

Washington State Register, Issue 11-01

OFFICE OF THE CODE REVISER
 Quarterly Rule-Making Report
 Covering Registers 10-19 through 10-24

Type of Activity	New	Amended	Repealed
ACCOUNTANCY, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	34	1
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	4	42	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	4	42	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	4	42	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	25	34	22
Number of Rules Proposed for Permanent Adoption	1	8	0
Number of Sections Adopted at Request of a Nongovernmental Entity	3	7	3
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	4	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	1	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	1	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	17	6	7
Number of Sections Adopted on the Agency's own Initiative	12	19	4
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	19	24	10
Number of Sections Adopted using Pilot Rule Making	0	0	0
ARTS COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	16	30	62
Number of Sections Adopted at Request of a Nongovernmental Entity	1	0	1
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	16	30	62
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	16	30	62
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	16	30	62
Number of Sections Adopted using Pilot Rule Making	0	0	0
AUDITOR, OFFICE OF STATE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	18	1	26
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	1	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	1	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
BELLINGHAM TECHNICAL COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	22	1
BLIND, DEPARTMENT OF SERVICES FOR THE			
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	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	2	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 Permanent Rules Adopted	8	91	9
Number of Rules Adopted as Emergency Rules	7	80	0
Number of Sections Adopted at Request of a Nongovernmental Entity	7	13	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	9	9
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	9
Number of Sections Adopted on the Agency's own Initiative	0	12	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	8	27	9
Number of Sections Adopted using Pilot Rule Making	0	0	0
CHILDHOOD DEAFNESS AND HEARING LOSS, CENTER FOR			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	1	0	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	1	0	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	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

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Type of Activity	New	Amended	Repealed
COMMERCE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	13	0
Number of Rules Proposed for Permanent Adoption	13	21	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	3	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	10	0
Number of Sections Adopted on the Agency's own Initiative	2	10	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
COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	12	0
Number of Rules Proposed for Permanent Adoption	0	12	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	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
CONSERVATION COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	67	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	68	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	68	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
COUNTY ROAD ADMINISTRATION BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	24	0
EARLY LEARNING, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	6	0
Number of Rules Adopted as Emergency Rules	0	10	0
Number of Rules Proposed for Permanent Adoption	0	35	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	6	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	10	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	16	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

ECOLOGICAL, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	20	12	0
Number of Rules Adopted as Emergency Rules	12	0	0
Number of Rules Proposed for Permanent Adoption	26	28	0
Number of Rules Withdrawn	24	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	12	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	10	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	1	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	19	1	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

EDUCATION, STATE BOARD OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	15	0
Number of Rules Proposed for Permanent Adoption	5	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	5	0	0
Number of Sections Adopted on the Agency's own Initiative	0	15	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

EMPLOYMENT SECURITY DEPARTMENT

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	27	0
Number of Rules Proposed for Permanent Adoption	3	21	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	20	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	1	0
Number of Sections Adopted on the Agency's own Initiative	3	26	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	4	27	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
FINANCIAL INSTITUTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	74	61	46
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	69	54	6
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	18	27	0
Number of Sections Adopted on the Agency's own Initiative	69	54	6
Number of Sections Adopted using Negotiated Rule Making	69	54	6
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
FINANCIAL MANAGEMENT, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	0	0
Number of Rules Proposed for Permanent Adoption	27	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	5	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	5	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	5	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	0	4	2
Number of Rules Adopted as Emergency Rules	92	0	76
Number of Rules Proposed for Permanent Adoption	7	26	9
Number of Rules Withdrawn	0	0	2
Number of Sections Adopted at Request of a Nongovernmental Entity	4	0	4
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	16	0	17
Number of Sections Adopted in Order to Comply with Federal Statute	22	0	17
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	3	0
Number of Sections Adopted on the Agency's own Initiative	88	6	72
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
FOREST PRACTICES BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	10	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0

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Type of Activity	New	Amended	Repealed
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	9	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	10	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	1	2	0
Number of Rules Proposed for Permanent Adoption	0	2	1
Number of Sections Adopted at Request of a Nongovernmental Entity	1	1	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	1	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

GROWTH MANAGEMENT HEARINGS BOARD

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	78	0
Number of Rules Adopted as Emergency Rules	1	77	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	78	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	78	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	28	28	16
Number of Rules Proposed for Permanent Adoption	26	1	14
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	28	8	3
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	5	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	28	23	3
Number of Sections Adopted using Negotiated Rule Making	27	5	1
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
HEALTH, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	23	71	2
Number of Rules Proposed for Permanent Adoption	45	62	6
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	15	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	3	30	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	7	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	13	13	0
Number of Sections Adopted on the Agency's own Initiative	0	31	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	16	71	2
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	1	0
Number of Rules Proposed for Permanent Adoption	0	10	0
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
INSURANCE COMMISSIONER, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	2	0
Number of Rules Adopted as Emergency Rules	8	1	0
Number of Rules Proposed for Permanent Adoption	7	148	1
Number of Rules Withdrawn	0	67	0
Number of Sections Adopted at Request of a Nongovernmental Entity	6	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	4	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	4	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	3	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	53	10	32
Number of Rules Adopted as Emergency Rules	1	10	1

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Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	4	18	2
Number of Rules Withdrawn	5	17	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	8	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	3	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	54	18	5
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	53	9	4
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	3	14	83
Number of Rules Adopted as Emergency Rules	0	3	0
Number of Rules Proposed for Permanent Adoption	1	16	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	6	8
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	1	0
Number of Sections Adopted on the Agency's own Initiative	2	13	8
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	14	8
Number of Sections Adopted using Pilot Rule Making	0	0	0

LIQUOR CONTROL BOARD

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	16	5
Number of Rules Adopted as Emergency Rules	1	0	0
Number of Rules Proposed for Permanent Adoption	7	16	7
Number of Rules Withdrawn	2	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	16	5
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	16	5
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MILITARY DEPARTMENT

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	6	1

OLYMPIC COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	1	0
Number of Rules Proposed for Permanent Adoption	1	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	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
PARKS AND RECREATION COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	1
Number of Rules Proposed for Permanent Adoption	1	17	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	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	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
PERSONNEL, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	8	23	2
Number of Rules Adopted as Emergency Rules	3	14	0
Number of Rules Proposed for Permanent Adoption	8	23	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	8	30	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	6	41	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	11	44	2
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	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	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	0	3	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	1	8	0
Number of Rules Proposed for Permanent Adoption	0	19	2
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	1	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	8	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	1	6	0
Number of Sections Adopted using Negotiated Rule Making	1	7	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	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	9	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	9	1
Number of Sections Adopted on the Agency's own Initiative	0	9	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	9	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC EMPLOYMENT RELATIONS COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	13	17	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	6	7	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	8	7	0
Number of Sections Adopted on the Agency's own Initiative	6	7	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	14	16	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	7	14	7
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Rules Proposed for Permanent Adoption	19	15	25
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	13	7

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	2	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	5	2	0
Number of Sections Adopted on the Agency's own Initiative	0	10	7
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	8	1	12
Number of Rules Proposed for Permanent Adoption	8	1	12
Number of Rules Withdrawn	5	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	8	1	1
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	8	1	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	8	1	1
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	1	16	1
Number of Rules Adopted as Emergency Rules	4	2	0
Number of Rules Proposed for Permanent Adoption	0	17	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	5	18	0
Number of Sections Adopted on the Agency's own Initiative	5	18	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

SECRETARY OF STATE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	6	21	0
Number of Rules Adopted as Emergency Rules	1	5	1
Number of Rules Proposed for Permanent Adoption	4	22	11
Number of Sections Adopted at Request of a Nongovernmental Entity	0	3	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	6	18	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	4	1
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	4	0
Number of Sections Adopted on the Agency's own Initiative	0	4	0
Number of Sections Adopted using Negotiated Rule Making	7	26	1

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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
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	68	141	42
Number of Rules Adopted as Emergency Rules	85	100	7
Number of Rules Proposed for Permanent Adoption	53	115	9
Number of Rules Withdrawn	0	8	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	8	1
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	49	89	5
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	1	18	1
Number of Sections Adopted in Order to Comply with Federal Statute	23	6	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	85	112	5
Number of Sections Adopted on the Agency's own Initiative	0	0	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	130	205	6
Number of Sections Adopted using Pilot Rule Making	0	0	0
TRANSPORTATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	8	0
Number of Rules Proposed for Permanent Adoption	3	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	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	5	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
UNIVERSITY OF WASHINGTON			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	28	0
Number of Rules Proposed for Permanent Adoption	31	12	52
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	26	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	3	0
Number of Sections Adopted on the Agency's own Initiative	0	25	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
UTILITIES AND TRANSPORTATION COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	4	0
Number of Rules Proposed for Permanent Adoption	2	29	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	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	4	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	6	35	5
Number of Rules Proposed for Permanent Adoption	6	31	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	39	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	23	0
Number of Sections Adopted on the Agency's own Initiative	0	42	5
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WASHINGTON STATE UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	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	1	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	1	1	0
Number of Sections Adopted using Negotiated Rule Making	1	2	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
YAKIMA VALLEY COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	16	0
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	481	905	377
Number of Rules Adopted as Emergency Rules	216	304	86
Number of Rules Proposed for Permanent Adoption	312	826	164
Number of Rules Withdrawn	36	102	2
Number of Sections Adopted at Request of a Nongovernmental Entity	35	42	9
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	278	544	113
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	25	54	18
Number of Sections Adopted in Order to Comply with Federal Statute	59	27	19

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	186	386	22
Number of Sections Adopted on the Agency's own Initiative	377	450	188
Number of Sections Adopted using Negotiated Rule Making	105	96	8
Number of Sections Adopted using Other Alternative Rule Making	294	554	106
Number of Sections Adopted using Pilot Rule Making	0	0	0

**AGENCY RULES COORDINATORS
Designations as of 12/23/2010**

AGENCY	RULES COORDINATORS	PHONE/FAX	ADDRESS
Accountancy, Board of	Cheryl Sexton cheryls@cpaboard.wa.gov	P-(360) 664-9194 F-(360) 664-9190	PO Box 43110 Olympia, WA 98504-3110
Administrative Hearings, Office of	Barbara Cleveland barb.cleveland@oah.wa.gov	P-(360) 586-3169 F-(360) 664-8721	P.O. Box 42488 Olympia, WA 98504-2488
Advanced Tuition Payment, Commission on	Betty Lochner bettyl@hecb.wa.gov	P-(360) 753-7875 F-(360) 704-6260	P.O. Box 43450 Olympia, WA 98504-3450
Agriculture, Department of	Teresa Norman tnorman@agr.wa.gov	P-(360) 902-2043 F-(360) 902-2092	P.O. Box 42560 Olympia, WA 98504-2560
Archaeology and Historic Preservation, Department of	Stephenie Kramer stephenie.kramer@dahp.wa.gov	P-(360) 586-3083 F-(360) 586-3067	P.O. Box 48343 Olympia, WA 98504-8343
Arts Commission	Kris Tucker krist@arts.wa.gov	P-(360) 586-2423 F-(360) 586-5351	P.O. Box 42675 Olympia, WA 98504-2675
Attorney General's Office	Tammy Teeter TammyT@atg.wa.gov	P-(360) 753-2678 F-(360) 664-0228	P.O. Box 40100 Olympia, WA 98504-0100
Auditor, Office of State	Jan Jutte juttej@sao.wa.gov	P-(360) 902-0363 F-(360) 753-0646	P.O. Box 40021 Olympia, WA 98504-0021
Bates Technical College	Tina Cranmer tcranmer@bates.ctc.edu	P-(253) 680-7100 F-(253) 680-7101	1101 S Yakima Avenue Tacoma, WA 98405
Bellevue College	Lucinda Taylor lucinda.taylor@belluvuecollege.edu	P-(425) 564-2302 F-(425) 564-2261	3000 Landerholm Circle SE Bellevue, WA 98007-6484
Bellingham Technical College	Ronda Laughin r laughli@btc.ctc.edu	P-(360) 738-3105 Ext. 334 F-(360) 676-2798	3028 Lindbergh Avenue Bellingham, WA 98225-1599
Big Bend Community College	Ken Turner kent@bbcc.ctc.edu	P-(509) 793-2002 F-(509) 762-6329	7662 Chanute Street Moses Lake, WA 98837-3299
Blind, Department of Services for the	Ellen Drumheller elldrums@dsb.wa.gov	P-(360) 586-7022 F-(360) 586-7627	P.O. Box 40933 Olympia, WA 98504-0933
Blind, Washington State School for the	Dean O Stenehjem dean.stenehjem@wssb.wa.gov	P-(360) 696-6321 F-(360) 737-2120	2214 E 13th Street Vancouver, WA 98661
Building Code Council	Tim Nogler timn@cted.wa.gov	P-(360) 725-2969 F-(360) 586-9383	P.O. Box 48300 Olympia, WA 98504-8300
Cascadia Community College	Dede Gonzales dgonzales@cascadia.edu	P-(425) 352-8810 F-(425) 352-8265	18345 Campus Way NE Bothell, WA 98011-9510
Central Washington University	Kristy Magdlin magdlink@cwu.edu	P-(509) 963-2154 F-(509) 963-3206	400 E University Way Ellensburg, WA 98926-7501
Centralia College	Stephen L Ward sward@centralia.edu	P-(360) 736-9391 Ext. 233 F-(360) 330-7501	600 W Locust Street Centralia, WA 98531-4099

