

WSR 15-13-025
RULES OF COURT
STATE SUPREME COURT
[June 4, 2015]

IN THE MATTER OF THE PROPOSED) ORDER
AMENDMENTS TO GR 31.1—ACCESS) NO. 25700-A-1106
TO ADMINISTRATIVE RECORDS)

The Board of Judicial Administration, having recommended the expeditious adoption of the Proposed Amendments to GR 31.1—Access to Administrative Records, and the Court having considered the amendments, 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 new rule as shown below is adopted.

(b) That the new rule will be published in the Washington Reports and will become effective on January 1, 2016.

DATED at Olympia, Washington this 4th day of June, 2015.

Table with two columns of names: Johnson, J., Owens, J., Fairhurst, J., Stephens, J. on the left; Madsen, C.J., Wiggins, J., Gonzalez, J., Gordon McCloud, J., Yu, J. on the right.

NEW RULE
GENERAL RULES (GR)
Rule 31.1 - Access to Administrative Records
GENERAL PRINCIPLES

(a) Policy and Purpose. Consistent with the principles of open administration of justice as provided in article I, section 10 of the Washington State Constitution, it is the policy of the judiciary to facilitate access to administrative records. A presumption of access applies to the judiciary's administrative records. Access to administrative records, however, is not absolute and shall be consistent with exemptions for personal privacy, restrictions in statutes, restrictions in court rules, and as required for the integrity of judicial decision-making. Access shall not unduly burden the business of the judiciary.

(b) Overview of Public Access to Judicial Records. There are three categories of judicial records.

(1) Case records are records that relate to in-court proceedings, including case files, dockets, calendars, and the like. Public access to these records is governed by GR 31, which refers to these records as "court records," and not by this GR 31.1. Under GR 31, these records are presumptively open to public access, subject to stated exceptions.

(2) Administrative records are records that relate to the management, supervision, or administration of a court or judicial agency. A more specific definition of "administrative records" is in section (i) of this rule. Under section (j) of this rule, administrative records are presumptively open to public access, subject to exceptions found in sections (j) and (l) of this rule.

(3) Chambers records are records that are controlled and maintained by a judge's chambers. A more specific definition of this term is in section (m) of this rule. Under section (m), chambers records are not open to public access.

PROCEDURES FOR ADMINISTRATIVE RECORDS

(c) Procedures for Records Requests.

(1) COURTS AND JUDICIAL AGENCIES TO ADOPT PROCEDURES. Each court and judicial agency must adopt a policy implementing this rule and setting forth its procedures for accepting and responding to administrative records requests. The policy must include the designation of a public records officer and must shall require that requests from the identified individual or, if an entity, an identified entity representative, be submitted in writing to the designated public records officer. Best practices for handling administrative records requests shall be developed under the authority of the Board for Judicial Administration.

COMMENT: When adopting policies and procedures, courts and judicial agencies will need to carefully consider many issues, including the extent to which judicial employees may use personally owned computers and other media devices to conduct official business and the extent to which the court or agency will rely on the individual employee to search his or her personally owned media devices for documents in response to a records request. For judicial officers and their chambers staff, documents on personal media devices may still qualify as chambers records, see section (m) of this rule.

(2) PUBLICATION OF PROCEDURES FOR REQUESTING ADMINISTRATIVE RECORDS. Each court and judicial agency must prominently publish the procedures for requesting access to its administrative records. If the court or judicial agency has a website, the procedures must be included there. The publication shall include the public records officer's work mailing address, telephone number, fax number, and e-mail address.

(3) INITIAL RESPONSE. Each court and judicial agency must initially respond to a written request for access to an administrative record within five working days of its receipt, but for courts that convene infrequently no more than 30 calendar days, from the date of its receipt. The response shall acknowledge receipt of the request and include a good-faith estimate of the time needed to respond to the request. The estimate may be later revised, if necessary. For purposes of this rule, "working days" mean days that the court or judicial agency, including a part-time municipal court, is open.

(4) COMMUNICATION WITH REQUESTER. Each court and judicial agency must communicate with the requester as necessary to clarify the records being requested. The court or judicial agency may also communicate with the requester in an effort to determine if the requester's need would be better served with a response other than the one actually requested.

(5) SUBSTANTIVE RESPONSE. Each court and judicial agency must respond to the substance of the records request within the timeframe specified in the court's or judicial agency's initial response to the request. If the court or judicial agency is unable to fully comply in this timeframe, then the court or judicial agency should comply to the extent practicable and provide a new good faith estimate for responding to the remainder of the request. If the court or judicial agency

does not fully satisfy the records request in the manner requested, the court or judicial agency must justify in writing any deviation from the terms of the request.

(6) EXTRAORDINARY REQUESTS LIMITED BY RESOURCE CONSTRAINTS. If a particular request is of a magnitude that the court or judicial agency cannot fully comply within a reasonable time due to constraints on the court's or judicial agency's time, resources, and personnel, the court or judicial agency shall communicate this information to the requester. The court or judicial agency must attempt to reach agreement with the requester as to narrowing the request to a more manageable scope and as to a timeframe for the court's or judicial agency's response, which may include a schedule of installment responses. If the court or judicial agency and requester are unable to reach agreement, then the court or judicial agency shall respond to the extent practicable and inform the requester that the court or judicial agency has completed its response.

(7) RECORDS REQUESTS THAT INVOLVE HARASSMENT, INTIMIDATION, THREATS TO SECURITY, OR CRIMINAL ACTIVITY. A court or judicial agency may deny a records request if it determines that: the request was made to harass or intimidate the court or judicial agency or its employees; fulfilling the request would likely threaten the security of the court or judicial agency; fulfilling the request would likely threaten the safety or security of judicial officers, staff, family members of judicial officers or staff, or any other person; or fulfilling the request may assist criminal activity.

(d) Review of Records Decision.

(1) NOTICE OF REVIEW PROCEDURES. The public records officer's response to a public records request shall include a written summary of the procedures under which the requesting party may seek further review.

(2) DEADLINE FOR SEEKING INTERNAL REVIEW. A record requester's petition under section (d)(3) seeking internal review of a public records officer's decision must be submitted within 90 days of the public records officer's decision.

(3) INTERNAL REVIEW WITHIN COURT OR AGENCY. Each court and judicial agency shall provide a method for review by the judicial agency's director, presiding judge, or judge designated by the presiding judge. For a judicial agency, the presiding judge shall be the presiding judge of the court that oversees the agency. The court or judicial agency may also establish intermediate levels of review. The court or judicial agency shall make publicly available the applicable forms. The review proceeding is informal and summary. The review proceeding shall be held within five working days, but for courts that convene infrequently no more than 30 calendar days, from the date the court or agency receives the request for review. If that is not reasonably possible, then within five working days the review shall be scheduled for the earliest practical date.

(4) EXTERNAL REVIEW. Upon the exhaustion of remedies under section (d)(3), a record requester aggrieved by a court or agency decision may obtain further review by choosing between the two alternatives set forth in subsections (i) and (ii) of this section (d)(4).

(i) REVIEW VIA CIVIL ACTION IN COURT. The requesting person may use a judicial writ of mandamus, prohibition, or

certiorari to file a civil action in superior court challenging the records decision.

COMMENT: *Subsection (i) does not create any new judicial remedies, but merely recognizes existing procedures for initiating a civil action in court.*

(ii) INFORMAL REVIEW BY VISITING JUDGE OR OTHER OUTSIDE DECISION MAKER. The requesting person may seek informal review by a person outside the court or judicial agency. If the requesting person seeks review of a decision made by a court or made by a judicial agency that is directly reportable to a court, the outside review shall be by a visiting judicial officer. If the requesting person seeks review of a decision made by a judicial agency that is not directly reportable to a court, the outside review shall be by a person agreed upon by the requesting person and the judicial agency. In the event the requesting person and the judicial agency cannot agree upon a person, the presiding superior court judge in the county in which the judicial agency is located shall either conduct the review or appoint a person to conduct the review. The review proceeding shall be informal and summary. The decision resulting from the informal review proceeding may be further reviewed in superior court pursuant to a writ of mandamus, prohibition, or certiorari. Decisions made by a judge under this subsection (ii) are part of the judicial function.

(iii) DEADLINE FOR SEEKING EXTERNAL REVIEW. A request for external review must be submitted within 30 days of the issuance of the court or judicial agency's final decision under section (d)(3).

(e) Monetary Awards Not Allowed. Attorney fees, costs, civil penalties, or fines may not be awarded under this rule.

(f) Persons Who Are Subjects of Records.

(1) Unless otherwise required or prohibited by law, a court or judicial agency has the option of notifying a person named in a record or to whom a record specifically pertains, that access to the record has been requested.

(2) A person who is named in a record, or to whom a record specifically pertains, may present information opposing the disclosure to the applicable decision maker under sections (c) and (d).

(3) If a court or judicial agency decides to allow access to a requested record, a person who is named in that record, or to whom the record specifically pertains, has a right to initiate review under subsections (d)(3)-(4) or to participate as a party to any review initiated by a requester under subsections (d)(3)-(4). If either the record subject or the record requester objects to informal review under subsection (d)(4)(ii), such alternative shall not be available. The deadlines that apply to a requester apply as well to a person who is a subject of a record.

(g) Court and Judicial Agency Rules. Each court may from time to time make and amend local rules governing access to administrative records not inconsistent with this rule. Each judicial agency may from time to time make and amend agency rules governing access to its administrative records not inconsistent with this rule.

(h) Charging of Fees.

(1) A fee may not be charged to view administrative records, except the requester may be charged for research

required to locate, obtain, or prepare the records at the rate set forth in section (h)(4).

(2) A fee may be charged for the photocopying or scanning of administrative records. If another court rule or statute specifies the amount of the fee for a particular type of record, that rule or statute shall control. Otherwise, the amount of the fee may not exceed the amount that is authorized in the Public Records Act, ~~Chapter~~ chapter 42.56 RCW.

(3) The court or judicial agency may require a deposit in an amount not to exceed the estimated cost of providing copies for a request. If a court or judicial agency makes a request available on a partial or installment basis, the court or judicial agency may charge for each part of the request as it is provided. If an installment of a records request is not claimed or reviewed within 30 days, the court or judicial agency is not obligated to fulfill the balance of the request.

(4) A fee not to exceed \$30 per hour may be charged for research and preparation services required to fulfill a request taking longer than one hour. The fee shall be assessed from the second hour onward.

