

WSR 16-03-040
RULES OF COURT
STATE SUPREME COURT
[January 6, 2016]

IN THE MATTER OF THE PROPOSED) ORDER
AMENDMENTS TO APR 12—LIMITED) NO. 25700-A-1135
PRACTICE RULE FOR LIMITED)
PRACTICE OFFICERS; RULES FOR)
ENFORCEMENT OF LIMITED PRAC-)
TICE OFFICER CONDUCT (ELPOC);)
AND APR 12 APPENDIX—CONTINU-)
ING EDUCATION REGULATIONS OF)
THE LIMITED PRACTICE BOARD)

The Limited Practice Board, having recommended the expeditious adoption of the proposed amendments to APR 12—Limited Practice Rule for Limited Practice Officers; Rules for Enforcement of Limited Practice Officer Conduct (ELPOC); and APR 12 Appendix—Continuing Education Regulations of the Limited Practice Board, 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 rules as shown below are adopted.

(b) That the new rules will be published expeditiously in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 6th day of January, 2016.

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

RULE 12. LIMITED PRACTICE RULE FOR LIMITED PRACTICE OFFICERS

(a) Purpose. The purpose of this rule is to authorize certain lay persons to select, prepare and complete legal documents incident to the closing of real estate and personal property transactions and to prescribe the conditions of and limitations upon such activities.

(b) Limited Practice Board.

(1) Establishment. There is hereby established a Limited Practice Board (referred to herein as the "Board") consisting of nine members to be appointed by the Supreme Court of the State of Washington. Not less than four of the members of the Board must be admitted to the practice of law in the State of Washington. Four of the members of the Board shall be business representatives, one each of the following four industries: escrow, lending, title insurance, and real estate. Appointments shall be for 4-year terms. No member may serve more than two consecutive terms. Terms shall end on December 31 of the applicable year. The Supreme Court shall designate one of the members of the Board as chairperson.

(2) Duties and Powers.

(i) Applications. The Board shall accept and process applications for certification under this rule.

(ii) Examination. The Board shall conduct the examination for certification required by this rule. The examination shall consist of such questions as the Board may select on such subjects as may be listed by the Board and approved by the Supreme Court. The Board shall establish the number of examinations to be given each year and the dates of the examinations.

(iii) Investigation and recommendation for admission. The Board shall notify each applicant of the results of the examination and shall recommend to the Supreme Court the admission or rejection of each applicant who passes the examination. The Supreme Court shall enter an order admitting to limited practice those applicants it deems qualified, conditioned upon each applicant taking an oath that he or she will comply with this rule and paying to the Board the annual fee for the current year. Upon the entry of such order, the taking and filing of the oath, and payment of the annual fee, an applicant shall be enrolled as a limited practice officer and shall be entitled to perform those services permitted by this rule. The oath must be taken before a court of record in the State of Washington.

(iv) Education. The Board shall approve individual courses and may accredit all or portions of the entire educational program of a given organization which, in the Board's judgment, will satisfy the educational requirement of these rules. It shall determine the number of credit hours to be allowed for each such course. It shall encourage the offering of such courses and programs by established organizations, whether offered within or outside this state.

(v) Grievances and discipline. The Board shall adopt hearing and appeal procedures and shall hear complaints of persons aggrieved by the failure of limited practice officers to comply with the requirements of this rule and of the Limited Practice Officer Rules of Professional Conduct. Upon a finding by the Board that a limited practice officer has failed to comply in any material manner with the requirements of this rule, the Board shall take such action as may be appropriate to the degree of the violation, considering also the number of violations and the previous disciplinary record of the limited practice officer. Disciplinary action may include admonitions, reprimands, and recommendations to the Supreme Court for the suspension or revocation of the limited practice officer's certification.

(vi) Investigation. Upon the receipt of a complaint that a limited practice officer has violated the provisions of this rule and in other appropriate circumstances, the Board may investigate the conduct of the limited practice officer to determine whether the limited practice officer has violated the requirements, conditions or limitations imposed by this rule.

(vii) Approval of forms. The Board shall approve standard forms for use by limited practice officers in the performance of services authorized by this rule.

(viii) Fees. The Board shall establish and collect examination and annual fees in such amounts as are necessary to carry out the duties and responsibilities of the Board.

(ix) Regulations. The Board shall propose regulations to implement the provisions of this rule for adoption by the Supreme Court.

(3) Expenses of the Board. Members of the Board shall not be compensated for their services. For their actual and necessary expenses incurred in the performance of their duties, they shall be reimbursed by the Board in a manner consistent with its rules. All such expenses shall be paid pursuant to a budget submitted to and approved by the Washington State Bar Association on an annual basis. Funds accumulated from examination fees, annual fees, and other revenues shall be used to defray all expenses of the Board. The administrative support to the Board shall be provided by the Washington State Bar Association.

(c) Certification Requirements. An applicant for certification as a limited practice officer shall:

(1) Age. Be at least 18 years of age.

(2) Moral Character- and Fitness. Be of good moral character- and possess the requisite fitness to act as a limited practice officer.

(3) Examination. Satisfy the examination requirements established by the Board.

(4) ~~Oath Application. Execute under oath and file with the Board two copies of his or her~~ Submit an application, in such form as may be required by the Board. Additional proof of any fact stated in the application may be required by the Board. In the event of the failure or refusal of an applicant to furnish any information or proof, ~~or to answer any interrogatories of the Board pertinent to the pending application,~~ the Board may deny the application.

(5) Examination Fee. Pay, upon the filing of an application, the examination fee.

(d) Scope of Practice Authorized by Limited Practice Rule. Notwithstanding any provision of any other rule to the contrary, a person certified as a limited practice officer under this rule may select, prepare and complete documents in a form previously approved by the Board for use by others in, or in anticipation of, closing a loan, extension of credit, sale or other transfer of interest in real or personal property. Such documents shall be limited to deeds, promissory notes, guaranties, deeds of trust, reconveyances, mortgages, satisfactions, security agreements, releases, Uniform Commercial Code documents, assignments, contracts, real estate excise tax affidavits, bills of sale, and powers of attorney. Other documents may be from time to time approved by the Board.

(e) Conditions Under Which Limited Practice Officers May Prepare and Complete Documents. Limited practice officers may render services authorized by this rule only under the following conditions and with the following limitations:

(1) Agreement of the Clients. Prior to the performance of the services, all clients to the transaction shall have agreed in writing to the basic terms and conditions of the transaction. In the case of a power of attorney prepared in anticipation of a transaction, the principal(s) and attorney(s)-in-fact shall have provided the limited practice officer consistent written instructions for the preparation of the power of attorney.

(2) Disclosures to the Clients. The limited practice officer shall advise the clients of the limitations of the services rendered pursuant to this rule and shall further advise them in writing:

(i) that the limited practice officer is not acting as the advocate or representative of either of the clients;

(ii) that the documents prepared by the limited practice officer will affect the legal rights of the clients;

(iii) that the clients' interests in the documents may differ;

(iv) that the clients have a right to be represented by lawyers of their own selection; and

(v) that the limited practice officer cannot give legal advice as to the manner in which the documents affect the clients.

The written disclosure must particularly identify the documents selected, prepared, and/or completed by the limited practice officer and must include the name, signature and number of the limited practice officer.

(f) Continuing Certification Requirements.

(1) Continuing Education. Each limited practice officer must complete a minimum number of credit hours of approved or accredited education, as prescribed by regulation of the Board, during each ~~calendar~~ license year in courses certified by the Board to be appropriate for study by limited practice officers providing services pursuant to this rule; provided, that the limited practice officer shall not be required to comply with this subsection during the ~~calendar~~ license year in which he or she is initially certified.

(2) Financial Responsibility. Each active limited practice officer or employer thereof shall show proof of ability to respond in damages resulting from his or her acts or omissions in the performance of services permitted by this rule. The proof of financial responsibility shall be in such form and in such amount as the Board may by regulation prescribe.

(3) Annual Fee. Each limited practice officer must pay the annual fee established by the Board.

(4) Trust Account. Each active limited practice officer shall certify compliance with Rules 1.12A and 1.12B of the LPO Rules of Professional Conduct.

(g) Existing Law Unchanged. This rule shall in no way expand, narrow or affect existing law in the following areas:

(1) The fiduciary relationship between a limited practice officer and his or her customers or clients;

(2) Conflicts of interest that may arise between the limited practice officer and a client or customer;

(3) The right to act as one's own attorney under the pro se exception to the unauthorized practice of law including but not limited to the right of a lender to prepare documents conveying or granting title to property in which it is taking a security interest;

(4) The lack of authority of a limited practice officer to give legal advice without being licensed to practice law;

(5) The standard of care which a limited practice officer must practice when carrying out the functions permitted by this rule.

(h) Treatment of Funds Received Incident to the Closing of Real or Personal Property Transactions. Persons admitted to practice under this rule shall comply with LPORPC 1.12A and B regarding the manner in which they identify, maintain and disburse funds received incidental to the closing of real and personal property transactions, unless they are acting pursuant to APR 12 (g)(3).

(i) Confidentiality and Public Records.

(1) GR 12.4 shall apply to access to Board records.

(2) Unless expressly authorized by the Supreme Court or by the applicant, all application records, including related investigation files, documents and proceedings, for the limited admission to the practice of law as an LPO are confidential and shall be privileged against disclosure, except as necessary to conduct an investigation, hearing, appeal, or review pursuant to these rules.

(3) Unless expressly authorized by the Supreme Court, all examination questions, scoring keys and other examination data used by the Board to administer the LPO examinations are not subject to public disclosure.

(4) Unless expressly authorized by the Supreme Court or the LPO, the following Board and Bar records are exempt from public access: personal information in Board and Bar records for LPOs and Board members to the extent that disclosure would violate their right of privacy, including home contact information (unless such information is their address of record), Social Security numbers, driver's license numbers, identification or security photographs held in Board and Bar records, and personal data including ethnicity, race, disability status, gender, and sexual orientation. LPO license status, license number, dates of admission or licensing, addresses of record, and business telephone numbers, facsimile numbers, and electronic mail addresses (unless there has been a request that electronic mail addresses not be made public) shall not be exempt, provided that any such information shall be exempt if the Chair of the Board approves the confidentiality of that information for reasons of personal security or other compelling reason, which approval must be reviewed annually.

Comment

[1] Comment Re: APR 12(d)

Powers of attorney authorizing a person to negotiate and sign documents in anticipation of, or in the closing of, a transaction are included in the documents limited practice officers are authorized to prepare. Such documents may include, but are not limited to, purchase and sale agreements for real or personal property, loan agreements, and letters of intent.

[2] Comment Re: LPO Professional Standard Of Care

The purpose of this comment is to discuss the legal standard of care to which a limited practice officer is subject, while also clarifying the limited duties of a limited practice officer compared to an attorney when selecting and preparing legal documents and to show the greater breadth of a lawyer's duties and services which a party may not expect when engaging a limited practice officer.

Generally, when a non-lawyer selects and prepares a legal document for another, the non-lawyer engages in the unauthorized practice of law. Despite this, the non-lawyer (including a licensed limited practice officer) will be held to the standard of a lawyer: "to comply with the duty of care, an attorney must exercise the degree of care, skill, diligence, and knowledge commonly possessed and exercised by a reasonable, careful and prudent lawyer in the practice of law in this jurisdiction..." *Hizey v. Carpenter*, 119 Wn.2d 251, 261, 830 P.2d 246 (1992). However, when selecting and preparing approved forms a limited practice officer, though having a limited license to practice law as defined and limited in APR 12, will not be authorized nor charged with many of the duties of a lawyer. Except as provided otherwise in APR 12

rules and regulations, these include the duty to investigate legal matters, to form legal opinions (including but not limited to the capacity of an individual to sign for an entity or whether a legal document is effective), to give legal advice (including advice on how a legal document affects the rights or duties of a party), or to consult with a party on the advisability of a transaction. See also LPORPC 1.1, Competence, and LPORPC 1.3, Communication.

