

OFFICE OF THE CODE REVISER
Quarterly Rule-Making Report
Covering Registers 22-01 through 22-06

Type of Activity	New	Amended	Repealed
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	31	1
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	1	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
BELLINGHAM TECHNICAL COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
BUILDING CODE COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	7	0
Number of Rules Proposed for Permanent Adoption	72	288	35
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CENTRAL WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	11	14	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Pilot Rule Making	0	0	0
CHARTER SCHOOL COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	3	4	0
CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	32	1
Number of Rules Adopted as Emergency Rules	0	17	0
Number of Rules Proposed for Permanent Adoption	2	189	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
COLUMBIA BASIN COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
COMMERCE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CORRECTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	3	30	0
COUNTY ROAD ADMINISTRATION BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	17	5
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CRIMINAL JUSTICE TRAINING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Proposed for Permanent Adoption	3	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EASTERN WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ECOLOGY, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	16	1
Number of Rules Proposed for Permanent Adoption	5	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EDUCATION, STATE BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	3	4	0
Number of Rules Proposed for Permanent Adoption	3	4	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	3	4	0
Number of Sections Adopted on the Agency's own Initiative	3	4	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EMPLOYMENT SECURITY DEPARTMENT			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	2	1
Number of Rules Proposed for Permanent Adoption	11	35	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ENGINEERS AND LAND SURVEYORS, BOARD OF REGISTRATION FOR PROFESSIONAL			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Rules Withdrawn	2	9	2
FINANCIAL MANAGEMENT, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	55	1
Number of Rules Proposed for Permanent Adoption	0	6	1
Number of Rules Withdrawn	0	8	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
FISH AND WILDLIFE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	15	0
Number of Rules Adopted as Emergency Rules	62	0	47
Number of Rules Proposed for Permanent Adoption	4	46	2
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	0	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
GAMBLING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	11	2	0
Number of Rules Proposed for Permanent Adoption	9	1	0
Number of Rules Withdrawn	3	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

GREEN RIVER COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	13
Number of Rules Adopted as Emergency Rules	0	0	1
Number of Rules Proposed for Permanent Adoption	9	0	5
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

HEALTH CARE AUTHORITY

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	13	0
Number of Rules Adopted as Emergency Rules	0	9	0
Number of Rules Proposed for Permanent Adoption	8	32	0
Number of Rules Withdrawn	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

HEALTH, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	8	57	40
Number of Rules Adopted as Emergency Rules	5	22	0
Number of Rules Proposed for Permanent Adoption	22	95	67
Number of Rules Withdrawn	1	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

HIGHLINE COLLEGE

Type of Activity	New	Amended	Repealed
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Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	2
Number of Rules Adopted as Emergency Rules	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
HORSE RACING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0
Number of Rules Proposed for Permanent Adoption	1	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
INSURANCE COMMISSIONER, OFFICE OF THE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	3	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LABOR AND INDUSTRIES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	10	57	1
Number of Rules Adopted as Emergency Rules	38	15	0
Number of Rules Proposed for Permanent Adoption	11	6	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LICENSING, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

LIQUOR AND CANNABIS BOARD

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	11	0
Number of Rules Proposed for Permanent Adoption	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

LOTTERY, WASHINGTON STATE

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	0	0

LOWER COLUMBIA COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0
Number of Rules Adopted as Emergency Rules	0	3	0
Number of Rules Proposed for Permanent Adoption	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

NATURAL RESOURCES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PARAEDUCATOR BOARD

Type of Activity	New	Amended	Repealed
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Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PILOTAGE COMMISSIONERS, BOARD OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

POLLUTION LIABILITY INSURANCE AGENCY

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	14	0
Number of Rules Proposed for Permanent Adoption	4	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PROFESSIONAL EDUCATOR STANDARDS BOARD

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Rules Proposed for Permanent Adoption	1	7	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PUBLIC DISCLOSURE COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PUBLIC INSTRUCTION, SUPERINTENDENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Adopted as Emergency Rules	7	18	11
Number of Rules Proposed for Permanent Adoption	0	5	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

RETIREMENT SYSTEMS, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	8	47
Number of Rules Proposed for Permanent Adoption	0	4	47
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

REVENUE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	18	0
Number of Rules Adopted as Emergency Rules	0	3	0
Number of Rules Proposed for Permanent Adoption	0	4	0
Number of Rules Withdrawn	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

SECRETARY OF STATE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	10	2

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	1	0	0
Number of Rules Proposed for Permanent Adoption	0	10	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	11	24	0
Number of Rules Adopted as Emergency Rules	9	31	4
Number of Rules Proposed for Permanent Adoption	31	18	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	1	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SPOKANE, COMMUNITY COLLEGES OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	3	0
STUDENT ACHIEVEMENT COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	15	0	9
TAX APPEALS, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	38	7
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
TRANSPORTATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	2	0
UNIVERSITY OF WASHINGTON			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
VETERANS AFFAIRS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WASHINGTON STATE PATROL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WASHINGTON STATE UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
WESTERN WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	10	23	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	102	493	122
Number of Rules Adopted as Emergency Rules	125	138	63
Number of Rules Proposed for Permanent Adoption	216	804	175
Number of Rules Withdrawn	10	32	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Statute	1	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	3	4	0
Number of Sections Adopted on the Agency's own Initiative	4	7	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

WSR 22-07-003
RULES COORDINATOR
DEPARTMENT OF
SERVICES FOR THE BLIND
[Filed March 2, 2022, 4:18 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the department of services for the blind is Nohemy Solorzano-Thompson, P.O. Box 40933, Olympia, WA 98504-0933, phone 360-725-3836, fax 360-407-0679, and email Nohemy.Solorzano-Thompson@dsb.wa.gov.