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Clark College	Theresa Heaton theaton@clark.edu	P-(360) 992-2289 F-(360) 992-2884	1933 Fort Vancouver Way Vancouver, WA 98663
Clover Park Technical College	Jim Tuttle jim.tuttle@cptc.edu	P-(253) 589-5533 F-(253) 589-5755	4500 Steilacoom Boulevard SW Lakewood, WA 98499
Code Reviser, Office of the	Kerry S Radcliff radcliff_ke@leg.wa.gov	P-(360) 786-6697 F-(360) 786-1529	P.O. Box 40551 Olympia, WA 98504-0551
Columbia Basin College	Camilla Glatt cglatt@columbiabasin.edu	P-(509) 542-5548 Ext. 2202 F-(509) 546-0401	2600 N 20th Avenue Pasco, WA 99301
Columbia River Gorge Commission	Nancy Andring andring@gorgecommission.org	P-(509) 493-3323 F-(509) 439-2229	P.O. Box 730 White Salmon, WA 98672
Commerce, Department of	Nick Demerice Nick.Demerice@commerce.wa.gov	P-(360) 725-4010 F-(360) 586-8440	PO Box 42525 Olympia, WA 98504-2525
Community and Technical Colleges, State Board for	DelRae Oderman doderman@sbctc.ctc.edu	P-(360) 753-2000 F-(360) 586-6440	PO Box 42495 Olympia, WA 98504-2495
Community Economic Revitalization Board	Kate Rothschild kater@cted.wa.gov	P-(360) 725-4058 F-(360) 586-0873	P.O. Box 42525 Olympia, WA 98504-2525
Conservation Commission	Tom Salzer tsal461@ecy.wa.gov	P-(360) 407-6214 F-(360) 407-6215	P.O. Box 47721 Olympia, WA 98504-7721
Corrections, Department of	John R Nispel jrnispel@doc1.wa.gov	P-(360) 586-2160 F-(360) 664-2009	P.O. Box 41114 Olympia, WA 98504-1114
County Road Administration Board	Karen Pendleton karen@crab.wa.gov	P-(360) 753-5989 F-(360) 586-0386	P.O. Box 40913 Olympia, WA 98504-0913
Criminal Justice Training Commission	Sonja Hirsch shirsch@cjtc.state.wa.us	P-(206) 835-7372 F-(206) 835-7928	19010 1st Avenue South Burien, WA 98148
Dairy Products Commission	Celeste Piette celeste@havemilk.com	P-(425) 672-0687 F-(425) 672-0674	4201 198th Street SW, Suite 101 Lynnwood, WA 98036
Early Learning, Department of	Andres Fernando andres.fernando@del.wa.gov	P-(360) 725-4665 F-(360) 413-3482	PO Box 40970 Olympia, WA 98504-0970
Eastern Washington University	Laurie Flinn Connelly laurie.connelly@mail.ewu.edu	P-(509) 359-2371 F-(509) 359-7036	214 Showalter Hall Cheney, WA 99004-2444
Ecology, Department of	Jerry Thielen jthi461@ecy.wa.gov	P-(360) 407-7551 F-(360) 407-6989	P.O. Box 47600 Olympia, WA 98504-7600
Edmonds Community College	Kathy Beem kbeem@edcc.edu	P-(425) 640-1647 F-(425) 640-1532	20000 68th Avenue W Lynnwood, WA 98036-5999
Education, State Board of	Edie Harding edie.harding@k12.wa.us	P-(360) 725-6025 F-(360) 586-2357	P.O. Box 47206 Olympia, WA 98504-7206
Employment Security Department	Pamela Ames pames@esd.wa.gov	P-(360) 902-9387	P.O. Box 9046 Olympia, WA 98507-9046
Energy Facility Site Evaluation Council	Al Wright Al.Wright@UTC.wa.gov	P-(360) 664-1360 F-(360) 586-1130	P.O. Box 43172 Olympia, WA 98504-3172
Environmental Hearings Office	Kay M Brown kayb@eho.wa.gov	P-(360) 664-9174 F-(360) 586-2253	P.O. Box 40903 Olympia, WA 98504-0903
Everett Community College	Jennifer Howard jhoward@everettcc.edu	P-(425) 388-9232 F-(425) 388-9228	2000 Tower Street Everett, WA 98201
Evergreen State College, The	John P Carmichael carmichj@evergreen.edu	P-(360) 867-5100 F-(360) 867-6577	2700 Evergreen Parkway NW Olympia, WA 98505
Executive Ethics Board	Melanie de Leon melanied@atg.wa.gov	P-(360) 586-6759 F-(360) 586-3955	P.O. Box 40109 Olympia, WA 98504-0109

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Financial Management, Office of	Roselyn Marcus roselyn.marcus@ofm.wa.gov	P-(360) 902-0568 F-(360) 664-2832	P.O. Box 43113 Olympia, WA 98504-3113
Fish and Wildlife, Department of	Loreva Preuss Lori.preuss@dfw.wa.gov	P-(360) 902-2930	P.O. Box 43144 Olympia, WA 98504-3144
Forest Practices Board	Patricia Anderson patricia.anderson@dnr.wa.gov	P-(360) 902-1413 F-(360) 902-1428	P.O. Box 47012 Olympia, WA 98504-7012
Freight Mobility Strategic Investment Board	Marsha Gehring gehrinm@fmsib.wa.gov	P-(360) 586-9695 F-(360) 586-9700	P.O. Box 40965 Olympia, WA 98504-0965
Gambling Commission	Michelle Pardee MichelleP@wsgc.wa.gov	P-(360) 486-3465 F-(360) 486-3631	PO Box 42400 Olympia, WA 98504-2400
General Administration, Department of	Jack Zeigler JZeigle@ga.wa.gov	P-(360) 902-0970 F-(360) 586-5898	P.O. Box 41000 Olympia, WA 98504-1000
Grays Harbor College	Sandy Zelasko szelasko@ghc.edu	P-(360) 538-4000 F-(360) 538-4299	1620 Edward P Smith Drive Aberdeen, WA 98520-7599
Green River Community College	John Ramsey jramsey@greenriver.edu	P-(253) 288-3360 F-(253) 288-3460	12401 SE 320th Street Auburn, WA 98092-3699
Growth Management Hearings Boards	Julie K Ainsworth-Taylor juliet@cps.gmhb.wa.gov	P-(206) 389-2625 F-(206) 389-2588	800 Fifth Avenue, Suite 2356 Seattle, WA 98104
Health Care Authority	Jason Siems jason.siems@hca.wa.gov	P-(360) 923-2720 F-(360) 923-2614	P.O. Box 42702 Olympia, WA 98504-2702
Health, Department of	Tami Thompson tami.thompson@doh.wa.gov	P-(360) 236-4044 F-(360) 586-7424	P.O. Box 47890 Olympia, WA 98504-7890
Higher Education Coordinating Board	Katie Youngers katiey@hecb.wa.gov	P-(360) 753-7859 F-(360) 753-7808	P.O. Box 43430 Olympia, WA 98504-3430
Highline Community College	Vice-pres., Admin. lyok@highline.edu	P-(206) 878-3710 Ext. 3203 F-(206) 870-3754	P.O. Box 98000 Des Moines, WA 98198-9800
Hispanic Affairs, Commission on	Alicia Luna hispanic@cha.wa.gov	P-(360) 725-5661 F-(360) 586-9501	P.O. Box 40924 Olympia, WA 98504-0924
Historical Society, Eastern Washington State	John Drexel johnd@northwestmuseum.org	P-(509) 363-5305 F-(509) 363-5303	2316 W First Avenue Spokane, WA 99204
Historical Society, Washington State	Misty Dawn Reese mreese@wshs.wa.gov	P-(253) 798-5901 F-(253) 272-9518	1911 Pacific Avenue Tacoma, WA 98402-3109
Home Care Quality Authority	Ann Bariekman ABariekman@hcqa.wa.gov	P-(360) 493-9350 F-(360) 493-9384	P.O. Box 40940 Olympia, WA 98504-0940
Horse Racing Commission	Douglas L Moore doug.moore@whrc.state.wa.us	P-(360) 459-6462 F-(360) 459-6461	6326 Martin Way, Suite 209 Olympia, WA 98516-5578
Human Rights Commission	Laura Lindstrand llindstrand@hum.wa.gov	P-(360) 359-4923 F-(360) 586-2282	P.O. Box 42490 Olympia, WA 98504-2490
Indeterminate Sentence Review Board	Margaret M McKinney mmmckinney@doc1.wa.gov	P-(360) 407-0671 F-(360) 493-9287	P.O. Box 40907 Olympia, WA 98504-0907
Industrial Insurance Appeals, Board of	David E Threedy threedy@biia.wa.gov	P-(360) 753-9646 F-(360) 586-5611	P.O. Box 42401 Olympia, WA 98504-2401
Information Services, Department of	Douglas Haffie doug.haffie@dis.wa.gov	P-(360) 902-3510 F-(360) 586-5885	P.O. Box 42445 Olympia, WA 98504-2445
Insurance Commissioner, Office of	Kacy Scott kacys@oic.wa.gov	P-(360) 725-7041 F-(360) 586-3109	P. O. Box 40255 Olympia, WA 98504-0255