COMMENT: *The authority to charge for research services is discretionary, allowing courts to balance the competing interests between recovering the costs of their response and ensuring the open administration of justice. The fee should not exceed the actual costs of response.*

(5) A court or judicial agency may require prepayment of fees.

APPLICATION OF RULE FOR ADMINISTRATIVE RECORDS

This rule applies to all administrative records, regardless of the physical form of the record, the method of recording the record, or the method of storage of the record.

(i) Definitions.

(1) "Access" means the ability to view or obtain a copy of an administrative record.

(2) "Administrative record" means a public record created by or maintained by a court or judicial agency and related to the management, supervision, or administration of the court or judicial agency.

COMMENT: *The term "administrative record" does not include any of the following: (1) "court records" as defined in GR 31; (2) chambers records as set forth later in this rule; or (3) an attorney's client files that would otherwise be covered by the attorney-client privilege or the attorney work product privilege.*

(3) "Court record" is defined in GR 31.

(4) "Judge" means a judicial officer as defined in the Code of Judicial Conduct (CJC) Application of the Code of Judicial Conduct Section (A).

(5) "Public" includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency, however constituted, or any other organization or group of persons, however organized.

(6) "Public record" includes any writing, except chambers records and court records, containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any court or judicial agency regardless of phys-

ical form or characteristics. "Public record" also includes metadata for electronic administrative records.

COMMENT: *See O'Neill v. City of Shoreline, 170 Wn.2d 138, 240 P.3d 1149 (2010) (defining "metadata").*

(7) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

COMMENT: *E-mails and telephone records are included in this broad definition of "writing."*

(j) Administrative Records—General Right of Access. Court and judicial agency administrative records are open to public access unless access is exempted or prohibited under this rule, other court rules, federal statutes, state statutes, court orders, or case law. To the extent that records access would be exempt or prohibited if the Public Records Act applied to the judiciary's administrative records, access is also exempt or prohibited under this rule. To the extent that an ambiguity exists as to whether records access would be exempt or prohibited under this rule or other enumerated sources, responders and reviewing authorities shall be guided by the Public Records Act, ~~Chapter~~ chapter 42.56 RCW, in making interpretations under this rule. In addition, to the extent required to prevent a significant risk to individual privacy or safety interests, a court or judicial agency shall delete identifying details in a manner consistent with this rule when it makes available or publishes any public record; however, in each instance, the justification for the deletion shall be provided fully in writing.

(k) Entities Subject to Rule.

(1) This rule applies to the Supreme Court, the Court of Appeals, the superior courts, the district and municipal courts, and the following judicial ~~branch~~ agencies:

(i) All judicial organizations that are overseen by a court, including entities that are designated as agencies, departments, committees, boards, commissions, task forces, and similar groups;

(ii) The Superior Court Judges' Association, the District and Municipal Court Judges' Association, and similar associations of judicial officers and employees; ~~and~~

(iii) The Washington State Office of Civil Legal Aid and the Washington State Office of Public Defense; and

(iv) All subgroups of the entities listed in this section (k)(1).

COMMENT: *The elected court clerks and their staff are not included in this rule because (1) they are covered by the Public Records Act and (2) they do not generally maintain the judiciary's administrative records that are covered by this rule.*

~~(2) This rule applies to the Washington State Office of Civil Legal Aid and the Washington State Office of Public Defense.~~

(3 2) This rule does not apply to the Washington State Bar Association. Public access to the Bar Association's records is governed by [a proposed General Rule 12.4, pending before the Supreme Court].

(4 3) A judicial officer is not a court or judicial agency.

COMMENT: *This provision protects judges and court commissioners from having to respond personally to public records requests. Records requests would instead go to the court's public records officer.*

(5 4) An attorney or entity appointed by a court or judicial agency to provide legal representation to a litigant in a judicial or administrative proceeding does not become a judicial agency by virtue of that appointment.

(6 5) A person or entity entrusted by a judicial officer, court, or judicial agency with the storage and maintenance of its public records, whether part of a judicial agency or a third party, is not a judicial agency. Such person or agency may not respond to a request for access to administrative records, absent express written authority from the court or judicial agency or separate authority in court rule to grant access to the documents.

COMMENT: *Judicial e-mails and other documents sometimes reside on IT servers, some are in off-site physical storage facilities. This provision prohibits an entity that operates the IT server from disclosing judicial records. The entity is merely a bailee, holding the records on behalf of a court or judicial agency, rather than an owner of the records having independent authority to release them. Similarly, if a court or judicial agency puts its paper records in storage with another entity, the other entity cannot disclose the records. In either instance, it is the court or judicial agency that needs to make the decision as to releasing the records. The records request needs to be addressed by the court's or judicial agency's public records officer, not by the person or entity having control over the IT server or the storage area. On the other hand, if a court or judicial agency archives its records with the state archivist, relinquishing by contract its own authority as to disposition of the records, the archivist would have separate authority to disclose the records.*

Because of this rule's broad definition of "public record", this paragraph (6) would apply to electronic records, such as e-mails (and their metadata) and telephone records, among a wide range of other records.

(f) Exemptions. In addition to exemptions referred to in section (j), the following categories of administrative records are exempt from public access:

(1) Requests for judicial ethics opinions;

(2) Minutes of meetings held exclusively among judges, along with any staff;

COMMENT: *Meeting minutes do not always contain information that needs to be withheld from public access. Courts have discretion whether to release meeting minutes, because an exemption from this rule merely means that a document is not required to be disclosed. Disclosure would be appropriate if the document does not contain information of a confidential, sensitive, or protected nature. Courts and judicial agencies are encouraged to carefully consider whether some, or all, of their meeting minutes should be open to public access. Adopting a local rule on this issue would assist the public in knowing which types of minutes are accessible and which are not.*

(3) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended are exempt under this rule, except that a specific record is not exempt when publicly cited by a court or agency in connection with any court or agency action. This exemption applies to a record only while a final decision is pending on the issue that is being addressed in that record; once the final decision has been made, the record is no longer covered by this exemption. For purposes of documents related to budget negotiations with a budgetary authority, the "final decision" is the decision by the budgetary authority to adopt the budget for that year or biennium.

(4) Evaluations and recommendations concerning candidates seeking appointment or employment within a court or judicial agency;

COMMENT: *Paragraph (4) is intended to encompass documents such as those of the Supreme Court's Capital Counsel Committee, which evaluates attorneys for potential inclusion on a list of attorneys who are specially qualified to represent clients in capital cases.*

(5) Personal identifying information, including individuals' home contact information, Social Security numbers, date of birth, driver's license numbers, and identification/security photographs;

(6) Documents related to an attorney's request for a trial or appellate court defense expert, investigator, or other services, any report or findings submitted to the attorney or court or judicial agency by the expert, investigator, or other service provider, and the invoicing of the expert, investigator or other service provider during the pendency of the case in any court. Payment records are not exempt, provided that they do not include medical records, attorney work product, information protected by attorney-client privilege, information sealed by a court, or otherwise exempt information;

(7) Documents, records, files, investigative notes and reports, including the complaint and the identity of the complainant, associated with a court's or judicial agency's internal investigation of a complaint against the court or judicial agency or its contractors during the course of the investigation. The outcome of the court's or judicial agency's investigation is not exempt;

(8) [Reserved];

(9) Family court mediation files; and

(10) Juvenile court probation social files.

(11) Those portions of records containing specific and unique vulnerability assessments or specific and unique emergency and escape response plans, the disclosure of which would have a substantial likelihood of threatening the security of a judicial facility or any individual's safety.

(12) The following records of the Certified Professional Guardian Board:

(i) Investigative records compiled by the Board as a result of an investigation conducted by the Board as part of the application process, while a disciplinary investigation is in process under the Board's rules and regulations, or as a result of any other investigation conducted by the Board while an investigation is in process. Investigative records related to a grievance become open to public inspection once the investigation is completed.

(ii) Deliberative records compiled by the Board or a panel or committee of the Board as part of a disciplinary process.

(iii) A grievance shall be open to public access, along with any response to the grievance submitted by the professional guardian or agency, once the investigation into the grievance has been completed or once a decision has been made that no investigation will be conducted. The name of the professional guardian or agency shall not be redacted from the grievance.

CHAMBERS RECORDS

(m) Chambers Records. Chambers records are not administrative records and are not subject to disclosure.

COMMENT: Access to chambers records could necessitate a judicial officer having to review all records to protect against disclosing case sensitive information or other information that would intrude on the independence of judicial decision-making. This would effectively make the judicial officer a de facto public records officer and could greatly interfere with judicial functions.

(1) "Chambers record" means any writing that is created by or maintained by any judicial officer or chambers staff, and is maintained under chambers control, whether directly related to an official judicial proceeding, the management of the court, or other chambers activities. "Chambers staff" means a judicial officer's law clerk, a judicial officer's administrative staff, and any other staff, when providing support directly to the judicial officer at chambers.

COMMENT: Some judicial employees, particularly in small jurisdictions, split their time between performing chambers duties and performing other court duties. An employee may be "chambers staff" as to certain functions, but not as to others. Whether certain records are subject to disclosure may depend on whether the employee was acting in a chambers staff function or an administrative staff function with respect to that record.

Records may remain under chambers control even though they are stored elsewhere. For example, records relating to chambers activities that are stored on a judge's personally owned or workplace-assigned computer, laptop computer, cell phone, and similar electronic devices would still be chambers records. As a further example, records that are stored for a judicial chambers on external servers would still be under chambers control to the same extent as if the records were stored directly within the chambers. However, records that are otherwise subject to disclosure should not be allowed to be moved into chambers control as a means of avoiding disclosure.

(2) Court records and administrative records do not become chambers records merely because they are in the possession or custody of a judicial officer or chambers staff.

COMMENT: Chambers records do not change in character by virtue of being accessible to another chambers. For example, a data base that is shared by multiple judges and their chambers staff is a "chambers record" for purposes of this rule, as long as the data base is only being used by judges and their chambers staff.

IMPLEMENTATION AND EFFECTIVE DATE

(n) Best Practices. Best practice guidelines adopted by the Supreme Court may be relied upon in acting upon public requests for documents.

(o) Effective Date of Rule.

(1) This rule will go into effect on a future date to be determined by the Supreme Court based on a recommendation from the Board for Judicial Administration. The rule will apply to records that are created on or after that date.

