

Washington State Register, Issue 14-13

OFFICE OF THE CODE REVISER
 Quarterly Rule-Making Report
 Covering Registers 14-07 through 14-12

Type of Activity	New	Amended	Repealed
ACCOUNTANCY, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	14	25
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	12	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	9	2
Number of Sections Adopted using Pilot Rule Making	0	0	0
BUILDING CODE COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	1
Number of Rules Adopted as Emergency Rules	0	10	0
Number of Rules Proposed for Permanent Adoption	0	16	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	3	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	8	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CHARTER SCHOOL COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	26	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	27	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	27	0	0
Number of Sections Adopted on the Agency's own Initiative	27	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CLARK COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	26	0	19
Number of Rules Proposed for Permanent Adoption	26	0	19

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	17	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	4	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CLOVER PARK TECHNICAL COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	22	0	22
Number of Rules Proposed for Permanent Adoption	22	0	22
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	22	0	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	4	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	18	0	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
CORRECTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
COUNTY ROAD ADMINISTRATION BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	26	0
CRIMINAL JUSTICE TRAINING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EARLY LEARNING, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	5	1
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	13	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	7	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	7	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ECOLOGICAL DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	23	60
Number of Rules Adopted as Emergency Rules	0	12	0
Number of Rules Proposed for Permanent Adoption	13	12	13
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	57	48
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	1
Number of Sections Adopted on the Agency's own Initiative	9	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EDUCATION, STATE BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	10	1	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	2	4	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	5	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	10	1	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EMPLOYMENT SECURITY DEPARTMENT			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ENTERPRISE SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	1
Number of Rules Proposed for Permanent Adoption	1	3	35
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
FINANCIAL INSTITUTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	16	0
Number of Rules Proposed for Permanent Adoption	7	29	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	6	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	6	0
Number of Sections Adopted on the Agency's own Initiative	1	16	0
Number of Sections Adopted using Negotiated Rule Making	1	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
FINANCIAL MANAGEMENT, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	4	1
Number of Rules Proposed for Permanent Adoption	0	3	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	3	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	4	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
FISH AND WILDLIFE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	23	0
Number of Rules Adopted as Emergency Rules	93	0	79
Number of Rules Proposed for Permanent Adoption	1	17	1
Number of Sections Adopted at Request of a Nongovernmental Entity	1	0	2
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	12	0	13
Number of Sections Adopted in Order to Comply with Federal Statute	12	0	13
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	97	23	78
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
GAMBLING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	23	1

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Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	3	22	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	21	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	21	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	23	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
GREEN RIVER COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	70	0	42
Number of Rules Withdrawn	35	0	0
HEALTH CARE AUTHORITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	17	131	16
Number of Rules Adopted as Emergency Rules	46	75	70
Number of Rules Proposed for Permanent Adoption	24	53	86
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	11	118	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	14	2	0
Number of Sections Adopted in Order to Comply with Federal Statute	38	76	4
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	4	48	82
Number of Sections Adopted on the Agency's own Initiative	1	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	63	209	87
Number of Sections Adopted using Pilot Rule Making	0	0	0
HEALTH, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	11	66	1
Number of Rules Proposed for Permanent Adoption	9	8	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	10	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	22	1
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	11	32	0
Number of Sections Adopted on the Agency's own Initiative	0	5	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	11	66	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
HORSE RACING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
HOUSING FINANCE COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
INSURANCE COMMISSIONER, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	15	14	5

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Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	15	13	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	5	6	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	4	3	5
Number of Sections Adopted in Order to Comply with Federal Statute	4	2	1
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	6	7	0
Number of Sections Adopted on the Agency's own Initiative	6	8	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	6	9	4
Number of Sections Adopted using Pilot Rule Making	0	0	0
LABOR AND INDUSTRIES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	272	7
Number of Rules Proposed for Permanent Adoption	0	5	0
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	7	232	4
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	7	232	3
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	9	271	7
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	38	3
Number of Sections Adopted using Pilot Rule Making	0	0	0
LAKE WASHINGTON INSTITUTE OF TECHNOLOGY			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	36	4	38
LICENSING, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	11	6
Number of Rules Proposed for Permanent Adoption	0	15	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	9	6
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	9	6
Number of Sections Adopted using Pilot Rule Making	0	0	0
LIQUOR CONTROL BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	18	0
Number of Rules Adopted as Emergency Rules	1	1	0
Number of Rules Proposed for Permanent Adoption	7	17	0
Number of Rules Withdrawn	6	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	7	17	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	4	3	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted on the Agency's own Initiative	4	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LOWER COLUMBIA COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	1
Number of Rules Withdrawn	0	1	1
MILITARY DEPARTMENT			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	5	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	5	0
Number of Sections Adopted using Negotiated Rule Making	1	5	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
NATURAL RESOURCES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	3	0
Number of Rules Proposed for Permanent Adoption	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	3	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
OLYMPIC COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Proposed for Permanent Adoption	13	13	12
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	1	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PARKS AND RECREATION COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	0	1	1

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Type of Activity	New	Amended	Repealed
PENINSULA COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	23	0	12
PROFESSIONAL EDUCATOR STANDARDS BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	12	1
Number of Rules Proposed for Permanent Adoption	2	7	0
Number of Sections Adopted at Request of a Nongovernmental Entity	1	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	12	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	6	0
Number of Sections Adopted on the Agency's own Initiative	1	9	1
Number of Sections Adopted using Negotiated Rule Making	1	9	1
Number of Sections Adopted using Other Alternative Rule Making	0	3	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC DISCLOSURE COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	3	0
Number of Rules Proposed for Permanent Adoption	2	12	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC INSTRUCTION, SUPERINTENDENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	8	28	8
Number of Rules Proposed for Permanent Adoption	6	20	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	4	0	0
Number of Sections Adopted on the Agency's own Initiative	1	17	0
Number of Sections Adopted using Negotiated Rule Making	4	24	6
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
RETIREMENT SYSTEMS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	16	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	1	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	16	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
REVENUE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	2	30
Number of Rules Adopted as Emergency Rules	1	0	0
Number of Rules Proposed for Permanent Adoption	1	20	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	5	0	3
Number of Sections Adopted on the Agency's own Initiative	1	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SEATTLE COMMUNITY COLLEGES			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	6	5
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	6	5
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	6	5
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SECRETARY OF STATE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	2	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	12	78	30
Number of Rules Adopted as Emergency Rules	1	50	6
Number of Rules Proposed for Permanent Adoption	187	58	13
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	25	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	12	53	38
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	66	0
Number of Sections Adopted on the Agency's own Initiative	0	24	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	12	119	38
Number of Sections Adopted using Pilot Rule Making	0	0	0
STUDENT ACHIEVEMENT COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	21	0
TRANSPORTATION IMPROVEMENT BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
TRANSPORTATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
UNIVERSITY OF WASHINGTON			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	28	1
UTILITIES AND TRANSPORTATION COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	8	1	0
Number of Rules Proposed for Permanent Adoption	8	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	8	1	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
VOLUNTEER FIREFIGHTERS AND RESERVE OFFICERS, BOARD FOR			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	4	0	0
WASHINGTON STATE UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	14	0
Number of Rules Proposed for Permanent Adoption	2	6	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	8	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	2	6	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted on the Agency's own Initiative	0	8	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	14	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WENATCHEE VALLEY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	36	0
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	40	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	40	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WHATCOM COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	6	3	5
Number of Rules Proposed for Permanent Adoption	32	3	25
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	211	836	245
Number of Rules Adopted as Emergency Rules	143	151	155
Number of Rules Proposed for Permanent Adoption	518	459	327
Number of Rules Withdrawn	41	7	2
Number of Sections Adopted at Request of a Nongovernmental Entity	2	11	2
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	94	607	71
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	49	314	60
Number of Sections Adopted in Order to Comply with Federal Statute	64	88	18
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	83	175	86
Number of Sections Adopted on the Agency's own Initiative	183	510	98
Number of Sections Adopted using Negotiated Rule Making	7	41	7
Number of Sections Adopted using Other Alternative Rule Making	101	510	143
Number of Sections Adopted using Pilot Rule Making	0	0	0

WSR 14-13-008
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
CLEAN AIR AGENCY
[Filed June 5, 2014, 1:11 p.m.]

This is to notify you of a change in the board meeting date for July 2014. The board meeting has been moved from July 24 to July 31, 2014. The meeting will start at the usual time of 8:45 a.m. If you have any questions, please call Judith White-Crow at (206) 689-4079.