TITLE 1 - SCOPE, JURISDICTION, AND DEFINITIONS

ELPOC 1.1 SCOPE OF RULES

[no change]

ELPOC 1.2 JURISDICTION

[no change]

ELPOC 1.3 DEFINITIONS

Unless the context clearly indicates otherwise, terms used in these rules have the following meanings:

(a) "Association" means the Washington State Bar Association;

(b) "Public file" means the pleadings, motions, rulings, decisions, and other formal papers filed in a proceeding;

(c) "Board" when used alone means the Limited Practice Board;

(d) "Board of Governors" means the Board of Governors of the Washington State Bar Association;

(e) "Chair" when used alone means the Chair of the Limited Practice Board;

(f) "Clerk" when used alone means the Association's staff designated to work with the Limited Practice Board and includes the Directory of Regulatory Services and other Association counsel where appropriate;

(g) "Closing Firm" means any bank, depository institution, escrow agent, title company, law firm, or other business, whether public or private, that employs, or contracts for the services of, an LPO for the purpose of providing real or personal property closing services for a transaction;

(h) "Court" unless otherwise specified, means the Supreme Court of Washington;

(i) "Disciplinary action" means sanctions under rule 13.1 and admonitions under rule 13.5;

(j) "ELC" means the Rules for Enforcement of Lawyer Conduct;

(k) "Final" means no review has been sought in a timely fashion or all appeals have been concluded;

(l) "Grievant" means the person or entity who files a grievance (except for a confidential source under rule 5.2);

(m) "Hearing Officer" means the person assigned under rule 10.2 (a)(1) or, when a hearing panel has been assigned, the hearing panel chair;

(n) "LPO" means limited practice officer;

(o) "Mental or physical incapacity" includes, but is not limited to, insanity, mental illness, senility, or debilitating use of alcohol or drugs;

(p) "Panel" means a hearing panel under rule 10.2 (a)(2);

(q) "Party" means disciplinary counsel or respondent, except in rule 2.3(f) "party" also includes a grievant;

(r) "Respondent" means an LPO against whom a grievance is filed or an LPO investigated by the Clerk or disciplinary counsel;

(s) "APR" means the Admission to and Practice Rules;

(t) "CR" means the Superior Court Civil Rules;
 (u) "RAP" means the Rules of Appellate Procedure;
 (v) "LPORPC" means the Limited Practice Officer Rules of Professional Conduct adopted by the Washington Supreme Court.

(w) Words of authority.

(1) "May" means "has discretion to," "has a right to," or "is permitted to".
 (2) "Must" means "is required to".
 (3) "Should" means recommended but not required.

ELPOC 1.4 NO STATUTE OF LIMITATION

[no change]

ELPOC 1.5 VIOLATION OF DUTIES IMPOSED BY THESE RULES

[no change]

TITLES 2 - 14

[no change]

TITLE 15 - AUDITS AND TRUST ACCOUNT OVERDRAFT NOTIFICATION

ELPOC 15.1 AUDIT AND INVESTIGATION OF BOOKS AND RECORDS

[no change]

ELPOC 15.2 COOPERATION OF LPO

[no change]

ELPOC 15.3 DISCLOSURE

[no change]

ELPOC 15.4 TRUST ACCOUNT OVERDRAFT NOTIFICATION

[no change]

ELPOC 15.5 DECLARATION

(a) Declaration. ~~The Association annually sends each active LPO a written declaration designed to determine whether the LPO or the LPO's Closing Firm is complying with LPORPC 1.12A & B. Each active LPO must complete, execute, and deliver to the Association this file a trust account declaration by the date specified in the declaration as required by APR 12.~~

(b) Noncompliance. Failure to file the declaration ~~by the date specified in section (a) is grounds for discipline. This failure also may~~ subjects the LPO ~~who has failed to comply with this rule~~ to a full audit of his or her books and records, or the Closing Firm's records, as provided in rule 15.1(c), upon request of the Clerk or disciplinary counsel to the discipline committee. A copy of any request made under this section must be served on the LPO. The request must be granted on a showing that the LPO has failed to comply with section (a) of this rule. If the LPO should later comply, the discipline committee has discretion to determine whether an audit should be conducted, and if so the scope of that audit. An LPO or Closing Firm audited under this section is liable for all actual costs of conducting such audit, and also a charge of \$100 per day spent by the auditor in conducting the audit and preparing an audit report. Costs and charges are assessed in the same manner as costs under rule 5.3(e).

ELPOC 15.6 REGULATIONS

The Board may adopt regulations regarding the powers in this title subject to the approval of ~~the Board of Governors and~~ the Supreme Court.

TITLE 16 - EFFECT OF THESE RULES ON PENDING PROCEEDINGS

[no change]

REGULATION 101. DEFINITIONS

As used in these regulations, the following definitions shall apply:

A. A "Limited Practice Officer" (LPO) shall mean any person admitted to practice under Washington Supreme Court Rule APR 12.

B. An "approved" continuing education activity shall mean an individual seminar, course, or other continuing education activity approved by the Continuing Education Committee of the Limited Practice Board.

C. A "credit hour" equals one (1) clock hour of actual attendance.

D. The "Committee" shall mean the Continuing Education Committee of the Limited Practice Board.

E. The "staff" shall mean the staff of the Washington State Bar Association.

F. "APR 12" shall mean Admission ~~to~~ and Practice Rule 12, together with any subsequent amendments thereto, as adopted by the Supreme Court of the state of Washington.

G. "Teaching" in an approved continuing education activity shall mean and encompass the preparation and/or delivery of a prepared talk, lecture, or address at such activity.

H. "Participating" in an approved continuing education activity shall mean and encompass: 1) acting as a planning and organizing chair of such activity, or 2) taking part in such activity as a member of a panel discussion, without the preparation of written materials or the delivery of a prepared talk, lecture, or address.

I. "Calendar License year" shall mean ~~January~~ July 1 to ~~December 31~~ June 30.

J. To qualify for "liability credit," a course or subject must deal with the legal rights, duties, or responsibilities of LPOs.

K. "Distance Education" shall mean delivery method where instruction takes place in other than a live classroom setting, the instructor and the student are in physically separate locations, and interactive instructional methods such as video-based instruction, computer conferencing, video conferencing, interactive audio, interactive computer software, or internet-based instruction are used.

L. "Interactive" for purposes of instructional methods shall mean the course structure and technologies promote active student involvement with the course content, including the ability to: (a) submit questions or answer test items, and receive direct feedback; and (b) communicate with the instructor and/or other students on an immediate or reasonably delayed basis. Interactive instruction specifically excludes courses that only provide passive delivery of instructional content.

REGULATION 102. CONTINUING EDUCATION REQUIREMENT

A. As provided for in Regulation 12 of the Regulations of the APR 12 Limited Practice Board, each active and inactive Limited Practice Officer shall complete a minimum of ten (10) credit hours of approved education during each ~~calendar~~ license year (July 1 - June 30), except as exempted by

Regulation 114. Up to five (5) credit hours may be completed through Distance Education. Two (2) hours of the required ten (10) hours of continuing education per year must be on liability issues, which may be completed through Distance Education. These classes must be approved by the Board and must be taken annually.

B. If an LPO completes more than ten (10) such credit hours in a given ~~calendar~~ license year, the excess credit, up to ten (10) credits, may be carried forward and applied to such LPO's education requirement for the next ~~calendar~~ license year. Liability credit hours may be carried forward as liability credits or regular credits; however, a maximum of two (2) liability credits may be carried forward as liability credits. Failure to comply with the provisions of this Regulation and Regulation 12 of the Regulations of the APR 12 Limited Practice Board each ~~calendar~~ license year shall subject the Limited Practice Officer to suspension or revocation of license as an LPO.

REGULATION 103. CREDITS/COMPUTATION

A. Continuing education credit may be obtained by attending, teaching, or participating in, continuing education activities which have 1) been previously approved by the Committee, or 2) have been afforded retroactive approval by the Committee pursuant to APR 12 and these regulations.

B. A credit shall be awarded for each hour actually spent by an LPO in attendance at an approved education activity.

C. Credit will not be given for time spent in meal breaks.

D. Excess or "carry-over" credits may be applied to the ~~succeeding calendar~~ next license year's credit hour requirement. Such credits shall be reported to the Committee on or before ~~January 31~~ August 1 as required by Regulation 108 A.

E. Credit toward the continuing education requirements set forth in APR 12 and Regulation 102 may be earned through teaching or participating in an approved continuing education activity on the following basis:

1. An LPO teaching in an approved education activity shall receive credit on the basis of one (1) credit for each hour actually spent by such LPO in attendance at and teaching in a presentation of such activity. Additionally, an LPO teaching in such an activity shall also be awarded further credit on the basis of one credit for each hour actually spent in preparation time, provided that in no event shall more than ten (10) hours of credit be awarded for the preparation of one (1) hour or less of actual presentation.

2. An LPO participating in an approved educational activity shall receive credit on the basis of one (1) credit for each hour actually spent by such LPO in attendance at a presentation of such activity. Additionally, an LPO participating in such an activity shall also be awarded further credit on the basis of one (1) credit for each hour actually spent in preparation time, provided that in no event shall more than five (5) hours of credit be awarded for such preparation time in any one such continuing education activity.

F. Service on the Limited Practice Board or Escrow Commission is considered an approved continuing education activity for ~~both eight~~ general and two liability credits.

REGULATION 104. STANDARDS FOR APPROVAL

The following standards shall be met by any course or activity for which approval is sought:

A. The course shall have significant intellectual or practical content and its primary objective shall be to increase the attendee's professional competence as an LPO.

B. The course shall constitute an organized program of learning dealing with matters directly relating to the limited practice of law and/or to the professional responsibility or ethical obligations of an LPO, which may include continuing legal education seminars and courses approved by the Washington State MCLE Board.

C. Each faculty member shall be qualified by practical or academic experience to teach a specific subject.

D. Thorough, high quality, readable, and carefully prepared written materials should be distributed or accessible ~~to all attendees~~ in printed or electronic form to all attendees during or immediately subsequent (no more than 10 days) to the applicable course. ~~at or before the time the course is presented.~~ It is recognized that written materials are not suitable or readily available for some types of subjects; however, the absence of written materials for distribution should, ~~however,~~ be the exception and not the rule.

E. Courses should be conducted in a setting physically suitable to the educational activity of the program. A suitable writing surface should be provided where feasible.

F. No course will be approved which involves solely television viewing in the home or office or correspondence work or self-study except as may be an approved Distance Education activity. Video, motion picture, or sound tape presentations may be approved, provided a teacher or moderator is in attendance at each presentation to comment thereon, answer questions, or conduct the discussion.

REGULATION 105. PROCEDURE FOR APPROVAL OF CONTINUING EDUCATION ACTIVITIES

A. An LPO or sponsoring agency desiring approval of a continuing education activity shall submit to the Committee all information called for by Form 1 at least thirty (30) days prior to the date scheduled for the class, along with an application fee. The application fee shall be set by the Board with the approval of the WSBA Board of Governors. The fee and approved application shall be valid for all occurrences of the identical activity in the same ~~calendar~~ license year.

B. Approval shall be granted or denied in accordance with the provisions of Regulation 107 herein. Upon approval of the activity, a list of certified limited practice officers will be provided to the class sponsor if requested in the initial application, along with written acknowledgment of approval.

C. As to a course that has been approved, the sponsoring agency may announce, in informational brochures and/or registration materials: "This course has been approved by the Continuing Education Committee of the Limited Practice Board for ___ hours of credit."

D. On the date of the continuing education activity, the sponsoring agency shall provide to each participating LPO a copy of the LPB course approval form or other document certifying the LPO's attendance and completion of the continuing education activity.

REGULATION 106. DELEGATION [no change]

REGULATION 107. STAFF DETERMINATIONS AND REVIEW [no change]

REGULATION 108. SUBMISSION OF INFORMATION—REPORTING OF ATTENDANCE

A. Compliance Report. Each LPO shall, on or before ~~January 31~~ August 1 of each year, ~~submit an affidavit certify~~ to the Committee, ~~setting forth all information required by Form No. 2, concerning such LPO's completion of approved continuing education during the preceding calendar license year in a form and manner as prescribed by the Limited Practice Board.~~ Such affidavit shall also contain a report of "carryover" credits, if any, as delineated in Regulation 102. The LPO may be required by the Committee to verify completion of continuing education activities by producing the forms specified in Regulation 105 D.

B. Supplemental Report Late Fee. If an LPO has not completed the minimum education requirement for the preceding ~~calendar~~ license year, or complied with Regulation 108 A ~~by August 1, compliance may still be accomplished by the LPO must:~~

1. ~~Submitting by April 30 the affidavit called for by Regulation 108 A (Form 2) setting forth therein the extent of the LPO's compliance with~~ Complete the minimum education requirement,

2. Certify to completion of the approved continuing education in the form and manner prescribed by the Limited Practice Board, and

3. ~~Paying at the time of filing such supplemental affidavit a special~~ Pay a \$50 ~~service~~ late fee.

C. An LPO who fails to comply with the provisions of this regulation shall be subject to the procedures and provisions of Regulation 111.

REGULATION 109. SUBMISSION OF INFORMATION—CREDIT FOR TEACHING OR PARTICIPATING

An LPO who seeks credit for teaching or participating in an approved continuing education activity pursuant to Regulation 103 E, shall, ~~certify to the Committee in the form and manner prescribed,~~ on or before ~~January 31~~ August 1 of the year following the ~~calendar~~ license year in which such teaching or ~~participating participation~~ was accomplished, ~~submit an affidavit to the Committee setting forth all information required by the appropriate portions of Form 3, concerning such teaching and/or participating in approved education courses or activities during the preceding calendar year.~~

REGULATION 110. EXTENSIONS, WAIVERS, MODIFICATIONS

The Committee may grant extensions, waivers, or modifications of these regulations in cases of undue hardship, age, or infirmity. Requests for extensions, waivers, or modifications shall be made in writing.

REGULATION 111. NON-COMPLIANCE-BOARD PROCEDURES

An LPO who has not complied with the educational or reporting requirements of APR 12 and these regulations by ~~April 30~~ August 1 of each year may be ordered suspended until in compliance with the regulations.