COMMENT: A delayed effective date is being used to allow time for development of best practices, training, and implementation. The effective date will be added to the rule once it has been determined.

(2) Public access to records that are created before that date are to be analyzed according to other court rules, applicable statutes, and the common law balancing test. The Public Records Act, Chapter 42.56 RCW, does not apply to judicial records, but it may be used for non-binding guidance.

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 15-13-030

RULES OF COURT

STATE SUPREME COURT

[June 4, 2015]

IN THE MATTER OF SUGGESTED) ORDER
AMENDMENTS TO APPENDIX APR) NO. 25700-A-1111
12—REGULATIONS)

The Limited Practice Board, having recommended the Suggested Amendments to Appendix APR 12—Regulations, and the Court having considered the amendments and comments submitted thereto;

Now, therefore, it is hereby

ORDERED:

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

(b) The purpose statement as required by GR 9(e), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than September 30, 2015. 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 4th day of June, 2015.

For the Court

Madsen, C.J.

CHIEF JUSTICE

**SUGGESTED AMENDMENTS TO APPENDIX APR 12.
REGULATIONS OF THE APR 12 LIMITED PRACTICE BOARD**
**APPENDIX APR 12. REGULATIONS OF THE APR 12 LIMITED
PRACTICE BOARD**

REGULATION 1: IN GENERAL

Every person desiring to be admitted to limited practice as a Limited Practice Officer (LPO) pursuant to Admission ~~to~~ and Practice Rule (APR) 12 must submit an application in the form and manner and within the time limits established by these Regulations, pay the requisite fee, and satisfy all of the requirements of APR 12.

REGULATION 2: APPLICATIONS

A. Application. An applicant must ~~complete and file in duplicate with~~ submit to the Washington State Bar Association (WSBA):

1. ~~two copies of~~ a completed application for admission to limited practice under APR 12 ~~(one of which may be a photocopy)~~ in the form and manner prescribed by the Limited Practice Board;
2. a fingerprint card which has been processed by the applicant at a local police department or fingerprinting agency;
3. a signed Authorization and Release; and
4. a signed Affidavit of Applicant.

The application shall not be considered complete and will not be approved pursuant to Regulation 3 unless the applicant has provided a current residential address.

B. Fees. An applicant will pay an examination fee in an amount set by the Limited Practice Board with the approval of the Supreme Court, which must be paid with the application and each applicant will be sent a receipt for the application and fee.

C. Verification of Application Information. Each applicant must submit a fingerprint card which shall be forwarded to the Washington State Patrol for a criminal history check, and for each applicant who has not resided in the state of Washington for two years, a Federal Bureau of Investigation check shall also be conducted. A status review on all professional licenses will be conducted for each applicant. The applicant will furnish whatever additional information or proof may be required in the course of investigating the applicant.

D. Refunds and Transfers.

1. For all applicants there is a nonrefundable administration fee totaling one half the amount of the examination fee.
2. An applicant may withdraw from the current examination by written request received at least 14 days prior to the date set for the examination and may also request a refund of the fee less the administration fee.
3. ~~An applicant may withdraw from the current examination and apply the examination fee to the next examination only, and only upon the following conditions: the written request to transfer must be received at least 14 days prior to the date set for the examination, and the applicant must repay the administration fee.~~
4. 3. An applicant withdrawing an application ~~or requesting to transfer to the next examination~~ less than 14 days prior to the date set for the examination will receive no refund of any kind.

5. 4. If the application is denied before the examination, the examination fee less the nonrefundable administration fee will be refunded. If the applicant reapplies to sit for the examination, the applicant will pay the full examination fee then required of all applicants.

6. 5. If an applicant fails the examination and applies to repeat the next scheduled examination, the examination fee shall be the amount set by the Limited Practice Board with the approval of the Supreme Court.

7. ~~Any applicant transferring to the next examination or repeating the examination may execute and file a Supplemental Declaration in the form prescribed by the Limited Practice Board in lieu of a new application provided not more than one year passes from the date the applicant submitted an application; otherwise, the applicant must submit a new application.~~

E. Filing Deadline. An applicant must file the application to take the LPO examination ~~not less than 30 days prior to the examination date~~ by the deadline established by the Board. No applications will be accepted ~~less than 30 days prior to the examination date~~ after the deadline.

REGULATION 3: APPROVAL OR DENIAL OF APPLICATION

[no change]

REGULATION 4: DENIAL OF APPLICATION—RIGHT OF APPEAL

[no change]

REGULATION 5: ADMINISTRATION OF EXAMINATION

[no change]

REGULATION 6: EXAMINATION STANDARDS AND NOTIFICATION OF RESULTS

[no change]

REGULATION 7: FINANCIAL RESPONSIBILITY REQUIREMENT

Each limited practice officer shall show proof of ability to respond in damages resulting from his or her acts or omissions in the performance of services permitted under APR 12 in one of the following described manners.

- (1) Submitted an individual policy for Errors and Omissions insurance in the amount of at least \$100,000;
- (2) Submitted an Errors and Omissions policy of the employer or the parent company of the employer who has agreed to provide coverage for the applicant's ability to respond in damages in the amount of at least \$100,000;
- (3) Submitted the applicant's audited financial statement showing the applicant's net worth to be at least \$200,000; ~~or~~
- (4) Submitted an audited financial statement of the employer or other surety who agrees to respond in damages for the applicant, indicating net worth of \$200,000 per each limited practice officer employee to and including five and an additional \$100,000 per each limited practice officer employee over five, who may be subject to the jurisdiction of the Limited Practice Board; or

(5) Submitted proof of indemnification of the limited practice officer's government employer.

REGULATION 8: CERTIFICATION OF RESULTS TO SUPREME COURT; OATH

A. Admission Order. The Limited Practice Board will submit to the Washington State Supreme Court the names of those persons who have passed the examination for admission pursuant to APR 12, taken the oath as prescribed by these rules, and furnished proof of the applicant's financial responsibility requirement pursuant to regulation 7.

The names of successful applicants will be submitted only after compliance with APR 12 and these Regulations, and the applicants will be admitted under APR 12 only after the admission order has been entered by the Supreme Court.

Each successful applicant shall complete all the requirements for certification within nine (9) months of the date the applicant is notified of the examination results. If an applicant fails to satisfy all the requirements for certification within this period, the applicant shall not be eligible for admission under APR 12 without submitting a new application for admission.

B. Contents of Oath. The oath which all applicants shall take is as follows:

OATH FOR LIMITED PRACTICE OFFICERS

STATE OF WASHINGTON

COUNTY OF _____

I, _____, do solemnly declare:

1. I am fully subject to the laws of the State of Washington and Rule 12 of the Admission ~~to~~ and Practice Rules and APR 12 Regulations adopted by the Washington State Supreme Court and will abide by the same.

2. I will support the constitutions of the State of Washington and of the United States of America.

3. I will abide by the Limited Practice Officer Rules of Professional Conduct and Rules for Enforcement of LPO Conduct approved by the Supreme Court of the State of Washington.

4. I will confine my activities as a Limited Practice Officer to those activities allowed by law, rule and regulation and will only utilize documents approved pursuant to APR 12.

5. I will faithfully disclose the limitations of my services, that I am not able to act as the advocate or representative of any party, that documents prepared will affect legal rights of the parties, that the parties' interests in the documents may differ, that the parties have a right to be represented by a lawyer of their own selection, and that I cannot give legal advice regarding the manner in which the documents affect the parties.

6. I understand that I may incur personal liability if I violate the applicable standard of care of a Limited Practice Officer. Also, I understand that I only have authority to act as a Limited Practice Officer during the times that my financial responsibility coverage is in effect. If I am covered under my employer's errors and omissions insurance policy or by my employer's certificate of financial responsibility, my coverage is limited to services performed in the course of my employment.

Signature Limited Practice Officer

Subscribed and sworn to before me this ____ day of _____, _____.

JUDGE

REGULATION 9: ANNUAL FEE

A. Except as set forth in section B of this Regulation, every Limited Practice Officer shall pay an annual fee in an amount set by the Limited Practice Board with the approval of the Supreme Court, which is due on or before July August 1 of each year and shall cover the annual license period of July 1 to June 30. Annual fees paid after ~~July 15~~ August 1 shall be subject to a late fee equal to one-half the annual fee. Failure to pay the annual fee shall subject the LPO to suspension from limited practice as a Limited Practice Officer. The Board shall provide at least 30 days written notice of intent to seek suspension to an LPO at the LPO's address of record. Written notice shall be sent by certified mail. After such notice, the Court may enter an order suspending the LPO from limited practice. If the LPO fails to comply with conditions for reinstatement pursuant to Regulation 10 within 9 months of the date of suspension, the license of the suspended LPO will be revoked.

B. The prorated annual fee for LPOs who pass the qualifying examination given in the spring and who request active status prior to July 1 of that same calendar year shall be one half the amount of the annual fee. LPOs shall pay the annual fee set forth in Regulation 9(A) to retain their active status after June 30 of the calendar year of their admission.

C. An LPO shall provide his or her residential address to the Board at the time of payment of the annual fee.

REGULATION 10: REINSTATEMENT AFTER SUSPENSION FOR NONPAYMENT OF ANNUAL FEE

[no change]

REGULATION 11: CONTINUING FINANCIAL RESPONSIBILITY AND TRUST ACCOUNT DECLARATIONS

~~Each LPO shall either be insured or covered under the financial statement of an employer or employer's parent company or other surety at all times as specified in Regulation 7. If the LPO is covered under a financial statement, the LPO, employer, employer's parent company or other surety who has assumed such financial responsibility shall annually file with the Limited Practice Board, by July 1, the audited financial statement for the most recent fiscal year of the financially responsible party indicating net worth.~~

A. Each active LPO shall certify annually by August 1 continued financial responsibility in the form and manner as prescribed by the Board. Each LPO shall notify the Limited Practice Board of any cancellation or lapse in coverage.

B. Each active LPO shall certify annually compliance with Rules 1.12A and 1.12B of the LPO Rules of Professional Conduct. Such declaration shall be filed by August 1 in

a form and manner as prescribed by the Board and shall include the bank where each account is held and the account number.

