902-6744, if you have questions.

WSR 13-21-153
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES

(Electrical Board) [Filed October 23, 2013, 11:41 a.m.]

Meetings - 2014

Per chapter 42.30 RCW, the Open Public Meetings Act, the electrical board meetings for 2014 have been scheduled for:

[13] Miscellaneous