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Judicial Conduct, Commission on	Kathy Sullivan ksullivan@cjc.state.wa.us	P-(360) 753-4585 F-(360) 586-2918	P.O. Box 40928 Olympia, WA 98504-0928
Labor and Industries, Department of	Tamara Jones Tamara.Jones@lni.wa.gov	P-(360) 902-6805 F-(360) 902-4202	P.O. Box 44001 Olympia, WA 98504-4001
Lake Washington Technical College	Vice-president dennis.long@lwtc.edu	P-(425) 739-8100 F-(425) 739-8299	11605 132nd Avenue NE Kirkland, WA 98034-8506
Licensing, Department of	Walt Fahrler wfahrler@dol.wa.gov	P-(360) 359-4015 F-(360) 902-3827	8005 "A" River Drive SE Tumwater, WA 98501
Liquor Control Board	Karen McCall kjm@liq.wa.gov	P-(360) 664-1641 F-(360) 664-9689	3000 Pacific Avenue SE Olympia, WA 98504
Lottery, Washington State	Julie Martin jmartin@walottery.com	P-(360) 664-4720 F-(360) 586-6586	P.O. Box 43000 Olympia, WA 98504-3000
Lower Columbia College	Linda Peck lpeck@lcc.ctc.edu	P-(360) 442-2100 F-(360) 442-2109	P.O. Box 3010 Longview, WA 98632-0310
Marine Employees' Commission	Kathy Marshall mec@olywa.net	P-(360) 586-6354 F-(360) 586-0820	P.O. Box 40902 Olympia, WA 98504-0902
Military Department	Bernadette Petruska Bernadette.Petruska@mil.wa.gov	P-(253) 512-8108 F-(253) 512-8497	1 Militia Drive Camp Murray, WA 98430-5000
Minority and Women's Business Enterprises, Office of	Cathy V Canorro ccanorro@omwbe.wa.gov	P-(360) 704-1187 F-(360) 586-7079	P.O. Box 41160 Olympia, WA 98504-1160
Natural Resources, Department of	Peggy M Murphy peggy.murphy@dnr.wa.gov	P-(360) 902-1303 F-(360) 902-1789	P.O. Box 47014 Olympia, WA 98504-7014
Olympic College	Thomas Oliver toliver@oc.ctc.edu	P-(360) 475-7502 F-(360) 475-7104	1600 Chester Avenue Bremerton, WA 98337
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Peninsula College	Tina Herschelman THerschelman@pencol.edu	P-(360) 417-6201 F-(360) 417-6220	1502 E Lauridsen Boulevard Port Angeles, WA 98362
Personnel, Department of	Kristie Wilson kristiew@dop.wa.gov	P-(360) 664-6408 F-(360) 586-4694	P.O. Box 47500 Olympia, WA 98504-7500
Pierce College	Ruth Ann Hatchett rhatchett@pierce.ctc.edu	P-(253) 840-8495	9401 Farwest Drive SW Lakewood, WA 98498-1999
Pilotage Commissioners, Board of	Peggy Larson LarsonP@wsdot.wa.gov	P-(206) 515-3904 F-(206) 515-3906	2901 Third Avenue, Suite 500 Seattle, WA 98121-3014
Pollution Liability Insurance Agency	Xyzlinda Marshall xmarshall@plia.wa.gov	P-(360) 586-1060 F-(360) 586-7187	P.O. Box 40930 Olympia, WA 98504-0930
Prevention of Child Abuse and Neglect, Council for	Joan E Sharp sharpjd@dshs.wa.gov	P-(206) 464-5493 F-(206) 464-6642	318 First Avenue S, Suite 310 Seattle, WA 98104
Professional Educator Standards Board	David Brenna David.Brenna@k12.wa.us	P-(360) 725-6238 F-(360) 586-4548	P.O. Box 47236 Olympia, WA 98504-2736
Prosecuting Attorneys, Association of	Thomas A McBride tmcbride@waprosecutors.org	P-(360) 753-2175 F-(360) 753-3943	206 10th Avenue SE Olympia, WA 98501
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Public Employment Relations Commission	Kenneth J Latsch klatsch@perc.wa.gov	P-(360) 570-7320 F-(360) 570-7334	P.O. Box 40919 Olympia, WA 98504-0919

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Redistricting Commission	Darleen Muhly muhly_da@redistricting.wa.gov	P-(360) 586-9000 F-(360) 586-8995	P.O. Box 40948 Olympia, WA 98504-0948
Retirement Systems, Department of	Ken Goolsby Rules@drs.wa.gov	P-(360) 664-7291 F-(360) 753-5397	P.O. Box 48380 Olympia, WA 98504-8380
Revenue, Department of	Alan Lynn alanl@dor.wa.gov	P-(360) 570-6125 F-(360) 664-0693	P.O. Box 47467 Olympia, WA 98504-7467
Salaries for Elected Officials, Washington Citizens' Commission on	Carol Sayer carols@salaries.wa.gov	P-(360) 725-5669 F-(360) 586-7544	P.O. Box 43120 Olympia, WA 98504-3120
Seattle Community Colleges	Dr. Carin Weiss cweiss@sccd.ctc.edu	P-(206) 587-4104 F-(206) 587-3894	1500 Harvard Avenue Seattle, WA 98122-3803
Secretary of State	Steve Excell Steve.excell@sos.wa.gov	P-(360) 902-4158 F-(360) 586-5629	P.O. Box 40220 Olympia, WA 98504-0220
Sentencing Guidelines Commission	Andi May AndiM@sdc.wa.gov	P-(360) 407-1050 F-(360) 407-1043	P.O. Box 40927 Olympia, WA 98504-0927
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Skagit Valley College	Lisa M Radeleff Lisa.Radeleff@skagit.edu	P-(360) 416-7995 F-(360) 416-7773	2405 E College Way Mt. Vernon, WA 98273
Social and Health Services, Department of	Katherine Iyall Yasquez DSHSRPAURulesCoordinator@dshs.wa.gov	P-(360) 664-6097 F-(360) 664-6185	P.O. Box 45850 Olympia, WA 98504-5850
South Puget Sound Community College	Diana Toledo dtoledo@spscc.ctc.edu	P-(360) 754-7711 Ext. 5202 F-(360) 586-3570	2011 Mottman Road SW Olympia, WA 98512
Southwest Clean Air Agency	Paul Mairose paul@swcleanair.org	P-(360) 574-3058 Ext. 30 F-(360) 576-0925	11815 NE 99th Street, Suite 1294 Vancouver, WA 98682
Spokane, Community Colleges of	Anne Tucker atucker@ccs.spokane.edu	P-(509) 434-5109 F-(509) 434-5120	501 N Riverpoint Blvd, MS 1001 Spokane, WA 99217-6000
Tacoma Community College	Cathie Bitz cbitz@tacomacc.edu	P-(253) 566-5101 F-(253) 566-5376	6501 S 19th Street Tacoma, WA 98466
Tax Appeals, Board of	Stephen V Saynisch ssaynisch@bta.state.wa.us	P-(360) 753-5446 F-(360) 586-9020	P.O. Box 40915 Olympia, WA 98504-0915
Tobacco Settlement Authority	Paul Edwards pedwards@wshfc.org	P-(206) 287-4462 F-(206) 587-5113	1000 Second Avenue, Suite 2700 Seattle, WA 98104-1046
Traffic Safety Commission	Angie Smith award@wtsc.wa.gov	P-(360) 753-6197 F-(360) 586-6489	P.O. Box 40944 Olympia, WA 98504-0944
Transportation Improvement Board	Eileen Bushman eileenb@tib.wa.gov	P-(360) 586-1146 F-(360) 586-1165	P.O. Box 40901 Olympia, WA 98504-0901
Transportation, Department of	Cathy Downs downsc@wsdot.wa.gov	P-(360) 705-7761 F-(360) 705-6808	P.O. Box 47410 Olympia, WA 98504-7410
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Volunteer Firefighters and Reserve Officers, Board for	Brigette K Smith bridgetted@bvff.wa.gov	P-(360) 753-7318 F-(360) 586-1987	P.O. Box 40945 Olympia, WA 98504-0945
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Workforce Training and Education Coordinating Board	Donna Ashman dashman@wtb.wa.gov	P-(360) 753-5673 F-(360) 586-5862	P.O. Box 43105 Olympia, WA 98504-3105
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**PUBLIC RECORDS OFFICER
Designations as of 12/23/2010**