WSR 14-13-021
NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD
[Filed June 10, 2014, 7:45 a.m.]

NOTICE OF CHANGE TO PUBLIC MEETINGS 2014

The public works board will be holding scheduled meetings on the following dates at 9:00 a.m. as modified below:

- July 11, 2014 *New date added
August 8, 2014
September 5, 2014 Cancelled
October 3, 2014 Changed to October 2, 2014
November 7, 2014 Cancelled
December 5, 2014

Please contact the public works board at (360) 725-2744 for any further information.

WSR 14-13-023
RULES OF COURT
STATE SUPREME COURT
[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO GR 33—) NO. 25700-A-1065
REQUESTS FOR ACCOMMODATION)
BY PERSONS WITH DISABILITIES)

The Access to Justice Board having recommended the adoption of the proposed amendments to GR 33, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment[s] as shown below are adopted.

(b) That the amendment[s] will be published in the Washington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June, 2014.

Madsen, C.J.

C. Johnson, J.

Wiggins, J.

Owens, J.

Gordon McCloud, J.

Fairhurst, J.

Gonzalez, J.

Stephens, J.

Yu, J.

GR 33

Requests for Accommodation by
Persons with Disabilities

(a) Definitions. The following definitions shall apply under this rule:

(1) - (2) [Unchanged.]

(3) "Proceedings Applicant" means any lawyer, party, witness, juror, or any other individual who is participating in any proceeding before any court.

(4) "Public Applicant" means any other person seeking accommodation.

(b) Process for Requesting Accommodation.

(1) Persons seeking accommodation may proceed under this rule. Local procedures not inconsistent with this rule may be adopted by courts to supplement the requirements of this rule. A disputed or denied request for accommodation is automatically subject to review under the procedures set out in subsections (d) and (e) of this rule. Requests for aids, modifications and services will be addressed promptly and in accordance with the ADA and the Washington State Law Against Discrimination, with the objective of ensuring equal access to courts, court programs, and court proceedings.

(2) Timing. Requests should be made in advance whenever possible, to better enable the Court to address the needs of the individual.

(3) Local Procedures Allowed. Local procedures not inconsistent with this rule are encouraged. Informal practices are appropriate when an accommodation is clearly needed and can be easily provided.

(4) Procedure. An application requesting accommodation should be made on may be presented ex parte in writing, or orally and reduced to writing, on a form approved by the Administrative Office of the Courts, and may be presented ex parte in writing, or orally and reduced to writing, to the presiding judge or officer of the court or his or her designee.

(5) Content. An application for accommodation The request shall include a description of the accommodation sought, along with a statement of the disability necessitating the accommodation. The court may require the applicant person requesting accommodation to provide additional information about the qualifying disability to help assess the appropriate accommodation. Medical and other health information shall be submitted under a cover sheet created by the Administrative Office of the Courts for use by applicants designated "SEALED MEDICAL AND HEALTH INFORMATION" and such information shall be sealed automatically. accessible only to the court and the person requesting accommodation unless otherwise expressly ordered. The court may order that such information be sealed if it has not previously automatically been sealed.

~~(4) An application for accommodation should be made as far in advance as practical.~~

~~(c) Consideration and Decision. A request for accommodation shall be considered and acted upon as follows:~~

~~(1) Considerations. In determining whether to grant an accommodation and what accommodation to grant, the court shall:~~

~~(A) consider, but not be limited by, the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101-12213), ch. RCW 49.60, and other similar local, state, and federal laws;~~

~~(B) give primary consideration to the accommodation requested by the applicant; and~~

~~(C) make its decision on an individual- and case-specific basis with due regard to the nature of the applicant's disability and the feasibility of the requested accommodation.~~

~~(2) If an application for accommodation by a proceedings applicant is submitted five (5) or more court days prior to the scheduled date of the proceeding for which the accommodation is sought, and if the applicant otherwise is entitled under this rule to the accommodation requested, the accommodation shall be provided unless:~~

~~(A) it is impossible for the court to provide the requested accommodation on the date of the proceeding; and~~

~~(B) the proceeding cannot be continued without prejudice to a party to the proceeding.~~

~~(3) If an application for accommodation by a proceedings applicant is submitted fewer than five (5) court days prior to the scheduled date of the proceeding for which the accommodation is requested, and if the applicant otherwise is entitled under this rule to the accommodation requested, the accommodation shall be provided unless:~~

~~(A) it is impractical for the court to provide the requested accommodation on the date of the proceeding; and~~

~~(B) the proceeding cannot be continued without prejudice to a party to the proceeding.~~

~~(4) If a requested accommodation is not provided by the court under subsection (c)(2) or (c)(3) of this rule, the court must offer the applicant an alternative accommodation.~~

~~(2) Determination. A request for accommodation may be denied only if:~~

~~(d) Denial: Proceedings Applicants. Except as otherwise set forth in subsection (e)(2) or (e)(3) of this rule, an application for accommodation by a proceedings applicant may be denied only if the court finds that:~~

~~(1) (A) the applicant person requesting application has failed to satisfy the substantive requirements of this rule; or~~

~~(2) the requested accommodation would create an undue financial or administrative burden;~~

~~(B) the court is unable to provide the requested accommodation on the date of the proceeding and the proceeding cannot be continued without significant prejudice to a party; or~~

~~(C) permitting the applicant to participate in the proceedings with the requested accommodation would create a direct threat to the health or well being of the applicant or others.~~

~~(3) the requested accommodation would fundamentally alter the nature of the court service, program, or activity; or~~

~~(4) permitting the applicant to participate in the proceeding with the requested accommodation would create a direct~~

~~threat to the health or safety or well being of the applicant or others.~~

~~(D) the requested accommodation would create an undue financial or administrative burden for the court; or would fundamentally alter the nature of the court service, program or activity under (i) or (ii):~~

~~(i) An accommodation may be denied based on a fundamental alteration or undue burden only after considering all resources available for the funding and operation of the service, program or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion.~~

~~(ii) If a fundamental alteration or undue burden would result from fulfilling the request, the Court shall nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by the Court.~~

~~(e) (d) Decision: Proceedings Applicants. The court shall, in writing or on the record, inform the applicant person requesting an accommodation and the court personnel responsible for implementing accommodations that the request for accommodation has been granted or denied, in whole or in part, and the nature and scope of the accommodation to be provided, if any. The A written decision shall be entered in the proceedings file, if any, in which case the court shall determine whether or not the decision should be sealed. If there be no proceedings filed the decision shall be entered or in the court's administrative files, with the same determination about filing under seal. If the court denies a requested accommodation pursuant to subsection (d) of this rule, the decision shall specify the reasons for the denial. If a requested accommodation is not provided by the court under subsection (e)(2) or (e)(3) of this rule, the court shall state:~~

~~(1) the facts and/or circumstances that make the accommodation impossible under subsection (e)(2) or impractical under subsection (e)(3); and~~

~~(2) the reasons why the proceeding cannot be continued without prejudicing a party to the proceeding.~~

~~(f) Decision: Public Applicants. A public applicant should be accommodated consistent with the Americans with Disabilities Act of 1990 (42 USC §§12101-12213) and the Washington Law Against Discrimination (RCW 49.60 et seq). The applicant shall, orally or in writing, be informed that the request for accommodation has been granted or denied. If requested, a written statement of reasons for denial shall be provided.~~

~~(e) Denial. If a requested accommodation is denied, the court shall specify the reasons for the denial (including the reasons the proceeding cannot be continued without prejudice to a party). The court shall also ensure the person requesting the accommodation is informed of his or her right to file an ADA complaint with the United States Department of Justice Civil Rights Division.~~

Comment [Unchanged.]

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 14-13-024
RULES OF COURT
STATE SUPREME COURT
[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO CrR 2.2—WAR-) NO. 25700-A-1063
RANT OF ARREST AND SUMMONS—)
CrR 2.3—SEARCH AND SEIZURE—)
CrR 3.2.1—PROCEDURE FOLLOWING)
WARRANTLESS ARREST—PRELIMI-)
NARY APPEARANCE, AND CrRLJ 2.2)
—WARRANT OF ARREST OR SUM-)
MONS UPON COMPLAINT, CrRLJ 2.3)
—SEARCH AND SEIZURE AND CrRLJ)
3.2.1—WARRANTLESS ARREST—)
PRELIMINARY PROCEDURE)

The Superior Court Judges' Association, having recom-
mended the adoption of the proposed amendments to CrR
2.2, CrR 2.3, and CrR 3.2.1, and the District and Municipal
Court Judges' Association, having recommended the adop-
tion of the proposed amendments to CrRLJ 2.2, CrRLJ 2.3,
and CrRLJ 3.2.1, and the Court having considered the
amendments and comments submitted thereto, and having
determined that the proposed amendments will aid in the
prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as shown below are adopted.