Nohemy Solórzano-Thompson
Human Resources Liaison and
Diversity, Equity and Inclusion
Program Manager

WSR 22-07-005

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF ECOLOGY

(Office of Chehalis Basin)

[Filed March 3, 2022, 9:42 a.m.]

PUBLIC NOTICE

Chehalis Basin Board April 2022 Meeting

The department of ecology's office of Chehalis Basin has determined the Chehalis Basin board meeting on April 7, 2022, will be held as a hybrid (in-person/virtual webinar) meeting. Board members and staff are encouraged to attend in person, but public participants should continue attending virtually until further notice. Board meetings will regularly be held in 2022 on the first Thursday of each month.

With current health and safety recognition surrounding the COVID-19 pandemic, the Chehalis Basin board will be determining location and approach for each meeting on a monthly basis from April - December 2022.

Meeting Name: Chehalis Basin board meeting.

Location (Hybrid): Satsop Business Park, 150 Technology Lane, Elma, WA 98541; or Zoom online meeting <https://www.zoomgov.com/j/1611950990?pwd=dE95Z3E1WVhNczY5SEQ2YVhRdzNWZz09>, Call-in Option 551-285-1373, Meeting ID 161-195-0990.

Date: April 7, 2022.

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, call ecology at 360-407-6831 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington relay service at 711. People with speech disability may call TTY at 877-833-6341.

WSR 22-07-006
PUBLIC RECORDS OFFICER
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed March 3, 2022, 1:30 p.m.]

Pursuant to RCW 42.56.580, the public records officer for the department of retirement systems is Michelle Brown, P.O. Box 48380, Olympia, WA 98504-8380, 360-664-7854, and public records requests should be sent to Michelle.brown@drs.wa.gov.

Michelle Brown
Public Records Officer

**WSR 22-07-007
RULES COORDINATOR
DEPARTMENT OF
RETIREMENT SYSTEMS**

[Filed March 3, 2022, 1:31 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the department of retirement systems is Rubi Reaume, P.O. Box 48380, Olympia, WA 98513, 360-664-7311, Rubi.Reaume@drs.wa.gov.

Bailee Roby
Petition Examiner

WSR 22-07-008

HEALTH CARE AUTHORITY

[Filed March 3, 2022, 1:58 p.m.]

NOTICE

Subject: Medicaid State Plan Amendment (SPA) 22-0015 Update Inpatient Hospital Cross-Reference.

Effective Date: April 1, 2022.

Description: The health care authority (HCA) intends to submit medicaid SPA 22-0015 to update the statutory reference authorizing a hospital opting out of the inpatient "full cost" payment program if the hospital meets the criteria for the inpatient rate enhancement. The reference to WAC 182-550-3830 is outdated and is being replaced with RCW 74.09.5225. This is a "housekeeping" action and does not change current policy or practice.

SPA 22-0015 is anticipated to have no effect on the annual aggregate expenditures/reimbursement/payment for professional services.

A copy of SPA 22-0015 is available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy or to submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Jessica Carrothers, Certified Public Expenditure Program Manager, 626 8th Avenue, Olympia, WA 98501, phone 360-725-2130, TTY 711, email Jessica.carrothers@hca.wa.gov.

**WSR 22-07-009
NOTICE OF PUBLIC MEETINGS
BEEF COMMISSION**

[Filed March 3, 2022, 2:05 p.m.]

2022 Meeting Schedule

(All meetings begin at 9:00 a.m.)

The Washington state beef commission will meet in 2022 as indicated below.

January 20, 2022 Thursday	Regular meeting	Virtual
March 16-17, 2022 Wednesday/Thursday	Strategic planning meeting	Seattle
April 21, 2022 Thursday	Budget meeting	Ellensburg
June 9, 2022 Thursday	Annual meeting	Ellensburg
September 7, 2022 Wednesday	Regular meeting	Spokane
November 11, 2022 Friday	Regular meeting	WCA Convention

If you have any questions or need more information, please contact the beef commission at 206-444-2902.

WSR 22-07-010

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF

NATURAL RESOURCES

(Committee on Geographic Names)

[Filed March 4, 2022, 8:29 a.m.]

This memo is notification of a special committee on geographic names meeting on March 7, 2022. This special meeting is to discuss the United States Department of the Interior Secretary's Order 3404, Reconciliation of Derogatory Geographic Names, and possibly take action. The meeting will be held via Zoom webinar.

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

WSR 22-07-014
RULES OF COURT
STATE SUPREME COURT
[March 3, 2022]

IN THE MATTER OF THE) AMENDED
SUGGESTED AMENDMENT TO) ORDER
CrRLJ 3.3—TIME FOR TRIAL) NO. 25700-A-1377

The District and Municipal Court Judges' Association, having recommended the suggested amendment to CrRLJ 3.3—Time for Trial, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in November 2021.

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

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2022. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 3rd day of March, 2022.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment to

WASHINGTON STATE COURT RULES:

CRIMINAL RULES FOR COURTS OF LIMITED JURISDICTION

RULE 3.3

TIME FOR TRIAL

A. Name of Proponent: District & Municipal Courts Judges' Association (DMCJA)

B. Spokesperson: Judge Charles Short, President, DMCJA

C. Purpose: The DMCJA recommends amending CrRLJ 3.3, Time for Trial, to allow defense counsel to enter into agreements for continuance on behalf of their clients. The amendment will make the rule more congruent with recent amendments to CrRLJ 3.4 pertaining to the presence of the defendant. It also clarifies that defense counsel's signature constitutes a representation that the defendant has been consulted and agrees to the continuance, and that the court's notice to defense counsel of new hearing dates constitutes notice to the defendant. For these reasons, the DMCJA requests adoption of the proposed amendment.