~~C. During any period that an LPO is not covered has not reported~~ in accordance with these Regulations, or is not on inactive status pursuant to Regulation 13, the license of the LPO shall be suspended. ~~The Board shall provide at least 30 days written notice of intent to seek suspension to an LPO at the LPO's address of record. Written notice shall be sent by certified mail. After such notice, the Court may enter an order suspending the LPO from limited practice.~~ Each suspended LPO must demonstrate compliance with the requirements of APR 12 within nine (9) months of the date of the suspension or the license of the suspended LPO will be revoked.

REGULATION 12: CONTINUING EDUCATION

Every LPO shall attend a minimum of ten (10) hours of approved continuing education during each ~~calendar~~ license year (July 1 to June 30). Two (2) hours of the required ten (10) hours of continuing education shall be on liability issues. If an LPO completes more than ten (10) credit hours in a given ~~calendar~~ license year, the excess credit, up to ten credits, may be carried forward and applied to such LPO's education requirements for the next ~~calendar~~ license year.

Every LPO shall submit proof of compliance with the continuing education attendance requirements by filing an Affidavit of Attendance as prescribed by the Continuing Education Regulations of the Limited Practice Board. Failure to comply with the continuing education requirements will subject the LPO to suspension of license as a Limited Practice Officer. ~~The Board shall provide at least 30 days written notice of intent to seek suspension to an LPO at the LPO's address of record. Written notice shall be sent by certified mail. After such notice, the Court may enter an order suspending the LPO from limited practice.~~ If the suspended LPO fails to comply with conditions for reinstatement pursuant to Continuing Education Regulations of the Limited Practice Board within nine (9) months of the date of suspension, the license of the suspended LPO will be revoked.

REGULATION 13: INACTIVE STATUS

[no change]

REGULATION 14: VOLUNTARY CERTIFICATION CANCELLATION

[no change]

REGULATION 15: CHANGE IN STATUS

[no change]

REGULATION 16. REINSTATEMENT AFTER REVOCATION

[no change]

REGULATION 17: ~~[RESERVED]~~ RECORDS DISCLOSURE

A. The Board shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of this Regulation or any other Rules and Regulations applicable to Limited Practice Officers (LPOs). A "public record" is defined as written information, regardless of physical form or characteristic, that has been

made or received by the Limited Practice Board in connection with the transaction of public business.

~~B. To the extent required to prevent an unreasonable invasion of the privacy interests set forth in these Regulations, the Board shall delete identifying details in a manner consistent with the Regulations when it makes available or publishes any public record.~~

~~C. No fee shall be charged for the inspection of public records. The fee charged for the copying of public records shall be the same fee charged by the Washington State Bar Association for making copies of public records.~~

~~D. The Board shall not distinguish among persons requesting records, and such persons shall not be required to provide information as to the purpose for the request except to establish whether inspection and copying would violate a statute, court order or rule which exempts or prohibits disclosure of specific information or records.~~

~~E. The following records are exempt from public inspection and copying:~~

~~1. Test questions, scoring keys and other examination data used by the Board to administer the qualifying examination.~~

~~2. Preliminary drafts, notes, recommendations, and intra-Board memorandums in which opinions are expressed or policies formulated or recommended.~~

~~3. Records which are relevant to a controversy to which the Board is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.~~

~~4. The residential address and residential telephone number of a limited practice officer.~~

~~5. Membership information; however, status, business addresses, business telephone numbers, facsimile numbers, electronic addresses, license number and dates of admission shall not be exempt.~~

~~6. Applications for admission to limited practice and related records.~~

~~F. The disclosure of records in disciplinary files shall be governed by Title 3 of the Rules for Enforcement of LPO Conduct.~~

~~G. The exemptions to disclosure set forth in this Regulation shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or fall within an exemption, can be deleted from the specific records sought.~~

~~H. Responses to requests for public records shall be made promptly by the Board. Within five business days of receiving a public record request, the Board must respond by either (1) providing the record; or (2) acknowledging the request and providing a reasonable time estimate for responding to the request; or (3) denying the request. The Board may ask the requestor to clarify the request. If the requestor fails to clarify the request, the Board may deny the request. Denials of request must be accompanied by a written statement of the specific reasons therefore.~~

~~I. Whenever the Clerk concludes that a public record is exempt from inspection and copying, the person may appeal that decision to the Board, whose decision is final.~~

~~J. The disclosure of information under this section should not violate an individual's right to privacy by amount-~~

ing to a disclosure of information about that person that would be highly offensive to a reasonable person and is not of legitimate concern to the public.

REGULATION 18: NOTICE AND FILING; ADMINISTRATION

All notices and filings required by these Regulations, including applications for admission as a Limited Practice Officer, shall be sent to the headquarters of the Washington State Bar Association. The Washington State Bar Association shall provide administrative support for the Limited Practice Board pursuant to APR 12 (b)(3). "Clerk" as used in these regulations means WSBA staff designated to support the Board.

REGULATION 19: AMENDMENT

These Regulations may be altered, amended, or repealed by vote of the Board on approval of ~~the Board of Governors and~~ the Supreme 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 Register pursuant to the requirements of RCW 34.08.040.

WSR 15-14-004

AGENDA

DEPARTMENT OF CORRECTIONS

[Filed June 18, 2015, 8:04 a.m.]

Following is the department of corrections' semi-annual rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

JULY 1 - DECEMBER 31, 2015

WAC Chapter or Section	Purpose
137-80	Institutional industries.
137-104	Community custody violation hearings.

John Nispel
Rules Coordinator

WSR 15-14-002

POLICY STATEMENT

DEPARTMENT OF

FISH AND WILDLIFE

[Filed June 17, 2015, 1:09 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT

Title of Policy Statement: Willapa Bay Salmon Management (C3622).

Issuing Entity: Washington fish and wildlife commission.

Subject Matter: The objective of this policy is to achieve the conservation and restoration of wild salmon in Willapa Bay and avoid Endangered Species Act designation of any salmon species. Where consistent with this conservation objective, the policy also seeks to maintain or enhance the economic well-being and stability of the commercial and recreational fishing industry in the state, provide the public with outdoor recreational experiences, and an appropriate distribution of fishing opportunities throughout the Willapa Bay basin. Enhanced transparency, information sharing, and improved technical rigor of fishery management are needed to restore and maintain public trust and support for management of Willapa Bay salmon fisheries.

Located at <http://wdfw.wa.gov/commission/policies/c3622.html>.

Effective Date: June 13, 2015.

Contact Person: Tami Lininger, Executive Assistant, Washington Fish and Wildlife Commission, 600 Capitol Way North, Olympia, WA 98501-1091, (360) 902-2267, commission@dfw.wa.gov.

WSR 15-14-005

AGENDA

UTILITIES AND TRANSPORTATION

COMMISSION

ENERGY FACILITY SITE

EVALUATION COUNCIL

[Filed June 18, 2015, 8:35 a.m.]

The Washington utilities and transportation commission (UTC) submits its semi-annual rule[s] development agenda report for publication in the Washington State Register pursuant to RCW 34.05.314. This report also includes the rule[s] development agenda for the energy facility site evaluation council (EFSEC).

Please direct any questions to Kippi Walker at (360) 664-1139 or kwalker@utc.wa.gov.

UTC

Semi-Annual Rules Development Agenda

(July 1 - December 31, 2015)

This report is the UTC's semi-annual report rule[s] development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

Additional rule-making activity not on the agenda may be undertaken to meet conditions not now anticipated.

Dates that are in "bold" print, indicate that filing has occurred. All other dates are projected. The commission maintains a schedule of rule-making activity that is updated several times per month. See <www.utc.wa.gov>.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
CURRENT:						
480-07	Procedural rules.	Greg Kopta (360) 664-1355	3/20/13	To be determined	To be determined	Examine the need to revise and clarify rules in chapter 480-07 WAC, Procedural rules.
480-70	Solid waste and/or refuse collection companies.	Danny Kermode (360) 664-1253	7/17/13	To be determined	To be determined	Consider whether to adopt rules governing the methodology for establishing the rate of return for solid waste collection companies (Lurito-Gallagher).
480-109	Energy Independence Act (EIA) revisions.	Dave Nightingale (360) 664-1154	10/2/13	9/3/14 3/12/15 (CR-102 cont.)	11/5/14	Modify current rules to reflect statutory changes adopted in 2012 in ESB [ESSB] 5575 and new changes from 2013 session, including SB 5297, HB 1154, and SSB 5400, as well as other issues involving implementation of the EIA.
480-54	Pole attachment rule making.	Greg Kopta (360) 664-1355	4/22/14	7/22/15	9/17/15	Consider adoption of rules to implement chapter 80.54 RCW, relating to attachments to transmission facilities.
480-90 480-100	Correcting gas and electric meter and billing problems.	Roger Kouchi (360) 664-1101	2/18/15	9/15	11/15	Consider the need to modify existing rules in chapters 480-90 (gas) and 480-100 (electric) WAC to establish standard timeframes in which energy companies must correct meter and billing problems.
480-110	Water companies rule making.	Chris Rose (360) 664-1303	9/17/14	To be determined	To be determined	Consider whether to adopt rules within chapter 480-110 WAC to improve the financial and management capacity of water companies, provide incentives for companies to make appropriate investments and for viable companies or public entities to acquire struggling water systems that have the potential to be stabilized and improved through consolidation and investment.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
480-62	Rail safety rule making.	Jason Lewis (360) 664-1206	5/20/15	To be determined	To be determined	Consider rules with [within] chapter 480-62 WAC to update railroad annual reporting requirements on financial responsibility and safety standards for private crossings and to provide opportunities for first-class cities to opt-in to the commission crossing safety program.
480-30	Party bus safety rule making.	Suzanne Stillwell (360) 664-1224	6/17/15	To be determined	To be determined	Determine if rule making is necessary for the sole purpose of implementing SSB 5362, which requires chapter 81.70 RCW to include transportation of persons by party bus over any public highway within the state as a charter party carrier.
PROPOSED:						
"999" sections in various chapters of Title 480 WAC	Adoption by reference expedited rule making.	Lynda Holloway (360) 664-1118		(CR-105) To be determined	N/A	Annual update of the citations to material that's incorporated by reference.
480-100-238 480-90-238	Integrated resource planning (IRP).	Deborah Reynolds (360) 664-1255	To be determined	To be determined	To be determined	Consider modifying current electric IRP rules to reflect statutory changes adopted in 2013 in EHB 1826. Further consider modifying gas IRP rules to match electric IRP rules.