To effect such suspension, the Committee shall send to the non-complying LPO by certified mail, directed to the LPO's last known address as maintained on the records of the Board, a written notice of non-compliance. The notice shall advise such LPO of the pendency of suspension proceedings, and the provisions for revocation of license, unless within ~~ten~~

~~(10) thirty (30) days of receipt from the date~~ of such notice such LPO completes and returns to the Committee an accompanying form of petition, to which supportive affidavit(s) may be attached for extension of time for, or waiver of, compliance with the requirements of APR 12 and these regulations or for a ruling by the Committee of substantial compliance with the requirements.

A. If such petition is not filed, such lack of action shall be deemed acquiescence by the LPO in the finding of non-compliance. The Committee shall report such fact to the Board with the Committee's recommendations for appropriate action. The Board shall take such action as it deems appropriate.

B. If such petition is filed, the Committee may, at its discretion, approve the same without hearing or may enter into an agreement on terms with such LPO as to time and other requirements for achieving compliance with APR 12 and these regulations.

C. If the Committee does not approve such petition or enter into such agreement, the Board will recommend to the Court that the LPO's license be suspended. ~~affected LPO may request a hearing before the Board. At the discretion of the Chair of the Board, the hearing may be held before the entire Board or panel thereof. The Board or panel thereof shall enter written findings of fact and an appropriate order, a copy of which shall be transmitted by certified mail to the LPO affected at the address of such member on file with the Board. Any such order shall be final and, in case of an adverse determination, shall be transmitted to the Supreme Court. The Court may enter an order suspending the LPO from limited practice.~~

REGULATION 112. REINSTATEMENT OF LPOS SUSPENDED FROM PRACTICE FOR FAILURE TO COMPLY WITH THE CONTINUING EDUCATION REQUIREMENT

A. An LPO who is suspended from practice for failure to comply with the Continuing Education Requirement must make up the deficiency and fully comply with the provisions of APR 12 and these Regulations before he or she can be reinstated to active or inactive status.

B. Once a suspended LPO has complied with the immediately preceding provisions of this Regulation, the Board shall notify the Supreme Court that the suspended LPO has satisfied the requirements of APR 12 and these Regulations.

REGULATION 113. APPEALS TO THE SUPREME COURT

An adverse decision of the Board may be appealed by the LPO affected to the Supreme Court in accordance with the applicable provisions of APR 12. As to such appeals, the Board shall be represented by counsel.

REGULATION 114. EXEMPTIONS

New Admission. An LPO shall not be required to comply with the minimum continuing education requirements of APR 12, as implemented by these regulations, during the ~~calendar~~ license year in which the LPO is admitted to practice.

REGULATION 115. RULEMAKING AUTHORITY

The Committee, subject to the approval of the Board, has continuing authority to make or amend regulations consistent with APR 12 in furtherance of the development of continuing education for LPO's and the regulation thereof.

REGULATION 116. CONFIDENTIALITY

The files and records of the Committee shall be deemed confidential and shall not be disclosed except in furtherance of the Committee's duties, or upon the request of an affected LPO member, or pursuant to a proper subpoena duces tecum, or as directed by the Supreme Court.

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

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 16-04-002

DEPARTMENT OF

NATURAL RESOURCES

(Committee on Geographic Names)

[Filed January 20, 2016, 2:48 p.m.]

Pursuant to RCW 43.30.294, the following geographic names have been adopted by the committee and filed with the state register:

Cooper Creek: Stream; 1.05 miles long; heads 1.6 miles S of Port Ludlow at 47°53'47.476"N, 122°39'46.895"W, flows S then E then NE to enter Hood Canal; commemorates the Cooper family, a Native American family that homesteaded much of the land surrounding the stream; Jefferson County, WA; Sec 27, T28N, R1E, W.M.; 47°54'1.408"N, 122°38'57.992"W; Approved 12-1-2015.

Criss Creek: Stream; 2.17 miles long; heads 1.6 miles S of Port Ludlow at 47°53'35.281"N, 122°41'45.936"W, flows SW then SE to enter Squamish Harbor; commemorates Arthur Criss who was once the Captain of the Seattle Fire Department; Jefferson County, WA; Sec. 29 & 32, T28 R 1E, W.M.; 47°52'4.611"N, 122°41'38.176"W; Approved 7-7-2015.

Vancouver Notch: Gap; located 12 miles W of Mount Rainier where the Puyallup and Mowich Rivers meet, bounded by The Divide to the SW, approx. 1,800 ft. elevation; commemorates Captain George Vancouver who made a reference to an "abrupt division" in his journal on May 20, 1792; Pierce County, WA; Secs 2, 3, 10, 11 T16N R6E & Secs 34, 35 T17N R6E, W.M.; 46°54'11.801"N, 122°1'28.063"W; Approved 12-1-2015.

Wildcat Pond: Lake, 10.4 acres; located on the SE side of State Route 8, directly across from the City of McCleary; the City Council of McCleary had the students of the McCleary school choose the name for the pond; Grays Harbor County, WA; Sec 14, T18N, R5W, W.M.; 47°2'53.81"N, 123°16'22.803"W; Approved 12-1-2015.

WSR 16-04-003

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF

NATURAL RESOURCES

(Committee on Geographic Names)

[Filed January 20, 2016, 3:09 p.m.]

Below is the schedule for the 2016 committee on geographic names meetings.

If you have any questions, please feel free to call Caleb Maki at (360) 902-1280.

May 19, 2016 10:00 a.m. to 2:00 p.m.

October 13, 2016 10:00 a.m. to 2:00 p.m.

WSR 16-04-004

NOTICE OF PUBLIC MEETINGS

SEATTLE COLLEGES

[Filed January 20, 2016, 3:28 p.m.]

In compliance with RCW 42.30.075, following is the Seattle Colleges - District VI board of trustees regular meeting schedule for 2015-2016. If you have any questions, please contact Rebecca Hansen at (206) 934-3850.

Board of trustees meetings begin with a study session or reception at **2:00 p.m.** Regular meeting agenda sessions will begin at **3:00 p.m.** Dates and locations of the meetings are noted below. **All meetings are on the second Thursday of the month.**

BOARD OF TRUSTEES 2015-16 MEETING SCHEDULE

September 10	North Seattle College	9600 College Way North Seattle, WA 98103
October 8	Seattle Vocational Institute	2120 South Jackson Street Seattle, WA 98144
November 12	South Seattle College	6000 16th Avenue S.W. Seattle, WA 98106
December 10	District Office	1500 Harvard Avenue Seattle, WA 98122
January 14	Seattle Central College	1701 Broadway Seattle, WA 98122
February 11	North Seattle College	9600 College Way North Seattle, WA 98103
March 10	South Seattle College	6000 16th Avenue S.W. Seattle, WA 98106
April 14	District Office	1500 Harvard Avenue Seattle, WA 98122
May 12	Seattle Central College	1701 Broadway Seattle, WA 98122
June 9	North Seattle College	9600 College Way North Seattle, WA 98103
July 14	South Seattle College	6000 16th Avenue S.W. Seattle, WA 98106

WSR 16-04-005
NOTICE OF PUBLIC MEETINGS
SEATTLE COLLEGES
 [Filed January 20, 2016, 3:29 p.m.]

Following is a newly scheduled special meeting for the Seattle Colleges board of trustees: February 11, 2016, 12:00 - 3:00 p.m. at North Seattle College, 9600 College Way North, Seattle, WA 98103.

If you need further information, contact Rebecca Hansen, 1500 Harvard Avenue, Seattle, WA 98122, (206) 934-3850, Rebecca.Hansen@seattlecolleges.edu.

WSR 16-04-006
NOTICE OF PUBLIC MEETINGS
STATE BOARD OF HEALTH

(Governor's Interagency Council on Health Disparities)
 [Filed January 20, 2016, 3:43 p.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW), and the Administrative Procedures [Procedure] Act (chapter 34.05 RCW), the following is the updated schedule of public meetings for the Washington state board of health (board), and the governor's interagency council on health disparities (council) for 2016. The board and council meetings are open to the public. We encourage the public to take time to testify on any matter that may come before the board or council.

Agendas for the meetings listed below are made available in advance via listserv and the board and council web sites (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board and council reserve the right to change or amend agendas at the meeting. If you require special accommodations while attending board or council meetings, please contact Melanie Hisaw five to seven days in advance of the meeting.

2016 Board/Council Meeting Schedule

Approved by the Board November 19, 2015
 Approved by the Council December 9, 2015

	Meeting Date	Location
Board	Wednesday January 13, 2016	Washington State Department of Labor and Industries Headquarters Building Main Auditorium 7273 Linderson Way S.W. Tumwater, WA 98501
Council	Wednesday February 10, 2016 (1/2 day)	Department of Social and Health Services Building Point Plaza East Building 2 Third Floor 6860 Capitol Boulevard S.E. Tumwater, WA 98501
Board	Wednesday March 9, 2016	Department of Health Point Plaza East Room 152/153 310 Israel Road S.E. Tumwater, WA 98501

	Meeting Date	Location
Board	Wednesday April 13, 2016	Hold date - meet only if necessary Department of Health Point Plaza East Room 152/153 310 Israel Road S.E. Tumwater, WA 98501
Council	Wednesday May 11, 2016	Location to be determined - <i>possibly eastern Washington or Tacoma</i>
Board	Wednesday June 8, 2016 (or June 16, 2016)	Location to be determined
Board	Wednesday July 13, 2016	Hold date - meet only if necessary
Board	Wednesday August 10, 2016	Location to be determined
Council	Wednesday September 14, 2016	Location to be determined - <i>possibly eastern Washington or Tacoma</i>
Board	Wednesday October 12, 2016	Location to be determined
Board	Wednesday November 9, 2016	Department of Health Point Plaza East Room 152/153 310 Israel Road S.E. Tumwater, WA 98501
Council	Wednesday December 14, 2016	Department of Health <i>(or location TBD)</i> Point Plaza East Room 152/153 310 Israel Road S.E. Tumwater, WA 98501

Time and locations subject to change as needed. See our web sites at <http://sboh.wa.gov/> and/or <http://theequity.wa.gov/> for the most current information.

If you need further information, please contact Melanie Hisaw, Executive Assistant, Washington State Board of Health, P.O. Box 47990, Olympia, WA 98504-7990, phone (360) 236-4104, fax (360) 236-4088, Melanie.hisaw@sboh.wa.gov.

WSR 16-04-007

AGENDA
DEPARTMENT OF
NATURAL RESOURCES
 [Filed January 20, 2016, 4:17 p.m.]

Rules Development Agenda
 January to June 2016

WAC CHAPTER OR SECTION	PURPOSE OF RULE BEING DEVELOPED OR AMENDED
332-160-090	The department of natural resources (DNR) will be developing a new rule to establish policies and procedures for the Washington state committee on geographic names. The new rule will provide guidelines for acceptable geographic names, and establish the process by which the committee will consider and adopt names and conduct meetings.

WAC CHAPTER OR SECTION	PURPOSE OF RULE BEING DEVELOPED OR AMENDED
332-24	Rule change to ensure fire protection rules are clearly written and provide appropriate protection regarding regulation of forest operations and spark emitting equipment requirements. The changes will also update references to department of ecology WAC and chapter 70.94 RCW.
332-08	DNR has the discretion to consider rule-making changes related to insurance and security requirements; the program is currently evaluating whether or not this is necessary.
332-18-05004	Amending rule governing fines, base penalties schedule in relation to surface mine reclamation.
New WAC	A new rule will be written to implement RCW 78.44.087 (5)(c) developing a standardized performance security formula.
New WAC	RCW 39.04.155 directs state agencies awarding small works contract[s] to have procedures in place to solicit bids and award contracts.

WSR 16-04-008
NOTICE OF PUBLIC MEETINGS
WINE COMMISSION
 [Filed January 20, 2016, 4:30 p.m.]

The Washington state wine commission has made changes to the regular 2016 meeting schedule:

MEETING CANCELLATION [CANCELLATION]: Friday, February 12, 2016, meeting cancelled.

SPECIAL MEETING ADDED: A special meeting has been called for the single business purpose of holding a strategic planning workshop on Monday, February 29, at 9:00 a.m. to Tuesday, March 1, 2016, at 5:00 p.m.; Suncadia, 3600 Suncadia Trail, Cle Elum, WA.

If you need further information contact Jayne Cain, 1201 Western Avenue, Suite 450, Seattle, WA 98101-2402, (206) 326-5760, jcain@washingtonwine.org, www.washingtonwine.org.

WSR 16-04-009
AGENDA
OFFICE OF
INSURANCE COMMISSIONER
 [Filed January 21, 2016, 8:34 a.m.]

The commissioner has introduced the following rule makings. Each rule making is currently between the CR-101, CR-102, and CR-103 stage. They are currently under review and there may be further rule-making activity before July 31, 2016. If you have any questions regarding any of these rule makings, please contact Jim Keogh, rulescoordinator@oic.wa.gov or (360) 725-7056.