D. Hearing: A hearing is not recommended.

E. Expedited Consideration: Expedited consideration is requested to address current practice and to make the rule congruent with the current CrRLJ 3.4.

Proposed Amendment:

CrRLJ 3.3

TIME FOR TRAIL

(a) - (e) [Unchanged.]

(f) **Continuances.** Continuances. Continuances or other delays may be granted as follows:

(1) *Written Agreement.* Upon written agreement of the parties which must be signed by defense counsel or the defendant or all defendants, the court may continue the trial to a specified date. Defense counsel's signature constitutes a representation that the defendant has been consulted and agrees to the continuance. The Court's notice to defense counsel of new hearing dates constitutes notice to the defendant.

(2) [Unchanged.]

(g) - (h) [Unchanged.]

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

WSR 22-07-015
RULES OF COURT
STATE SUPREME COURT
[March 3, 2022]

IN THE MATTER OF THE) ORDER
SUGGESTED AMENDMENTS TO) NO. 25700-A-1378
CrRLJ 3.4—PRESENCE OF THE)
DEFENDANT)

The District and Municipal Court Judges' Association, having recommended the suggested amendments to CrRLJ 3.4—Presence of the Defendant, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in November 2021.

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

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2022. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 3rd day of March, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendment to
WASHINGTON STATE COURT RULES:
CRIMINAL RULES FOR COURTS OF LIMITED JURISDICTION

RULE 3.4
PRESENCE APPEARANCE OF THE DEFENDANT

A. Name of Proponent: District & Municipal Courts Judges' Association (DMCJA)

B. Spokesperson: Judge Charles Short, President, DMCJA

C. Purpose: Two recent events have prompted the DMCJA to propose revisions to the current CrRLJ 3.4. First, the global pandemic and associated Washington Supreme Court orders loosening restrictions on virtual or remote hearings have forced courts of limited jurisdiction to explore new ways to conduct court business to provide greater access to justice and to facilitate court operations. Most courts in the state made large investments to advance technology in the courtrooms to make these hearings not only possible, but even desirable for certain types of hearings. Allowing remote appearance for many hearings has decreased the financial impact of criminal charges on many defendants, by allowing defendants to appear in court without taking time

off from work or arranging childcare for their family. It has also increased efficiency of courts by allowing attorneys to appear in courts in different jurisdictions without the need to travel between the courts. These advancements justify a broadening of the rule allowing for remote appearance by defendants.

Second, the recent Court of Appeals decision in State v. Gelinas, 15 Wn. App. 2d 484 (2020) has caused considerable confusion surrounding when courts of limited jurisdiction may require a defendant's physical appearance for certain types of hearings, and when these courts have the authority to issue a bench warrant for non-appearance. The revisions in this rule are designed to codify the primary holding of Gelinas, that a defendant may appear through counsel for many types of hearings, and that a court of limited jurisdiction may not issue a bench warrant for the defendant's failure to personally appear when counsel is appearing on their behalf.

These changes proposed by the DMCJA continue current appearance opportunities for defendants and allow limited jurisdiction courts to manage calendars and trial terms. Some language changes are proposed for clarity or grammar purposes. The current rule uses the terms "required" and "necessary," resulting in lack of clarity. CrRLJ 3.3 (c) (2) (ii) uses the term "required" when discussing the restarting of a commencement date. For clarity and consistency, the proponent recommends using "required" in place of "necessary." The current version of CrRLJ 3.4 also uses the terms "presence" and "appearance." For consistency and clarity, the proponent recommends using "appearance" or "appear" throughout the rule.

- Paragraph (a) is revised to clarify that an appearance by the defendant (or their attorney) is required at all hearings. This change allows the court to manage trial and pre-trial calendars while still permitting the defendant to appear through counsel.
- New Paragraph (b) defines what "appearance" means for purposes of this rule. This definition section clarifies that there are three ways in which a defendant may "appear" in court - in person, by video or remote appearance, and through counsel.
- Paragraph (c) is retitled "When Physical Appearance Required." This clarifies that for certain types of necessary hearings, appearing only through counsel is not permitted. Thus, the defendant's physical or remote appearance is required at the hearings listed. The revisions here also incorporate a separate holding of Gelinas, by clarifying that a trial court may find good cause to require a defendant's personal appearance at certain types of hearings other than those explicitly listed. Finally, these revisions now allow a trial court to permit remote appearance of the defendant for required appearances.
- Paragraph (d) is identical to former paragraph (c), with the exception that it changes "by its lawyer" to "through counsel" to make the language consistent with the definitions in the new paragraph (b).
- Paragraph (e) clarifies that a trial court has the authority to issue a bench warrant if no appearance is made by the defendant. In other words, if a defendant fails to appear, and a defense attorney does not appear or appears but has no authority to act on behalf of the client and no information as to why the defendant is not present, the trial court has the discretion to issue a bench warrant. This is consistent with the Gelinas holding that a trial court may only issue a warrant for a defendant's failure to

appear if the defendant's appearance was necessary to advance the case. If neither a defendant nor an attorney appear at a hearing, a hearing cannot take place and thus the case cannot advance.