**EFSEC
Semi-Annual Rules Development Agenda
(July 1 - December 31, 2015)**

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
CURRENT:						
463-78	Air quality permitting.	Jim La Spina (360) 664-1362		(CR-105) 5/6/15	N/A	Amend existing rule: 1. In response to EPA rule revisions in 40 C.F.R. Parts 51, 52, 70 and 71 - Greenhouse gas permitting deferment for biomass-fired emission sources.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
						2. To be consistent with department of ecology rule revisions addressing new source review and additional prevention of significant deterioration issues in chapters 173-400 and 173-301 WAC.
PROPOSED:						
Title 463 WAC	Administrative updates.	Stephen Posner (360) 664-1903		(CR-105) To be determined	N/A	Amend multiple chapters of Title 463 WAC to reflect EFSEC's administrative incorporation into UTC, such as EFSEC's street address, and other changes specifically dictated by statutory revisions.
Title 463 WAC	Process updates.	Stephen Posner (360) 664-1903	To be determined	To be determined	To be determined	Inquiry to examine whether EFSEC should adopt new or modify existing rules to address process changes related to siting and compliance monitoring.

Steven V. King
Executive Director
and Secretary

WSR 15-14-006
NOTICE OF PUBLIC MEETINGS
MINT COMMISSION
[Filed June 18, 2015, 10:24 a.m.]

Please note the following meeting date changes for the Washington mint commission meetings.

The Washington mint commission has changed the following regular meetings:

From: Tuesday, August 18, 2015
To: Tuesday, September 29, 2015

and

From: Tuesday, October 27, 2015
To: Tuesday, November 3, 2015

If you need further information contact Shane Johnson, 100 North Fruitland Street, Suite B, Kennewick, WA 99336, (509) 585-5460, (509) 585-2671, shanej@agmgt.com.

WSR 15-14-007
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE
[Filed June 18, 2015, 11:23 a.m.]

The associated students of Bellingham Technical College will hold a special meeting on Friday, June 19, 2015, at 3:00 p.m., in the Campus Center, Room 300 on the Bellingham Technical College campus. The purpose of the meeting will be to discuss: Summer meeting times, the executive team hang out, the executive team retreat, and executive team interim positions. Action may be taken in open session as a result of discussion. (RCW 42.30.110 (1)(g).) Call 752-8443 for information.

WSR 15-14-015
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
(Home Inspector Board)
[Filed June 22, 2015, 9:47 a.m.]

The following change has been made to the September meeting: September 3, 2015, date has been changed to September 17, 2015, 9:00 a.m. to (until completion of business),

at the Red Lion at the Park, 303 West North River Drive, Spokane, WA 99201.

WSR 15-14-017
HEALTH CARE AUTHORITY

[Filed June 22, 2015, 10:44 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 15-0028 Outpatient Hospital Payments.

Effective Date: July 16, 2015.

Description: The health care authority (HCA) intends to submit medicaid SPA 15-0028 to reflect current policy and practice for paying hospital outpatient facilities. The changes will update the effective date of the outpatient fee schedule and reflect the annual changes to the hospital conversion factors.

This SPA will update the medicaid state plan so it reflects current practice and policy; no major program changes are anticipated. This SPA is anticipated to have no effect on annual aggregate expenditures.

The SPA is in the development process; therefore a copy is not yet available for review.

For additional information, contact Jean Bui, HCA, Office of Professional and Hospital Rates, 626 8th Avenue S.E., P.O. Box 45502, Olympia, WA 98504, phone (360) 725-1973, e-mail jean.bui@hca.wa.gov.

WSR 15-14-020
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION

[Filed June 22, 2015, 3:06 p.m.]

The following date and time is for the June 30, 2015, special commission meeting: June 30, 2015, at 9:30 a.m., conference call, 711 South Capitol Way, Suite 402, Olympia, WA 98504.

WSR 15-14-026
HEALTH CARE AUTHORITY

[Filed June 23, 2015, 8:12 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 15-0033.

Effective Date: July 15, 2015.

Description: The health care authority (agency) intends to submit SPA 15-0033 to request a twelve-month exception period to the federal requirement for a recovery audit contractor (RAC). This is to allow the agency time to reevaluate the services to include in the RAC contract expected to be entered into before July 1, 2016. Because this SPA is requesting an exception, there will be no effect on annual aggregate expenditures.

The SPA is in the development process; therefore a copy is not yet available for review. To contact the agency for additional information and a copy of the SPA when it becomes available, please contact Martin Thies, Section Manager, Office of Program Integrity, 626 8th Avenue S.E., Olympia, WA 98504, phone (360) 725-1043, TDD/TTY 800-848-5429, fax (360) 586-0212, e-mail martin.thies@hca.wa.gov.

WSR 15-14-032

AGENDA

WASHINGTON STATE PATROL

[Filed June 23, 2015, 11:33 a.m.]

Semi-Annual Rule-Making Agenda
July through December 2015

The following is the Washington state patrol's (WSP) semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

If you have any questions about this rule-making agenda, please contact Melissa Van Gorkom, Rules Coordinator, P.O. Box 42600, Olympia, WA 98504-2600, phone (360) 596-4017, fax (360) 596-4015, e-mail WSPrules@wsp.wa.gov.

WAC Citation	Subject Matter	Current Activity/Approximate Filing Date		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
Chapter 204-10 WAC	The proposed changes would provide clean up to existing language, updates to equipment standards and adoption of CRR standards.	May 28, 2015 WSR 15-12-046	July 2015	September 2015

WAC Citation	Subject Matter	Current Activity/Approximate Filing Date		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
Chapter 204-21 WAC	The proposed changes provide clean up to portions of the chapter.	NA	May 28, 2015 WSR 15-12-052	September 2015
Chapter 204-44 WAC	The proposed changes provide clean up to the entire chapter and establish requirements for passenger vehicle load securement.	May 28, 2015 WSR 15-12-047	July 2015	September 2015
WAC 204-91A-120	The proposed changes will amend office hours to coincide with the passage of SB 5207 and outline the required notification regarding office closure and documentation when [no further information supplied by agency].	May 28, 2015 WSR 15-12-048	July 2015	September 2015
Chapter 212-75 WAC	The proposed changes will repeal one section and provide clean up to the rest of the chapter.	NA	May 28, 2015 WSR 15-12-050	September 2015
Chapter 446-80 WAC	The proposed changes will provide clean up to the entire chapter.	NA	June 1, 2015 WSR 15-12-083	September 2015
New chapter in Title 446 WAC	With the passage of SB [ESSB] 5158 during the 2015 regular session there is a need to adopt rules regarding the timeliness and formatting of reports to emergency communications database.	May 28, 2015 WSR 15-12-049	July 2015	September 2015
Chapter 212-17 WAC	It is anticipated that there may need to be changes to this chapter which will include but may not be limited to cleaning up outdated language.	August 19, 2014 WSR 14-17-107	November 24, 2014 WSR 14-24-043 Supplemental CR-102 July 2015	September 2015
Chapter 204-50 WAC	It is anticipated that there may need to be changes to this chapter to provide clean up to existing language and to coincide with legislative changes that may be brought forward during the 2015 special legislative session.	June 23, 2015 WSR 15-14-030	August 2015	October 2015
WAC 446-20-040	The proposed changes would provide clarification with regard to records with deferred prosecution.	June 23, 2015 WSR 15-14-029	August 2015	October 2015
Chapter 446-70 WAC	The proposed changes will provide clean up to the entire chapter.	June 23, 2015 WSR 15-14-025	August 2015	October 2015
Chapter 448-15 WAC	The proposed changes would provide clean up to the entire chapter.	June 23, 2015 WSR 15-14-027	August 2015	October 2015
Chapter 448-16 WAC	The proposed changes would provide clean up to WAC 448-16-020, 448-16-040, 448-16-080, and 448-16-120 of this chapter.	June 23, 2015 WSR 15-14-028	August 2015	October 2015

WAC Citation	Subject Matter	Current Activity/Approximate Filing Date		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
Chapter 446-65 WAC	The proposed changes would provide clean up to portions of this chapter.	September 2015	November 2015	December 2015
Chapter 212-12 WAC	The proposed changes would provide clean up to portions of this chapter.	September 2015	November 2015	December 2015
Chapter 212-80 WAC	The proposed changes would provide clean up to portions of this chapter.	September 2015	November 2015	December 2015

Melissa Van Gorkom
Rules Coordinator

WSR 15-14-037

AGENDA

**RECREATION AND CONSERVATION
OFFICE**

(Recreation and Conservation Funding Board)
(Salmon Recovery Funding Board)

[Filed June 23, 2015, 6:24 p.m.]

**SEMI-ANNUAL RULE DEVELOPMENT AGENDA
JULY - DECEMBER 2015**

Following is the semi-annual rule-making agenda for the recreation and conservation funding board and salmon recovery funding board, prepared by the recreation and conservation office, for publication in the Washington State Register pursuant to RCW 34.05.314. There may be additional rule-making activity not on the agenda as conditions warrant.

If you have questions about this rule-making agenda, please contact Leslie Connelly, Rules Coordinator, P.O. Box 40917, Olympia, WA 98504-0917, (360) 902-3080, or leslie.connelly@rco.wa.gov.

WAC Title, Chapter or Section(s)	Purpose of Rule Being Developed or Amended	Current Activity		
		Preproposal (CR- 101)	Proposal (CR-102) Expedited (CR-105)	Permanent (CR-103)
Chapter 420-04	Update sections including definitions, project selection, final decisions, and public records.	2/3/2015	9/2/2015	10/17/2015
Chapter 420-12	Update sections including applications, deadlines, matching resources, project agreement, costs, repayment, and conversions.	2/3/2015	9/2/2015	10/17/2015
Chapter 286-04	(1) Update definitions and add new definitions; (2) Update board and agency goals; (3) Repeal WAC 286-04-090 history of fund sources.	3/31/2015	5/19/2015	7/6/2015

WAC Title, Chapter or Section(s)	Purpose of Rule Being Developed or Amended	Current Activity		
		Preproposal (CR- 101)	Proposal (CR-102) Expedited (CR-105)	Permanent (CR-103)
Chapter 286-13	(1) Add new sections on grant compliance, planning requirements for grant eligibility, and grant matching requirements; (2) Update sections on projects agreement requirements, retroactive and increased costs, and income and income use; (3) Clarify federal program requirements; and (4) Repeal section on federal assistance.	3/31/2015	8/5/2015	9/18/2015
Chapter 286-42	Repeal unnecessary definitions.	3/31/2015	8/5/2015	9/18/2015
Chapters 286-26, 286-27, 286-35, and 286-42	Repeal sections on long-term compliance and matching requirements. (These sections will be addressed in chapter 286-13 WAC.)	3/31/2015	8/5/2015	9/18/2015
Chapter 286-30	Repeal section on matching requirements. (This section will be addressed in chapter 286-13 WAC.)	3/31/2015	8/5/2015	9/18/2015
Chapter 286-40	Repeal chapter. (This chapter will be addressed in chapter 286-04 WAC.)	3/31/2015	8/5/2015	9/18/2015

WSR 15-14-043
HEALTH CARE AUTHORITY

[Filed June 24, 2015, 12:48 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 15-0036.