Rule Development Agenda
 January 31 through July 31, 2016

WAC	RCW Authority	Subject	Current Activity			
			CR-103E	CR-101	CR-105	CR-102
	48.02.060, 48.44.050, 48.46.200	Issuer disclosures, notices, and processes to protect privacy of health care information.		13-11-144 5/22/13		
	48.02.060, 48.83.170, 48.84.030	Long-term care unintentional lapse notices.		14-02-074 12/30/13		
	48.02.060, 48.30.010	Notice of payment of settlements by insurers.		15-13-068 6/11/15		
	48.02.060, 48.19.035, 48.19.080	Requiring insurers using credit scores for rating to update scores at least every three years.		15-21-051 10/16/15		
	48.02.060, 48.18.120(2), 48.20.450, 48.44.050, 48.46.200	Health plan special enrollment rules.		15-23-064 11/13/15		
	48.02.060, 48.17.005, 48.17.420, 48.17.205	Addressing the insurance commissioner's powers during a state of emergency.		16-01-051 12/10/15		
	48.02.060	Shifting subchapters regarding health care networks and provider contracts/payments from chapter 284-43 WAC to chapter 284-170 WAC.			16-03-090 1/20/16	
	48.02.060, 48.43.715	Clarifying essential health benefit coverage for obesity management.			16-01-162 12/22/15	

Possible Rule Makings: In addition to the rules listed above, the commissioner continues the effort to update and clarify the code as well as implement recent legislation. In the

period before January 31, 2016, subjects that may be considered for rule making in this effort include:

- Annuity marketing and disclosure requirements
- Allowing electronic payment of settled claims

Barriers to patient care access resulting from contracting practices

Cleanup of references related to the recodification of chapter 284-43 WAC

Coordination of benefits

Dental insurance practices

Disability insurance loss ratios

Discontinuation and renewal of health plan coverage

Discrimination in health plan design

Electronic filing of state specific reporting

Electronic notices and document delivery of insurance products

Essential health benefits—Pharmacy/formulary tiers

Establishing rules for interest rate tables referenced in RCW

External review of adverse benefit decisions for health plans

Federal financial reform implementation

Federal health care reform implementation

Formulary transparency

Hearing rules revisions

Implementation of rules required by new state legislation

Informing consumers re: The risk taken declining UIM coverage

Minimum valuation standards

NAIC model act implementation (as needed, dependent on legislation)

Prior authorization of health care claims form and process requirements

Ride-sharing insurance coverage

Student health plans

Summary of health insurance benefits coverage

Title insurance agent escrow services

Title insurance agent report of affiliated business ownership

Trainee requirements for adjuster licensing

Transparency rules for emergency Rx fills

Use of vehicle history in rating

Wellness programs (health plans)

Mike Kreidler

WSR 16-04-010

NOTICE OF PUBLIC MEETINGS

WALLA WALLA

COMMUNITY COLLEGE

[Filed January 21, 2016, 9:53 a.m.]

The board of trustees of Walla Walla Community College, District Number Twenty, will hold a special meeting on Thursday, February 24, 2016, from 9:00 a.m. to 12:00 p.m., at 500 Tausick Way, Room 161, Walla Walla, WA. The purpose of this meeting is to review and discuss the process for selecting a new college president. No official action will be taken at this meeting.

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

WSR 16-04-011

NOTICE OF PUBLIC MEETINGS

WALLA WALLA

COMMUNITY COLLEGE

[Filed January 21, 2016, 9:54 a.m.]

The board of trustees of Walla Walla Community College, District Number Twenty, will hold a special meeting on Monday, February 1, 2016, from 9:00 a.m. to 12:00 p.m., at 500 Tausick Way, Room 161, Walla Walla, WA. The purpose of this meeting is to review and discuss the process for selecting a new college president. No official action will be taken at this meeting.

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

WSR 16-04-013

NOTICE OF PUBLIC MEETINGS

UTILITIES AND TRANSPORTATION

COMMISSION

[Filed January 21, 2016, 11:58 a.m.]

NOTICE OF CHANGE IN PUBLIC

OPEN MEETING DATE

(Set for Wednesday, November 23, 2016)

Due to schedule conflicts, the Washington utilities and transportation commission will cancel its regular open meeting of Wednesday, November 30, 2016, and reschedule it to **Wednesday, November 23, 2016**, beginning at 9:30 a.m., in the Commission's Main Hearing Room, Second Floor, Richard Hemstad Building, 1300 South Evergreen Park Drive S.W., Olympia, WA.

In all other aspects the notice filed on November 10, 2015, remains in effect.

WSR 16-04-015

AGENDA

DEPARTMENT OF AGRICULTURE

[Filed January 21, 2016, 1:23 p.m.]

Following is the department of agriculture's semi-annual rules development agenda for the period of January 1 through June 30, 2016. This document is being sent to you 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 Henri Gonzales at (360) 902-1802 or e-mail hgonzales@agr.wa.gov.

**Semi-Annual Rules Agenda
January 1 - June 30, 2016
P.O. Box 42560
Olympia, WA 98504-2560**

WAC Chapter	Rule Title	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
ANIMAL SERVICES DIVISION						
16-29	Animal disease traceability	Jodi Jones Animal Services Division Phone (360) 902-1889	April	June	August	Identifying the minimum information required for slaughter facility reporting and the acceptance of a completed affidavit in lieu of mandatory reporting.
16-30	Restricted feedlots and restricted holding facilities	Jodi Jones Animal Services Division Phone (360) 902-1889	March	May	July	(1) Adding certificate of veterinary inspection requirement; and (2) changing the category 2 type of holding facility to allow for cattle to feed on grass and remove the no provision for grazing statement.
16-54	Animal importation	Jodi Jones Animal Services Division Phone (360) 902-1889	March	May	July	(1) Removing the certificate of veterinary inspection exemption for cattle consigned to a category 2 restricted holding facility; (2) Modifying the vesicular stomatitis restrictions; and (3) Modifying the exemptions to import health requirements for dogs, cats, and ferrets.
16-71	Equine diseases in Washington state	Jodi Jones Animal Services Division Phone (360) 902-1889	March	May	July	Changing the number of days equine with vesicular stomatitis must be held in quarantine.
16-86	Cattle and bison diseases in Washington state	Jodi Jones Animal Services Division Phone (360) 902-1889	March	May	July	Eliminating the requirement for Q-fever testing in raw milk dairies.
16-610	Livestock brand inspection	Jodi Jones Animal Services Division Phone (360) 902-1889	April	June	August	Increasing the certificate of permit book price from \$1.00 to \$5.00.

WAC Chapter	Rule Title	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
COMMODITY INSPECTION DIVISION						
16-240	WSDA grain inspection program—Definitions, standards, and fees	Jason Ferrante Grain Inspection Program Phone (360) 902-1921	February 2015	February	April	Amending the refund mechanism language for greater flexibility.
16-301	General seed regulations (crucifer quarantine)	Victor Shaul Seed Program Phone (509) 249-6955	November 2015	February	May	Amending the trial ground process to make it applicable to eastern Washington practices as a result of recent changes to the crucifer quarantine.
16-390	WSDA fruit and vegetable inspection districts, inspection fees and other charges	Cameron Crump Fruit and Vegetable Inspection Program Phone (360) 902-1833	April	Expedited	July	Combining the two fruit and vegetable inspection districts into one program, dependent on the outcome of agency proposed legislation.
16-403	Standards for apples marketed within the state of Washington	Cameron Crump Fruit and Vegetable Inspection Program Phone (360) 902-1833	June 2015	January	April	Updating the rule to promote clarity.
16-414	Washington standards for cherries	Cameron Crump Fruit and Vegetable Inspection Program Phone (360) 902-1833	January	April	July	Updating the rule to promote clarity.
16-439	Pears, summer and fall	Cameron Crump Fruit and Vegetable Inspection Program Phone (360) 902-1833	January	April	July	Updating the rule to promote clarity.
FOOD SAFETY AND CONSUMER SERVICES DIVISION						
16-157	Organic food standards and certification	Brenda Book Organic Program Phone (360) 902-2090	May	TBD	TBD	(1) Removing the organic mushroom standards due to conflict with federal standards; and (2) Updating the certification fee schedules.

WAC Chapter	Rule Title	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
16-167	Intrastate commerce in foods	Claudia Coles Food Safety and Consumer Services Division Phone (360) 902-1905	March	TBD	TBD	Updating the feed rules, making changes to good manufacturing practices from 21 C.F.R. 110 to 21 C.F.R. 117, and possibly new produce safety rules.
PLANT PROTECTION DIVISION						
16-350	Registration and certification of fruit tree planting stock	Cindy Cooper Plant Services Program Phone (360) 902-2062	July 2015	February	April	Amending this voluntary certification program by: Defining terminology, recognizing the Clean Plant Center Northwest as the primary foundation source, allowing an extra generation of prunus trees for propagation, and allowing the use of tissue culture to propagate registered stool beds.
16-470	Quarantine—Agricultural pests (apple maggot quarantine)	Jim Marra Pest Program Phone (360) 902-2071	March 2015	March	May	Amending the apple maggot quarantine by: (1) Revising the regulated articles to include municipal solid waste, yard debris, organic feedstock, organic materials, and agricultural waste; and (2) Establishing a special permit to allow transportation and disposition of municipal solid waste, yard debris, organic feedstocks, organic materials, and agricultural waste from the quarantine area for disposal or treatment in the pest-free area.
16-470	Quarantine—Agricultural pests (apple maggot quarantine)	Jim Marra Pest Program Phone (360) 902-2071	December 2015	March	May	Amending the boundaries of the apple maggot and plum curculio quarantine area.

WAC Chapter	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 Phone (360) 902-1856	November 2015	February 2016	April 2016	(1) 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; and (2) Establishing in rule a civil penalty matrix for violations of the Motor Fuel Quality Act.
16-752	Noxious weed seed and plant quarantine	Cindy Cooper Plant Services Program Phone (360) 902-2062	June 2015	March	April	Adding additional species to the noxious weed seed and plant quarantine.

Henri Gonzales
Rules Coordinator

WSR 16-04-016

AGENDA

DEPARTMENT OF LICENSING

[Filed January 21, 2016, 2:11 p.m.]

Following is the rule-making agenda for the department of licensing. This agenda is sent as a requirement of RCW 34.05.314.

If I can provide any additional information regarding rule making at the department of licensing please don't hesitate to contact Damon Monroe via e-mail dmonroe@dol.wa.gov, or phone (360) 902-3843.

RULE-MAKING AGENDA FOR RULES UNDER DEVELOPMENT

January 2016

CR-101	CR-102	PROGRAM	SUBJECT
11-15-059		PSD/Drivers	WAC 308-104-075, Administrative sanctions re: ID application; DOL approval on file.
12-03-062		BPD/Real estate	The director's authority for investigations, inspections and audits, time, place and manner.
12-14-072		PSD/Commercial driver license	WAC 308-100-033 Minimum training requirements.
12-20-055		BPD/Collections agencies	Chapter 308-29 WAC, board's authority on conducting audits and investigations of business and profession licensees.
13-08-039		BPD/Cosmetology	WAC 308-20-210 Cosmetology, barbering, manicuring, and esthetics profession fee suspension.

CR-101	CR-102	PROGRAM	SUBJECT
13-14-059		COR/Public disclosure	WAC 308-93-087, 308-93-088, 308-93-089, disclosure of names and addresses of individual vessel owners. To incorporate recent legislative changes, SSB 5182 passed during the 2013 session.
13-19-052		PSD/Vehicle and vessel licensing	Chapter 308-94A WAC, amend the ORV rules to include restrictions/provisions for wheeled all-terrain vehicles. ESHB 1632 passed during 2013 legislative session.
13-20-011		BPD/Engineers and land surveyors	Chapter 196-29 WAC, Professional practices, clarify terminology that has become unclear since the Engineer's Registration Act (RCW 18.43.020(9)) was first adopted in 1947.
13-20-012		BPD/Engineers and land surveyors	Chapter 196-29 WAC, Professional practices, board adopted policy pertaining to when and under what circumstances a professional engineer could engage in practice that might be seen as within the scope of land surveying. The policy will be adopted as an amendment to Title 196 WAC.
13-23-085		BPD/Court reporters	Chapter 308-14 WAC, amending chapter for effectiveness, clarity, intent and statutory authority.
14-02-066		COR/Resources division	Repeal WAC 308-93-087, 308-93-088 and 308-93-089, disclosure of names and addresses of individual vessel owners, etc.
14-05-042		BPD/Driver training school program	Chapters 308-108 and 308-110 WAC, update rules for driver training schools who teach traffic safety education and administer knowledge and driving examinations.
14-17-039		PSD/Programs and services, field and licensing support	WAC 308-104-050 Waiver of driver education requirement.
14-21-061		CRD/Vehicle and vessel licensing	WAC 308-96A-026 Vehicle transit permit, HB 1129 passed during the 2014 session which requires a \$5 service fee be charged by all offices for registration transactions.
15-04-016		BPD/For hire (taxis)	WAC 308-83-010 Definitions—Limousine.
15-04-029		CRD/Vehicle and vessel licensing	WAC 308-96A-099 Use class descriptions.
15-04-059	16-01-099	BPD/Real estate program	WAC 308-124C-110 and 308-124C-115, update rules to reflect: (1) New technology and (2) providing notice to the department when a real estate licensee has action taken against other licenses held by the licensee.
15-04-060	16-01-086	BPD/Real estate program	WAC 308-124A-700, 308-124A-727 and 308-124A-775, updating real estate fingerprint processes to reflect a newer streamlined process.
15-08-074 15-19-016		BPD/Dealer services program	WAC 308-63-040, 308-65-040, 308-65-090, 308-65-120(5), vehicle wreckers, hulk haulers and scrap processors. Correct authority for inspection approval as described in RCW.
15-11-016		PSD/Driver and vehicle records	WAC 308-96B-020 General provisions, regarding individuals with disabilities vehicle license privileges.