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Agriculture, Department of	Elizabeth McNagny emcnagny@agr.wa.gov	P-(360) 902-1809 F-(360) 902-2092	P.O. Box 42560 Olympia, WA 98504-2560
Archaeology and Historic Preservation, Department of	Rick Anderson Rick.Anderson@dahp.wa.gov	P-(360) 586-3065 F-(360) 586-3067	P.O. Box 48343 Olympia, WA 98504-8343
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Auditor, Office of State	Mary Leider leiderm@sao.wa.gov	P-(360) 902-0379 F-(360) 753-0646	P.O. Box 40021 Olympia, WA 98504-0021
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Blind, Department of Services for the	Ellen Drumheller elldrums@dsb.wa.gov	P-(360) 725-3836 F-(360) 407-0679	P.O. Box 40933 Olympia, WA 98504-0933
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Central Puget Sound Growth Management Hearings Board	Linda Stores lindas@cps.gmhb.wa.gov	P-(206) 389-2625 F-(206) 389-2588	800 Fifth Avenue, Suite 2356 Seattle, WA 98104
Central Washington University	Bruce Porter porterb@cwu.edu	P-(509) 963-2324 F-(509) 963-1623	400 E. University Way Ellensburg, WA 98926-7474
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Clover Park Technical College	Amy Goings amy.goings@cptc.edu	P-(253) 589-5782 F-(253) 589-5637	4500 Steilacoom Boulevard S.W. Lakewood, WA 98499-4098
Code Reviser, Office of the	Debbie Deibert CodeRev.WA@leg.wa.gov	P-(360) 786-6777 F-(360) 786-1529	P.O. Box 40551 Olympia, WA 98504-0551
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Columbia River Gorge Commission	Nancy Andring andring@gorgecommission.org	P-(509) 493-3323 Ext. 0 F-(509) 493-2229	P.O. Box 730 White Salmon, WA 98672
Community and Technical Colleges, State Board for	Julie Walter jwalter@sbctc.ctc.edu	P-(360) 704-4313 F-(360) 586-6440	P.O. Box 42495 Olympia, WA 98504-2495
Community, Trade and Economic Development, Department of	Karen Dunn Karend@cted.wa.gov	P-(360) 725-4021 F-(360) 586-8440	P.O. Box 42525 Olympia, WA 98504-2525
Corrections, Department of	Denise Vaughan dlvaughan@doc1.wa.gov	P-(360) 725-8854 F-(360) 586-0287	P.O. Box 41118 Olympia, WA 98504-1118
County Road Administration Board	Karen Pendleton karen@crab.wa.gov	P-(360) 753-5989 F-(360) 586-0386	2404 Chandler Court SW, Suite 240 Olympia, WA 98504-0913
Criminal Justice Training Commission	Greg Baxter gbaxter@cjtc.state.wa.us	P-(206) 835-7356 F-(206) 835-7313	19010 1st Avenue South Burien, WA 98148
Early Learning, Department of	Brandon Chapman brandon.chapman@del.wa.gov	P-(360) 725-4385 F-(360) 413-3482	PO Box 40970 Olympia, WA 98504-0970
Eastern Washington Growth Management Hearings Board	Angie Andreas AAndreas@ew.gmhb.wa.gov	P-(509) 574-6960 F-(509) 574-6964	15 W Yakima Avenue, Suite 102 Yakima, WA 98902
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Evergreen State College, The	Patricia King kingp@evergreen.edu	P-(360) 867-6914 F-(360) 867-6577	2700 Evergreen Parkway N.W. Olympia, WA 98505
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Governor, Office of the	Melynda Campbell melynda.campbell@gov.wa.gov	P-(360) 902-4111 F-(360) 753-4110	P.O. Box 40002 Olympia, WA 98504-0002
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Higher Education Coordinating Board	Donald G. Alexander dona@hecb.wa.gov	P-(360) 753-7816 F-(360) 704-6216	P.O. Box 43430 Olympia, WA 98504-3430
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Highline Community College	Office of the Registrar	P-(206) 878-3710 Ext. 3244 F-(206) 870-4855	P.O. Box 98000 Des Moines, WA 98198-9800
Hispanic Affairs, Commission on	Alicia Luna	P-(360) 725-5661 F-(360) 586-9501	P.O. Box 40924 Olympia, WA 98504-0924
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Housing Finance Commission	Paul Edwards paul.r.edwards@wshfc.org	P-(206) 464-7139 F-(206) 587-5113	1000 2nd Avenue, Suite 2700 Seattle, WA 98104-1046
Human Rights Commission	Tanya Calahan tcalahan@hum.wa.gov	P-(360) 753-4876 F-(360) 586-2282	P.O. Box 42490 Olympia, WA 98504-2490
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Joint Legislative Audit and Review Committee	Curt Rogers Rogers.curt@leg.wa.gov	P-(360) 786-5171 F-(360) 786-5180	PO Box 40910 Olympia, WA 98501-2323
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Legislative Evaluation and Accountability Program Committee	Teah Stockwell Stockwell.Teah@leg.wa.gov	P-(360) 786-6104 F-(360) 786-6130	P.O. Box 40934 Olympia, WA 98504-0934
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Life Sciences Discovery Fund Authority	Alden Jones aldenj2@u.washington.edu	P-(206) 221-7919 F-(206) 543-3639	Box 356340 Seattle, WA 98195-6340
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Parks and Recreation Commission	Karen Clevenger Karen.Clevenger@parks.wa.gov	P-(360) 902-8514 F-(360) 586-6651	P.O. Box 42650 Olympia, WA 98504-2650
Peninsula College	Deborah Frazier deborahf@pcadmin.ctc.edu	P-(360) 417-6202 F-(360) 417-6218	1502 E. Lauridsen Boulevard Port Angeles, WA 98362
Personnel Appeals Board	Don Bennett dbennett@pab.state.wa.us	P-(360) 664-0373 F-(360) 753-0139	P.O. Box 40911 Olympia, WA 98504-0911
Personnel, Department of	Andy Colvin Andrewc@dop.wa.gov	P-(360) 664-6270 F-(360) 586-4694	PO Box 47500 Olympia, WA 98504-7500
Pierce College	Joann Wiszmann jwizsmann@pierce.ctc.edu	P-(253) 964-6506 F-(253) 964-6382	9401 Farwest Drive SW Lakewood, WA 98498
Pilotage Commissioners, Board of	Judy Bell belljud@wsdot.wa.gov	P-(206) 515-6347 F-(205) 515-3906	2901 Third Avenue, Suite 500 Seattle, WA 98121
Pollution Liability Insurance Agency	Xyzlinda Marshall xmarshall@plia.wa.gov	P-(360) 586-1060 F-(360) 586-7187	P.O. Box 40930 Olympia, WA 98504-0930
Public Disclosure Commission	Suemary Trobaugh strobaugh@pdc.wa.gov	P-(360) 753-1111 F-(360) 753-1112	P.O. Box 40908 Olympia, WA 98504-0908
Public Employment Relations Commission	Kenneth J Latsch klatsch@perc.wa.gov	P-(360) 570-7320 F-(360) 570-7334	112 N.E. Henry Street, Suite 300 Olympia, WA 98504-0919
Public Instruction, Superintendent of	Laura Russell lrussell@ospi.wednet.edu	P-(360) 725-6382 F-(360) 586-7251	P.O. Box 47200 Olympia, WA 98504-7200
Puget Sound Action Team	Stephanie Lidren slidren@psat.wa.gov	P-(360) 725-5441 F-(360) 725-5446	P.O. Box 40900 Olympia, WA 98504-0900
Recreation and Conservation Office	Rebecca Connolly PDandR@rco.wa.gov	P-(360) 902-2637 F-(360) 902-3026	PO Box 40917 Olympia, WA 98504-0917
Retirement Systems, Department of	Allen Nguyen allenn@drs.wa.gov	P-(360) 664-7298 F-(360) 753-3166	P.O. Box 48380 Olympia, WA 98504-0108
Revenue, Department of	Maureen O'Connell MaureenO@dor.wa.gov	P-(360) 705-6647 F-(360) 705-6655	P.O. Box 47478 Olympia, WA 98504-7478
Salaries for Elected Officials, Washington Citizens' Commission on	Carol Sayer carols@salaries.wa.gov	P-(360) 725-5669 F-(360) 586-7544	P.O. Box 43120 Olympia, WA 98504-3120
Seattle Community Colleges	Patricia Paquette ppaquette@sccd.ctc.edu	P-(206) 587-4105 F-(206) 287-5564	1500 Harvard Avenue Seattle, WA 98122
Secretary of State	Brenda Galarza Brenda.galarza@sos.wa.gov	P-(360) 236-5040 F-(360) 236-5044	P.O. Box 40224 Olympia, WA 98504-0224
Sentencing Guidelines Commission	Jean Soliz-Conklin Jeans@sgc.wa.gov	P-(360) 407-1050 F-(360) 407-1043	PO Box 40927 Olympia, WA 98504-0927
Shoreline Community College	Stephen Smith spsmith@shoreline.edu	P-(206) 546-4694 F-(206) 546-5850	16101 Greenwood Avenue North Shoreline, WA 98133
Social and Health Services, Department of	Kristal K. Wiitala DSHSPublicDisclosure@dshs.wa.gov	P-(360) 902-8484 F-(360) 902-7855	P.O. Box 45135 Olympia, WA 98504-5135
South Puget Sound Community College	Patricia Hutcherson phutcherson@spscc.ctc.edu	P-(360) 754-7711 Ext.5360	2011 Mottman Road S.W. Olympia, WA 98512
Southwest Clean Air Agency	Randy Peltier randy@swcleanair.org	P-(360) 574-3058 F-(360) 576-0925	11815 N.E. 99th Street, Suite 1294 Vancouver, WA 98682

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Spokane, Community Colleges of	Linda McDermott lmcdermott@ccs.spokane.edu	P-(509) 434-5275 F-(509) 434-5279	PO Box 6000 Spokane, WA 99217-6000
Tacoma Community College	Kathryn Longfellow klongfellow@tcc.ctc.edu	P-(253) 566-5050 F-(253) 566-5376	6501 S. 19th Street, Building 27 Tacoma, WA 98466
Tax Appeals, Board of	Victoria Walker vwalker@bta.state.wa.us	P-(360) 753-5446 F-(360) 586-9020	P.O. Box 40915 Olympia, WA 98504-0915
Tobacco Settlement Authority	Paul Edwards paul.r.edwards@wshfc.org	P-(206) 464-7139 F-(206) 587-5113	1000 2nd Avenue, Suite 2700 Seattle, WA 98104-1046
Traffic Safety Commission	Michelle Nicholls mnicholls@wtsc.wa.gov	P-(360) 753-6197 F-(360) 586-6489	P.O. Box 40944 Olympia, WA 98504-0944
Transportation Commission	Cathy Downs downsc@wsdot.wa.gov	P-(360) 705-7070 F-(360) 705-6802	PO Box 47308 Olympia, WA 98504-7308
Transportation Improvement Board	Eileen Bushman eileenb@tib.wa.gov	P-(360) 586-1146 F-(360) 586-1165	P.O. Box 40901 Olympia, Wa 98504-0901
Transportation, Department of	Marilyn S. Bowman	P-(360) 705-7761 F-(360) 705-6808	P.O. Box 47410 Olympia, WA 98504-7410
Treasurer, Office of the State	Chris McGann chris.mcgann@tre.wa.gov	P-(360) 902-9033 F-(360) 902-9044	P.O. Box 40200 Olympia, WA 98504-0200
University of Washington	Eliza A. Saunders pubrec@u.washington.edu	P-(206) 543-9180	4311 11th Avenue NE, Suite 360 Seattle, WA 98105
Veterans Affairs, Department of	Heidi Audette heidia@dva.wa.gov	P-(360) 725-2154 F-(360) 586-4393	P.O. Box 41150 Olympia, WA 98504-1150
Volunteer Firefighters and Reserve Officers, Board for	Brigette K Smith bridgetted@bvff.wa.gov	P-(360) 753-7318 F-(360) 586-1987	PO Box 114 Olympia, WA 98504
Walla Walla Community College	Sherry Hartford sharon.hartford@wwcc.edu	P-(509) 527-4323 F-(509) 527-4249	500 Tausick Way Walla Walla, WA 99362-9267
Washington State Patrol	Gretchen Dolan Gretchen.Dolan@wsp.wa.gov	P-(360) 596-4137 F-(360) 596-4153	P.O. Box 42631 Olympia, WA 98504-2631
Washington State University	Ralph Jenks forms@mail.wsu.edu	P-(509) 335-2004 F-(509) 335-3969	P.O. Box 641225 Pullman, WA 99164-1225
Wenatchee Valley College	Reagan K. Bellamy rbellamy@wwc.edu	P-(509) 682-6445 F-(509) 682-6441	1300 Fifth Street Wenatchee, WA 98801
Western Washington Growth Management Hearings Board	Paulette Yorke paulettey@wwgmhb.wa.gov	P-(360) 664-8966 F-(360) 664-8975	PO Box 40953 Olympia, WA 98504-0953
Western Washington University	Barbara Lechtanski Barbara.Lechtanski@wwu.edu	P-(360) 650-2728 F-(360) 650-4228	516 High Street Bellingham, WA 98225-1420
Whatcom Community College	Keri Parriera kparrier@whatcom.ctc.edu	P-(360) 752-6777 Ext. 3205 F-(360) 676-2171	237 West Kellogg Road Bellingham, WA 98226
Workforce Training and Education Coordinating Board	'cita Waller cwaller@wtb.wa.gov	P-(360) 753-5673 F-(360) 586-5862	P.O. Box 43105 Olympia, WA 98504-3105
Yakima Regional Clean Air Agency	Patty Walker patty@yrcaa.org	P-(509) 834-2050 F-(506) 834-2060	6 South Second Street Yakima, WA 98901
Yakima Valley Community College	Suzanne M. West swest.yvcc.edu	P-(509) 574-4635 F-(509) 574-4638	P.O. Box 22520 Yakima, WA 98907-2520

WSR 11-01-002
RULES COORDINATOR
ENERGY FACILITY SITE
EVALUATION COUNCIL
[Filed December 1, 2010, 4:39 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the energy facility site evaluation council is Al Wright, 1300 South Evergreen Park Drive S.W., P.O. Box 3172, Olympia, WA 98504, phone (360) 664-1360, fax (360) 586-1130, e-mail Al.Wright@utc.wa.gov.

Al Wright
Manager

WSR 11-01-004
NOTICE OF PUBLIC MEETINGS
NOXIOUS WEED
CONTROL BOARD
[Filed December 2, 2010, 9:40 a.m.]

The meeting schedule of the Washington state noxious weed control board for January 2011 is Tuesday, January 11, 2011, at 9:00 a.m., at the Department of Natural Resource[s] Building, Room 172, 1111 Washington Street S.E., Olympia, WA 98504-2560.

For teleconference connection information, contact Alison Halpern at (360) 902-2053 or ahalpern@agr.wa.gov.

WSR 11-01-005
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
(Public Employees Benefits Board)
[Filed December 2, 2010, 10:33 a.m.]

2011 Meeting Schedule

The public employees benefits board meetings will be held at the health care authority, The Sue Crystal Center Conference Room, 676 Woodland Square Loop S.E., Lacey, WA, unless otherwise noted below. The meetings begin at 1:00 p.m.

- January 12, 2011
(board retreat)
- February 16, 2011
- March 16, 2011
- April 20, 2011
- May 18, 2011
- June 15, 2011
- July 6, 2011
- July 20, 2011

If you are a person with a disability and need a special accommodation, please contact Shelley Buresh, (360) 923-2829.

WSR 11-01-006
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
(Pharmacy and Therapeutics Committee)
[Filed December 2, 2010, 10:44 a.m.]