Effective Date: August 1, 2015.

Description: The health care authority (the agency) intends to submit medicaid SPA 15-0036 regarding the process used to identify the appropriate federal medical assistance percentage (FMAP) to be claimed for services provided to certain individuals who became eligible for medicaid under the Affordable Care Act. These are individuals who are also receiving cash assistance under the state's adult blind and disabled (ABD) program. The agency has streamlined the FMAP rate identification process; SPA 15-0036 updates the state plan to reflect the streamlined process.

This SPA will have no effect on annual aggregate expenditures.

For additional information and to request a copy of the SPA when it becomes available, contact the agency via Stephen Kozak, Eligibility Policy and Service Delivery, P.O. Box 45534, Olympia, WA 98504-5534, phone (360) 725-1343, TDD/TTY 800-848-6529, fax (360) 664-2186, e-mail Stephen.kozak@hca.wa.gov.

WSR 15-14-045
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE

[Filed June 24, 2015, 2:02 p.m.]

Amended Notice
Associated Students of Bellingham Technical College
Executive Team Meeting Schedule

Following is the amended schedule of regular meetings for the associated students of Bellingham Technical College executive team for June 2015. Meetings are held Wednesdays in Campus Center Room 300 unless otherwise designated:

Date	Time
June 3	3:10-5:00 p.m.
June 10	3:10-5:00 p.m.
June 17	3:10-5:00 p.m.
June 26 (Friday)	10:00-12:00 p.m.

If you need further information contact Melisa Nelson at (360) 752-8443 or e-mail mnelson@btc.ctc.edu.

WSR 15-14-048
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE

[Filed June 24, 2015, 2:43 p.m.]

Amended Notice
Associated Students of Bellingham Technical College
Executive Team Meeting Schedule

Following is the amended schedule of regular meetings for the associated students of Bellingham Technical College executive team for June 2015. Meetings are held Wednesdays in Campus Center Room 300 unless otherwise designated:

Date	Time
June 3	3:10-5:00 p.m.
June 10	3:10-5:00 p.m.
June 17	3:10-5:00 p.m.
June 24	3:10-5:00 p.m.

If you need further information contact Melisa Nelson at (360) 752-8443 or e-mail mnelson@btc.ctc.edu.

WSR 15-14-049
NOTICE OF PUBLIC MEETINGS
COMMUNITY ECONOMIC
REVITALIZATION BOARD

[Filed June 24, 2015, 3:23 p.m.]

The community economic revitalization board (CERB) regular meeting scheduled for 9:00 a.m., July 16, 2015, has been changed.

The meeting will be conducted via a conference call. Persons wishing to participate and/or monitor the meeting may do so by appearing at the Department of Commerce, 1011 Plum Street S.E., Building 5, First Floor, Columbia River Room, Olympia, WA 98504, at 9:00 a.m.

Agenda items are those noted on the published agenda, which will appear on the CERB web site on July 9, 2015.

Please contact the CERB main line at (360) 725-2744 for additional information.

WSR 15-14-050
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE

[Filed June 24, 2015, 4:19 p.m.]

The associated students of Bellingham Technical College will hold a special meeting on Friday, June 26, 2015, at 10:00 a.m., in the Campus Center, Room 300 on the Bellingham Technical College campus. The purpose of the meeting will be to discuss the summer meeting schedule and the interim director of legislation and director of administrative affairs-minutes positions. Action may be taken in open session as a result of discussion. (RCW 42.30.110 (1)(g).) Call 752-8443 for information.

WSR 15-14-051
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE

[Filed June 24, 2015, 4:37 p.m.]

Associated Students of Bellingham Technical College
Executive Team Meeting Schedule

Following is the schedule of regular meetings for the associated students of Bellingham Technical College executive team for July 2015. Meetings are held Wednesdays in Campus Center Room 300 unless otherwise designated:

Date	Time
July 17	10:00-12:00 p.m.
July 24	10:00-12:00 p.m.
July 31	10:00-12:00 p.m.

If you need further information contact Melisa Nelson at (360) 752-8443 or e-mail mnelson@btc.ctc.edu.

WSR 15-14-056
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION

[Filed June 25, 2015, 3:21 p.m.]

The following date and time is for the June 30, 2015, special commission meeting: June 30, 2015, at 4:00 p.m., Conference Call, 711 South Capitol Way, Suite 402, Olympia, WA 98504.

WSR 15-14-060
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE

[Filed June 25, 2015, 3:49 p.m.]

Following is a revision to the 2015 regular meeting schedule of the Edmonds Community College board of trustees.

A special meeting will be held on June 30, 2015, at 8:00-9:00 a.m., in Gateway Hall 301, 6600 196th Street S.W., Lynnwood, WA.

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

WSR 15-14-068
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH

(Nursing Commission)

[Filed June 26, 2015, 12:41 p.m.]

The nursing commission has a meeting scheduled July 9 and 10. If the state budget has not been approved by 4:00 on June 30, this meeting will be cancelled. All business will be moved to the September 11, 2015, meeting.

WSR 15-14-069
NOTICE OF PUBLIC MEETINGS
HORSE RACING COMMISSION

[Filed June 26, 2015, 12:44 p.m.]

The Washington horse racing commission is revising its published notice of 2015 meeting dates and locations.

The meeting scheduled for August 14, 2015, will now be held at Emerald Downs, 2300 Emerald Downs Drive, Auburn, WA 98001.

WSR 15-14-094
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY

[Filed June 30, 2015, 7:46 a.m.]

BOARD OF REGENTS
NOTICE OF SPECIAL MEETING
 Tuesday, July 7, 2015

The board of regents of Washington State University will hold a special meeting on Tuesday, July 7, 2015, beginning at 10:00 a.m., via teleconference. The meeting will be held in French Administration 422B on the WSU Pullman Campus.

The regents will hold an executive session to discuss the performance of a public employee. Action may be taken as a result of executive session.

Questions about the board of regents meeting and schedule may be directed to Desiree Jacobsen, executive assistant to the board of regents, (509) 335-4200.

WSR 15-14-098
AGENDA
WASHINGTON STATE UNIVERSITY

[Filed June 30, 2015, 9:00 a.m.]

Semi-Annual Agenda for Rules Under Development
July 2015

Pursuant to RCW 34.05.314, the following is Washington State University's semi-annual agenda for Washington Administrative Code (WAC) rules under development for the period of July 1 through December 31, 2015. Additional rule-making activity not now anticipated may also be added as conditions warrant between semi-annual agendas.

1. **Chapter 504-38 WAC, Health and safety regulations specific to WSU Pullman**, new health and safety policy and regulations for WSU Pullman. WSU seeks a tobacco-free campus to include all campus grounds, state-owned vehicles, and equipment at Pullman. This will be in addition to the WSU Spokane and WSU Vancouver campuses that are already tobacco-free. The Washington Clean Indoor Act currently prohibits smoking in public buildings and places of employment, as well as within twenty-five feet of doors, windows, and ventilation intakes. Anticipate filing CR-102 in July 2015. Anticipate filing CR-103 in November 2015, and effective in August 2016.

2. **Chapter 504-33 WAC, Facility use rules for first amendment/free speech activities**, rule-making amendments to rules regarding use of University facilities and locations for first amendment/free speech activities. Such amendments are intended to clarify language and to provide additional latitude for managing first amendment/free speech activities at university locations. Filed CR-101 in February 2015.

For more information regarding the semi-annual agenda, contact Deborah Bartlett, Rules Coordinator, Washington State University, P.O. Box 641225, Pullman, WA 99164-1225, phone (509) 335-2004, e-mail prf.forms@wsu.edu.

Deborah Bartlett
 Rules Coordinator

WSR 15-14-099
NOTICE OF PUBLIC MEETINGS
WALLA WALLA
COMMUNITY COLLEGE

[Filed June 30, 2015, 9:16 a.m.]

The board of trustees of Walla Walla Community College, District Number Twenty, has cancelled its July 15, 2015, meeting.

Please direct any questions to Jerri Ramsey at jerri.ramsey@wwcc.edu or by phone (509) 527-4274.

WSR 15-14-102
PUBLIC RECORDS OFFICER
SEATTLE COLLEGES

[Filed June 30, 2015, 11:05 a.m.]

Pursuant to RCW 42.56.580, the public records officer for the Seattle College District is Jennie Chen, 1500 Harvard Avenue, Seattle, WA 98122, phone (206) 934-3873, fax (206) 934-3803, e-mail sccdpublicrecordsrequest@seattlecolleges.edu.

Jill Wakefield
 Chancellor

WSR 15-14-107
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
 (Pharmacy and Therapeutics Committee)
 (Drug Utilization Review Board)

[Filed June 30, 2015, 1:32 p.m.]

The Washington state health care authority, prescription drug program has canceled the following pharmacy and therapeutics committee drug utilization review board regular meeting on **August 19, 2015**, 9:00 a.m. - 4:00 p.m., at the International A Conference Room, SeaTac Airport Conference Center, 17801 International Boulevard, Seattle, WA 98158.

If you need further information contact Leta Evaskus, 1511 3rd Avenue, Seattle, WA 98101, phone (206) 521-2029, e-mail Leta.evaskus@hca.wa.gov, web www.hca.wa.gov/pdp.

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

WSR 15-14-109
NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD
[Filed June 30, 2015, 2:15 p.m.]