Finally, the DMCJA recommends moving former paragraphs (e) and (f) related to when "videoconference" proceedings to a new ARLJ or GR. The pandemic forced, and the Supreme Court's emergency orders permitted, courts around the state to adopt new methods and invest in technology to improve the quality and efficiency of video or remote hearings. The location within the rules of the current remote hearing guidelines could be interpreted as limiting their application to pre-trial proceedings. A new ARLJ or GR would be able to address remote hearing requirements for all civil, infraction and criminal proceedings. General remote hearing guidelines could be established with the ability of local courts to adopt procedures consistent with their access to technology.

Because of the benefits of this proposal, the efficiency of video proceedings; the holding in Gelinas, and aiding general language clarification, the DMCJA requests adoption of the proposed amendments.

D. Hearing: A hearing is not recommended.

E. Expedited Consideration: Expedited consideration is requested because of the change in the law and to facilitate the continuation of video proceedings.

Reviser's note: The typographical errors in 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.

CrRLJ 3.4 PRESENCE APPEARANCE OF THE DEFENDANT

~~(a) **Presence Defined.** Unless a court order or this rule specifically requires the physical presence of the defendant, the defendant may appear remotely or through counsel. Appearance through counsel requires that counsel either (i) present a waiver the defendant has signed indicating the defendant wishes to appear through counsel or (ii) affirm, in writing or in open court, that this is the defendant's preference. **Appearance Required.** The appearance of the defendant is required at all hearings set by the Court.~~

~~(b) **Definitions.** For purposes of this rule, "appear" or "appearance" means the defendant's physical appearance, remote appearance or appearance through counsel.~~

~~(1) **"Physical appearance"** means the defendant's appearance pursuant to the CrRLJ 3.3(a) definition of appearance.~~

~~(2) **"Remote appearance"** means the defendant appears through a telephonic or video conference platform approved by the Court.~~

~~(3) **"Appearance through counsel"** means that counsel appears on behalf of the defendant. Appearance through counsel requires that counsel affirm, in writing or in open court, that they have consulted with the defendant since the last appearance, and that the defendant waives the right to be present at the instant hearing.~~

~~(b)(c) **When Physical Appearance Is Required Necessary.** The defendant's physical appearance shall be present physically or remotely (in the court's discretion) is required at arraignment (if one is held), at every stage of the trial including the empaneling of the jury, and the returning of the verdict, and at the imposition of imposing the sentence, and at hearings set by the Court upon a finding of good cause, except as otherwise provided by these rules, or as excused or excluded by the court for good cause shown.~~

~~(c)(d) Effect of Voluntary Absence.~~ The defendant's voluntary absence after the trial has commenced in his or her presence shall not prevent continuing with the trial to and including the return of the verdict. A corporation may appear by its lawyer through counsel for all purposes. In prosecutions for offenses punishable by fine only, the court, with the defendant's written consent ~~of the defendant~~, may permit arraignment, plea, trial and imposition of sentence in the defendant's absence.

~~(d)(e) Defendant Not Present. Failure to Appear.~~ In order to require the defendant's physical or remote presence at any hearing other than those listed in subpart (b), the court must find good cause. If in any case the defendant fails to appear is not present when his or her personal attendance appearance is necessary required, the court may order the clerk to issue a bench warrant for the defendant's arrest, which may be served as a warrant of arrest in other cases.

~~(e) Videoconference Proceedings.~~

~~(1) Authorization.~~ Preliminary appearances held pursuant to CrRLJ 3.2.1(d), arraignments held pursuant to this rule and CrRLJ 4.1, bail hearings held pursuant to CrRLJ 3.2, and trial settings held pursuant to CrRLJ 3.3(f), may be conducted by video conference in which all participants can simultaneously see, hear, and speak with each other. Such proceedings shall be deemed held in open court and in the defendant's presence for the purposes of any statute, court rule or policy. All video conference hearings conducted pursuant to this rule shall be public, and the public shall be able to simultaneously see and hear all participants and speak as permitted by the trial court judge. Any party may request an in person hearing, which may in the trial court judge's discretion be granted.

~~(2) Agreement.~~ Other trial court proceedings including the entry of a Statement of Defendant on Plea of Guilty as provided for by CrRLJ 4.2 may be conducted by video conference only by agreement of the parties, either in writing or on the record, and upon the approval of the trial court judge pursuant to local court rule.

~~(3) Standards for Video Conference Proceedings.~~ The judge, counsel, all parties, and the public must be able to see and hear each other during proceedings, and speak as permitted by the judge. The video and audio should be of sufficient quality to ensure participants are easily seen and understood. Video conference facilities must provide for confidential communications between attorney and client, including a means during the hearing for the attorney and the client to read and review all documents executed therein, and security sufficient to protect the safety of all participants and observers. For purposes of videoconference proceedings, the electronic or facsimile signatures of the defendant, counsel, interested parties and the court shall be treated as if they were original signatures. This includes all orders on judgment and sentence, no contact orders, statements of defendant on pleas of guilty, and other documents or pleadings as the court shall determine are appropriate or necessary. In interpreted proceedings, the interpreter must be located next to the defendant and the proceeding must be conducted to assure that the interpreter can hear all participants.