CR-101	CR-102	PROGRAM	SUBJECT
15-21-021	16-01-184	BPD/Home inspector/real estate	Chapter 308-408 WAC, Definitions, clarify existing rules to assist licensees regarding words and terms, licensing, education, and standards of practice.
15-21-032		PSD/Driver records	WAC 308-104-160, moving and nonmoving violations defined. Update list of moving traffic violations by adding a reference to the THC open container violation, created by the legislature in 2015.
15-22-075		BPD/Limousine and for hire program	Chapter 308-83 WAC, Limousine services: WAC 308-83-010, change existing rule to assist City of Seattle w/enforcement of unlicensed chauffeurs; and WAC 308-83-120, add new subsection (3) to require on board fire extinguishers and warning devices.
15-24-131		BPD/Dealer and manufacturer services	WAC 308-89-060 Fees, eliminating the processing fee for name and address changes.
16-01-075		BPD/Real estate program	WAC 308-56A-525 Vehicle seller's report of sale, update the rule in response to recent legislation.
16-01-076		BPD/Real estate program	Chapter 308-96B WAC, Individual with disabilities vehicle license privileges, update rules pertaining to vehicle license and parking privileges for individuals with disabilities in response to recent legislation.
16-03-003		BPD/Transportation services	WAC 308-66-210 Statement of change in business structure, ownership interest or control.
16-03-070		BPD/Private security guard program	WAC 308-17-150 Private investigative agency, private investigator, and armed private investigator fees, private investigator licensing application instructions for obtaining the required background checks.
16-04-012		BPD/Bail bond recovery agent program	Chapter 308-19 WAC, Bail bond agencies and bail bond agents, bail bond recovery agent licensing application instructions for obtaining the required background checks.

Damon Monroe
Rules Coordinator

WSR 16-04-019
NOTICE OF PUBLIC MEETINGS
GAMBLING COMMISSION
[Filed January 22, 2016, 10:41 a.m.]

Please visit our web site at www.wsgc.wa.gov/ Public Meetings, two weeks before each meeting to confirm meeting dates and start times. For questions, contact Susan Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, phone (360) 486-3466, fax (360) 486-3625, e-mail Susan.Newer@wsgc.wa.gov.

2016 Commission Meetings

January 14 and 15 Red Lion Hotel Olympia
2300 Evergreen Park Drive
Olympia, WA 98502
(360) 943-4000

February 11 and 12 Best Western - Hawks Prairie
8326 Quinault Drive N.E.
Lacey, WA 98516
(360) 456-5655

March 10 and 11 Great Wolf Lodge - Grand Mound
20500 Old Highway 99 S.W.
Grand Mound, WA 98531
(360) 273-7718

April 14 and 15 DoubleTree by Hilton Olympia
415 Capitol Way North
Olympia, WA 98501
(360) 570-0555

May 12 and 13 Red Lion Pasco
2525 North 20th Avenue
Pasco, WA 99301
(509) 547-0701

June NO MEETING

July 14 and 15 Red Lion Seattle Airport
18220 International Boulevard
Seattle, WA 98188
(206) 246-5535

August 11 and 12 Best Western - Hawks Prairie
8326 Quinault Drive N.E.
Lacey, WA 98516
(360) 456-5655

September 8 and 9 Yakima Valley Hotel and
Conference Center - Yakima
1507 North 1st Street
Yakima, WA 98901
(509) 248-7850

October 13 and 14 DoubleTree by Hilton Olympia
415 Capitol Way North
Olympia, WA 98501
(360) 570-0555

November 10 and 11 DoubleTree by Hilton Olympia
415 Capitol Way North
Olympia, WA 98501
(360) 570-0555

December NO MEETING

No meeting in June or December.

Contact Michelle Rancour, (360) 486-3447, michelle.rancour@wsgc.wa.gov.

Steering Committee Meetings

Date	Time	Location
Monday, February 29	9:00 - 9:45 a.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104
Monday, May 2	8:00 - 8:45 a.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104
Wednesday, June 29	9:00 - 9:45 a.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104
Wednesday, August 31	9:00 - 9:45 a.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104
Monday, October 31	3:00 - 3:45 p.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104

If you need further information contact Ginny Weir, Foundation for Health Care Quality, 705 Second Avenue, Suite 410, Seattle, WA 98104, phone (206) 204-7377, fax (206) 682-3739, e-mail GWeir@qualityhealth.org.

WSR 16-04-022

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING**

(Real Estate Commission)
[Filed January 22, 2016, 12:51 p.m.]

The real estate commission will hold a special meeting on February 26, 2016, at 11:00 a.m. to 11:30 or until completion of business. Business will be conducted by conference call only from the Department of Licensing, Black Lake 3, 2nd Floor, Room 3200, 2000 4th Avenue West, Olympia, WA 98502.

WSR 16-04-030

**NOTICE OF PUBLIC MEETINGS
BREE COLLABORATIVE**

[Filed January 25, 2016, 3:26 p.m.]

The following schedule of regular meetings is for the Dr. Robert Bree Collaborative workgroup pediatric psychotropic prescribing.

WSR 16-04-031

**NOTICE OF PUBLIC MEETINGS
CENTRALIA COLLEGE**

[Filed January 25, 2016, 3:29 p.m.]

The Centralia [College] Community College District Twelve, board of trustees has changed the following regular meeting:

From: February 11, 2016, at 3:00 p.m.
To: February 18, 2016, at 3:00 p.m.

If you need further information contact Janet Reaume, 600 Centralia College Boulevard, Centralia, WA, (360) 736-9391 ext. 231, jreaume@centralia.edu, www.centralia.edu.

WSR 16-04-033

NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Board of Physical Therapy)
 [Filed January 26, 2016, 11:06 a.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health, board of physical therapy, for the year 2016. The board of physical therapy meetings are open to the public, and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

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

Date	Time	Location
February 1, 2016	10:00 a.m.	Kent
April 11, 2016	10:00 a.m.	Tumwater
June 6, 2016	10:00 a.m.	Spokane
August 8, 2016	10:00 a.m.	Bellingham
October 3, 2016	10:00 a.m.	Tumwater
December 5, 2016	10:00 a.m.	Kent

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

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

WSR 16-04-034
NOTICE OF PUBLIC MEETINGS
DRY PEA AND
LENTIL COMMISSION
 [Filed January 26, 2016, 11:47 a.m.]

The Washington dry pea and lentil commission announces the following meeting schedule for 2016:

Date	Time	Place	Notes
March 17, 2016 Thursday	9:00 a.m.	USADPLC Stateline Offices	Joint meeting with the Idaho commission and WPGA board (planting projections, income projections, policy progress report, commission candidates)
May 26, 2016 Thursday	9:00 a.m.	USADPLC Stateline Offices	Joint meeting with the Idaho commission and WPGA board (budget approval/policy discussions, contract approval, committee assignment day, commission officer election)
September 20, 2016 Tuesday	9:00 a.m.	USADPLC Stateline Offices	Joint meeting with the Idaho commission and WPGA board (farm bill/ policy update, review contracts, assessment kickoff)
November 8, 2016 Tuesday	9:00 a.m.	USADPLC Stateline Offices	Joint meeting with the Idaho commission and WPGA board (farm bill/policy update, review budgets, RMA, WPLGA annual meeting)
December 7, 2016 Wednesday	8:00-4:00	University Inn, Moscow, ID	WPGA annual grower meeting, annual commission reports, bylaws review
December 8, 2016 Thursday	9:00 a.m.	USADPLC Stateline Offices	Joint meeting with the Idaho commission and WPGA board (budget/election of WPLGA officers, travel approval, report from universities)

If you have any questions about the meeting schedule, please contact Todd Scholz or Michael Shelton at (208) 882-3023 or e-mail mshelton@usapulses.org.

WSR 16-04-036
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
 [Filed January 26, 2016, 12:56 p.m.]

The following times, dates, and locations are for commission meetings for 2016:

February 25, 2016	5:30 p.m.	711 South Capitol Way Suite 402 Olympia, WA 98504
March 24, 2016	5:30 p.m.	711 South Capitol Way Suite 402 Olympia, WA 98504
April 25, 2016	5:30 p.m.	711 South Capitol Way Suite 402 Olympia, WA 98504
May 26, 2016	5:30 p.m.	711 South Capitol Way Suite 402 Olympia, WA 98504
June 23, 2016	5:30 p.m.	711 South Capitol Way Suite 402 Olympia, WA 98504
July 28, 2016	5:30 p.m.	711 South Capitol Way Suite 402 Olympia, WA 98504
August 25, 2016	9:30 a.m. Conference call	711 South Capitol Way Suite 402 Olympia, WA 98504
September 22, 2016	5:30 p.m.	711 South Capitol Way Suite 402 Olympia, WA 98504
October 27, 2016	5:30 p.m.	711 South Capitol Way Suite 402 Olympia, WA 98504
November 2016	9:30 a.m. Conference call - Date TBD	711 South Capitol Way Suite 402 Olympia, WA 98504
December 2016	9:30 a.m. Conference call - Date TBD	711 South Capitol Way Suite 402 Olympia, WA 98504

Friday, March 25, 2016	Location TBD in Seattle, Washington
Friday, June 10, 2016	Location TBD in Seattle, Washington
Friday, September 30, 2016	Location TBD in Seattle, Washington
Friday, December 9, 2016	Location TBD in Seattle, Washington

Meetings generally run from 10:30 a.m. to 2:00 p.m. Specific meeting times, locations and agendas will be published prior to the meetings and materials will be available on the office of civil legal aid's web site at www.ocla.wa.gov.

Open meeting and accommodations: All meetings are open to the public. The civil legal aid oversight committee fully complies with applicable laws ensuring access for persons with disabilities. Upon request, the civil legal aid oversight committee will make reasonable accommodation to ensure full accessibility and meaningful opportunity for interested individuals to participate in the meeting, regardless of physical, mental, cognitive or other disabilities. Requests for translation services or assistive technology should be submitted at least forty-eight hours prior to the meeting in order to allow the oversight committee to accommodate.

For further information about these meetings and/or to request reasonable accommodation, please contact James A. Bamberger, Director, Office of Civil Legal Aid, 1112 Quince Street S.E., Mailstop 41183, Olympia, WA 98504, (360) 704-4135, jim.bamberger@ocla.wa.gov.

WSR 16-04-042
AGENDA
BOARD OF
PILOTAGE COMMISSIONERS
 [Filed January 27, 2016, 11:57 a.m.]

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

There may be additional rule-making activity not on this agenda. Refer to our web site for periodic updates.

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

WSR 16-04-038
NOTICE OF PUBLIC MEETINGS
OFFICE OF
CIVIL LEGAL AID
 (Civil Legal Aid Oversight Committee)
 [Filed January 26, 2016, 1:15 p.m.]

The civil legal aid oversight committee established by RCW 2.53.010 will meet and conduct business on the following dates during calendar year 2016:

**Semi-Annual Rule-Making Agenda
January through June 2016**

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102)	Permanent (CR-103P)
363-116-010	Time and place of meeting	WSR 14-13-114 6/18/14		
363-116-078	Training program	WSR 14-13-114 6/18/14		
363-116-080	Licensing of pilots	WSR 14-13-114 6/18/14		
363-116-084	Simulator evaluation review and appeal procedures	WSR 14-13-114 6/18/14		
363-116-110	Details and requirements of annual license fee payment ... for licensed pilots	WSR 14-13-114 6/18/14		
363-116-140	Limitations	WSR 14-13-114 6/18/14		
363-116-200	Duties of pilots	WSR 14-13-114 6/18/14		
363-116-300	Puget Sound pilotage district rates	Exempt	Intended March filing for public hearing 5/16	Intended for implementation on 7/1/16

WSR 16-04-044
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR
[Filed January 27, 2016, 2:05 p.m.]

NOTICE OF APPEAL
RCW 34.05.330(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On December 1, 2015, the Governor's Office received an appeal from James Robert Deal relating to the Washington Board of Health's denial of a petition to repeal or amend WAC 246-290-460. The Governor's Office denied the Petition on January 7, 2016.

DATE: January 27, 2016

Taylor Wonhoff
Assistant Legal Counsel
to the Governor

WSR 16-04-045
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR
[Filed January 27, 2016, 2:05 p.m.]

NOTICE OF APPEAL
RCW 34.05.330(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On December 30, 2015, the Governor's Office received an appeal from Gerald Steel relating to the Washington Board of Health's denial of a petition for rulemaking regarding fluoride. The Governor's Office denied the Petition on January 7, 2016.