2011 Meeting Schedule

The pharmacy and therapeutics committee meetings will be held at the SeaTac Airport Conference Center, 17801 International Boulevard, Seattle, WA 98158, International A Conference Room, unless otherwise noted below. The meetings will be held from 9:00 a.m. until 4:00 p.m.

- February 16, 2011
- April 20, 2011
- June 15, 2011
- August 17, 2011
- October 19, 2011
- December 21, 2011

If you are a person with a disability and need a special accommodation, please contact Regina Chacon, program coordinator, at (206) 521-2027.

WSR 11-01-007
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed December 2, 2010, 10:47 a.m.]

Prevailing Rate of Wage Correction for Construction Site Surveyors

Pursuant to RCW 39.12.015, 39.12.020 and WAC 296-127-011, on December 1, 2010, the industrial statistician and director of labor and industries made a correction to the prevailing rates of wage. Pursuant to WAC 296-127-011, the corrected rates will become effective in thirty days on December 31, 2010.

This wage rate correction affects the trade construction site surveyors in Clallam County.

Every contractor and subcontractor on every public works project must file a statement of intent to pay prevailing wages and an affidavit of wages paid. Both forms must be filed on every project. The filing of the affidavit of wages paid does not set aside the requirement to also file the statement of intent to pay prevailing wages. The department may fine contractors \$500 for failure to file these forms.

For more information on prevailing wage or a copy of the rates, please visit our web site at www.lni.wa.gov/TradesLicensing/PrevailingWage/ or call (360) 902-5335.

Following are details to this correction.

David Soma
Prevailing Wage Manager
Industrial Statistician

State of Washington
 Department of Labor and Industries
 Prevailing Wage Section
 Telephone (360) 902-5335
 P.O. Box 44540
 Olympia, WA 98504-4540

Washington State Prevailing Wage

The PREVAILING WAGES listed here include both the hourly wage rate and the hourly rate of fringe benefits. On public works projects, worker's wage and benefit rates must add to not less than this total. A brief description of overtime calculation requirements are provided on the benefit code key.

Wage Rates for Construction Site Surveyors (See "Surveyors" in the Trade List) have been corrected as the result of a wage-and-hour survey in several counties.

Changes to the journey level wages also impact apprentice wages. Use the apprentice wage rates lookup page.

Publish Date: December 1, 2010.

Effective Date: December 31, 2010.

County	Trade	Corrected Job Classification	Corrected Wage	Incorrect Job Classification	Incorrect Wage
Clallam	Surveyors	All Classifications	\$32.08	All Classifications	\$33.77

WSR 11-01-009

NOTICE OF PUBLIC MEETINGS

UNIVERSITY OF WASHINGTON

[Filed December 2, 2010, 3:13 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 11-02 issue of the Register.

WSR 11-01-011

NOTICE OF PUBLIC MEETINGS

RECREATION AND CONSERVATION

OFFICE

(Habitat and Recreation Lands Coordinating Group)

[Filed December 3, 2010, 9:13 a.m.]

The state legislature created the habitat and recreation lands coordinating group (lands group) in 2007 (RCW 79A.25.260). Our assistant attorney general has advised us that this group is subject to the Open Public Meetings Act, RCW 42.30.075.

The following is the schedule of regular meetings for the habitat and recreation lands coordinating group for 2011.

Meeting	Date	Time	Location
Quarterly meeting	January 26, 2011	9:00 a.m. - 12:00 p.m.	Rainier Room Office Building 2 Capitol Campus
Quarterly meeting	April 27, 2011	9:00 a.m. - 12:00 p.m.	Room 172 Natural Resources Building Capitol Campus
Quarterly meeting	July 27, 2011	9:00 a.m. - 12:00 p.m.	Room 175 A/B Natural Resources Building Capitol Campus
Quarterly meeting	October 26, 2011	9:00 a.m. - 12:00 p.m.	Room 175 A/B Natural Resources Building Capitol Campus

WSR 11-01-012
NOTICE OF PUBLIC MEETINGS
LOTTERY COMMISSION
[Filed December 3, 2010, 9:15 a.m.]

Meeting Dates and Locations
2011

Work session meetings will start at 8:30 a.m. Formal meetings will follow the work session after a short break.

January 27, 2011	Lottery Headquarters Drawing Studio	Olympia, Washington
March 24, 2011	Lottery Headquarters Drawing Studio	Olympia, Washington
May 26, 2011	Lottery Headquarters Drawing Studio	Olympia, Washington
July 28, 2011	Lottery Headquarters Drawing Studio	Olympia, Washington
September 29, 2011	Lottery Headquarters Drawing Studio	Olympia, Washington
November 17, 2011	Lottery Headquarters Drawing Studio	Olympia, Washington

WSR 11-01-013
NOTICE OF PUBLIC MEETINGS
STATE RECORDS COMMITTEE
[Filed December 3, 2010, 9:18 a.m.]

MEETINGS, POWERS AND DUTIES

FOR STATE GOVERNMENT AGENCIES: There is created a committee, to be known as the records committee, composed of the archivist, an appointee of the state auditor, an appointee of the attorney general, and an appointee of the director of financial management.

The records committee shall meet at least once every quarter or oftener as business dictates. Action by the committee shall be by majority vote and records shall be kept of all committee business.

It shall be the duty of the records committee to approve, modify or disapprove the recommendations on retention schedules of all files of public records and to act upon requests to destroy any public records: Provided, that any modification of a request or recommendation must be approved by the head of the agency originating the request or recommendation. (RCW 40.14.050.)

You may verify meeting cancellations by visiting our web site at <http://www.sos.wa.gov/archives/RecordsManagement/StateRecordsCommittee.aspx> or call records management at (360) 586-4901.

The 2011 meeting dates are as follows:

STATE RECORDS COMMITTEE - 1:30 p.m.

Location: 1129 Washington Street S.E., Olympia

- February 2
- April 6
- June 1
- August 3
- October 5
- December 7

WSR 11-01-014
RULES OF COURT
STATE SUPREME COURT
[December 2, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO CrRLJ 4.2) NO. 25700-A-965
(e) AND (f))

The Court on its own motion having recommended the adoption of the proposed amendments to CrRLJ 4.2 (e) and (f), and the Court having determined that the proposed amendments will aid in the prompt and orderly administration of justice and further determined the need for expedited adoption;

Now, therefore, it is hereby

ORDERED:

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

(b) That the amendments will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 2nd day of December, 2010.

Madsen, C.J.

C. Johnson, J.

Owens, J.

Alexander, J.

Fairhurst, J.

Sanders, J.

J. M. Johnson, J.

Chambers, J.

Stephens, J.

RULE CrR 4.2
PLEAS

(a) Types. A defendant may plead not guilty, not guilty by reason of insanity, or guilty.

(b) Multiple Offenses. Where the indictment or information charges two or more offenses in separate counts, the defendant shall plead separately to each.

(c) Pleading Insanity. Written notice of an intention to rely on the insanity defense, and/or a claim of present incompetency to stand trial, must be filed at the time of arraignment or within 10 days thereafter, or at such later time as the court may for good cause permit. All procedures concerning the defense of insanity or the competence of the defendant to stand trial are governed by RCW 10.77.

(d) Voluntariness. The court shall not accept a plea of guilty, without first determining that it is made voluntarily, competently and with an understanding of the nature of the charge and the consequences of the plea. The court shall not enter a judgment upon a plea of guilty unless it is satisfied that there is a factual basis for the plea.

(e) Agreements. If the defendant intends to plead guilty pursuant to an agreement with the prosecuting attorney, both the defendant and the prosecuting attorney shall, before the plea is entered, file with the court their understanding of the defendant's criminal history, as defined in RCW 9.94A.030. The nature of the agreement and the reasons for the agreement shall be made a part of the record at the time the plea is

entered. The validity of the agreement under RCW 9.94A.090431 may be determined at the same hearing at which the plea is accepted.

(f) Withdrawal of Plea. The court shall allow a defendant to withdraw the defendant's plea of guilty whenever it appears that the withdrawal is necessary to correct a manifest injustice. If the defendant pleads guilty pursuant to a plea agreement and the court determines under RCW 9.94A.090431 that the agreement is not consistent with (1) the interests of justice or (2) the prosecuting standards set forth in RCW 9.94A.430-460401-411, the court shall inform the defendant that the guilty plea may be withdrawn and a plea of not guilty entered. If the motion for withdrawal is made after judgment, it shall be governed by CrR 7.8.

(g) Unchanged.

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

WSR 11-01-015
RULES OF COURT
STATE SUPREME COURT
[December 2, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO APR 19-) NO. 25700-A-966
LAWYER SERVICES AND CrR 4.8-SUB-)
POENAS)

The Washington State Bar Association having recommended the adoption of the proposed amendments to APR 19-Lawyer Services and CrR 4.8-Subpoenas, and the Court having determined that the proposed amendments will aid in the prompt and orderly administration of justice and further determined the need for expedited adoption;

Now, therefore, it is hereby

ORDERED:

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

(b) That the amendments will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 2nd day of December, 2010.

Madsen, C.J.
C. Johnson, J. Owens, J.
Alexander, J. Fairhurst, J.
Sanders, J. J. M. Johnson, J.
Chambers, J. Stephens, J.

SUGGESTED AMENDMENT
ADMISSION TO PRACTICE RULES (APR)
RULE 19: LAWYER SERVICES DEPARTMENT

(a) Purpose. [no change]

(b) Lawyers' Assistance Program (LAP). [no change]

- (c) Fee Arbitration Program. [no change]
(d) Law Office Management Assistance Program (LOMAP). [no change]
(e) Professional Responsibility Program. [no change]
(f) Communications to the Association. [no change]

SUGGESTED AMENDMENT
CRIMINAL RULE (CrR)
RULE 4.8 Subpoenas

Subpoenas shall be issued in the same manner as in civil actions:

(a) For Attendance of Witnesses at Hearing or Trial. A subpoena commanding a person to attend and give testimony at a hearing or at trial ("a subpoena for testimony") shall be issued as follows:

(1) Form; Issuance.

(A) A subpoena for testimony shall (i) state the title of the action, the case number, the name of the court in which the action is pending, and, if different, the name of the court from which the subpoena is issued; and (ii) command each person to whom it is directed to attend and give testimony at a specified time and place.

(B) The court in which the action is pending or before which attendance is required may issue a subpoena for testimony under the seal of that court, or the clerk may issue the subpoena for testimony in response to a praecipe. An attorney for a party also may sign and issue a subpoena for testimony.

(C) A command to a person to produce evidence or to permit inspection may be joined with a subpoena for testimony or may be issued separately under section (b) of this rule.

(2) Notice. Notice to each party of the issuance of a subpoena for testimony is not required; provided that, when a subpoena for testimony also commands the person to whom it is directed to produce evidence or to permit inspection of things, the serving party shall give advance notice of such subpoena in the manner described in subsection (b) of this rule.

(3) Service—How Made. A subpoena for testimony may be served by any suitable person over 18 years of age, by giving the witness a copy thereof, or by leaving a copy at the witness's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein. When service is made by any person other than an officer authorized to serve process, proof of service shall be made by affidavit or declaration. A subpoena for testimony may also be served by first-class mail, postage prepaid, together with a waiver of personal service and instructions for returning such waiver to the attorney of record of the party to the action in whose behalf the witness is required to appear. Service by mail shall be deemed complete upon the filing of the returned waiver of personal service, signed in affidavit or declaration form.

(4) When Witness Excused. A witness subpoenaed to attend a hearing or trial is excused from further attendance as soon as the witness has given testimony in chief and has been cross-examined thereon, unless a party moves in open court that the witness remain in attendance and the court so orders. Witness fees will not be allowed any witness after the day on

which the witness's testimony is given, except when the witness has in open court been required to remain in further attendance, and when so required the clerk shall note that fact in the minutes.