~~(f) Videoconference Proceedings under RCW 10.77.~~

~~(1) Authorization.~~ Proceedings held pursuant to chapter 10.77 RCW, may be conducted by video conference in which all participants can simultaneously see, hear, and speak with each other except as otherwise directed by the trial court judge. When these proceedings are conducted via video conference, it is presumed that all participants

~~will be physically present in the courtroom except for the forensic evaluator unless as otherwise provided by these rules, or as excused or excluded by the court for good cause shown. Good cause may include circumstances where at the time of the hearing, the court does not have the technological capability or equipment to conduct the conference by video as provided in this rule. Such video proceedings shall be deemed held in open court and in the defendant's presence for the purposes of any statute, court rule, or policy. All video conference hearings conducted pursuant to this rule shall be public, and the public shall be able to simultaneously see and hear all participants and speak as permitted by the trial court judge. Five days prior to the hearing date, any party may request the forensic evaluator be physically present in the courtroom, which may in the trial court judge's discretion be granted.~~

~~(2) Standards for Video Conference Proceedings under Chapter 10.77 RCW. The judge, counsel, all parties, and the public must be able to see and hear each other during the proceedings, and speak as permitted by the judge. Video conference facilities must provide for confidential communications between attorney and client and security sufficient to protect the safety of all participants and observers. In interpreted proceedings, the interpreter must be located next to the defendant and the proceeding must be conducted to assure that the interpreter can hear all participants.~~

WSR 22-07-016

HEALTH CARE AUTHORITY

[Filed March 7, 2022, 8:56 a.m.]

NOTICE

Subject: Medicaid State Plan Amendment (SPA) 22-0025 Update Inpatient Hospital Cross-Reference.

Effective Date: April 1, 2022.

Description: This notice amends WSR 22-07-008 which was filed regarding medicaid SPA 22-0015. This SPA is renumbered as 22-0025 and is being submitted to update the statutory reference authorizing a hospital opting out of the inpatient "full cost" payment program if the hospital meets the criteria for the inpatient rate enhancement. The reference to WAC 182-550-3830 is outdated and is being replaced with RCW 74.09.5225. This is a "housekeeping" action and does not change current policy or practice.

SPA 22-0025 is anticipated to have no effect on the annual aggregate expenditures/reimbursement/payment for professional services.

A copy of SPA 22-0025 is available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy or to submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

Contact: Jessica Carrothers, Certified Public Expenditure Program Manager, 626 8th Avenue, Olympia, WA 98501, phone 360-725-2130, TTY 711, email Jessica.carrothers@hca.wa.gov.

WSR 22-07-032

**NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON UNIVERSITY**

[Filed March 11, 2022, 10:29 a.m.]

Services and Activities Fees Winter 2022 Meeting Schedule

Pursuant to chapter 42.30 RCW, please publish the following winter 2022 schedule of regular meetings of Western Washington University's services and activities fees committee:

Services and activities fees committee meetings will be held every Friday, from 1:00 to 2:00 p.m., beginning April 15 through May 27, 2022.

Meetings will be held virtually. To participate in the virtual meeting, please contact Debbie Curry by email Debbie.Curry@wwu.edu.

For potential updates to the meeting date, time, or location, please refer to the following web link <https://vpess.wwu.edu/services-and-activities-fee-meetings-and-documents>.

Please direct any questions regarding the meeting schedule or the public comment period to Michael Sledge, executive director for student life, 360-650-2484, email Michael.Sledge@wwu.edu.

WSR 22-07-033

**NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON UNIVERSITY**
[Filed March 11, 2022, 12:07 p.m.]

Board Meeting Cancellation

Western Washington University's board of trustees has canceled their April 21, 2022, board meeting. The next regularly scheduled board meeting will convene April 22, 2022, at 8:00 a.m., by Zoom.

Direct any questions regarding the meeting schedule or the public comment period to Rayne Rambo, assistant secretary to the board of trustees, 360-650-3998, or Rayne.Rambo@wwu.edu. Updated information is also posted on the university's website <https://trustees.wwu.edu/>.

WSR 22-07-037
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 [Filed March 14, 2022, 9:52 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 (DOH), board of massage, for the year 2022. The board of massage 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 DOH website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board of massage reserves the right to change or amend agendas at the meeting.

Date	Time	Location
January 14, 2022	9:00 a.m.	Webinar
March 11, 2022	9:00 a.m.	Kent
May 20, 2022	9:00 a.m.	Spokane
July 29, 2022	9:00 a.m.	Webinar
September 23, 2022	9:00 a.m.	Tumwater
November 4, 2022	9:00 a.m.	Kent

If you need further information, please contact Megan Maxey, Program Manager, DOH, Board of Massage, P.O. Box 47852, Olympia, WA 98504-7852, 360-236-4945, 360-236-2901, megan.maxey@doh.wa.gov, www.doh.wa.gov.

Please be advised the board of massage 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 22-07-041

NOTICE OF PUBLIC MEETINGS

GAMBLING COMMISSION

[Filed March 14, 2022, 10:54 a.m.]

The Washington state gambling commission has changed the following regular meeting:

From: June 9-10, 2022.

To: July 14-15, 2022.

If you need further information, contact Julie Anderson, 360-486-3453, julie.anderson@wsgc.wa.gov, www.wsgc.wa.gov.

WSR 22-07-042

NOTICE OF PUBLIC MEETINGS

GAMBLING COMMISSION

[Filed March 14, 2022, 11:01 a.m.]

The Washington state gambling commission has changed the following regular meeting:

From: October 13-14, 2022.

To: October 6-7, 2022.

If you need further information, contact Julie Anderson, 360-486-3453, julie.anderson@wsgc.wa.gov, www.wsgc.wa.gov.

WSR 22-07-044

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed March 14, 2022, 2:26 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT

Title of Policy Statement: Continuing Competency Requirements During the COVID-19 Response. Policy Number: BOD 21.3.

Issuing Entity: Board of denturists (board).

Subject Matter: To address difficulties related to the coronavirus disease 2019 (COVID-19) pandemic that impact licensed denturists ability to meet the continuing competency [education] (CE) requirements in Washington state, and in accordance with WAC 246-12-210, the Washington board will allow a licensed denturist to obtain their CE through online courses. The board is extending the effective date of this policy through June 30, 2022.