(b) That the amendments will be published in the Wash-
ington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June,
2014.

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

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 14-14 issue of the Register.

WSR 14-13-025
RULES OF COURT
STATE SUPREME COURT
[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO RALJ 2.2—) NO. 25700-A-1061
WHAT MAY BE APPEALED, RAP)
5.3(h)—CONTENT OF NOTICE, RAP)
10.2—TIME FOR FILING BRIEFS, RAP)
10.3—CONTENT OF BRIEF AND RAP)
18.5—SERVICE AND FILING OF)
PAPERS)

The Washington State Bar Association having recom-
mended the adoption of the proposed amendments to RALJ

2.2, RAP 5.3(h), RAP 10.2, RAP 10.3 and RAP 18.5, and the
Court having considered the amendments and comments sub-
mitted thereto, and having determined that the proposed
amendments will aid in the prompt and orderly administra-
tion of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as shown below are adopted.

(b) That the amendments will be published in the Wash-
ington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June,
2014.

Madsen, C.J.
Wiggins, J.
Gonzalez, J.
Gordon McCloud, J.
Yu, J.

SUGGESTED AMENDMENT
RULES FOR APPEAL OF DECISIONS OF COURTS OF LIMITED
JURISDICTION (RALJ)
RULE 2.2—WHAT MAY BE APPEALED

(a) - (c) [No change]

(d) Errors Raised for First Time on Appeal. The supe-
rior court may refuse to review any claim of error that was not
raised in the court of limited jurisdiction. However, a party
may raise the following claimed errors for the first time on
appeal: (1) lack of jurisdiction, (2) failure to establish facts
upon which relief can be granted, and (3) manifest error
affecting a constitutional right. A party may present a ground
for affirming a decision of a court of limited jurisdiction that
was not presented to that court if the record has been suffi-
ciently developed to fairly consider the ground. A party may
raise a claim of error that was not raised by the party in the
court of limited jurisdiction if another party on the same side
of the case raised the claim of error in that court.

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

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 5.3—CONTENT OF NOTICE—FILING

(a) Content of Notice of Appeal. A notice of appeal
must (1) be titled a notice of appeal, (2) specify the party or
parties seeking the review, (3) designate the decision or part
of decision which the party wants reviewed, and (4) name the
appellate court to which the review is taken. The party filing
the notice of appeal should attach to the notice of appeal a
copy of the signed order or judgment from which the appeal
is made, and, in a criminal case in which two or more defend-
ants were joined for trial by order of the trial court, provide
the names and superior court cause numbers of all codefend-
ants.

(b) Content of Notice for Discretionary Review. A
notice for discretionary review must comply in content and
form with the requirements for a notice of appeal, except that
it should be titled a notice for discretionary review. A party

seeking discretionary review of a decision of a court of limited jurisdiction should include the name of the district or municipal court and the cause number for which review is sought.

(c) Identification of Parties, Counsel, and Address of Defendant in Criminal Case. The party seeking review should include on the notice of appeal the name and address of the attorney for each of the parties. In a criminal case the attorney for the defendant should also notify the appellate court clerk of the defendant's address, by placing this information on the notice. The attorney for a defendant in a criminal case must also keep the appellate court clerk advised of any changes in defendant's address during review.

(d) Multiple Parties Filing Notice. More than one party may join in filing a single notice of appeal or notice for discretionary review.

(e) Notices Directed to More Than One Case. If cases have been consolidated for trial, or have been tried together even though not consolidated for trial, separate notices for each case or a single notice for more than one case may be filed. A single notice for more than one case will be given the same effect as if a separate notice had been filed for each case. If cases have not been consolidated for trial or have not been tried together, separate notices must be filed.

(f) Defects in Form of Notice. The appellate court will disregard defects in the form of a notice of appeal or a notice for discretionary review if the notice clearly reflects an intent by a party to seek review.

(g) Notices Directed to More Than One Court. If a notice of appeal or a notice for discretionary review is filed which is directed to the Court of Appeals and a notice is filed in the same case which is directed to the Supreme Court, the case will be treated as if all notices were directed to the Supreme Court.

(h) Amendment of Notice Directed to Portion of Decision. In order to do justice, ~~The~~ appellate court may, on its own initiative or on the motion of a party, permit an amendment of a notice to include (i) additional parts of a trial court decision, in order to do justice. On discretionary review, the appellate court may, on its own initiative or on the motion of a party, permit an amendment of a notice to include acts of the trial court that are subsequent to the act for which discretionary review was first sought if the subsequent acts or (ii) subsequent acts of the trial court that relate to the subject of the first review act designated in the original notice of discretionary review. If the amendment is permitted, the record should be supplemented as provided in rule 9.10. The appellate court may condition the amendment on appropriate terms, including payment of a compensatory award under rule 18.9. An amendment extends the time allowed to seek cross review only of those additional parts of the decision or subsequent acts, and such notice seeking cross review must be filed within the later of (1) 14 days after service of the amended notice filed by the other party, or (2) the time within which notice must be given as provided by rule 5.2 (a), (b), (d), or (e).

(i) Notice by Fewer Than All Parties on a Side—Joinder. If there are multiple parties on a side of a case and fewer than all of the parties on that side of the case timely file a notice of appeal or notice for discretionary review, the appel-

late court will grant relief only (1) to a party who has timely filed a notice, (2) to a party who has been joined as provided in this section or (3) to a party if demanded by the necessities of the case. The appellate court will permit the joinder on review of a party who did not give notice only if the party's rights or duties are derived through the rights or duties of a party who timely filed a notice or if the party's rights or duties are dependent upon the appellate court determination of the rights or duties of a party who timely filed a notice.

(j) Assistance to Defendant in Criminal Case or Party Entitled to Review at Public Expense. Trial counsel for a defendant in a criminal case or party entitled to review at public expense is responsible for filing any appropriate notice of appeal, notice for discretionary review, and motion for order of indigency under rule 15.2. If such a defendant or party is not represented by counsel at trial, the trial court clerk shall, if requested by the defendant or party in open court or in writing, supply a notice of appeal form, a notice for discretionary review form, or a form for a motion for order of indigency, and file the forms upon completion by the defendant or party.

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

**SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 10.2—TIME FOR FILING BRIEFS**

(a) Brief of Appellant or Petitioner. The brief of an appellant or petitioner should be filed with the appellate court within 45 days after the report of proceedings is filed in the trial court; or, if the record on review does not include a report of proceedings, within 45 days after the party seeking review has filed the designation of clerk's papers and exhibits.

(b) Brief of Respondent in Civil Case. The brief of a respondent in a civil case should be filed with the appellate court within 30 days after service of the brief of appellant or petitioner.

(c) Brief of Respondent in Criminal Case. The brief of a respondent in a criminal case should be filed with the appellate court within 60 days after service of the brief of appellant or petitioner.

(d) Reply Brief. A reply brief of an appellant or petitioner should be filed with the appellate court within 30 days after service of the brief of respondent unless the court orders otherwise.

(e) [Reserved; see rule 10.10]

(f) Brief of Amicus Curiae. ~~A brief of amicus curiae not requested by the appellate court should be received by the appellate court and counsel of record for the parties and any other amicus curiae not later than 30 days before oral argument or consideration on the merits, unless the court sets a later different date, or allows a later date upon a showing of particular justification by the applicant, a brief of amicus curiae should be filed as follows:~~

(1) Supreme Court. A brief of amicus curiae should be received by the court and counsel of record for the parties and any other amicus curiae not later than 45 days before oral argument or consideration on the merits.

(2) Court of Appeals. A brief of amicus curiae should be received by the court and counsel of record for the parties and any other amicus curiae not later than 45 days after the due date for the last brief of respondent permitted under rule 10.2(b).

(g) Answer to Brief of Amicus Curiae. A brief in answer to the brief of amicus curiae may be filed with the appellate court not later than the date fixed by the appellate court.

(h) Service of Briefs. At the time a party files a brief, the party should serve one copy on every other party and on any amicus curiae, and file proof of service with the appellate court. In a criminal case in which the defendant is the appellant, appellant's counsel shall serve the appellant and file proof of service with the appellate court. Service and proof of service should be made in accordance with rules 18.5 and 18.6.