(b) For Producing Evidence or Permitting Inspection. A subpoena commanding a person to produce and permit inspection and copying of designated documents, tangible things, or premises in the possession, custody, or control of that person ("a subpoena for production") shall be issued as follows:

(1) Form; Issuance.

(A) A subpoena for production shall (i) state the title of the action, the case number, the name of the court in which the action is pending, and, if different, the name of the court from which the subpoena is issued; (ii) command each person to whom it is directed to produce and permit inspection and copying of documentary evidence, tangible things, or premises in the possession, custody, or control of that person at a specified time and place; and (iii) set forth the text of subsection (b)(4) of this rule.

(B) The court in which the action is pending or before which attendance is required may issue a subpoena for production under the seal of that court or the clerk may issue the subpoena in response to a praecipe. An attorney for a party also may sign and issue a subpoena for production.

(C) A subpoena for production may be joined with a subpoena for testimony, or it may be issued separately, provided that a subpoena to inspect premises may not be combined with other subpoenas issued pursuant to this rule.

(2) Notice. Notice to parties of the issuance of a subpoena for production is not required; provided that, whenever a party intends to serve a subpoena for production seeking evidence or inspection of things or premises belonging or pertaining to a defendant who is not the party seeking or issuing the subpoena, then the serving party must give all parties advance notice; and provided that, whenever any party intends to serve a subpoena for production seeking evidence or inspection of things belonging or pertaining to an alleged victim or complaining witness, then the serving party shall provide advance notice to all parties and to the alleged victim or complaining witness; and provided that a subpoena for inspection of premises must be signed by the court and only after good cause is shown and advance notice is provided to all parties and the owner or occupier of the premises.

(A) Time and Manner. If advance notice is required under this rule, then no fewer than five days prior to service on the person named in the subpoena for production, notice shall be provided in the manner prescribed by CR 5(b). The parties may agree to shorten the time for advance notice when a subpoena seeks solely evidence or tangible things belonging or pertaining to a defendant. The court may shorten the time for advance notice upon a showing of good cause by a party; provided that, any alleged victim or complaining witness whose evidence, tangible things, or premises are sought shall receive notice and an opportunity to be heard on any motion to shorten time.

(B) Court May Excuse Notice. A court on ex parte motion may excuse compliance with the advance notice requirement upon the serving party's showing of good cause; any such court order, along with a copy of the subpoena for

which notice is excused, shall be filed under seal pursuant to GR 15.

(3) Service—How Made. A subpoena for production shall be served in the manner prescribed in CR 5(b); provided that, if the subpoena for production is joined with a subpoena for testimony, then subsection (a)(3) of this rule shall govern service.

(4) Protection of Persons Subject to Subpoena for Production. On timely motion, the court may quash or modify a subpoena for production if it (A) fails to allow reasonable time for compliance; (B) requires disclosure of privileged or other protected matter and no exception or waiver applies; (C) is unreasonable, oppressive, or unduly burdensome; or (D) exceeds the scope of discovery otherwise permitted under the criminal rules. The court may condition denial of a motion to quash or modify upon the advancement by the party on whose behalf the subpoena for production is issued of the reasonable cost of producing the books, papers, documents, tangible things, or premises.

(5) Applicability of Other Notice and Privacy Provisions. The provisions of this rule do not modify or limit privacy protections and notice requirements provided by court rule, statute, regulation, or other applicable law.

(c) Contempt. Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued.

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 11-01-016

RULES OF COURT

STATE SUPREME COURT

[December 2, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO APPENDIX) NO. 25700-A-967
GR 14 OFFICE OF REPORTER OF DECISIONS)
STYLE SHEET)

The Office of Reporter of Decisions having recommended the adoption of the proposed amendment to Appendix GR 14 Office of Reporter of Decisions Style Sheet, and the Court having determined that the proposed amendment will aid in the prompt and orderly administration of justice and further determined the need for expedited adoption;

Now, therefore, it is hereby

ORDERED:

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

(b) That the amendment will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 2nd day of December, 2010.

	Madsen, C.J.
C. Johnson, J.	Owens, J.
Alexander, J.	Fairhurst, J.
Sanders, J.	J. M. Johnson, J.
Chambers, J.	Stephens, J.

Office of Reporter of Decisions
STYLE SHEET
Effective November 15, 2010, and Subject to Revision
 GENERAL PRINCIPLES

1. The Nineteenth Edition of *The Bluebook: A Uniform System of Citation* is the basic citation resource for Washington appellate court opinions except as noted below.
2. The latest edition of *The Chicago Manual of Style* is the authority for punctuation and style matters.
3. *Webster's Third New International Dictionary of the English Language* is the authority for spelling, including spacing and hyphens between nouns (e.g., boyfriend, girl friend, day care, baby-sitter). Where two or more spellings are listed, use *Webster's* preferred spelling rather than the variant.
4. For matters not covered by the *Bluebook*, *The Chicago Manual of Style*, or *Webster's*, the Office of Reporter of Decisions applies formal, traditional, noncolloquial English.
5. Use and cite to official sources, which in most instances are printed publications. Do not cite to an unofficial source unless the official source is unavailable.

ABBREVIATIONS

The following abbreviations are used for citing to primary Washington legal materials. The list replaces the list of abbreviations for Washington materials found in *Bluebook* table T1.3, at 272.

TITLE	ABBREVIATION
Washington Constitution	Const. art. VI, § 1
Revised Code of Washington (Official)	RCW
Revised Code of Washington Annotated (West)	RCWA
Annotated Revised Code of Washington (LEXIS)	ARCW
Session Laws special sessions	Laws of 2002, ch. 107, § 3 Laws of 1995, 2d Spec. Sess., ch. 14, § 21
extraordinary sessions	Laws of 1963, 1st Ex. Sess., ch. 26
Washington Reports, 1st & 2d Series	Wash.; Wn.2d
Washington Territory Reports	Wash. Terr.

TITLE	ABBREVIATION
Washington Appellate Reports	Wn. App.
Washington Administrative Code	WAC
Washington State Register	Wash. St. Reg.
<u>Early Statutes</u>	
Ballinger Code	Bal. Code
Code of 1881	Code of 1881
Hill's Code of Procedure	Hill's Code of Proc.
Hill's General Statutes	Hill's Gen. Stat.
Pierce's Code	Pierce's Code
Remington's Revised Statutes	Rem. Rev. Stat.
Remington's 1915 Code	Rem. 1915 Code

Note: In citations, "Const.," "Laws," and the names of codes and statutes (e.g., "Code of 1881," "Rem. Rev. Stat.") are printed in the official reports in large and small caps, but ordinary typeface is acceptable in manuscript opinions. In text, both the official reports and manuscript opinions use ordinary typeface.

EXCEPTIONS TO *BLUEBOOK*

1. Exception to *Bluebook* rules 2.1 & 2.2, at 62-65: Ignore rules about using roman type for case names. Case names should be in italics no matter where or how they are used.
2. Exception to *Bluebook* rule 5.3 (b)(iv) at 79: The deletion of matter after the final punctuation of a sentence may be indicated by a three-dot ellipsis.
3. Exception to *Bluebook* rule 6.1(b) at 81: Do not use abbreviations for entities with widely recognized initials in text (unless previously set out in a parenthetical), in case citations (unless abbreviated in source) (this is also an exception to *Bluebook* rule 10.2.1(c) at 91), or as institutional authors.
4. Exceptions to *Bluebook* rule 6.2(a) at 81-82: In text, spell out numbers zero to nine. Use arabic numerals for higher numbers. Use commas in numbers 1,000 and higher (e.g., 9,876) except when citing a page number in a case or court document.
5. Exception to *Bluebook* rule 6.2(d) at 82: In text, always write out "percent" rather than using a percentage sign (%).
6. Exception to *Bluebook* rule 8, at 84-86: Ignore this section. The Reporter's Office generally follows *The Chicago Manual of Style* to resolve capitalization issues although, other than capitalizing proper nouns and maintaining consistency throughout the opinion, the judicial author's preference governs.
7. Exception to *Bluebook* rule 9(a) at 87: When a judge is named in text, the use of the judge's first and middle names/initials is discretionary with the author.
8. Exception to *Bluebook* rule 10.2.1(a) at 90: When a case has both an adversary and a nonadversary name, cite to only the first case name in the official reports caption.
9. Exception to *Bluebook* rule 10.3.1, at 95 and Table T1: Cite official reports and regional reporters for all cases for which official reports are published. Include public domain

citations when available. For California, Illinois, and New York, include the state specific reporter (Cal. Rptr. 3d, Ill. Dec., N.Y.S.2d) in addition to the official reports and regional reporters. For Washington cases, pinpoint citations are made to Wn.2d or Wn. App. pages, paragraph numbers, or both; pinpoint citations to P., P.2d, or P.3d pages are optional; pinpoint citations should not be made to P.3d paragraph numbers. For non-Washington cases, pinpoint citations are made to the official report or the unofficial report. Maintain consistency throughout the opinion.

10. Exception to *Bluebook* rule 10.7, at 101-03: *Review denied and review granted*: for Washington cases, cite to Wash. or Wn.2d; citing P., P.2d, or P.3d in addition to Wash. or Wn.2d is optional; for non-Washington cases: cite to the regional reporter; citing the official reporter in addition to the regional reporter is optional. *Cert. granted or cert. denied* in the United States Supreme Court: cite only to U.S. if therein; otherwise, cite to one of the following: S. Ct., L. Ed. or L. Ed. 2d, or U.S.L.W. in that order of preference. When subsequent history results in an opinion (such as *aff'd, rev'd, vacated, overruled by, and abrogated by*), use a full case citation.

11. Exception to *Bluebook* rule 10.7.1(c) at 102-03: "*Overruled by*" (or "*abrogated by*") is appropriate when a case explicitly repudiates (or effectively overrules or departs from) an earlier decision of a lower court as well as an earlier decision of the same court. Do not use "*superseded by statute*" or "*superseded by constitutional amendment*" subsequent history.

12. Exception to *Bluebook* rule 12.3.1(d) at 115: When citing to a current or former, official or unofficial, version of a statute that is published by a private publisher, do not add the name of the publisher and year of publication, e.g., "(West)" or "(LexisNexis 2003)," unless the volume is being cited for something other than the text of the statute, in which case include the publisher name and year.

13. Exception to *Bluebook* rule 12.3.2, at 115-16: Do not add the year in parentheses after a citation to a presently effective version of a statute or code.

14. Exception to *Bluebook* rule 12.9.2, at 120-21: Do not add "Wash." for codes and ordinances of Washington local governments. Do not add the year in parentheses after a citation to a presently effective version of a local code or ordinance.

15. Exception to *Bluebook* rule 12.10(c) at 125: "Section" may be spelled out in text when referring to U.S.C. sections.

16. Exception to *Bluebook* table T1.1, at 215: Cite United States Supreme Court cases as follows: __ U.S. __, __ S. Ct. __, __ L. Ed. or L. Ed. 2d __ (year).

17. Exception to *Bluebook* table T1.3, at 263: For Pennsylvania Superior Court cases, omit the public domain citation after the A.2d citation becomes available.

WSR 11-01-017
RULES OF COURT
STATE SUPREME COURT

[December 2, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO CrRLJ 7.3-) NO. 25700-A-968
JUDGMENT)

The District and Municipal Court Judges' Association having recommended the adoption of the proposed amendment to CrRLJ 7.3-Judgment, and the Court having determined that the proposed amendment will aid in the prompt and orderly administration of justice and further determined the need for expedited adoption;

Now, therefore, it is hereby

ORDERED:

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

(b) That the amendment will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 2nd day of December, 2010.

Madsen, C.J.

C. Johnson, J.

Owens, J.

Alexander, J.

Fairhurst, J.

Sanders, J.

J. M. Johnson, J.

Chambers, J.

Stephens, J.