Effective Date: January 2, 2022.

Contact Person: Vicki Brown, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, 360-236-4941, Vicki.Brown@doh.wa.gov.

WSR 22-07-050

INTERPRETIVE STATEMENT

DEPARTMENT OF HEALTH

(Examining Board of Psychology)

[Filed March 15, 2022, 10:27 a.m.]

NOTICE OF ADOPTION OF INTERPRETIVE STATEMENT

Title of Interpretive Statement: Requirements for Educational Meetings Completed in lieu of Doctoral Residency. Policy Number: EBOP-22-01.

Issuing Entity: Examining board of psychology.

Subject Matter: Clarifying that the examining board of psychology interprets WAC 246-924-046 to require applicants from online or hybrid doctoral programs to complete 750 hours of educational meetings in lieu of doctoral residency.

Effective Date: January 31, 2020.

Contact Person: Stacey Saunders, program director, stacey.saunders@doh.wa.gov, 360-236-2813.

WSR 22-07-051

POLICY STATEMENT

DEPARTMENT OF HEALTH

(Examining Board of Psychology)

[Filed March 15, 2022, 10:35 a.m.]

NOTICE OF POLICY STATEMENT

Title of Policy Statement: Supplemental Information Requirement for Applicants for Psychology License from Hybrid or Online Graduate Programs. Policy Number: EBOP-22-02.

Issuing Entity: Examining board of psychology.

Subject Matter: To ensure requirements under WAC 246-924-046 are consistently applied to applicants from hybrid or online programs, the examining board of psychology requires supplemental information about educational meetings completed in lieu of doctoral residency.

Effective Date: January 31, 2020.

Contact Person: Stacey Saunders, program director,
stacey.saunders@doh.wa.gov, 360-236-2813.

WSR 22-07-057

NOTICE OF PUBLIC MEETINGS

PULSE CROPS COMMISSION

[Filed March 15, 2022, 3:54 p.m.]

Annual Meeting Schedule

The Western pulse growers association (WPGA), Idaho pea and lentil commission, and the Washington pulse crops commission announce the following revised meeting schedule for 2022-23 as of March 5, 2022:

Date	Time	Place	Notes
March 22, 2022 Tuesday Change to schedule	9:00 a.m.	Virtual meeting via Zoom In-person meeting at University Inn, Moscow	Joint meeting with Idaho commission and WPGA board (planting projections, income projections and budget discussion, policy progress report, commission candidates)
June 2, 2022 Thursday	9:00 a.m.	Virtual meeting via Zoom USADPLC stateline office if possible	Joint meeting with Idaho commission and WPGA board (strategic plan approvals/policy discussions, contract approval, committee assignment day, commission officer election)
September 20, 2022 Tuesday	9:00 a.m.	USADPLC stateline offices and via Zoom	Joint meeting with Idaho commission and WPGA board (farm bill/policy update, review contracts)
November 17, 2022 Thursday	9:00 a.m.	USADPLC stateline offices and via Zoom	Joint meeting with Idaho commission and WPGA board (farm bill/policy update, review budgets, WPGA annual meeting, board member nominations, travel volunteers)
December 7, 2022 Wednesday	8:00 a.m. - 5:00 p.m.	Annual Meeting University Inn, Moscow	WPGA annual grower meeting, commission annual reports, WPGA bylaws review, WPGA elections, pesticide credits, programming updates
December 8, 2022 Thursday	9:00 a.m. - 1:00 p.m.	USADPLC stateline offices and via Zoom	Joint meeting with Idaho commission and WPGA board (RMA insurance update, review budgets, WPGA annual meeting review, officer elections, travel approval, university reports)
March 22, 2023 Wednesday	9:00 a.m.	USADPLC stateline offices and via Zoom	Joint meeting with Idaho commission and WPGA board (planting projections, income projections and budget discussion, policy progress report, commission candidates)
June 1, 2023 Thursday	9:00 a.m.	Virtual meeting via Zoom USADPLC stateline office	Joint meeting with Idaho commission and WPGA board (strategic plan approvals/policy discussions, contract approval, committee assignment day, commission officer election)

If you have any questions about the meeting schedule, please contact Todd Scholz or office manager at 208-882-3023 or email toddscholz@usapulses.org or info@usapulses.org.

WSR 22-07-062
POLICY STATEMENT
DEPARTMENT OF AGRICULTURE
[Filed March 17, 2022, 7:20 a.m.]

On March 14, 2022, a policy statement was issued regarding eligibility requirements to receive an allocation from the state fair fund under chapter 15.76 RCW and how the Washington state department of agriculture (WSDA) will apply the merit rating to fair events held during the 2021 fairs season.

A copy of the policy statement may be obtained by accessing WSDA website (www.agr.wa.gov) or by contacting Gloriann Robinson, Agency Rules Coordinator, 1111 Washington Street S.E., P.O. Box 42560, Olympia, WA 98504-2560, phone 360-902-1802, email wsdarulescomments@agr.wa.gov.

POLICY STATEMENT
Number: AO-22-0001

Subject: Recognizing 2020 and 2021 as disaster years when determining eligibility for allocations from the state fair fund in 2022 and modification of requirements for fair events held in 2021.

Supersedes: Not applicable.

Contact: Megan Finkenbinder, fairs program administrator, email mfinkenbinder@agr.wa.gov, phone 360-902-2043.

Approved By: Derek I. Sandison, Director.

Date Approved: March 16, 2022.

WSDA issues this policy statement pursuant to RCW 34.05.230:

(1) For purposes of RCW 15.76.140, WSDA recognizes 2020 and 2021 as disaster years for the Washington state agricultural fair industry when determining eligibility requirements to receive an allocation from the state fair fund in 2022.