(i) Sanctions for Late Filing and Service. The appellate court will ordinarily impose sanctions under rule 18.9 for failure to timely file and serve a brief.

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

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.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 10.3—CONTENT OF BRIEF

(a) Brief of Appellant or Petitioner. The brief of the appellant or petitioner should contain under appropriate headings and in the order here indicated:

[(1) - (2) no changes]

(3) *Introduction.* A concise introduction. This section is optional. The introduction need not contain citations to the record ~~of~~ or authority.

[(4) - (8) no changes]

[(b) - (g) no changes]

(h) Assignments of Error on Review of Certain Administrative Orders. In addition to the assignments of error required by rule 10.3 (a)(3) and 10.3(g), the brief of an appellant or respondent who is challenging an administrative adjudicative order under RCW 34.05 ~~or a final order under RCW 41.64~~ shall set forth a separate concise statement of each error which a party contends was made by the agency issuing the order, together with the issues pertaining to each assignment of error.

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

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 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.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 18.5—SERVICE AND FILING OF PAPERS

(a) Service. Except when a rule requires the appellate court commissioner or clerk or the trial court clerk to serve a particular paper, and except as provided in rule 9.5, a person filing a paper must, at or before the time of filing, serve a copy of the paper on all parties, amicus, and other persons who may be entitled to notice. If a person does not have an attorney of record, service should be made upon the person. Service must be made as provided in CR 5 (b), (f), and (g); ~~and~~ (h).

(b) Proof of Service. Proof of service should be made by an acknowledgment of service, or by an affidavit, or, if service is by mail, as provided in CR 5(b). Proof of service may appear on or be attached to the papers filed.

(c) Filing. Papers required or permitted to be filed in the appellate court must be filed with the clerk, except that an appellate court judge may permit papers to be filed with the judge, in which event the judge will note the filing date on the papers and promptly transmit them to the appellate court clerk.

(d) Filing by Facsimile. [Reserved. See GR 17—Facsimile Transmission.]

(e) Service and Filing by an Inmate Confined in an Institution. An inmate confined in an institution may file and serve papers by mail in accordance with GR 3.1.

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

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

WSR 14-13-026
RULES OF COURT
STATE SUPREME COURT
[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO RAP 16.5) NO. 25700-A-1059

The Personal Restraint Petition Work Group having recommended the adoption of the proposed amendments to RAP 16.5, and the Court having considered the amendments and comments submitted thereto, and the Court having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as shown below are adopted.

(b) That the amendments will be published in the Washington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June, 2014.

C. Johnson, J. _____ Madsen, C.J.
_____ Wiggins, J.

Owens, J.	Gordon McCloud, J.
Fairhurst, J.	Gonzalez, J.
Stephens, J.	Yu, J.

Fairhurst, J.	Gonzalez, J.
Stephens, J.	Yu, J.

RAP 16.5 PERSONAL RESTRAINT PETITION - WHERE TO SEEK RELIEF

(a) Court of Appeals. A personal restraint petition should be filed ~~with in~~ in the Court of Appeals, ~~unless the petition is~~ subject to subsection (b).

(b) Supreme Court. ~~(1) If a personal restraint petition is filed in the Supreme Court, the Supreme Court will ordinarily transfer the petition to the Court of Appeals. (2) If a petition is not transferred to the Court of Appeals, or has been transferred from the Court of Appeals to the Supreme Court, the determinations ordinarily made by the "Chief Judge" under rules 16.11 and 16.13 may be made by a commissioner. A personal restraint petition filed by a person under sentence of death shall be filed in the Supreme Court. See RAP 16.3(c).~~

(c) A personal restraint petition may be transferred by the court in which it is filed. The transfer of a personal restraint petition between the Supreme Court and the Court of Appeals shall not be subject to a motion to reconsider or, if the transfer is ordered by the clerk of the court, a motion to modify.

(d) If a petition filed in the Supreme Court is not transferred to the Court of Appeals, or has been transferred from the Court of Appeals to the Supreme Court, the determinations ordinarily made by the "Chief Judge" under rules 16.11 and 16.13 may be made by a commissioner.

WSR 14-13-027
RULES OF COURT
STATE SUPREME COURT

[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO RAP 16.11—) NO. 25700-A-1071
PERSONAL RESTRAINT PETITION—)
CONSIDERATION OF PETITION)

The Washington State Bar Association having recommended the adoption of the proposed amendments to RAP 16.11, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as shown below are [is] adopted.

(b) That the amendment will be published in the Washington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June, 2014.

C. Johnson, J.	Madsen, C.J.
Owens, J.	Wiggins, J.
	Gordon McCloud, J.

SUGGESTED AMENDMENT

RULES OF APPELLATE PROCEDURE (RAP)

RULE 16.11—PERSONAL RESTRAINT PETITION—CONSIDERATION OF PETITION

(a) Generally. The Chief Judge will consider the petition promptly after the time has expired to file petitioner's reply brief. The Chief Judge determines at the initial consideration if the petition will be retained by the appellate court for determination on the merits or transferred to a superior court for determination on the merits or for a reference hearing. For the purpose of rules in this Title 16, "Chief Judge" includes "Acting Chief Judge."

(b) Determination by Appellate Court. The Chief Judge determines at the initial consideration of the petition the steps necessary to properly decide on the merits the issues raised by the petition. If, after consideration of the response and any reply, the Chief Judge determines that the issues presented are frivolous, the Chief Judge will dismiss the petition. If the petition is not frivolous and can be determined solely on the record, the Chief Judge will refer the petition to a panel of judges for determination on the merits. If the petition cannot be determined solely on the record, the Chief Judge will transfer the petition to a superior court for a determination on the merits or for a reference hearing. The Chief Judge may enter other orders necessary to obtain a prompt determination of the petition on the merits.

(c) Oral Argument. Decisions of the Chief Judge will be made without oral argument. If a petition is to be decided on the merits by a panel of judges, the appellate court clerk will set the petition for consideration by the panel of judges, with or without oral argument. If oral argument is directed, the clerk will notify the parties of the date set for oral argument.

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

WSR 14-13-028

RULES OF COURT

STATE SUPREME COURT

[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO RAP 2.2(c)—) NO. 25700-A-1060
DECISIONS OF THE SUPERIOR)
COURT THAT MAY BE APPEALED,)
RAP 5.3(a)—CONTENT OF NOTICE—)
FILING—CONTENT OF NOTICE OF)
APPEAL, RAP 5.3(j)—CONTENT OF)
NOTICE—FILING—ASSISTANCE TO)
DEFENDANT IN CRIMINAL CASE OR)

PARTY ENTITLED TO REVIEW AT)
PUBLIC EXPENSE, RAP 5.4(a)—FIL-)
ING AND SERVICE OF NOTICE, RAP)
6.2(c)—DISCRETIONARY REVIEW,)
RAP 9.6—DESIGNATION OF CLERK'S)
PAPERS AND EXHIBITS, RAP 9.7(b)—)
PREPARING CLERK'S PAPERS AND)
EXHIBITS FOR APPELLATE COURT,)
RAP 10.10—STATEMENT OF ADDI-)
TIONAL GROUNDS FOR REVIEW,)
RAP 16.2—ORIGINAL ACTION)
AGAINST STATE OFFICER, RAP)
17.1(a)—SCOPE, RAP 18.3(b)—WITH-)
DRAWAL BY COUNSEL AND RAP)
18.13A—ACCELERATED REVIEW OF)
JUVENILE DEPENDENCY, DISPOSI-)
TION ORDERS AND, ORDERS TERMI-)
NATING PARENTAL RIGHTS, AND)
DEPENDENCY GUARDIANSHIP)
ORDERS)

The Court of Appeals having recommended the adoption of the proposed amendments to RAP 2.2(c), RAP 5.3(a), RAP 5.3(j), RAP 5.4(a), RAP 6.2(c), RAP 9.6, RAP 9.7(b), RAP 10.10, RAP 16.2, RAP 17.1(a), RAP 18.3(b) and RAP 18.13A, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as shown below are adopted.

(b) That the amendments will be published in the Washington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June, 2014.

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

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 14-14 issue of the Register.

WSR 14-13-029
RULES OF COURT
STATE SUPREME COURT

[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO RAP 16.7—) NO. 25700-A-1070
PERSONAL RESTRAINT PETITION—)
FORM OF PETITION)

The Washington State Bar Association having recommended the adoption of the proposed amendments to RAP 16.7, and the Court having considered the amendments and comments submitted thereto, and having determined that the

proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment[s] as shown below are adopted.