DATE: January 27, 2016

Taylor Wonhoff
Assistant Legal Counsel
to the Governor

WSR 16-04-050
AGENDA
DEPARTMENT OF HEALTH
STATE BOARD OF HEALTH
 [Filed January 27, 2016, 4:02 p.m.]

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 16-05 issue of the Register.

WSR 16-04-057
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF ARCHAEOLOGY
AND HISTORIC PRESERVATION
 (Advisory Council on Historic Preservation)
 [Filed January 28, 2016, 12:40 p.m.]

In accordance with RCW 42.30.075, this letter is to notify you for publication of our meeting for the Washington

state governors advisory council on historic preservation (ACHP).

February 5, 2016

Northwest Room
 Pritchard Building
 415 Sid Snyder Avenue
 Olympia, WA 98504

Meeting, date, time, and location of ACHP may be subject to change. For updated information about our meetings, please contact Michael Houser at (360) 586-3076 or e-mail Michael.Houser@dahp.wa.gov.

If anyone wishes to request disability accommodations, please notify us at least ten days in advance of the meeting in question. Notice may be given by phone (360) 586-3065, fax (360) 586-3067 or by contacting Beverly Ubias at Beverly.Ubias@dahp.wa.gov.

WSR 16-04-058
AGENDA
DEPARTMENT OF ECOLOGY
 [Filed January 28, 2016, 1:45 p.m.]

Pursuant to RCW 34.05.314, following is the department of ecology's rule agenda for January through June 2016. If you have any questions please contact Bari Schreiner by phone (360) 407-6998 or e-mail Bari.Schreiner@ecy.wa.gov.

Rule Agenda
January - June 2016

Dates in bold mean the agency filed the official paperwork (CR-101, CR-102, CR-105, or CR-103). Dates not in bold are estimated dates for when ecology expects to file the official paperwork.

WAC Chapter	Program	Chapter Title	CR-101 Filing Date	CR-102 Filing Date	CR-103 Filing Date	Program Contact
173-491, 173-400, 173-455 AO # 13-04 4/13	Air quality	Chapter 173-491 WAC, Emission standards and controls for sources emitting gasoline gas vapors; chapter 173-400 WAC, General regulations for air pollution sources; chapter 173-455 WAC, Air quality fee rule.	7/2/13	On hold	On hold	Elena Guilfoil
173-400 AO # 15-07 7/15	Air quality	Chapter 173-400 WAC, General regulations for air pollution sources.	7/21/15	Spring 2016	Summer/Fall 2016	Stacey Callaway
173-401 AO # 13-12 12/13	Air quality	Chapter 173-401 WAC, Operating permit regulation.	4/22/14	8/6/15	February 2016	Margo Thompson
173-442, 173-441, 173-400 AO # 15-10	Air quality	Chapter 173-442 WAC, Clean air rule; chapter 173-400 WAC, General regulations for air pollution sources; and chapter 173-441 WAC, Greenhouse gas reporting.	9/21/15	1/5/16	Summer 2016	Stacey Callaway
173-333 AO # 15-12 10/15	Hazardous waste and toxics reduction	Chemical action plans (formerly PBT rule).	10/12/15	September 2016	February 2017	Kara Steward

WAC Chapter	Program	Chapter Title	CR-101 Filing Date	CR-102 Filing Date	CR-103 Filing Date	Program Contact
173-15, 173-18, 173-20, 173-22, 173-26, 173-27 AO # 15-06 5/15	Shorelands and environmental assistance	Shoreline Management Act implementation rules: Chapter 173-15 WAC, Permits for oil or natural gas exploration activities conducted from state marine waters; chapter 173-18 WAC, Shoreline Management Act—Streams and rivers constituting shorelines of the state; chapter 173-20 WAC, Shoreline Management Act—Lakes constituting shorelines of the state; chapter 173-22 WAC, Adoption of designations of shorelands and wetlands associated with shorelines of the state; chapter 173-26 WAC, State master program approval/amendment procedures and master program guidelines; chapter 173-27 WAC, Shoreline management permit and enforcement procedures.	9/2/15	December 2016	June 2017	Michelle Wilcox
197-11 AO # 15-09 8/15	Shorelands and environmental assistance	SEPA rules.	8/18/15	February 2016	June 2016	Fran Sant
173-182 AO # 15-08 7/15	SPPR	Oil spill contingency plan.	9/11/15	May 2016	October 2016	Sonja Larson
173-185 AO # 15-13 10/15	SPPR	Oil movement by rail and pipeline notification.	11/18/15	April 2016	August 2016	Tiffany Johnson
173-186 AO # 15-14 10/15	SPPR	Oil spill contingency plan - railroad.	11/18/15	April 2016	August 2016	Kim Morley
173-350 AO # 13-08 11/13	Waste 2 resources	Solid waste handling standards.	11/5/13	June 2016	October 2016	Kyle Dorsey
173-900 AO # 15-03 3/15	Waste 2 resource	Electronic products recycling.	4/29/15	10/19/15	Late February or March 2016	Kyle Dorsey
173-910 AO # 15-04 4/15	Waste 2 resources	Mercury-containing lights product stewardship program.	7/22/15	February 2016	May 2016	Kyle Dorsey
173-331 AO # 15011 9/15	Waste 2 resources	Vehicle battery recycling.	12/2/15	February 2016	May 2016	Kyle Dorsey
173-312, 173-313 AO # 15-15 12/15	Waste 2 resources	Chapter 173-312 WAC, Coordinated prevention grants; and chapter 173-313 WAC, Local solid waste enforcement grant regulation.	12/22/15	April 2016	August 2016	Kyle Dorsey
173-201A AO # 11-08 and 12-03 10/11	Water quality	Water quality standards for surface waters of the state of Washington (combined SWQS rule making).	10/25/11 withdrawal and new CR-101 9/13/12 9/13/12	Preliminary draft fall 2014 CR-102 filing 1/8/15 New CR-102 anticipated February 2016	Summer 2016	Becca Conklin
173-219 AO # 06-12 8/06 and 6/14	Water quality	Reclaimed water.	11/7/06 withdrawn 6/4/14 New CR-101 6/4/14	6/16/15 continuance filed 8/17/15 withdrawal December 2015 New CR-102 anticipated Fall 2016	TBD	Vince McGowan

WAC Chapter	Program	Chapter Title	CR-101 Filing Date	CR-102 Filing Date	CR-103 Filing Date	Program Contact
173-503A AO # 05-02	Water resources	Samish River subbasin instream resources protection program, lower and upper Skagit water resources inventory area (WRIAs 3 and 4).	2/15/05	Winter 2016	On hold indefinitely	Ann Wessel
173-525 AO # 05-03 3/05	Water resources	Grays Elochoman instream resources protection and water management program WRIA 25.	3/2/05	4/19/10 continuance filed 6/16/10 expired 11/1/10 On hold	On hold	Ann Wessel
173-526 AO # 05-04 3/05	Water resources	Cowlitz instream resources protection and water management program WRIA 26.	3/2/05	4/19/10 continuance filed 6/16/10 expired 11/1/10 On hold	On hold	Ann Wessel

Bari Schreiner

WSR 16-04-059
NOTICE OF PUBLIC MEETINGS
BREE COLLABORATIVE
 [Filed January 28, 2016, 2:12 p.m.]

If you need further information contact Ginny Weir, Foundation for Health Care Quality, 705 Second Avenue, Suite 410, Seattle, WA 98104, phone (206) 204-7377, fax (206) 682-3739, e-mail GWeir@qualityhealth.org.

The following schedule of regular meetings is for the Dr. Robert Bree Collaborative workgroup opioid prescribing guideline implementation.

Date	Time	Location
Thursday February 24	3:00 - 4:30 p.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104
Thursday March 23	3:00 - 4:30 p.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104
Thursday April 20	3:00 - 4:30 p.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104
Thursday May 25	3:00 - 4:30 p.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104
Thursday June 22	3:00 - 4:30 p.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104
Thursday July 27	3:00 - 4:30 p.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104
Thursday August 24	3:00 - 4:30 p.m.	The Foundation for Health Care Quality 705 Second Avenue Suite 410 Seattle, WA 98104

WSR 16-04-065
AGENDA
MILITARY DEPARTMENT
 [Filed January 28, 2016, 4:17 p.m.]

Listed below is the Washington military department's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

If you have questions about the agenda please contact Bernadette Petruska, Military Department, Rules Coordinator, Building 1, Camp Murray, WA 98430, phone (253) 512-8108, fax (253) 512-8497, e-mail bernadette.petruska@mil.wa.gov.

**Semi-Annual Rule-Making Agenda
(January 1 - June 30, 2016)**

WAC Citation	Subject Matter	Agency Contact	Current Activity		
			CR-101	CR-102	CR-103
118-04	Updating the rules to the emergency worker program.	Chris Long (253) 512-7024 chris.long@mil.wa.gov	To be determined	To be determined	To be determined
118-30	Updating the rules to the local emergency management/services organizations, plans and programs.	Dan Banks (253) 512-7065 dan.banks@mil.wa.gov	5/17/13	To be determined	To be determined
118-40	Updating the rules to the hazardous chemical emergency response planning and community right-to-know reporting.	Dan Banks (253) 512-7065 dan.banks@mil.wa.gov	To be determined	To be determined	To be determined

WSR 16-04-067
NOTICE OF PUBLIC MEETINGS
BENTON CLEAN AIR AGENCY
[Filed January 28, 2016, 6:59 p.m.]

Board of Directors
Meeting Schedule for Calendar Year 2016

Meetings are held:

- On the fourth Thursday of each month,
- January was at 5:30 as previously submitted to the register,
- February through December at 4:30 p.m. - (this is a change from previous years which were at 5:30),
- In the board room,
- At the agency offices, 526 South Clodfelter Road, Kennewick, WA 99337.

2016
January 28 - was at 5:30
February 25
March 24
April 28
May 26
June 23
July 28
August 25
September 22
October 27
November 24
December 22

WSR 16-04-079
NOTICE OF PUBLIC MEETINGS
LIFE SCIENCES
DISCOVERY FUND AUTHORITY
[Filed January 29, 2016, 1:07 p.m.]

Following is life sciences discovery fund's updated board meeting information. We will post a meeting agenda on our web site <http://www.lsdfa.org/about/staff/meetings.html> prior to each gathering.

Upcoming Public Board Meeting Dates
(times are approximate and subject to change)

Monday February 8, 2016	8:30 a.m.- 4:30 p.m. 10:30 a.m. - 12:30 p.m.	LSDF Office 1551 Eastlake Avenue East Seattle, WA 98102 (first floor Agora Conference Room)
Monday May 2, 2016	8:30 a.m. - 4:30 p.m.	TBD
Monday July 11, 2016	8:30 a.m. - 4:30 p.m.	TBD
Monday September 19 2016	8:30 a.m. - 4:30 p.m.	TBD
Monday December 12, 2016	8:30 a.m. - 4:30 p.m.	TBD

WSR 16-04-082
AGENDA
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed January 29, 2016, 2:12 p.m.]

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

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

If you have questions about this rule-making agenda, please contact Jilene Siegel, Rules Coordinator, P.O. Box 48380, Olympia, WA 98504-8380, phone (360) 664-7291, e-mail jilenes@drs.wa.gov.

**Semi-Annual Rule-Making Agenda
January through June 2016**

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
415-02-177 415-02-178	Purchasing annuities and purchasing service credits	WSR 15-09-137	WSR 16-01-199	WSR 16-04-048
415-104-480 415-104-485	LEOFF Plan 2 duty disability	WSR 15-15-145	WSR 16-01-197	WSR 16-04-049 [withdrawn from publication]
415-104-482	LEOFF catastrophic disability	WSR 15-09-133	WSR 16-03-074	
415-104-011	LEOFF definitions	WSR 15-24-125		
415-02-030 New 415-113-066 Repeal 415-113-084	Dual member retirement calculations	WSR 15-20-126		
415-02-030 415-02-550 415-106-700 415-108-710 415-110-710 415-112-525 415-112-541 415-112-542	Retiree return to work rules	WSR 12-06-003		
415-04-040 Repeal 415-04-010	Petition for review of administrative decisions			
415-501-110 415-501-410 415-501-475	DCP default investments			
	Interest on members' defined benefit accounts			
New Rule	Separation from service			

Jilene Siegel
Rules Coordinator

WSR 16-04-083

**NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD**

[Filed January 29, 2016, 2:28 p.m.]

NOTICE OF REVISION TO PUBLIC MEETINGS 2016

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

January 22, 2016 Cancelled
February 5, 2016 Start time 8:00 a.m.
 March 4, 2016
 April 1, 2016
 May 6, 2016

June 3, 2016
 July 8, 2016
 August 5, 2016
 August 19, 2016
 September 9, 2016
 October 20, 2016
 November 4, 2016
 December 2, 2016

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

WSR 16-04-085
CLEMENCY AND PARDONS BOARD

[Filed January 29, 2016, 2:55 p.m.]