(2) For events held in 2021:

(a) WSDA eliminates the requirement in WAC 16-700-022(3) for a minimum seven-hour display; and

(b) Advises that the director will provide guidance on the application of the merit system under RCW 15.76.150 and WAC 16-700-050 to virtual, online events.

(3) Fairs that incurred expenses in preparation for a 2021 fair that was then cancelled are eligible for special assistance grants.

Background: Chapter 15.76 RCW declares that it is in the public interest to hold agricultural fairs. Under this chapter, the state provides for a reimbursement of operating expenses for the state's agricultural fairs, as determined by a merit rating. It also allows a portion of the allocation dollars to be used as special assistance to participating fairs.

In order to be eligible to receive allocations from the state fair fund, RCW 15.76.140 requires agricultural fairs to have conducted two successful consecutive annual fairs immediately preceding application for such allocations. A fair that does [did] not hold an event in 2020 and 2021 would be ineligible to apply for a reimbursement allocation from the state fair fund. WSDA director may waive this requirement if a fair is not held due to a natural disaster.

RCW 15.76.150 requires allocations to be distributed according to a merit rating system established by the director. The merit rating must take into account certain factors, such as youth participation, number and type of exhibits, premiums paid, attendance, community support, conditions of the fairgrounds, etc. Generally, the merit system

assumes physical events and exhibits in one place [are] open to the public at least seven hours a day. See WAC 16-700-050.

RCW 15.76.160 specifies that allocation amounts can be made only as a reimbursement for operating expenses incurred. Thus, the amount of state funds allocated to a fair is based on a fair's expenses in the prior year. For example, the allocations made in the spring of 2020 were a reimbursement of operating expenses from the 2019 fairs season.

Circumstances Warranting this Policy Statement: The Washington governor first declared a state of emergency in response to new cases of COVID-19 on February 29, 2020. On March 22, 2020, the United States president declared a major disaster exists [existed] in Washington as a result of the COVID-19 pandemic. The state undertook a number of measures to stop or slow the spread of the virus, including a stay-at-home order, prohibitions on public gatherings, and social distancing restrictions. Many of these measures remained in place during the first half of 2021.

Such measures required many agricultural fairs to cancel or modify their physical fair events. In some cases, fair organizers had already incurred expenses in preparation for a fair. Some fairs were able to conduct a limited virtual fair or online sale option for their exhibitors - especially for youth exhibitors who had many hours and great expense tied to their projects. Such events, however, are significantly different from traditional physical fairs funded in part by state allocations.

This significant disruption to the ordinary course of events harms the public interest in holding agricultural fairs. The traditional application of the merit rating system would be ineffective in judging the merit of novel, virtual fairs. The impact of the pandemic on fairs continued into 2021 by eliminating the eligibility of many fairs to apply for funding as the result of cancelling the 2020 fair in response to the public health emergency.

Such circumstances require the director to exercise the discretion granted by the legislature to account for disasters and accommodate novel means of training youth and promoting the welfare of farm people and rural economic development.

Description: The director of WSDA recognizes 2020 and 2021 to be disaster years for the state's agricultural fairs. The director waives the requirement in RCW 15.76.140(1) for two previous consecutive fairs for a fair to be eligible for an allocation from the state fair fund.

Fairs that hold a virtual or limited in-person event in lieu of a physical fair may apply to receive a reimbursement-based allocation from the state fair fund, as required in WAC 16-700-015. For events held in 2021, the director waives [waived] the requirement to have displays open to the public for a seven-hour time period found in WAC 16-700-022(3). Also for 2021 events, the director will revise the merit system required in RCW 15.76.150 and WAC 16-700-050 to provide for an agricultural fair that cancels its physical fair during a disaster year and instead holds a virtual or limited in-person fair or auction for the benefit of its youth exhibitors.

Fairs that incurred operating expenses prior to cancelling their physical fair in 2021, are eligible to receive a special assistance grant for such preparation expenses.

Derek I. Sandison
Director

WSR 22-07-067
NOTICE OF PUBLIC MEETINGS
OFFICE OF
CIVIL LEGAL AID

(Civil Legal Aid Oversight Committee)
[Filed March 17, 2022, 5:36 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 2022:

~~Friday, April 1, 2022 [CANCELLED]~~

Friday, June 10, 2022

Friday, September 23, 2022

Friday, December 9, 2022

Meetings generally run from 10:30 a.m. to 1:00 p.m. Specific meeting times and agendas will be published prior to each meeting and materials will be available on the civil legal aid oversight committee's website at <http://ocla.wa.gov/oversight-committee>. All meetings will be virtual and open to the public except for those portions for which the oversight committee may meet in executive session. Virtual meeting links will be posted on the oversight committee's website at least 10 days prior to the meeting.

Access for Persons With Disabilities/Requests for Accommodation:

The civil legal aid oversight committee 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. We request that you let us know at least one week in advance if you need interpreter services or assistive technology.

Contact: For further information about these meetings and/or to request reasonable accommodation, please contact James A. Bamberger, Director, Office of Civil Legal Aid, 360-280-1477, jim.bamberger@ocla.wa.gov.

WSR 22-07-069

ATTORNEY GENERAL'S OFFICE

[Filed March 18, 2022, 7:59 a.m.]