(b) That the amendment[s] will be published in the Washington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June, 2014.

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

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 16.7—PERSONAL RESTRAINT PETITION—FORM OF PETITION

(a) Generally. Under the titles indicated, the petition should set forth:

(1) Status of Petitioner. The restraint on petitioner; the place where petitioner is held in custody, if confined; the judgment, sentence, or other order or authority upon which petitioners restraint is based, identified by date of entry, court, and cause number; any appeals taken from that judgment, sentence or order; and a statement of each other petition or collateral attack as that term is defined in RCW 10.73.090, whether filed in federal court or state court, filed with regard to the same allegedly unlawful restraint, identified by the date filed, the court, the disposition made by the court, and the date of disposition.

(2) Grounds for Relief. A statement of (i) the facts upon which the claim of unlawful restraint of petitioner is based and the evidence available to support the factual allegations, (ii) why other remedies are inadequate, and (iii) why the petitioners restraint is unlawful for one or more of the reasons specified in rule 16.4(c). Legal argument and authorities may be included in the petition, or submitted in a separate brief as provided in rule 16.10(a).

(3) Citations to Court Documents. If some of the evidence supporting the factual allegations is contained in the files of a trial or appellate court, the petition should identify the documents needed for review and the case numbers under which they can be found. The appellate court may order that any court documents identified for review be transferred or transmitted to the court.

(4) Statement of Finances. If petitioner is unable to pay the filing fee or fees of counsel, a request should be included for waiver of the filing fee and for the appointment of counsel at public expense. The request should be supported by a statement of petitioner's total assets and liabilities.

(4) (5) Request for Relief. The relief petitioner wants.

(5) (6) Oath. If a notary is available, The petition must be signed by the petitioner or his attorney and verified substantially as follows under penalty of perjury. The verification may be in the following form:

~~After first being duly sworn, on oath, I depose and say: I declare under penalty of perjury under the laws of the State of Washington that I am the petitioner, that I have read the petition, know its contents, and I believe the petition is true~~

or

~~After first being duly sworn, on oath, I depose and say: I declare under penalty of perjury under the laws of the State of Washington that I am the attorney for the petitioner, that I have read the petition, know its contents, and I believe the petition is true.~~

[Signature]

Signed this _____ [date] at _____ [place].

~~Subscribed and sworn to before me this _____ [date].
Notary Public in and for the State of Washington, residing at _____.~~

~~If a notary is not available, the petition must be subscribed by the petitioner or his attorney substantially as follows:~~

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

Dated this _____ [date].

{Signature}

~~If a notary is available and a petition is filed that is not verified, the appellate court will return the petition for verified signature and advise the petitioner's custodian to make a notary available verification.~~

~~(6) (7) Verification. In all cases where the restraint is the result of a criminal proceeding and the petition is prepared by the petitioner's attorney, the petitioner must file with the court no later than 30 days after the petition was received by the court a document that substantially complies with the following form:~~

~~I declare that I have received a copy of the petition prepared by my attorney and that I consent to the petition being filed on my behalf.~~

Dated this _____ [date]_____.

[Signature]

~~If the petitioner has been declared incompetent, the verification may be filed by the guardian ad litem. If a petition has been filed to determine competency, the verification procedure shall be tolled until competency is determined.~~

~~(b) Standard Form. The clerk of the appellate court will make the standard form of petition available to persons who are confined in state institutions and to others who may request the form.~~

(c) Length of Petition. The petition should not exceed 50 pages.

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

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

**WSR 14-13-030
RULES OF COURT
STATE SUPREME COURT**

[June 6, 2014]

IN THE MATTER OF THE PROPOSAL) ORDER
OF RPC 1.2—SCOPE OF REPRESENTATION AND ALLOCATION OF) NO. 25700-A-1072
AUTHORITY BETWEEN LAWYER AND CLIENT—WA COMMENT 18—)
SPECIAL CIRCUMSTANCES PRESENTED BY WASHINGTON INITIATIVE)

The Supreme Court Rules Committee having recommended the adoption of the proposed RPC 1.2 WA Comment 18, and the Court having approved the proposed rule for publication;

Now, therefore, it is hereby ORDERED:

(a) That pursuant to the provisions of GR 9(f), the proposed rule as shown below is to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Office of the Administrator for the Court's websites expeditiously.

(b) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than 60 days from the date published in the Washington Reports. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 6th day of June, 2014.

For the Court

Madsen, C.J.
CHIEF JUSTICE

RPC 1.2 Scope of Representation and Allocation of Authority Between the Client and Lawyer

Special Circumstances Presented by Washington Initiative 502

[18] At least until there is a change in federal enforcement policy, a lawyer may counsel a client regarding the validity, scope, and meaning of Washington Initiative 502 and may assist a client in conduct that the lawyer reasonably

believes is permitted by this initiative and the statutes, regulations, orders and other state and local provisions implementing them.

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

WSR 14-13-031
RULES OF COURT
STATE SUPREME COURT
[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO RAP 16.3—) NO. 25700-A-1069
PERSONAL RESTRAINT PETITION—)
GENERALLY)

The Washington State Bar Association having recommended the adoption of the proposed amendments to RAP 16.3, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment[s] as shown below are adopted.

(b) That the amendment[s] will be published in the Washington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June, 2014.

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

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 16.3—PERSONAL RESTRAINT PETITION—GENERALLY

~~(a) Habeas Corpus and Postconviction Relief. Procedure for Relief from Restraint.~~ Rules 16.3 through 16.15 and rules 16.24 through 16.27 establish a single procedure for ~~original~~ proceedings in the appellate court to obtain relief ~~formerly available by a petition for writ of habeas corpus or by an application for post-conviction relief.~~ from restraint.

(b) Former Procedure Superseded. The procedure established by rules 16.3 through 16.15 and rules 16.24 through 16.27 for a personal restraint petition supersedes the appellate procedure formerly available for a petition for writ of habeas corpus and for an application for post-conviction relief, unless one of these rules specifically indicates to the contrary. These rules do not supersede and do not apply to habeas corpus proceedings initiated in the superior court.

~~(c) Original Appellate Court Jurisdiction.~~ The Supreme Court and the Court of Appeals have original concurrent jurisdiction in personal restraint petition proceedings in which the death penalty has not been decreed. The Supreme Court will ordinarily exercise its jurisdiction by transferring the petition to the Court of Appeals. The Supreme Court has exclusive original jurisdiction in personal restraint proceedings in which the petitioner is under a sentence of death.

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

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 14-13-032
RULES OF COURT
STATE SUPREME COURT
[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO BJAR 3—) NO. 25700-A-1066
OPERATION)

The Board for Judicial Administration having recommended the adoption of the proposed amendments to BJAR 3, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment[s] as shown below are adopted.

(b) That the amendment[s] will be published in the Washington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June, 2014.

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

Proposed Amendment
BJAR 3

Rule 3. Operation

a. **Leadership.** The Board for Judicial Administration shall be chaired by the Chief Justice of the Washington Supreme Court in conjunction with a Member Chair who shall be elected by the Board. The duties of the Chief Justice Chair and the Member Chair shall be clearly articulated in the by-laws. ~~The Member Chair shall serve as chair of the Long-~~

~~range Planning Committee.~~ Meetings of the Board may be convened by either chair and held at least bimonthly. Any Board member may submit issues for the meeting agenda.

b. **Committees.** Ad hoc and standing committees may be appointed for the purpose of facilitating the work of the Board. Non-judicial committee members shall participate in non-voting advisory capacity only.

1. The Board shall appoint at least ~~three~~ four standing committees: ~~Long-range Policy and Planning, Core Missions/Best Practices Budget and Funding, Education, and Legislative.~~ Other committees may be convened as determined by the Board.

2. The Chief Justice and the Member Chair shall nominate for the Board's approval the chairs and members of the committees. Committee membership may include citizens, experts from the private sector, members of the legal community, legislators, clerks and court administrators.

WSR 14-13-033
RULES OF COURT
STATE SUPREME COURT
[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO RALJ 11.7) NO. 25700-A-1062

The King County Prosecuting Attorney's Office having recommended the adoption of the proposed amendments to RALJ 11.7, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby
ORDERED:

- (a) That the amendment as shown below are [is] adopted.
- (b) That the amendment will be published in the Washington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June, 2014.