NOTICE OF PUBLIC MEETINGS 2015:

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

- ~~January 22, 2015~~
- ~~February 6, 2015~~
- ~~March 6, 2015~~
- ~~April 3, 2015~~
- ~~May 8, 2015~~
- ~~June 5, 2015~~
- July 9, 2015**

CANCELLED

Administrative Review
8:30 a.m. to 5:00 p.m.
Washington Public Utility District Association Building
212 Union Avenue S.E.
Olympia, WA 98501

July 10, 2015
Administrative Review
8:30 a.m. to 5:00 p.m.
Washington Public Utility District Association Building
212 Union Avenue S.E.
Olympia, WA 98501

- August 7, 2015
- August 21, 2015**
- September 11, 2015
- October 22, 2015
- November 6, 2015
- December 4, 2015

Policy Retreat

Meeting to be held in Wenatchee, Washington

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

WSR 15-14-112
NOTICE OF PUBLIC MEETINGS
COLUMBIA BASIN COLLEGE
[Filed June 30, 2015, 3:50 p.m.]

The Columbia Basin board of trustees' will be having a *special* meeting on June 30, 2015, beginning at 4:00 p.m. and will be held in the CBC Beers Board Room.

WSR 15-14-113
NOTICE OF PUBLIC MEETINGS
OLYMPIC REGION
CLEAN AIR AGENCY
[Filed June 30, 2015, 4:21 p.m.]

The Olympic Region Clean Air Agency's board of directors has changed the following regular meeting:

From: November 11, 2015.
To: Cancelled.

If you need further information contact Debbie Moody, 2940 Limited Lane N.W., Olympia, (360) 539-7610, extension 114, fax (360) 491-6308, debbie.moody@orca.org, www.orcaa.org.

WSR 15-14-116
AGENDA
DEPARTMENT OF AGRICULTURE
[Filed July 1, 2015, 7:38 a.m.]

Following is the department of agriculture's semi-annual rules development agenda for the period of July 1 through December 31, 2015. This document is being sent in compliance with RCW 34.05.314.

The department may undertake additional rule-making activity as conditions warrant. If you have questions regarding the department's rule-making agenda, please call Teresa Norman at (360) 902-2043 or e-mail tnorman@agr.wa.gov.

Semi-Annual Rules Agenda
July 1 - December 31, 2015
P.O. Box 42560
Olympia, WA 98504-2560

WAC Number	Rule Title	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
Director's Office						
16-08	Practice and procedure	Elizabeth McNagny Administrative Regulations Phone (360) 902-1809	September 2014	TBD	TBD	Update rules of procedure applicable to adjudicative proceedings.
Animal Services						
16-54	Animal importation	Jodi Jones Animal Services Phone (360) 902-1889	June	August	October	Virgin bull definition for bovine trichomoniasis.
16-86	Cattle and bison diseases in Washington state	Jodi Jones Animal Services Phone (360) 902-1889	June	August	October	Virgin bull definition for bovine trichomoniasis.
16-610	Livestock brand inspection	Jodi Jones Animal Services Phone (360) 902-1889	June	August	October	Develop an electronic cattle transaction reporting system for milk producers licensed under chapter 15.36 RCW by establishing (1) criteria for utilizing the system, (2) fees to support the system, and (3) conditions of licensure.
16-54	Animal importation	Jodi Jones Division Coordinator Phone (360) 902-1889	August	October	January 2016	Vesicular stomatitis restrictions; exemptions to import health requirements for dogs, cats, and ferrets.
16-70	Animal diseases—Reporting	Jodi Jones Division Coordinator Phone (360) 902-1889	August	October	January 2016	Include high mortality as reportable.
16-71	Equine diseases in Washington state	Jodi Jones Division Coordinator Phone (360) 902-1889	August	October	January 2016	Change the number of days equine with vesicular stomatitis must be held in quarantine.
Commodity Inspection						
16-237-015	Covered commodities	Don Potts Commodity Inspection Division Phone (509) 533-2487	July	September	November	Add canola to the covered commodity list.
16-240	WSDA grain inspection program—Definitions, standards, and fees	Jason Ferrante Commodity Inspection Division Phone (360) 902-1921	February	August	November	Grain fees: Amend the refund mechanism language for greater flexibility.

WAC Number	Rule Title	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
16-301-235 to 16-301-440	Bean seed quarantine	Victor Shaul Commodity Inspection Division Phone (509) 249-6955	February	May	August	Add third inspection for fields under sprinkler irrigation or lab test to detect halo blight; add fourth inspection for trial grounds; eliminate NOI quarantine reporting form.
16-301-490 to 16-301-580	Crucifer seed quarantine	Victor Shaul Commodity Inspection Division Phone (509) 249-6955	February	May	August	Add eastern Washington to regulated area of crucifer quarantine, require testing and treatment for black leg and black rot fungus, and require tagging of crucifer seed planted in eastern Washington.
16-403	Standards for apples marketed in the state of Washington	Chuck Drago Commodity Inspection Division Phone (509) 249-6910	June	July	October	Apple standards: Plain talk rewrite.
16-414	Washington standards for cherries	Chuck Drago Commodity Inspection Division Phone (509) 249-6910	September	November	January 2016	Cherry standards: Plain talk rewrite.
Food Safety						
16-149	Cottage food	Claudia G. Coles Food Safety and Consumer Services Division Phone (360) 902-1905	July	October	December	Update the cottage food rule to include stove top candies; revise the gross sales from \$15,000 to \$25,000 per 2015 legislative action changes to chapter 69.22 RCW.
16-157	Organic food standards and certification	Brenda Book Food Safety and Consumer Services Division Phone (360) 902-2090	August	TBD	TBD	Remove mushroom standards due to conflict with federal standards. Update certification fee schedules.
16-167	Interstate commerce in foods	Claudia G. Coles Food Safety and Consumer Services Division Phone (360) 902-1905	November	TBD	TBD	Update this rule with FDA feed rules, changes to good manufacturing practices from 21 C.F.R. 110 to 21 C.F.R. 117 and possible new produce safety rules.
Plant Protection						

WAC Number	Rule Title	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
16-350	Registration and certification of fruit tree planting stock	Cindy Cooper Plant Services Program Manager Phone (360) 902-1984	June	August	September	The agency is considering modifying the certification requirements for prunus planting stock to align with the state level model regulatory standard for registration and certification program.
16-401	Nursery inspection fees	Cindy Cooper Plant Services Program Manager Phone (360) 902-1984	April	July	August	The agency is considering increasing the fees for nursery dealer licenses, requested inspections, plant sale permits, plant pest inspections, post entry quarantine site inspections, witnessing fumigations, phytosanitary certification of exports, compliance agreements, and other certificates/documents.
16-470	Quarantine— Agricultural pests (requested inspection fees)	Cindy Cooper Plant Services Program Manager Phone (360) 902-1984	April	July	August	The agency is considering increasing the fees for requested inspections, plant pest inspections, post entry quarantine site inspections, witnessing fumigations, phytosanitary certification of exports, compliance agreements, and other certificates/documents.
16-470	Quarantine— Agricultural pests	Jim Marra Pest Program Manager Phone (360) 902-2071	March	June	August	The agency is proposing to establish a special permit to allow transportation and distribution of solid waste, yard debris, organic feedstocks, organic materials, and agricultural wastes for disposal or treatment in the apple maggot and plum curculio pest-free area from the area under quarantine; and add these items to the regulated articles defined in the apple maggot quarantine.

WAC Number	Rule Title	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
16-662	Weights and measures—National handbooks	Jerry Buendel Weights and Measures Program Manager Phone (360) 902-1856	June	August	September	The agency is considering adopting, in whole or in part, the most recent National Institute of Standards and Technology (NIST) handbooks regarding requirements for: Weighing and measuring devices, net contents of packaged goods, legal metrology, and engine fuel quality.
16-752	Noxious weed seed and plant quarantine	Cindy Cooper Plant Services Program Manager Phone (360) 902-1984	June	August	September	The agency is considering adding additional species to the noxious weed seed and plant quarantine.

Teresa Norman
Rules Coordinator

WSR 15-14-118

DEPARTMENT OF AGRICULTURE

[Filed July 1, 2015, 7:45 a.m.]

2015 Petitions for Rule Making

The following information is being sent in order to implement RCW 1.08.112 [(1)](g) and WAC 1-21-180. The Washington state department of agriculture received one petition for rule making during the second quarter of 2015, which covers Washington State Registers 15-07 through 15-12.

Registers 15-01 through 15-06		
Date	Requestor	Subject
12/8/14	Department of ecology	Weed quarantine - <i>Gymnocoronis spilanthoides</i>
2/4/15	Department of ecology	Weed quarantine - <i>Marsilea mutica</i>
Registers 15-07 through 15-12		
3/9/15	Columbia Basin Vegetable Seed Association and Columbia Basin Vegetable Seed Field Representatives Association	White rot disease quarantine area and crucifer quarantine area

Teresa Norman
Rules Coordinator

WSR 15-14-120

AGENDA

DEPARTMENT OF REVENUE

[Filed July 1, 2015, 9:38 a.m.]

Semi-Annual Rule-Making Agenda
(July 1 - December 31, 2015)

Listed below is the department of revenue's (department) semi-annual rule-making agenda for publication in the Washington State Register. This list identifies rules the department is currently working on and rules the department anticipates working on during the next six months.

The department's rule-making agenda is also available on its web site. The information on this site is continually updated as the department files rule-making notices, or as it otherwise adds or deletes rules that it anticipates some action over the next six months. This includes rules that are added or deleted as a result of resource allocation, legislation, court decisions, or changes in rule-making priorities.