SUGGESTED AMENDMENT
CRIMINAL RULES FOR COURTS OF
LIMITED JURISDICTION (CrRLJ)
RULE 7.3 JUDGMENT

A judgment of conviction shall set forth whether the defendant was represented by a lawyer or waived representation by a lawyer, the plea, the verdict or findings, and the adjudication and sentence. The court may order that its sentence include special conditions or requirements, including a specified schedule for the payment of a fine, restitution, or other costs, or the performance of community service. If the defendant is found not guilty or for any other reason is entitled to be discharged, judgment shall be entered accordingly. The judge or clerk shall enter the judgment on the record. The judgment and record of the sentencing proceedings of the courts of limited jurisdiction shall be preserved in perpetuity, either in an electronic or hard copy format. "Hard copy format" may include microfilm, microfiche, or a paper copy. At a minimum, the judgment and record of the sentencing proceedings shall include:

(a) Defendant's name;

(b) Defendant's ID numbers;

(c) ~~The charge, as well as any amendments to the original charge, and citation~~ Citation to the statute or ordinance, including subsections, for under which the defendant was sentenced;

(d) ~~Identification of any charge defined under law as a domestic violence offense~~ Identification of any charge to which the defendant pled guilty or was found guilty that is a crime of domestic violence under state law;

- (~~e~~) (e) Arraignment date;
- (~~f~~) (f) The plea, and the date entered;
- (~~g~~) (g) Representation by or waiver of lawyer, as well as date of lawyer's appearance or waiver;
- (~~h~~) (h) The parties present, including but not limited to the judge, attorneys, prosecutor, defense counsel, witnesses;
- (~~i~~) (i) Verdict or findings, and the date entered;
- (~~j~~) (j) Adjudication and sentence, and the date entered;
- (~~k~~) (k) Conditions or requirements of the sentence, including but not limited to a specified schedule for the pay-

ment of a fine, restitution, or other costs, performance of community service, counseling or treatment;

(~~l~~) (l) The outcomes of any hearings held on the case, including but not limited to noncompliance hearings, reviews.

The judgment and record of the sentencing proceedings shall be prima facie evidence of a valid conviction in subsequent proceedings in courts of limited jurisdiction and in superior court.

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

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 11-01-018
RULES OF COURT
STATE SUPREME COURT

[December 2, 2010]

IN THE MATTER OF THE ADOPTION)	ORDER
OF THE AMENDMENT TO CrRLJ 4.2(g)-)	NO. 25700-A-969
"DUI" ATTACHMENT, CrRLJ 4.2(i)-)	
PETITION FOR DEFERRED PROSECU-)	
TION AND CrRLJ 4.2(i)-PETITION FOR)	
DEFERRED PROSECUTION OF CRIMI-)	
NAL MISTREATMENT CHARGE)	

The Washington State Pattern Forms Committee having recommended the adoption of the proposed amendments to CrRLJ 4.2(g)-"DUI" Attachment, CrRLJ 4.2(i)-Petition For Deferred Prosecution and CrRLJ 4.2(i)-Petition For Deferred Prosecution of Criminal Mistreatment Charge, and the Court having determined that the proposed amendment will aid in the prompt and orderly administration of justice and further determined the need for expedited adoption;

Now, therefore, it is hereby

ORDERED:

- (a) That the amendment as shown below is adopted.
- (b) That the amendment will be published expeditiously and become effective January 1, 2011.

DATED at Olympia, Washington this 2nd day of December, 2010.

		Madsen, C.J.

C. Johnson, J.	_____	Owens, J.

Alexander, J.	_____	Fairhurst, J.

Sanders, J.	_____	J. M. Johnson, J.

Chambers, J.	_____	Stephens, J.

Case Name: _____ **Cause No.:** _____

"DUI" Attachment: Driving under the influence of alcohol and/or actual physical control of a vehicle while under the influence of alcohol and/or drugs. (If required, attach to Statement of Defendant on Plea of Guilty.)

Court - DUI Sentencing Grid (RCW 46.61.5055 as amended through January 1, 2011)

BAC Result < .15 or No Test Result	<i>No Prior Offense¹</i>	<i>One Prior Offense¹</i>	<i>Two or Three Prior Offenses¹</i>
Mandatory Minimum/ Maximum Jail Time ²	24 Consecutive Hours/365 Days	30/365 Days	90/365 Days
EHM ²	15 Days in Lieu of Jail	60 Days Mandatory	120 Days Mandatory
Mandatory Minimum/ Maximum Fine ³	\$865.50/\$5,000	\$1,120.50/\$5,000	\$1,970.50/\$5,000
Driver's License	90-Day Suspension	2-Year Revocation	3-Year Revocation
II Driver's License* II Device	Required	Required	Required
Alcohol/Drug Ed. or Treatment	As Ordered	As Ordered	As Ordered

*See Court and Department of Licensing (DOL) Ignition Interlock Requirements, page 4.

BAC Result ≥.15 or Test Refusal	<i>No Prior Offense¹</i>	<i>One Prior Offense¹</i>	<i>Two or Three Prior Offenses¹</i>
Mandatory Minimum/ Maximum Jail Time ²	2 Consecutive/365 Days	45/365 Days	120/365 Days
EHM ²	30 Days in Lieu of Jail	90 Days Mandatory	150 Days Mandatory
Mandatory Minimum/ Maximum Fine ³	\$1,120.50/\$5,000	\$1,545.50/\$5,000	\$2,820.50/\$5,000
Driver's License	1-Year Revocation 2 Years if BAC refused	900-Days Revocation 3 Years if BAC refused	4-Year Revocation
II Driver's License* II Device	Required	Required	Required
Alcohol/Drug Ed. or Treatment	As Ordered	As Ordered	As Ordered

*See Court and Department of Licensing (DOL) Ignition Interlock Requirements, page 4.

Court Ordered Ignition Interlock Driver's License and Device Requirements, RCW 46.20.720(2), 46.61.5055(5), 46.20.385, effective January 1, 2009*			
Requirement	No Previous Restriction+	Previous 1-Year Restriction+	Previous 5-Year Restriction+
II Driver's License II Device	1 Year	5 Years	10 Years

+Period of time for ignition interlock restriction is pursuant to RCW 46.61.5055 (5)(g).

*See Court and Department of Licensing (DOL) Ignition Interlock Requirements, page 4.

Department of Licensing Required Ignition Interlock Device Requirements, RCW 46.20.720 (3)(4) January 1, 2011*			
Requirement	No Previous Restriction no less than:	Previous 1-Year Restriction no less than:	Previous 5-Year Restriction no less than:
II Device	1 Year	5 Years	10 Years
Restriction remains in effect, until IID vendor certifies to DOL that none of the following incidents occurred within four (4) months before date of release: an attempt to start the vehicle with a BAC of .04 or more; failure to take or pass any required retest; failure of the person to appear at the IID vendor when required.			

*See Court and Department of Licensing (DOL) Ignition Interlock Requirements, page 4.

¹**Prior Offenses:** Count all prior offenses where the arrest date of the prior offense occurred within seven (7) years before or after the arrest date on the current offense. RCW 46.61.5055 (14)(b); *Seattle v. Quezada*, 142 Wn.App. 43, 174 P.3d 129 (Div. 1 2007). "Prior offense" is defined by RCW 46.61.5055 (14)(a) to include-

⇒ **Original Convictions for the following:** (1) DUI (RCW 46.61.502) (or an equivalent local ordinance); (2) Phys. Cont. (RCW 46.61.504) (or an equivalent local ordinance); (3) Veh. Homicide (RCW 46.61.520) or Veh. Assault (RCW 46.61.522) if either committed while under the influence; (4) Equiv. out-of-state statute for any of the above offenses.

⇒ **Deferred Prosecution Granted for the following:** 1) DUI (RCW 46.61.502) (or equivalent local ordinance); (2) Phys. Cont. (RCW 46.61.504) (or equiv. local ordinance); (3) Neg. Driving 1st (RCW 46.61.5249, or equiv. local ord.), *if the person was originally charged with DUI or Phys. Cont. (or an equiv. local ord.), or Veh. Hom. (RCW 46.61.520) or Veh. Assault (RCW*

46.61.522). See *Bremerton v. Tucker*, 126 Wn.App. 26, 103 P.3d 1285 (Div. 2 2005); *Seattle v. Quezada*, 142 Wn.App. 43, 174 P.3d 129 (Div. 1 2007) (a revoked deferred prosecution only counts as one prior offense). If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in RCW 46.61.5055 (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing.

⇒ **Amended Convictions for the following:** *If the person was originally charged with DUI or Phys. Cont. or an equivalent local ordinance, or Veh. Homicide (RCW 46.61.520) or Veh. Assault (RCW 46.61.522) (1) Neg. Driving 1st (RCW 46.61.5249), (2) Reckless Driving (RCW 46.61.500), (3) Reckless Endangerment (RCW 9A.36.050), (4) Equiv. out-of-state or local ordinance for the above offenses. See, Walla Walla v. Greene, 154 Wn.2d 722, ¶ 14, 116 P.3d 1008 (2005).*

²**Mandatory Jail and Electronic Home Monitoring (EHM):** If there are prior offenses within seven (7) years before or after the arrest date of the current offense, the mandatory jail shall be served by imprisonment for the minimum statutory term and may not be suspended or deferred unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. The mandatory statutory term may not be converted to EHM. *Bremerton v. Bradshaw*, 121 Wn.App. 410, 88 P.3d 438 (Div. 2 2004). Where there are no prior offenses within seven (7) years, the court may grant EHM instead of mandatory minimum jail. If there are prior offenses, the mandatory EHM may not be suspended or deferred unless the court finds that imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. RCW 46.61.5055 (1)(a)(i), (2)(a)(i), (3)(a)(i).

Mandatory Conditions of Probation for any Suspended Jail Time: The individual is not to: (i) drive a motor vehicle without a valid license to drive and proof of financial responsibility (SR 22), (ii) drive while having an alcohol concentration of .08 or more within two (2) hours after driving, (iii) refuse to submit to a test of his or her breath or blood to determine alcohol concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor. Except for ignition interlock driver's license and device or alcohol monitoring requirements under RCW 46.61.5055(5), violation of **any** mandatory condition requires a minimum penalty of 30 days' confinement, which may not be suspended or deferred, and an additional 30-day license suspension. RCW 46.61.5055(11). Courts are required to report violations of mandatory conditions requiring confinement or license suspension to DOL. RCW 46.61.5055.

³**Mandatory Monetary Penalty:** PSEA 1, RCW 3.62.090(1); Alcohol Violators Fee, RCW 46.61.5054; Criminal Justice Funding (CJF) Penalty, RCW 46.64.055 (Note: RCW 3.62.090 (1) and (2) apply to CJF penalty); Criminal Conviction Fee, RCW 3.62.085.

Felony DUI and Felony Physical Control: With four (4) priors within ten (10) years, or one (1) prior conviction of Veh. Homicide or Veh. Assault (see above), a current offense is a Class C Felony punished under Chapter 9.94A RCW. "Within ten (10) years" means that the arrest for the prior offense occurred within ten (10) years before or after the arrest for the current offense. RCW 46.61.5055 (14)(c).

Jurisdiction: Court has five (5) years jurisdiction.

Department of Licensing - DUI Administrative Sanctions and Reinstatement Provisions (As amended through January 1, 2009)

Administrative Sanctions – RCW 46.20.3101		
REFUSED TEST	First Refusal Within 7 Years <u>And</u> No Prior Administrative Action Within Past 7 Years*	Second or Subsequent Refusal Within Past 7 Years OR First Refusal <u>And</u> At Least One Prior Administrative Action Within Past 7 Years*
Adult	1-Year License Revocation	2-Year License Revocation
Minor	1-Year License Revocation	2-Year License Revocation Or Until Age 21 Whichever Is Longer
BAC RESULT	First Administrative Action	Second or Subsequent Administrative Action
Adults ≥ 0.08	90-Day License Suspension	2-Year License Revocation
Minors ≥ 0.02	90-Day License Suspension	1-Year License Revocation Or Until Age 21 Whichever Is Longer

*Day for day credit for revocation period already served under suspension, revocation, or denial imposed under RCW 46.61.5055 and arising out of the same incident. RCW 46.20.3101(4).