Notice of Quarterly Hearing

The Washington state clemency and pardons board hereby gives notice of its quarterly hearing scheduled for March 11, 2016, at 10:00 a.m., in Senate Hearing Room 3, of the John A. Cherberg Building, Olympia, Washington¹. The following petitions will be considered by the board²:

¹ Please note that all board hearings are recorded by a court reporter, open to the public, and broadcast on the state public affairs network, TVW.

² At the board's discretion, the order of the petitions to be called for hearing is subject to change.

Petitioner:	Relief Requested:
Hoggatt, Tracy L.	Commutation
Flores, Ruben	Commutation
Orndorff, Shawn A.	Commutation
Strange, Curtis	Commutation
King, Joseph M.	Pardon
Davis, Jaime A.	Pardon
Lohrmann, Jonathan W.	Pardon

WSR 16-04-088
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING

[Filed January 29, 2016, 4:07 p.m.]

2016 Regulatory Board Meetings

Geologist Licensing Board

Date	Location	Start Time
March 8, 2016	Department of Licensing Olympia	3:00 p.m.
June 7, 2016	ESD 113 Capital Event Center Tumwater	8:00 a.m.

Washington State Board for Architects

Date	Location	Start Time
February 11, 2016	Lake Washington Institute of Technology Kirkland	9:00 a.m.
April 21, 2016	Red Lion Hotel Olympia	10:00 a.m.

Board of Licensure for Landscape Architects

Date	Location	Start Time
January 22, 2016	Department of Licensing Olympia	9:30 a.m.
April 20, 2016	Red Lion Hotel Olympia	8:00 a.m.

Funeral and Cemetery Board

Date	Location	Start Time
February 2, 2016	ESD 113 Capital Event Center Tumwater	9:00 a.m.
May 3, 2016	ESD 113 Capital Event Center Tumwater	9:00 a.m.

Board of Registration for Professional Engineers and Land Surveyors

Date	Location	Start Time
February 3-4, 2016	Hilton Garden Inn Bothell	9:00 a.m.
April 19, 2016	Red Lion Hotel Olympia	9:00 a.m.
June 15-16, 2016	Conference Center at SeaTac Seattle	TBD

Collection Agency Board

Date	Location	Start Time
April 20, 2016	Red Lion Hotel Olympia	10:00 a.m.

WSR 16-04-089

NOTICE OF PUBLIC MEETINGS
BREE COLLABORATIVE

[Filed January 29, 2016, 4:39 p.m.]

The following is an updated schedule of regular meetings for the Dr. Robert Bree Collaborative.

Date	Time	Location
Wednesday March 16, 2016	12:30 - 4:30 p.m.	Waterfront Activities Center Lounge 3710 Montlake Boulevard N.E. Seattle, WA 98195
Thursday May 19, 2016	12:30 - 4:30 p.m.	Waterfront Activities Center Lounge 3710 Montlake Boulevard N.E. Seattle, WA 98195
Wednesday July 20, 2016	12:30 - 4:30 p.m.	Waterfront Activities Center Lounge 3710 Montlake Boulevard N.E. Seattle, WA 98195
Wednesday September 21, 2016	12:30 - 4:30 p.m.	Waterfront Activities Center Lounge 3710 Montlake Boulevard N.E. Seattle, WA 98195
Wednesday November 16, 2016	12:30 - 4:30 p.m.	Waterfront Activities Center Lounge 3710 Montlake Boulevard N.E. Seattle, WA 98195

If you need further information contact Ginny Weir, Foundation for Health Care Quality, 705 Second Avenue, Suite 410, Seattle, WA 98104, phone (206) 204-7377, fax (206) 682-3739, e-mail GWeir@qualityhealth.org.

WSR 16-04-090

AGENDA

DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed January 29, 2016, 5:09 p.m.]

Pursuant to RCW 34.05.314, following is the department of labor and industries' semi-annual rules development agenda for January 1 through June 30, 2016.

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

Please contact Maggie Leland at (360) 902-4504 or maggie.leland@lni.wa.gov if you have any questions.

Semi-Annual Rules Development Agenda

January 1 - June 30, 2016

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Division: Division of occupational safety and health (DOSH)						
296-809	Construction confined spaces	Chris Miller DOSH Standards Program (360) 902-5516	1/5/16	September 2016	April 2017	Changing rule to align with OSHA's recent changes to their 29 C.F.R. 1926, Subpart AA, which covers confined space issues in construction.
296-45	Electrical workers	Chris Miller DOSH Standards Program (360) 902-5516	12/2/14	12/8/15	4/5/16	Rule making necessary to revise chapter 296-45 WAC to comply with changes in OSHA 29 C.F.R. Parts 1910 Electric Power Generation, Transmission and Distribution and 1926, Subpart V, Power Transmission and Distribution.
296-62-500 Part R	Hazardous drugs	Chris Miller DOSH Standards Program (360) 902-5516	5/6/14	1/19/16	5/3/16	Amending sections of chapter 296-62 WAC relating to hazardous drugs for increased clarification, streamlining and conforming to the federal global harmonization rule requirements.
296-45	High voltage/helicopters	Chris Miller DOSH Standards Program (360) 902-5516	3/5/13	12/8/15	4/5/16	Updating the safety requirements in chapter 296-45 WAC that relate to electrical work with helicopter assistance.
296-32	Telecommunications	Chris Miller DOSH Standards Program (360) 902-5516	8/6/13	September 2016	TBD	Updating current telecommunications standard and bringing it up-to-date with industry standards. DOSH has been working with a stakeholder group to develop draft language.
296-36, 296-155 Part Q	Compressed air (tunnels)	Chris Miller DOSH Standards Program (360) 902-5516	9/18/12	June 2016	TBD	Rule making in response to petitions and other requests from labor and business industry stakeholders to update the compressed air work requirements in chapters 296-36 and 296-155 WAC Part Q.
296-54	Logging operations	Chris Miller DOSH Standards Program (360) 902-5516	11/16/10	TBD	TBD	Resuming rule-making efforts initiated in 2010 based on a petition from the logging industry.
296-155	Fall protection	Chris Miller DOSH Standards Program (360) 902-5516	3/22/16	TBD	TBD	Correct Part C-1 in construction rule.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-155	Demolitions standards	Chris Miller DOSH Standards Program (360) 902-5516	April 2016	TBD	TBD	Update based on nonworker fatality.
296-27 296-800	Recordkeeping and reporting, Phase 2	Chris Miller DOSH Standards Program (360) 902-5516	April 2016	TBD	TBD	Rule making necessary to revise chapters 296-27 and 296-800 WAC to comply with changes in OSHA 29 C.F.R. Part 1904 Recording and Reporting Occupational Injuries and Illnesses. Phase 1 of rule adopted on May 19, 2015, effective July 1, 2015. Phase 2 will be to submit CR-105 to add bloodborne pathogens and firefighters; as well as housekeeping.
296-62	Lead	Chris Miller DOSH Standards Program (360) 902-5516	March/April 2016	TBD	TBD	DOSH is currently holding stakeholder meetings in response to a public petition received that requested we update our lead rule to provide better protection for workers.
296-307 296-800 296-839 296-901	Globally harmonized system (GHS) for hazard communication for agriculture Phase 2	Chris Miller DOSH Standards Program (360) 902-5516	February 2016	TBD	TBD	Correcting minor sections that were not modified during the original rule making.
296-155	eRules reformatting, Phase 5	Chris Miller DOSH Standards Program (360) 902-5516	6/2/15	1/5/16	4/5/16	Fifth of ten staged filing packages to reformat all DOSH rules for easier use, clearer understanding, and greater stakeholder access.
296-54, 296-65, 296-301, 296-303, 296-304, 296-803, 296-811, 296-816, 296-818, 296-824, 296-835, 296-841, 296-842, 296-863, 296-900	eRules reformatting, Phase 6	Chris Miller DOSH Standards Program (360) 902-5516	8/18/15	3/22/16	6/21/16	Sixth of ten staged filing packages to reformat all DOSH rules for easier use, clearer understanding, and greater stakeholder access.
296-305, 296-800, 296-802, 296-833, 296-839, 296-843, 296-848, 296-849, 296-855, 296-856	eRules reformatting, Phase 7	Chris Miller DOSH Standards Program (360) 902-5516	12/1/15	5/31/16	8/23/16	Seventh of ten staged filing packages to reformat safety and health rules for easier use, clearer understanding, and greater stakeholder access.
296-27, 296-32, 296-36, 296-37, 296-45, 296-52, 296-59, 296-63, 296-67, 296-78, 296-79, 296-99, 296-155	eRules reformatting, Phase 8	Chris Miller DOSH Standards Program (360) 902-5516	3/1/16	5/31/16	8/23/16	Eighth of ten staged filing packages to reformat safety and health rules for easier use, clearer understanding, and greater stakeholder access.
296-62	eRules reformatting, Phase 9	Chris Miller DOSH Standards Program (360) 902-5516	4/19/16	5/31/16	8/23/16	Ninth of ten staged filing packages to reformat safety and health rules for easier use, clearer understanding, and greater stakeholder access.
296-829, 296-876, 296-878	Change log Phase 1	Chris Miller DOSH Standards Program (360) 902-5516	2/16/16	TBD	TBD	Housekeeping to rules that have corrections listed in the change log that are not currently open in eRules.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-24, 296-56, 296-806, 296-807, 296-809, 296-817, 296-823, 296-826, 296-828, 296-860, 296-864, 296-865, 296-869, 296-870, 296-874	Change log Phase 2	Chris Miller DOSH Standards Program (360) 902-5516	March/April 2016	TBD	TBD	Housekeeping to rules that have corrections listed in the change log that are not currently open in eRules.
Division: Fraud prevention and labor standards						
296-127	Prevailing wage	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Review prevailing wage rules, which have not gone through a comprehensive review since the early 90s. Amendments will: <ul style="list-style-type: none"> • Reflect court decisions; • Integrate administrative policies; • Streamline current processes; • Create consistency with the statute; and • Make housekeeping changes.
296-127	Prevailing wage— Scope of work descriptions for dredge workers, truck drivers, and ready mix truck drivers	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	1/5/16	TBD	TBD	Adopt scope of work descriptions for dredge workers, truck drivers, and ready mix drivers.
296-127	Prevailing wage— Scope of work description for fabricated precast concrete products	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	L&I is currently working with the prevailing wage advisory committee on the scope of work definition for fabricated precast concrete products.
296-127	Prevailing wage— Scope of work descriptions for utilities construction and laborers in utilities construction	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	8/16/10	TBD	TBD	Repeal scope of work definitions for utilities construction and laborers in utilities construction.
296-150M	Manufactured homes	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Make housekeeping changes and update language for clarity and consistency.
296-200A	Contractor certificate of registration renewals—Security—Insurance	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Make housekeeping changes and update language for clarity and consistency with industry practices. Clarify definitions.
296-400A	Plumber certification rules	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	6/16/15	10/7/15	2/16/16	Make housekeeping changes and update language for clarity and consistency with industry practices.
Division: Insurance services						
296-14	Pension discount rate	Suzu Campbell Claims Specialty Services (360) 902-5003	11/3/15	12/22/15	2/16/16	Consider whether to reduce the current pension discount rate of 6.4 percent lower for 2016.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-17 296-17A	General classification rule making with reporting rule option	Annie Peeples Employer Services (360) 902-4733	10/20/15	1/5/16	7/5/16	Changes to a variety of classifications and reporting rules to improve clarity and potentially consolidate subclassifications to better address homogeneity. Employer rates will not change as a result of this rule making.
296-17 296-17A	2016 Miscellaneous reporting and classification change	Jo Anne Attwood Employer Services (360) 902-4777	1/19/16	3/22/16	5/17/16	<ul style="list-style-type: none"> • Correct typographical and other errors (such as invalid telephone numbers and out-of-date references), • Revise wording and formatting to make the rules easier to understand and apply, and • Incorporate and formalize existing agency practices (such as expressly including in a risk classification employment that the department currently includes by interpretation or analogy).
296-17 296-17B	2017 Workers' compensation premium rates	Jo Anne Attwood Employer Services (360) 902-4777	6/21/16	9/20/16	11/29/16	Set rates for 2017 workers' compensation insurance.
296-17A	Classifications for schools and churches	Dick Bredeson Employer Services (360) 902-4985	TBD	TBD	TBD	Consider creating separate classifications for schools and churches. Presently they are subclassifications of the same basic classification.
296-17A	Retail stores	Dick Bredeson Employer Services (360) 902-4985	5/17/16	8/23/16	3/7/17	Consider classification changes if supported by insurance principals.
296-17A	Entertainers	Julia Sweeney Employer Services (360) 902-4799	TBD	TBD	TBD	Update classifications for reporting entertainers so that they are fair, equitable and easily applied.
296-17A	Merchandising/audio installation	Julia Sweeney Employer Services (360) 902-4799	TBD	TBD	TBD	Correct possible inconsistencies with some subclassifications to insure businesses with similar operations are classified together.
296-17 296-17A	Janitorial division of hours	Annie Peeples Employer Services (360) 902-4733	TBD	TBD	TBD	Amends reporting and classification rules to improve clarity regarding the division of hours between classification 6602 and construction classifications, and creates special exception subclassification for preoccupancy cleanup.
296-20-135 296-23-220 296-23-230	Medical aid rules rate updates	Emily Stinson Health Services Analysis (360) 902-5974	12/22/15	2/16/16	4/19/16	The affected rules describe elements used in the process of updating the maximum allowable payments for most professional health care services.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-20	Interchangeable biological products	Jaymie Mai Office of the Medical Director (360) 902-6792 Jami Lifka Office of the Medical Director (360) 902-4941	TBD	TBD	TBD	ESB 5935 "Concerning biological products" passed during the 2015 legislative session. This bill authorizes pharmacists to substitute FDA-approved "interchangeable biological products," similar to generics, for brand biologicals. WAC 296-20-03011 should be amended to reflect this change. This may be an expedited rule-making process.
296-19A	Option 2 benefits	Laurinda Grytness Return to Work Partnerships (360) 902-6362	8/4/15	9/22/15	1/19/16	Changes needed to implement SHB 1496. Increases the vocational award to an amount equal to nine months of temporary total disability benefits, allows up to ten percent of retraining funds to be used for vocational assistance, and gives Option 1 participants the ability to switch to Option 2 through the first academic quarter or three months of training.
296-16	Employer— Worker reemployment incentives	Laurinda Grytness Return to Work Partnerships (360) 902-6362	8/4/15	TBD	TBD	Changes needed to implement SHB 1496. Employers participating in the preferred worker program could receive financial incentives similar to the existing stay at work program. They could also receive a new "durable employment" bonus, and the premium discount would be extended to include the employer of injury.
296-19A	Vocational rehabilitation	Laurinda Grytness Return to Work Partnerships (360) 902-6362	3/1/16	TBD	TBD	Further changes as needed to implement SHB 1496, such as providing clarification about Option 2 vocational counseling and job placement services.
296-15-4316	Vocational Option 2 benefits	James Nylander Self-Insurance (360) 902-6907	10/6/15	TBD	TBD	This rule making changes an existing rule, to allow a longer period of time for workers who are eligible for vocational retraining to decline further vocational services and instead select vocational Option 2 benefits.
296-15	Electronic data interchange	James Nylander Self-Insurance (360) 902-6907	12/22/15	TBD	TBD	L&I has agreed to change from the current method of self-insurance claim data reporting to an electronic data interchange (EDI). Existing rules must be modified to establish the reporting requirements for the EDI method of data submittal.