Subject of Rule Making	Rule Drafter	Preliminary Rule Proposal (CR-101 filing)	Proposed Rule (CR-102 or CR-105 filing)	Rule Adoption (CR-103 filing)	Description of Anticipated Changes
458-16-300 Public meeting hall—Public meeting place—Community meeting hall.	Leslie Mullin	WSR 15-03-083 public meeting on March 4, 2015	Anticipate CR-102 and public hearing in winter/spring 2016	Anticipate adoption in spring 2016	Recognize 2014 legislation
458-16A-010 Nonprofit homes for the aging.	Leslie Mullin	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-16A-020 Nonprofit homes for the aging—Initial application and annual renewal.	Leslie Mullin	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-16A-135 Senior citizen, disabled person, and one hundred percent disabled veteran exemption—Application procedures.	Leslie Mullin	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-18-100 Deferral of special assessments and/or property taxes—When payable—Collection—Partial payment.	Leslie Mullin	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-18-210 Refunds—Procedure—Interest.	Leslie Mullin	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-19-050 Port district levies.	Leslie Mullin	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-19-070 Five dollars and ninety cents statutory aggregate limit calculation.	Leslie Mullin	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-19-075 Constitutional one percent limit calculation.	Leslie Mullin	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation

Subject of Rule Making	Rule Drafter	Preliminary Rule Proposal (CR-101 filing)	Proposed Rule (CR-102 or CR-105 filing)	Rule Adoption (CR-103 filing)	Description of Anticipated Changes
458-20-100 Appeals.	Jay Jetter	WSR 15-02-088 public meeting held February 18, 2015 Stakeholder meeting on June 26, 2015 (draft rule here) Second stakeholder meeting anticipated summer 2015	Anticipate CR-102 and public hearing in summer 2015	Anticipate adoption in fall 2015	Update
458-20-101 Tax registration and tax reporting.	David Hesford	WSR 14-20-065 comments are due October 31, 2014	WSR 15-05-067 comments due March 30, 2015	Anticipate adoption in summer 2015	Update
WAC 458-20-102 Reseller permits.	Gayle Carlson	WSR public meeting on August 20, 2015, at 10:00 a.m.	Anticipate CR-102 and public hearing in fall 2015	Anticipate adoption in winter 2015	Update
WAC 458-20-10201 Application process and eligibility requirements for reseller permits.	Gayle Carlson	WSR 15-14-081 public meeting on August 13, 2015, at 10:00 a.m.	Anticipate CR-102 and public hearing in fall 2015	Anticipate adoption in fall 2015	Update
458-20-105 Employees distinguished from persons engaging in business.	Gayle Carlson	WSR 15-11-100 public meeting on June 24, 2015	Anticipate CR-102 and public hearing in summer/fall 2015	Anticipate adoption in winter 2015	Update
458-20-108 Returned goods, allowances, cash discounts. 458-20-278 Returned goods, defective goods and lemon law covered vehicles.	Gayle Carlson	WSR 15-05-058 public meeting on March 25, 2015	WSR 15-12-081 public hearing on July 14, 2015, at 1:30 p.m.	Anticipate adoption in summer/fall 2015	Update - WAC 458-20-278 will be a new rule that will incorporate portions of WAC 458-20-108
458-20-124 Restaurants, cocktail bars, taverns and similar businesses.	Gayle Carlson	N/A - anticipate CR-105	Anticipate CR-105 in summer/fall 2015	Anticipate adoption in winter 2015	Recognize 2015 legislation
458-20-141 Duplicating activities and mailing bureaus.	Mark Bohe	Anticipate CR-101 and public meeting in fall/winter 2015	Anticipate CR-102 and public hearing in winter/spring 2016	Anticipate adoption in spring/summer 2016	Recognize 2015 legislation
458-20-146 National and state banks, mutual savings banks, savings and loan associations and other financial institutions.	Gayle Carlson	WSR 14-21-161 public meeting is December 4, 2014	Anticipate CR-102 and public hearing in fall 2015	Anticipate adoption in winter/spring 2016	Update

Subject of Rule Making	Rule Drafter	Preliminary Rule Proposal (CR-101 filing)	Proposed Rule (CR-102 or CR-105 filing)	Rule Adoption (CR-103 filing)	Description of Anticipated Changes
458-20-153 Funeral directors. 458-20-154 Cemeteries, crematories and columbaria.	Rich Cason	Completed WSR 09-07-088 WAC 458-20-153 rule draft WAC 458-20-154 rule draft	WSR 15-12-122 third public hearing on July 15, 2015, at 10:00 a.m. WSR 14-22-085 second public hearing was December 17, 2014 WSR 13-14-107 first public hearing was August 8, 2013	Anticipate adoption in summer 2015	Update
458-20-166 Hotels, motels, boarding houses, rooming houses, resorts, summer camps, trailers camps, etc.	Mark Bohe	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-20-167 Educational institutions, school districts, student organizations, and private schools.	Gayle Carlson	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-20-168 Hospitals, nursing homes, assisted living facilities, adult family homes and similar health care facilities.	Gayle Carlson	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-20-174 Sales of motor vehicles, trailers, and parts to motor carriers operating in interstate or foreign commerce. 458-20-17401 Use tax liability for motor vehicles, trailers, and parts used by motor carriers operating in interstate or foreign commerce.	Gayle Carlson	WSR 14-23-080 public meeting is December 30, 2014	WSR 15-09-090 public hearing on May 27, 2015	Anticipate adoption in summer 2015	Update
458-20-183 Amusement, recreation, and physical fitness services.	Jay Jetter	Anticipate CR-101 and public meeting in fall/winter 2015	Anticipate CR-102 and public hearing in winter/spring 2016	Anticipate adoption in summer 2016	Recognize 2015 legislation
458-20-187 Tax responsibility of persons owning and/or operating vending machines, amusement devices, and service machines.	Gayle Carlson	WSR 15-13-110 public meeting held July 22, 2015	Anticipate CR-102 and public hearing in fall 2015	Anticipate adoption in fall 2015/winter 2016	Update
458-20-189 Sales to and by the state of Washington, counties, cities, towns, school districts, and fire districts.	Jay Jetter	Anticipate CR-101 and public meeting in fall/winter 2015	Anticipate CR-102 and public hearing in winter/spring 2016	Anticipate adoption in summer 2016	Recognize 2015 legislation

Subject of Rule Making	Rule Drafter	Preliminary Rule Proposal (CR-101 filing)	Proposed Rule (CR-102 or CR-105 filing)	Rule Adoption (CR-103 filing)	Description of Anticipated Changes
458-20-193 Inbound and outbound interstate sales of tangible personal property.	Dave Hesford	WSR 14-16-063 public meeting held September 15, 2014. Comments due October 1, 2014.	WSR 15-05-067 comments due March 30, 2015	Anticipate adoption in summer 2015	Update
458-20-196 Bad debts.	Mark Bohe	WSR 15-05-040 public meeting on March 31, 2015, at 10:00 a.m.	WSR 15-10-057 public hearing on June 17, 2015, at 9:30 a.m. Anticipate second public hearing in fall 2015	Anticipate adoption in winter 2015	Update
458-20-210 Sales of tangible personal property for farming—Sales of agricultural products by farmers.	Gayle Carlson	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-20-240 Manufacturer's new employee tax credits.	Joseph Vidal	WSR 15-07-063 public meeting on April 30, 2015	WSR 15-11-093 public hearing on July 1, 2015, at 10:00 a.m.	Anticipate adoption in summer 2015	Update
458-20-258 Travel agents and tour operators.	Mark Bohe	WSR 15-04-066 public meeting on March 18, 2015	Anticipate CR-102 and public hearing in fall 2015	Anticipate adoption winter 2015	Update
458-20-260 Oil spill response and tax administration.	Mark Bohe	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-20-261 Commute trip reduction incentives.	Mark Bohe	N/A - anticipate CR-105	Anticipate CR-105 in fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-20-267 Annual reports for certain tax adjustments.	Gayle Carlson	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-20-277 Certified service providers—Compensation.	Gayle Carlson	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-20-27701 Model 2 volunteer sellers—Compensation.	Gayle Carlson	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation
458-20-27702 Taxpayer relief—Sourcing compliance—One thousand dollar credit and certified service provider compensation for small businesses.	Gayle Carlson	N/A - anticipate CR-105	Anticipate CR-105 summer/fall 2015	Anticipate adoption winter 2015	Recognize 2015 legislation

Subject of Rule Making	Rule Drafter	Preliminary Rule Proposal (CR-101 filing)	Proposed Rule (CR-102 or CR-105 filing)	Rule Adoption (CR-103 filing)	Description of Anticipated Changes
458-20-278 Returned goods, defective goods and lemon law covered vehicles. 458-20-108 Returned goods, allowances, cash discounts.	Gayle Carlson	WSR 15-05-058 public meeting on March 25, 2015	WSR 15-12-081 public hearing on July 14, 2015, at 1:30 p.m.	Anticipate adoption in winter 2015	Update - WAC 458-20-278 will be a new rule that will incorporate portions of WAC 458-20-108

Rules Requiring Periodic Updates

Subject of rule making	Rule Drafter	Preliminary Rule Proposal (CR-101 filing)	Proposed Rule (CR-102 or CR-105 filing)	Rule Adoption (CR-103 filing)	Description of Anticipated Changes
458-18-220 Rates of interest. 458-30-262 Farm and agricultural land values. 458-30-590 Rate of inflation.	Gayle Carlson	N/A - anticipate CR-105	Anticipate fall 2015	Will adopt updated rule effective January 1, 2016	Must be amended by the first of January each year
458-40-540 Timber excise tax—Forest land values.	Mark Bohe	Anticipate CR-101 and public meeting in fall 2015	Anticipate CR-102 and public hearing in winter 2015	Will adopt rule effective January 1, 2016	Must be amended by the first of January each year
458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments.	Mark Bohe	Anticipate CR-101 and public meeting in fall 2015	Anticipate CR-102 and public hearing in winter 2015	Will adopt rule effective January 1, 2016	Must be updated by the first of January and July of each year

WSR 15-14-121
NOTICE OF PUBLIC MEETINGS
LAKE WASHINGTON
INSTITUTE OF TECHNOLOGY
 [Filed July 1, 2015, 9:38 a.m.]

Board Meeting Dates 2015-2016

- Board meetings are held on the first Monday of each month unless otherwise noted.
- Board meetings are held at the LWTech campus located at 11605 132nd Avenue N.E., Kirkland, WA 98034, unless otherwise noted.
- Study sessions are held at 5:00 p.m. in the boardroom (W305A) unless otherwise noted.

July 2015	No meeting in summer
August 2015	No meeting in summer
September 14, 2015 (September 7 is a holiday)	5:00 to 7:30 p.m.
October 5, 2015	7:30 to 9:00 a.m.

November 2, 2015	5:00 to 7:30 p.m.
December 7, 2015	5:00 to 7:30 p.m.
January 4, 2016	5:00 to 7:30 p.m.
February 1, 2016	5:00 to 7:30 p.m.
March 7, 2016	1:00 to 3:30 p.m.
April 4, 2016	5:00 to 7:30 p.m.
May 2, 2016	Retreat 9:00 a.m. to 2:00 p.m. Meeting 2:00 p.m. to 4:00 p.m.
June 6, 2016	1:00 to 3:30 p.m.

*Approved at the June 2, 2015, board of trustees meeting.