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

RALJ 11.7 APPLICATION OF OTHER COURT RULES

(a) **Civil Rules.** The following Superior Court Civil Rules are applicable to appellate proceedings in civil cases in the superior court when not in conflict with the purpose or intent of these rules and when application is practicable: CR 1 (scope of rules), CR 2A (stipulations), CR 6 (time), CR 7(b) (form of motions), CR 11 (signing of pleadings), CR 25 (substitution of parties), CR 40 (a)(2) (notice of issues of law), CR 42 (consolidation; separate trials), CR 46 (exceptions unnecessary), CR 54(a) (judgments and orders), CR 60 (relief

from judgment or order), CR 71 (withdrawal by attorney), CR 77 (superior courts and judicial officers), CR 78 (clerks), CR 79 (books and records kept by the clerk), CR 80 (court reporters), and CR 83 (local rules of superior court).

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

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

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

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

WSR 14-13-034
RULES OF COURT
STATE SUPREME COURT
[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO JuCR 1.6—) NO. 25700-A-1067
PHYSICAL RESTRAINTS IN THE)
COURTROOM)

The Washington State Bar Association having recom-
mended the adoption of the proposed amendments to JuCR
1.6, and the Court having considered the amendments and
comments submitted thereto, and having determined that the
proposed amendments will aid in the prompt and orderly
administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment[s] as shown below are adopted.

(b) That the amendment[s] will be published in the
Washington Reports and will become effective September 1,
2014.

DATED at Olympia, Washington this 6th day of June,
2014.

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

New JuCR 1.6 PHYSICAL RESTRAINTS IN THE COURTROOM.

(a) Use of Restraints on Juvenile Respondents. Juve-
niles shall not be brought before the court wearing any phys-
ical restraint devices except when ordered by the court during
or prior to the hearing. Instruments of restraint, such as hand-
cuffs, ankle chains, waist chains, strait jackets, electric-shock
producing devices, gags, spit masks and all other devices
which restrain an individual's freedom of movement shall not
be used on a respondent during a court proceeding and must
be removed prior to the respondent's appearance before the
court unless the court finds both that:

(1) The use of restraints is necessary due to one of the
following factors:

(A) Present behavior of the respondent represents a cur-
rent threat to his or her own safety, or the safety of other peo-
ple in the courtroom;

(B) Recent disruptive courtroom behavior of the respon-
dent has placed others in potentially harmful situations or
presents a substantial risk of inflicting physical harm to him-
self or herself or others; or

(C) Present behavior of the respondent presents a sub-
stantial risk of flight from the courtroom; and

(2) There are no less restrictive alternatives to restraints
that will prevent flight or physical harm to the respondent or
another person, including, but not limited to, the presence of
court personnel, law enforcement officers, or bailiffs.

(b) Challenge to the use of restraints. Before or after
any juvenile is ordered restrained, the court shall permit any

party to be heard on the issue of whether the use of physical
restraints is necessary in a particular situation or as to a par-
ticular child.

WSR 14-13-035
RULES OF COURT
STATE SUPREME COURT
[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO RAP 16.4—) NO. 25700-A-1064
PERSONAL RESTRAINT PETITION—)
GROUNDS FOR REMEDY, RAP 16.8—)
PERSONAL RESTRAINT PETITION—)
FILING AND SERVICE; RAP 16.8.1—)
PERSONAL RESTRAINT PETITION—)
PRELIMINARY REVIEW BY THE)
COURT, RAP 16.9—PERSONAL)
RESTRAINT PETITION—RESPONSE)
TO PETITION, RAP 16.12—PERSONAL)
RESTRAINT PETITION—SUPERIOR)
COURT HEARING, RAP 16.13—PER-)
SONAL RESTRAINT PETITION—PRO-)
CEDURE AFTER REFERENCE HEAR-)
ING)

The Washington State Bar Association having recom-
mended the adoption of the proposed amendments to RAP
16.4, RAP 16.8, RAP 16.8.1, RAP 16.9, RAP 16.12, and
RAP 16.13, and the Court having considered the amendments
and comments submitted thereto, and having determined that
the proposed amendments will aid in the prompt and orderly
administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as shown below are adopted.

(b) That the amendments will be published in the Wash-
ington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June,
2014.

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

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 16.4—PERSONAL RESTRAINT PETITION—GROUNDS
FOR REMEDY

(a) Generally. Except as restricted by section (d), the
appellate court will grant appropriate relief to a petitioner if
the petitioner is under a "restraint" as defined in section (b)
and the petitioner's restraint is unlawful for one or more of the
reasons defined in section (c).

(b) Restraint. A petitioner is under a "restraint" if the
petitioner has limited freedom because of a court decision in

a civil or criminal proceeding, the petitioner is confined, the petitioner is subject to imminent confinement, or the petitioner is under some other disability resulting from a judgment or sentence in a criminal case.

(c) Unlawful Nature of Restraint. The restraint must be unlawful for one more of the following reasons:

(1) The decision in a civil or criminal proceeding was entered without jurisdiction over the person of the petitioner or the subject matter; or

(2) The conviction was obtained or the sentence or other order entered in a criminal proceeding or civil proceeding instituted by the state or local government was imposed or entered in violation of the Constitution of the United States or the Constitution or laws of the State of Washington; or

(3) Material facts exist which have not been previously presented and heard, which in the interest of justice require vacation of the conviction, sentence or other order entered in a criminal proceeding or civil proceeding instituted by the state or local government; or

(4) There has been a significant change in the law, whether substantive or procedural, which is material to the conviction, sentence, or other order entered in a criminal proceeding or a civil proceeding instituted by the state or local government, and sufficient reasons exist to require retroactive application of the changed legal standard; or

(5) Other grounds exist for a collateral attack upon a judgment in a criminal proceeding or civil proceeding instituted by the state or local government; or

(6) The conditions or manner of the restraint of petitioner are in violation of the Constitution of the United States or the Constitution or laws of the State of Washington; or

(7) Other grounds exist to challenge the legality of the restraint of petitioner.

(d) Restrictions. The appellate court will only grant relief by a personal restraint petition if other remedies which may be available to petitioner are inadequate under the circumstances and if such relief may be granted under RCW 10.73.090 or .100 and .130. No more than one petition for similar relief on behalf of the same petitioner will be entertained without good cause shown.

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

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.

**SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 16.8—PERSONAL RESTRAINT PETITION—FILING AND SERVICE**

(a) Filing Fee. A personal restraint petition will be filed by the clerk of the appellate court only if the statutory filing fee is paid, unless the appellate court determines that the petitioner is ~~unable to pay the filing fee indigent~~. The statute ~~requiring~~ governing payment of a fee for filing a petition for writ of habeas corpus is controlling.

(b) Filing in Court of Appeals. A personal restraint petition filed in the Court of Appeals must be filed in the division ~~which~~ that includes the superior court entering the deci-

sion on the basis of which petitioner is held in custody or, if petitioner is not being held in custody on the basis of a decision, in the division in which the petitioner is located.

(c) Deficient Petitions. If the clerk of the appellate court determines that a petition submitted does not conform with this rule or with rule 16.7 (a)(1), (3), (4), (5), (6), or (7), the petition should be filed and the clerk will direct the petitioner to correct the deficiency within 60 days.

(d) Service of Petition. If petitioner's restraint is imposed by the state or local government, the clerk of the appellate court will reproduce a copy of the petition and serve the petition on the officer or agency under a duty to respond to the petition. If petitioner's restraint is imposed by a person or agency other than the state or local government, the petitioner must prepare and serve a copy of the petition on the proper respondent.

(e) Amendment of Petition. The appellate court may allow a petition to be amended. All amendments raising new grounds are subject to the time limitation provided in RCW 10.73.090 and 10.73.100.

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

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.

**SUGGESTED NEW RULE
RULES OF APPELLATE PROCEDURE (RAP)
RULE 16.8A1—PERSONAL RESTRAINT PETITION—PRELIMINARY REVIEW BY COURT**

(a) Preliminary Review. Upon receipt of the petition, the appellate court will conduct a preliminary review.

(b) Dismissal Without Response. The appellate court will dismiss the petition without requesting a response if it is clearly frivolous or clearly barred by RCW 10.73.090 or RAP 16.4(d).

(c) Remand to Superior Court. If the petition was originally filed as a habeas corpus petition or a motion under CrR 7.8, and the superior court clearly erred in transferring the matter to the Court of Appeals, the Court of Appeals will remand the matter to the superior court. If a case is remanded pursuant to this subsection, no filing fee will be required in the Court of Appeals.