Maggie Leland
Rules Coordinator
Senior Policy Advisor

WSR 16-04-091
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE

(Salmon Recovery Funding Board)

[Filed February 1, 2016, 9:17 a.m.]

The salmon recovery funding board is changing the **date** of the regular quarterly meeting scheduled for March 16-17, 2016:

FROM: March 16 and 17, 2016, from 9:00 a.m. to 5:00 p.m., Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA

TO: March 16, 2016, from 9:00 a.m. to 5:00 p.m., Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA

For further information, please contact Wendy Loosle, 1111 Washington Avenue S.E., P.O. Box 40917, Olympia, WA 98504-0917, wendy.loosle@rco.wa.gov, phone (360) 902-3027, fax (360) 902-3026.

The meeting materials and agenda will be available on the recreation and conservation office (RCO) web site http://www.rco.wa.gov/boards/srfb_meetings.shtml.

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

WSR 16-04-093
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE
REHABILITATION COUNCIL

[Filed February 1, 2016, 11:25 a.m.]

The following is a change in the schedule of regular meetings for the Washington state rehabilitation council (WSRC) for 2015 [2016].

The meeting was previously determined as:

Date	Time	Location
April 21, 2016	9 a.m. - 5 p.m.	Davenport Grand Hotel 333 West Spokane Falls Boulevard Spokane, WA 992001 [99201]
April 22, 2016	9 a.m. - 4 p.m.	Davenport Grand Hotel 333 West Spokane Falls Boulevard Spokane, WA 992001 [99201]

The meetings have been changed to:

Date	Time	Location
April 21, 2016	9 a.m. - 5 p.m.	Oxford Suites 115 West North River Spokane, WA 99201

Date	Time	Location
April 22, 2016	9 a.m. - 4 p.m.	Oxford Suites 115 West North River Spokane, WA 99201

ASL interpreters will be available. For other accommodation requests, please contact WSRC at (866) 252-2939.

If you need further information contact WSRC at (866) 252-2939.

WSR 16-04-095
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE

[Filed February 1, 2016, 2:49 p.m.]

In compliance with RCW 42.30.075, the following board of trustees 2015 [2016] meeting schedule has been approved for Edmonds Community College. The regularly scheduled meetings will take place on the second Thursday of the month beginning at 4:30 p.m. in Gateway Hall, Room 352, Edmonds Community College, 6600 196th Street S.W., Lynnwood, WA 98036.

- January 21 (special meeting)
- March 10
- April 14
- May 17 (special meeting)
- June 9
- August 18 (retreat)
- September 8
- October 13
- November 10

WSR 16-04-096
PUBLIC RECORDS OFFICER
DEPARTMENT OF
NATURAL RESOURCES

[Filed February 1, 2016, 4:00 p.m.]

Pursuant to RCW 42.56.580, the public records officer for the department of natural resources is Jenny Hallengren-Sawyer, 1111 Washington Street S.E., P.O. Box 47041, Olympia, WA 98504, phone (360) 902-1542, fax (360) 902-1789, e-mail Jenny.Hallengren-Sawyer@dnr.wa.gov.

Lily Smith
Legal Affairs Manager

WSR 16-04-103
NOTICE OF PUBLIC MEETINGS
COUNTY ROAD
ADMINISTRATION BOARD
 [Filed February 2, 2016, 10:11 a.m.]

MEETING NOTICE: April 14, 2016
 County Road Administration Board
 2404 Chandler Court S.W.
 Suite 240
 Olympia, WA 98504
 9:00 a.m. to 5:00 p.m.

PUBLIC HEARING: April 14, 2016
 County Road Administration Board
 2404 Chandler Court S.W.
 Suite 240
 Olympia, WA 98504
 2:00 p.m.

MEETING NOTICE: April 15, 2016
 County Road Administration Board
 2404 Chandler Court S.W.
 Suite 240
 Olympia, WA 98504
 8:30 a.m. - noon

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Karen Pendleton at (360) 753-5989, hearing and speech impaired persons can call 1-800-833-6384.

If you have questions, please contact Karen Pendleton at (360) 753-5989.

WSR 16-04-112
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGES
OF SPOKANE
 [Filed February 2, 2016, 11:49 a.m.]

The board of trustees of Washington State Community College District 17 (Community Colleges of Spokane) has changed the following regular meeting:

From: Tuesday, July 19, 2016
 3305 West Fort George Wright Drive
 Spokane, WA

To: Tuesday, July 12, 2016
 3305 West Fort George Wright Drive
 Spokane, WA

If you need further information contact Linda Graham, Community Colleges of Spokane, 501 North Riverpoint Boulevard, Spokane, WA 99217, phone (509) 434-5006, fax (509) 434-5025, e-mail linda.graham@ccs.spokane.edu.

WSR 16-04-113
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGES
OF SPOKANE
 [Filed February 2, 2016, 11:50 a.m.]

Following is the revised schedule of regular meetings for the board of trustees of Washington State Community College District 17 (Community Colleges of Spokane) for 2016:

Date	Time	Location
January 19, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA
February 16, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA
March 15, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA
April 19, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA
May 17, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA
June 21, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA
July 12, 2016 July 19, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA
August 16, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA
September 13, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA
October 11, 2016	9:00 a.m.	Colville Center 985 South Elm Colville, WA
November 15, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA

Date	Time	Location
December 20, 2016	8:30 a.m.	Lodge Building 3305 West Fort George Wright Drive Spokane, WA

If you need further information, please contact Linda Graham, 501 North Riverpoint Boulevard, Mailstop 1001, Spokane, WA 99217-6000, phone (509) 434-5006, fax (509) 434-5025, e-mail Linda.Graham@ccs.spokane.edu.

WSR 16-04-114**AGENDA****WASHINGTON STATE PATROL**

[Filed February 2, 2016, 1:00 p.m.]

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

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

If you have 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.

**Semi-Annual Rule-Making Agenda
January through June 2016**

WAC Citation	Subject Matter	Current Activity/Approximate Filing Date		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
204-36	It is anticipated that there may need to be changes to this chapter to clarify the process for hearings and appeals.	November 3, 2015 WSR 15-22-080	April 2016	
204-50	It is anticipated that there may need to be changes to this chapter to provide clean up to existing language.	Possibly April 2016		
212-10	It is anticipated that there may need to be changes to this chapter to coincide with legislative changes that may be brought forward during the 2016 legislative session.	Possibly April 2016		
212-50	It is anticipated that there may need to be changes to this chapter to coincide with legislative changes that may be brought forward during the 2016 legislative session.	Possibly April 2016		
212-51	It is anticipated that there may need to be changes to this chapter to coincide with legislative changes that may be brought forward during the 2016 legislative session.	Possibly April 2016		
448-15	The proposed changes would provide clean up to the entire chapter.	June 23, 2015 WSR 15-14-027	April 2016	
448-16	The proposed changes would provide clean up to WAC 448-16-020, 448-16-040, 448-16-080, and 448-16-120.	June 23, 2015 WSR 15-14-028	April 2016	

Melissa Van Gorkom
Rules Coordinator

WSR 16-04-118**DEPARTMENT OF ECOLOGY**

[Filed February 2, 2016, 2:38 p.m.]

PUBLIC NOTICE**Announcing the Reissuance of the Sand and Gravel
General Permit**

PERMIT: The Washington state department of ecology (ecology) is reissuing the sand and gravel NPDES and state waste discharge general permit on February 17, 2016.

PURPOSE OF THE PERMIT: The purpose of the sand and gravel general permit is to control the discharge of pollutants from sand and gravel mining operations and related facilities into waters of the state. This general permit provides coverage for discharges of process water, stormwater, and mine dewatering water associated with sand and gravel operations, rock quarries and similar mining activities, including stockpiles of mined materials, concrete batch operations, and hot mix asphalt operations. The permit authorizes wastewater discharges to waters of the state of Washington subject to the permit conditions.

PERMIT AND SUPPORTING DOCUMENTS: A public comment period for the draft permit and supporting documents was held from September 9, through October 23, 2015. Ecology read and responded to all of the public comments received during this comment period. Ecology made revisions to the final permit in response to public comments. You may download the final permit, response to comments, and other supporting documents beginning on February 17, 2016, from the following web site <http://www.ecy.wa.gov/programs/wq/sand/index.html>.

ECOLOGY CONTACT: Carrie Graul, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696, phone (360) 407-6967, e-mail carrie.graul@ecy.wa.gov.

APPEALS: This permit may be appealed to the pollution control hearings board (PCHB) within thirty days of the date of receipt of the final permit. The appeal process is governed by chapters 43.21B RCW and 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2) (also see glossary).

To appeal, the following must be done within thirty days of receipt of this permit:

- File the appeal and a copy of this permit with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of the appeal and this permit on ecology in paper form - by mail or in person (see addresses below). **E-mail is not accepted.**

The appeal must also comply with other applicable requirements in chapters 43.21B RCW and 371-08 WAC.

ADDRESS AND LOCATION INFORMATION:**Street Address**

Department of Ecology
Attn: Appeals Processing Desk
300 Desmond Drive S.E.
Lacey, WA 98503

Mailing Address

Department of Ecology
Attn: Appeals Processing Desk
P.O. Box 47608
Olympia, WA 98504-7608

Street Address

Pollution Control Hearings Board
1111 Israel Road S.W.
Suite 301
Tumwater, WA 98501

Mailing Address

Pollution Control Hearings Board
P.O. Box 40903
Olympia, WA 98504-0903

WORKSHOPS: Ecology plans to hold workshops across the state on the reissued permit in late March through early April. Information about the workshops will be available from the following web site <http://www.ecy.wa.gov/programs/wq/sand/index.html>.

WSR 16-04-130**DEPARTMENT OF ECOLOGY**

[Filed February 3, 2016, 11:55 a.m.]

**Washington's Underground Storage Tank (UST)
Program: Tank Fee Increase in 2017.**

Washington's UST fees will increase on July 1, 2017, from \$160 to \$166.99 per tank. This fee increase will offset escalating program costs and a decrease in federal funding assistance.

The fiscal growth factor was used to determine the amount of fee increase. The fiscal growth factor is approved by the Washington state expenditure limit committee. The factor is calculated using the average growth in state personal income for the previous ten fiscal years.

More information on the UST fee increase can be found on the UST program web page, <http://www.ecy.wa.gov/programs/tcp/ust-lust/tanks.html>.

WSR 16-04-131**NOTICE OF PUBLIC MEETINGS****DEPARTMENT OF
ENTERPRISE SERVICES**

(Capitol Campus Design Advisory Committee)

[Filed February 3, 2016, 11:56 a.m.]

The capitol campus design advisory committee meeting scheduled for Thursday, February 18, 2016, has been canceled.

If you have any questions, please contact Nouk Leap at (360) 407-9256 or Kim Buccarelli at (360) 407-9312.