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

The Washington attorney general routinely publishes notice of an opportunity to comment for opinion requests that we receive from the heads of state agencies, state legislators, and county prosecuting attorneys if we anticipate publishing a formal opinion in response to the request. We do so in order to provide members of the public with a chance to provide any legal analysis that they would like us to consider as we develop our opinion. In preparing any comments, please be aware that our opinion will provide our considered legal analysis of the question presented, and therefore comments that address the interpretation of the law are more helpful than comments that express an opinion as to what the law should be.

You may provide your comments to the attorney general's office by email to OpinionComments@atg.wa.gov or by writing to the Office of the Attorney General, Solicitor General Division, Attention Opinions Chief, P.O. Box 40100, Olympia, WA 98504-0100. We will consider any comments we receive before we complete our opinion. Although there is no deadline for submitting comments, comments are the most helpful if received within 30 days of this notice. Comments focused solely on what the law should be are less helpful than comments that interpret current law. You may also request a copy of the opinion request in which you are interested and information about the attorney general's opinion process.

If you are interested in receiving notice of new formal opinion requests via email, you may visit the attorney general's website at <http://www.atg.wa.gov/ago%E2%80%9090opinions> for more information on how to join our AGO opinions list.

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

Opinion Docket No. 22-03-01
Request by Senator Patty Kuderer, District 48

QUESTION: Would a state statute applying state law regarding paid family and medical leave to railroad employees be preempted by federal law?

WSR 22-07-074
POLICY STATEMENT
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed March 18, 2022, 2:41 p.m.]

Policy Statement

Under RCW 34.05.230, the statement enclosed regards one amended policy, issued by the department of labor and industries (L&I) fraud prevention and labor standards division.

If you have any questions or need additional information, please contact Tracy West, rules coordinator, at Tracy.West@Lni.wa.gov, or 360-902-6954.

Title: Administrative Policy ES.C.1 - *Industrial Welfare Act: Applications, Exemptions, and Interpretations.*

Date Issued: March 15, 2022.

Description: The amended policy was updated to clarify that bona fide executive, administrative, professional, computer professional, or outside sales employees are not exempt under the Industrial Welfare Act (IWA) but are exempt from certain rules under the IWA. This updated policy serves as an interim policy as L&I examines the policy for additional updates needed in response to recent legislative changes.

Contact: Ellen Saline, 7273 Linderson Way S.W., Tumwater, WA 98501, Mailstop 4510, 360-902-4475, Ellen.Saline@Lni.wa.gov.

Tracy West
Rules Coordinator

**WSR 22-07-079
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
JUDICIAL CONDUCT**

[Filed March 21, 2022, 9:32 a.m.]

REVISED NOTICE OF PUBLIC MEETINGS

Considering the COVID-19 global pandemic, social distancing requirements, and other related restrictions, the commission on judicial conduct (commission) will conduct all 2022 meetings listed below via web conference until further notice. All public meetings start at 1:00 p.m. An educational program will be held at 12:30 p.m. Members of the public wishing to attend remotely and observe the meeting can obtain instructions by calling 360-753-4585 or visiting the commission's website the day of the meeting at www.cjc.state.wa.us.

Friday, April 22, 2022

Friday, June 24, 2022

Friday, September 9, 2022

Friday, November 18, 2022

WSR 22-07-081

NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE

(Recreation and Conservation Funding Board)

[Filed March 21, 2022, 9:49 a.m.]

Due to continued precautions regarding COVID-19, the recreation and conservation funding board is adjusting the **date, time, and location** of the regular quarterly meeting scheduled for April 26-27, 2022:
FROM: April 26-27, 2022, from 9:00 a.m. to 5:00 p.m., at Room 172, Natural Resource Building, 1111 Washington Street S.E., Olympia, WA 98501.

TO: **April 26, 2022**, from 9:00 a.m. to **3:30 p.m., online only.**

For further information, please contact Julia McNamara, Julia.McNamara@rco.wa.gov, or check recreation and conservation office's (RCO) web page at <https://rco.wa.gov/boards/recreation-and-conservation-funding-board/meetings/>.

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 email at leslie.frank@rco.wa.gov.

WSR 22-07-089

HEALTH CARE AUTHORITY

[Filed March 22, 2022, 8:23 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 22-0016
Agency Administration and Organization.

Effective Date: July 1, 2022.

Description: The health care authority (HCA) intends to submit medicaid SPA 22-0016 in order to update information in the medicaid state plan regarding the organization and administration of the state medicaid agency, HCA. This is an administrative SPA and does not affect the agency's policies and practices.

SPA 22-0016 is in the development process; therefore, a copy is not yet available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available or submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Ann Myers, State Plan Coordinator, P.O. Box 456217, phone 360-622-1978, TRS 711, email ann.myers@hca.wa.gov.

WSR 22-07-106

HEALTH CARE AUTHORITY

[Filed March 23, 2022, 9:25 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 22-0019
COVID Vaccines, Testing and Treatment - Disaster Relief.

Effective Date: March 11, 2021.

Description: The health care authority (HCA) is submitting SPA 22-0019 to comply with the directive received from the Centers for Medicare and Medicaid Services (CMS) on February 11, 2022, regarding American Rescue Plan COVID-19 coverage. In addition to previously submitted and approved SPAs related to this subject, states are to use the new CMS-developed templates to submit SPAs for COVID-19 vaccines and administration, testing, and related treatments without cost-sharing to "streamline state submission of the required SPAs and ensure they meet all federal requirements." While Washington already has approved SPAs for COVID[-19] vaccines and testing, SPA 22-0019 is being submitted per CMS request.

SPA 22-0019 is in the development process; therefore, a copy is not yet available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available or submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

CONTACT: Ann Myers, State Plan Coordinator, P.O. Box 456217, phone 360-725-1345, TRS 711, email ann.myers@hca.wa.gov.