(d) Request for Response. If the appellate court does not dismiss or remand the petition, the court will request that a response be filed.

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

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.

**SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 16.9—PERSONAL RESTRAINT PETITION—RESPONSE TO PETITION**

(a) Generally. The respondent must serve and file a any response within 60 days after ~~the petition is served~~ the court

requests that a response be filed, unless the time is extended by the commissioner or clerk for good cause shown, or unless the court can determine without requiring a response that the petition should be dismissed under RCW 10.73.090 or RCW 10.73.140. The response must answer the allegations in the petition. The response must state the authority for the restraint of petitioner by respondent and, if the authority is in writing, include a conformed copy of the writing. If an allegation in the petition can be answered by reference to a record of another proceeding, the response should so indicate and include a copy of those parts of the record that are relevant. Respondent should also identify in the response all material disputed questions of fact.

(b) Requirement to Admit or Deny. After the time for filing a response has passed, the appellate court may direct the respondent to admit or deny specific allegations.

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

**SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 16.12—PERSONAL RESTRAINT PETITION—SUPERIOR
COURT HEARING**

If the appellate court transfers the petition to a superior court, the transfer will be to the superior court for the county in which the decision was made resulting in the restraint of petitioner or, if petitioner is not being restrained on the basis of a decision, in the superior court in the county in which petitioner is located. If the respondent is represented by the Attorney General, the prosecuting attorney, or a municipal attorney, respondent must take steps to obtain a prompt evidentiary hearing and must serve notice of the date set for hearing on all other parties. The parties, on motion, ~~and for good cause shown~~ will be granted reasonable pretrial discovery. Each party has the right to subpoena witnesses. The hearing shall be held before a judge who was not involved in the challenged proceedings. The petitioner has the right to be present at the hearing, ~~and~~ the right to cross-examine adverse witnesses, ~~and the right to counsel to the extent authorized by statute~~. The Rules of Evidence apply at the hearing. Upon the conclusion of the hearing, if the case has been transferred for a reference hearing, the superior court shall enter findings of fact and have the findings and all appellate files forwarded to the appellate court. Upon the conclusion of the hearing if the case has been transferred for a determination on the merits, the superior court shall enter findings of fact and conclusions of law and an order deciding the petition.

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

**SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)
RULE 16.13—PERSONAL RESTRAINT PETITION—PROCEDURE
AFTER REFERENCE HEARING**

After a reference hearing and the findings of fact and appellate court files have been returned to the appellate court, the Chief Judge will dismiss the petition if the issues presented are frivolous. If the petition is not frivolous, the Chief

Judge will refer the petition to a panel of judges for determination on the merits. The appellate court may, on motion of a party, order the preparation of and transmittal to the appellate court of a part or all of the record of the reference proceeding. The appellate court order will define at whose expense the record is prepared. The record will be prepared at public expense where the petitioner is indigent, as set forth in rule 16.15(h). Oral argument is governed by rule 16.11(c).

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

**WSR 14-13-036
RULES OF COURT
STATE SUPREME COURT**

[June 6, 2014]

IN THE MATTER OF THE ADOPTION) ORDER
OF AMENDMENTS TO RAP 16.14(a)—) NO. 25700-A-1068
PERSONAL RESTRAINT PETITION—)
APPELLATE REVIEW)

The Court of Appeals having recommended the adoption of the proposed amendments to RAP 16.14(a), and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as shown below are [is] adopted.

(b) That the amendment will be published in the Washington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June, 2014.

	Madsen, C.J.
C. Johnson, J.	Wiggins, J.
Owens, J.	Gonzalez, J.
Fairhurst, J.	
Stephens, J.	Yu, J.

**RAP 16.14(a)
PERSONAL RESTRAINT PETITION—APPELLATE REVIEW**

(a) Decision Whether to Transfer. A decision to transfer a petition to a superior court for a hearing or to retain the petition for determination by the appellate court is not subject to review by the Supreme Court. A superior court decision to transfer a motion to the Court of Appeals for consideration as a personal restraint petition pursuant to CrR 7.8 is not subject to direct review by the Supreme Court.

WSR 14-13-039

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH**

(Dental Quality Assurance Commission)

[Filed June 10, 2014, 1:17 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 the schedule of regular meetings for the department of health, dental quality assurance commission, for the year 2014. The dental quality assurance commission 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 dental quality assurance commission reserves the right to change or amend agendas at the meeting.

Date	Time	Location
January 17, 2014	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
March 7, 2014	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
April 18, 2014	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
June 6, 2014	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
July 18, 2014	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
September 12, 2014	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
October 24, 2014	8:00 a.m.	To be determined Spokane, Washington
December 12, 2014	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501

If you need further information, please contact Jennifer Santiago, Health Service Consultant 4, Washington Department of Health, Dental Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4893, fax (360) 236-2901, e-mail Jennifer.santiago@doh.wa.gov, web www.doh.wa.gov.

Please be advised the dental 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 14-13-066

**NOTICE OF PUBLIC MEETINGS
SKAGIT VALLEY COLLEGE**

[Filed June 12, 2014, 4:10 p.m.]

The Skagit Valley College board of trustees, at their June 10, 2014, meeting, approved the following meeting dates for 2014-2015. Unless otherwise noted, all meetings will be held the second Tuesday of the month, at the Mount Vernon campus (Board Room), 2405 East College Way, Mount Vernon, WA 98273, and will begin at 4:30 p.m.

**July 2014-June 2015
Board Meeting Dates**

Dates	Location
July 2014 – <i>No regular meeting is scheduled.</i>	
August 2014 – <i>No regular meeting is scheduled.</i>	
September 2014 – <i>No regular meeting is scheduled.</i>	
October 14, 2014	Mount Vernon Campus
November 12, 2014 (Wednesday)	Whidbey Island Campus Hayes Hall 137 1900 S.E. Pioneer Way Oak Harbor, WA 98277
December 2014 – <i>No regular meeting is scheduled.</i>	
January 13, 2015	Mount Vernon Campus
February 10, 2015	Mount Vernon Campus
March 10, 2015	Mount Vernon Campus
April 14, 2015	Whidbey Island Campus Hayes Hall 137 1900 S.E. Pioneer Way Oak Harbor, WA 98277
May 12, 2015	Mount Vernon Campus
June 9, 2015	Mount Vernon Campus

WSR 14-13-067

ATTORNEY GENERAL'S OFFICE

[Filed June 12, 2014, 4:29 p.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 July 9, 2014. 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 e-mail to jeff.even@atg.wa.gov or by writing to the Office of the Attorney General, Solicitor General Division, Attention Jeff 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 AGO opinions list.

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

Opinion Docket No. 14-06-03

Request by Daniel Bigelow, Wahkiakum County Prosecuting Attorney

QUESTION(S):

1. Is the Washington State Salary Commission's policy of allowing counties to set the percentage of full-time served by their district court judges constitutional in light of the state constitution, art. XXVIII, sec. 1, amend. 78, and is that policy consistent with RCW 3.58.020.

2. What entity has the authority to set the percentage of full-time to be worked by particular part-time district court judges?

WSR 14-13-069

**NOTICE OF PUBLIC MEETINGS
LOWER COLUMBIA COLLEGE**

[Filed June 13, 2014, 10:18 a.m.]

Instead of holding their regularly scheduled board workshop on July 16, 2014, the board of trustees of Lower Columbia College is changing the date to July 22, 2014.

The trustees meet on the third Wednesday of the month at 5:00 in the Heritage Room of the Administration Building unless noted differently below.

2014 MEETING SCHEDULE
Updated June 9, 2014

January 15, 2014	5:00 p.m.	Regular Meeting
February 19, 2014	9:00 a.m.	Workshop

March 12, 2014	5:00 p.m.	Special Executive Session Admin Building Training Room
March 19, 2014	5:00	Regular Meeting
April 16, 2014	5:00 p.m.	Regular Meeting
May 21, 2014	5:00 p.m.	Regular Meeting
June 18, 2014	5:00 p.m.	Regular Meeting
July 22, 2014	8:30 a.m.	Workshop
August 2014	NO MEETING	
September 17, 2014	5:00 p.m.	Regular Meeting
October 15, 2014	5:00 p.m.	Regular Meeting
November 19, 2014	5:00 p.m.	Regular Meeting
December 17, 2014	5:00 p.m.	Regular Meeting

**WSR 14-13-072
PUBLIC RECORDS OFFICER
OFFICE OF
FINANCIAL MANAGEMENT**

[Filed June 13, 2014, 12:55 p.m.]

In accordance with RCW 42.56.580, I have appointed Kate Lykins Brown, P.O. Box 43113, Olympia, WA 98504-3113, phone (360) 902-0619, fax (360) 664-2832, e-mail Kate.LykinsBrown@gov.wa.gov, as public records officer for the office of financial management (OFM), effective June 13, 2014.

Per RCW 42.56.580(2), I request that your office publish Kate's appointment and contact information in the Washington State Register.

If you have any questions, please contact Roselyn Marcus, assistant director for legal and legislative affairs for OFM.

David Schumacher
Director

WSR 14-13-073

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES**

(Industrial Insurance Chiropractic Advisory Committee)

[Filed June 13, 2014, 1:43 p.m.]

Pursuant to chapter 42.30 RCW, the Open Public Meetings Act, this gives notice that the industrial insurance chiropractic advisory committee's future meetings are scheduled as follows:

DATES	TIME	LOCATION
July 17, 2014	10:00 a.m. - 2:00 p.m.	Closed session

DATES	TIME	LOCATION
October 16, 2014	8 a.m. - 1 p.m.	Department of Labor and Industries 7273 Linderson Way S.W. Room S130 Tumwater, WA 98501

Please call Joanne McDaniel at (360) 902-6817 if you have any questions about these meetings.

The meeting agenda will be posted at least twenty calendar days prior to the meeting at <http://www.Lni.wa.gov/ClaimsIns/Providers/ProjResearchComm/IICAC/default.asp#2>.

WSR 14-13-075
NOTICE OF PUBLIC MEETINGS
HORSE RACING COMMISSION

[Filed June 13, 2014, 3:10 p.m.]

The Washington horse racing commission is revising its published notice of 2014 meeting dates and locations.

The meeting originally scheduled for October 10, 2014, will now be held on October 7, 2014. The meeting will be at the Auburn City Council Chambers, 25 West Main, Auburn, WA 98002.

WSR 14-13-080
DEPARTMENT OF ECOLOGY

[Filed June 16, 2014, 12:40 p.m.]

PUBLIC NOTICE
Announcing the Proposal of a
Fisheries Resource Management
General Permit

The Washington state department of ecology (ecology) is proposing to issue a general permit for the application of piscicides for management of fish populations in waters of the state of Washington.

These management activities may result in the discharge of chemicals to the surface waters of the state of Washington. Ecology is soliciting comments as to whether or not it is appropriate for ecology to develop a permit for this activity. This comment period ends **August 1, 2014, at 5 p.m.**

Please direct comments to Nathan Lubliner, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696, phone (360) 407-6563, e-mail nathan.lubliner@ecy.wa.gov.

Purpose of the General Permit: The fisheries resource management general permit (permit) will regulate the use of piscicides and other products applied to manage warm water fish species where piscicides or other products may enter the surface waters of the state of Washington. The permit will cover activities that result in a discharge of piscicide, and potassium permanganate into waters of the state of Washington for the purpose of rehabilitating trout fisheries and native fish populations.

Under the Washington State Water Pollution Control Act, a permit is required for the discharge of pollutants which

may alter the biological or chemical characteristics of a water body. The proposed permit addresses these legal requirements and regulates the discharge of pollutants to protect surface water quality in Washington state.

Ecology issues general permits in place of a series of individual permits when the permitted activities are similar. The agency that receives coverage under the general permit must comply with the terms and conditions of the permit.

For more information: http://www.ecy.wa.gov/programs/wq/pesticides/final_pesticide_permits/fish/fish_index.html.

WSR 14-13-083
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION

[Filed June 16, 2014, 12:54 p.m.]

The following dates, times and locations are for the July 2014 public forum and commission meeting:

Revised

Washington State Human Rights Commission
Public Forum July 23, 2014, from 6 p.m. to 9 p.m.
Gonzaga University
Barbieri Courtroom
502 East Boone Avenue
Spokane, WA 99258

Revised

Washington State Human Rights Commission
Commission Meeting at 9:30 a.m.
1330 North Washington Street
Suite 2460
Spokane, WA 99201

WSR 14-13-084
HEALTH CARE AUTHORITY

[Filed June 16, 2014, 1:53 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 14-0028 Enhanced Service Facilities.

Effective Date: December 1, 2014.

Description: In cooperation with the health care authority, the division of home and community services (HCS) of the department of social and health services (DSHS) plans to submit 1915(i) SPA to the Centers for Medicaid and Medicare Services. The amendment will make home and community based services available to individuals who are ready to relocate from a psychiatric hospital and need personal care assistance, behavioral supports and supervision. Residential services will be provided by enhanced service facilities, a new type of licensed facility. The anticipated effective date of this amendment is December 1, 2014. The anticipated aggregate expense for calendar year 2015 is \$2,189,000 total funds.

For additional information, contact Sandy Robertson, HCS Program Manager, Home and Community Services, P.O. Box 45600, Olympia, WA 985001 [98501], phone (360) 725-2576, TDD/TTY (360) 438-2637, fax (360) 586-9727, e-mail sandy.roberts@dshs.wa.gov, web site http://www.adsa.wa.gov.

All meetings take place in the Gilkey Community Room, Northwest Museum of Arts and Culture, 2316 West First Avenue, Spokane, WA 99201-5906, (509) 363-5336.
 Approved unanimously by the board of trustees at their June 4, 2014, meeting.

WSR 14-13-085
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON
STATE HISTORICAL SOCIETY
 [Filed June 16, 2014, 2:08 p.m.]

Following is the schedule for the board of trustees for the Eastern Washington State Historical Society for fiscal year 2014/2015. We are agency number 395 and our board is a volunteer board.

Eastern Washington State Historical Society
 (Northwest Museum of Arts and Culture)
 Board of Trustees Meeting Schedule

3:00 p.m. to 5:00 p.m.
 Gilkey Community Room
 (unless otherwise noted)

- Finance committee meets at 3:30 on the second to last Wednesday of the month.
- Executive committee meetings begin at 4 p.m. following the finance committee on the second to last Wednesday of the month.

Full Board of Trustees
Ten Meetings Per Year

Wednesday, July 2, 2014	3 p.m. - 5 p.m.
Wednesday, September 3, 2014	3 p.m. - 5 p.m.
Wednesday, October 1, 2014	3 p.m. - 5 p.m.
Wednesday, November 5, 2014	3 p.m. - 5 p.m.
Wednesday, January 7, 2015	3 p.m. - 5 p.m.
Wednesday, February 4, 2015	3 p.m. - 5 p.m.
Wednesday, March 4, 2015	3 p.m. - 5 p.m.
Wednesday, April 1, 2015	3 p.m. - 5 p.m.
Wednesday, May 6, 2015.	3 p.m. - 5 p.m.
Wednesday, June 3, 2015	3 p.m. - 5 p.m.
Wednesday, July 1, 2015	3 p.m. - 5 p.m.
Wednesday, September 2, 2015	3 p.m. - 5 p.m.
Wednesday, October 7, 2015.	3 p.m. - 5 p.m.
Wednesday, November 4, 2015	3 p.m. - 5 p.m.

WSR 14-13-094
NOTICE OF PUBLIC MEETINGS
CENTER FOR CHILDHOOD
DEAFNESS AND HEARING LOSS
 [Filed June 17, 2014, 10:03 a.m.]

The Washington State Center for Childhood Deafness and Hearing Loss board of trustees has set their calendar of meetings for the 2014/2015 school year. All meetings are held on [at] the Washington School for the Deaf, 611 Grand Boulevard, Vancouver, WA, except where noted.

- September 5, 2014
- October 3, 2014
- November 7, 2014
- February 6, 2015 (Olympia area)
- March 6, 2015
- April 3, 2015
- May 1, 2015
- June 12, 2015

WSR 14-13-097
NOTICE OF PUBLIC MEETINGS
LAKE WASHINGTON
INSTITUTE OF TECHNOLOGY
 [Filed June 17, 2014, 11:27 a.m.]

Pursuant to RCW 42.30.075, we are hereby notifying you of the following special meeting for the Lake Washington Institute of Technology (LWTech) board of trustees.
 A special meeting of the LWTech board of trustees is planned for Friday, June 20, 2014, at noon. The meeting will be held at Lynnwood Convention Center, 3711 196th Street S.W., Lynnwood, WA, in the second floor meeting room.