Ignition Interlock Driver's License, RCW 46.20.385 (effective January 1, 2009)
May apply for an Ignition Interlock Driver's License upon receiving RCW 46.20.308 notice or upon suspension or revocation. See "Court and Department of Licensing Ignition Interlock Requirements, page 4."

Note: An individual convicted of DUI or physical control will have his/her driving privilege placed in probationary status for five (5) years from the date he/she is eligible to reinstate his/her driver's license (see RCW 46.61.5055 and 46.20.355). An individual granted a deferred prosecution under RCW 10.05.060 will have his/her driving privilege placed on probationary status for

five (5) years from the date of the incident, which was the basis for the deferred prosecution (see RCW 46.20.355 and 10.05.060).

Requirements for Reinstatement of Driving Privilege	
<i>Suspended License* (RCW 46.20.311)</i>	<i>Revoked License* (RCW 46.20.311)</i>
<ul style="list-style-type: none"> • File and maintain proof of financial responsibility for the future with the Department of Licensing as provided in chapter 46.29 RCW (SR 22) • Present written verification by a company that it has installed the required ignition interlock device on a vehicle owned and/or operated by the person seeking reinstatement • Pay \$150 driver's license reissue fee • Driver's ability test NOT required 	<ul style="list-style-type: none"> • File and maintain proof of financial responsibility for the future with the Department of Licensing as provided in chapter 46.29 RCW (SR 22) • Present written verification by a company that it has installed the required ignition interlock device on a vehicle owned and/or operated by the person seeking reinstatement • Pay \$150 driver's license reissue fee • Satisfactorily complete a driver's ability test

*If suspension or revocation is the result of a criminal conviction, the driver must also show proof of either (1) enrollment and satisfactory participation in an approved alcohol treatment program or (2) completion of an alcohol information school, as determined by the court and/or treatment agency.

Court and Department of Licensing (DOL) Ignition Interlock Requirements, RCW 46.20.380, 46.20.385 Ignition Interlock Driver's License, RCW 46.20.380, 46.20.385	
Eligible to Apply	<ul style="list-style-type: none"> • Conviction of violation of RCW 46.61.502, 46.61.504, or an equivalent local or out-of-state statute or ordinance, 46.61.520 (1)(a), or 46.61.522 (1)(b) involving alcohol • License suspended, revoked, or denied under RCW 46.20.3101 • Proof of installed functioning ignition interlock device
Requirements	<ul style="list-style-type: none"> • Proof of financial responsibility (SR 22)
Financial Obligations	<ul style="list-style-type: none"> • \$100 mandatory fee to DOL • Costs to install, remove, and lease the ignition interlock device, and \$20 fee per month, unless waived
Duration	Extends through the remaining portion of any concurrent or consecutive suspension or revocation imposed as the result of administrative action and criminal conviction arising from the same incident
Operation with Other Requirements	The time period during which the person is licensed under RCW 46.20.385, shall apply on a day-for-day basis toward satisfying the period of time the ignition interlock device restriction is required under RCW 46.20.720 and 46.61.5055

Court Ordered Ignition Interlock (II) Driver's License and Device: (A) If the court orders the person to refrain from consuming any alcohol and requires the person to apply for an II driver's license, and the person states he or she does not operate a motor vehicle, or the person is ineligible to obtain an II driver's license, then the court shall order the person to submit to alcohol monitoring for one (1), five (5), or ten (10) years, and to pay for the monitoring. RCW 46.61.5055(5). (B) The court may waive requirements to apply for an II driver's license upon written findings of fact when: (i) the person lives out-of-state and the devices are not reasonably available in the local area, (ii) the person does not operate a motor vehicle, (iii) the person is not eligible to receive the driver's license under RCW 46.20.385 because the person is not a resident of Washington, is a habitual traffic offender, has already applied for or is already in possession of an II driver's license, has never had a driver's license, has been certified under Ch. 74.20A RCW as noncompliant with a child support order, or is subject to any other condition or circumstance that makes the person ineligible to obtain an II driver's license. (C) II device is not required on vehicles owned, leased, or rented by a person's employer or on those vehicles whose care and/or maintenance is the temporary responsibility of the employer and driven at the direction of a person's employer as a requirement of employment during business hours upon proof to DOL of employment affidavit. The court sets the calibration level.

Court Ordered Discretionary Ignition Interlock (II) Device: The court may order discretionary II device requirements that last up to the five (5) years jurisdictional limit of the court. The court sets the duration and calibration level. Discretionary II device restrictions begin after any applicable period of suspension, revocation, or denial of driving privileges. RCW 46.20.720(1).

Passenger Under Age 16: The Court shall order the installation and use of an II device for not less than 60 days if an IID is not mandatory under RCW 46.20.720 or 46.61.5055(5) and for an additional 60 days if an IID is otherwise mandatory.

Deferred Prosecution: For application in DUI Deferred Prosecution, see RCW 46.20.720 and RCW 10.05.140, which require II device in a deferred prosecution of any alcohol-dependency based case.

DOL Imposed Ignition Interlock (II) Device - RCW 46.20.720: For all offenses occurring June 10, 2004 or later, DOL shall require that, after any applicable period of suspension, revocation, or denial of driving privileges, a person may drive only a motor vehicle equipped with a functioning II device if the person is convicted of "an alcohol-related" violation of DUI or Physical Control. The DOL required II device is not required on vehicles owned, leased, or rented by a persons's employer or on those vehicles whose care and/or maintenance is the temporary responsibility of the employer and driven at the direction of a person's employer as a requirement of employment during business hours upon proof to DOL of employment affidavit. DOL may waive requirement if the device is not reasonably available in the local area.

Court of Washington	
For _____	
vs.	Plaintiff,
Defendant.	No: _____ Petition for Deferred Prosecution (DPPF) Charges: _____ Violation Date: _____

I am the defendant in this case and I petition the court for deferred prosecution under RCW Chapter 10.05. I make the following statement in support of my petition:

1. The wrongful conduct charged is the result of or caused by [] **Alcoholism** [] **Drug Addiction** [] **Mental Problems**, for which I need treatment.
2. Unless I receive treatment for my problem, the probability is great that I will offend again.
3. I agree to pay the cost of diagnosis and treatment, if I am financially able to do so, subject to RCW 10.05.130.
4. I understand that the court will not accept a petition for deferred prosecution from a person who sincerely believes that he or she is innocent of the crime(s) charged or does not suffer from alcoholism, drug addiction, or mental problems.
5. If this charge is a violation of Title 46 RCW or similar municipal ordinance, I have not previously been placed on a deferred prosecution for a Title 46 RCW or similar municipal ordinance violation.
6. I have filed a case history and assessment with this petition as required by RCW 10.05.020.
7. I have the following rights: (a) to have a lawyer represent me at all hearings; (b) to have a lawyer appointed at public expense if I cannot afford one; (c) to have a speedy, public jury trial; (d) to appeal any conviction; (e) to remain silent and not testify; (f) to question witnesses who testify against me; (g) to call witnesses to testify for me, at no cost; (h) to be presumed innocent unless the charge(s) against me is (are) proved beyond a reasonable doubt; and (i) to present evidence and a defense. By deferring prosecution on these charges, I give up my right to: (a) a speedy trial; (b) a jury; (c) testimony on my own behalf; an opportunity to (d) call and (e) question witnesses; and (f) present evidence or a defense.
8. I agree that the facts as reported in the attached police reports are admissible evidence and are sufficient to support a conviction. I acknowledge that the above items will be used to support a finding of guilty if the deferred prosecution is revoked.
9. If my deferred prosecution is revoked and I am found guilty, I may be sentenced up to the maximum penalty allowed by law.
10. If I proceed to trial and I am found guilty, I may be allowed to seek suspension of some or all fines and incarceration if I seek treatment. I understand that I may seek treatment from a public or private agency at any time, whether or not I have been found guilty or placed on deferred prosecution.
11. For some crimes, a deferred prosecution will enhance mandatory penalties for subsequent offenses committed within a seven-year period. I understand that a deferred prosecution will be a prior offense under RCW 46.61.5055 (driving under the influence, physical control of a vehicle under the influence, negligent driving if originally charged as driving under the influence or physical control of a vehicle under the influence, vehicular homicide, or vehicular assault).
12. If the court defers prosecution on any crime that would be a violation of state law or local ordinance relating to motor vehicle traffic control, I will be disqualified from driving a commercial motor vehicle for the period specified in RCW 46.25.090 and, if I drive a commercial motor vehicle holding a license issued by Washington State, I will be required to notify the Department of Licensing and my employer of this deferred prosecution within 30 days of the judge granting this petition. RCW 46.25.030. If the court grants this Petition, I may not operate a motor vehicle on the public highways without a valid operator's license and proof of liability insurance pursuant to RCW 46.29.490. If my wrongful conduct is the result of or caused by alcohol dependency, I shall also be required to install an ignition interlock device under RCW 46.20.720 . The required periods of interlock use shall be no less than the periods provided for in RCW 46.20.720 (3)(a), (b), and (c) and subject to certification from the ignition interlock device vendor. RCW 46.20.720(4). I may also be required to pay restitution to victims, pay court costs, and pay probation costs authorized by law. To help ensure continued sobriety and reduce the likelihood of reoffense, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for alcoholism or drugs, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. Alcoholism programs shall require a minimum of

two (2) self-help recovery groups per week for the duration of the treatment program. The court may terminate the deferred prosecution program if I violate this paragraph.

13. If the court grants this petition, during the period of deferred prosecution I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if my wrongful conduct involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; (iv) a sexual offense that requires me to register as a sex offender in Washington state. I understand that I will be required to pay an application fee with my travel or transfer request.

14. If I fail or neglect to comply with any part of my treatment plan or with any ignition interlock device requirements, then the court will hold a hearing to determine whether I should be removed from the deferred prosecution program. After the hearing, the court will either order that I continue with treatment or be removed from deferred prosecution and enter judgment. If I am convicted of a similar offense during the deferred prosecution, the court will revoke the deferred prosecution and enter judgment.

15. The court will dismiss the charge(s) against me in this case three years from the end of the 2-year treatment program and following proof to the court that I have complied with the conditions imposed by the court following successful completion of the 2-year treatment program, but no less than five (5) years from the date the deferred prosecution is granted, if the court grants this petition and if I fully comply with all the terms of the court order placing me on deferred prosecution.

I certify under penalty of perjury under the laws of the state of Washington that I have read the foregoing and agree with all of its provisions and that all statements made are true and correct.

Dated at _____, Washington this ____ day of _____.

Petitioner-Defendant

Defense Attorney/WSBA No.

Court of Washington	
For _____	
vs.	Plaintiff,
	Defendant.

No: _____
Petition for Deferred Prosecution of Criminal Mis-treatment Charge (DPPF)
Violation Date: _____

I am the defendant in this case and I petition the court for deferred prosecution of a criminal mistreatment charge under RCW Chapter 10.05. Following are my statements in support of this petition:

1. I am the natural or adoptive parent of the alleged victim.
2. The wrongful conduct charged is the result of parenting problems for which I am in need of services.
3. I am in need of child welfare services under chapter 74.13 RCW to improve my parenting skills in order to better provide my child(ren) with the basic necessities of life.
4. I want to correct my conduct to reduce the likelihood of harm to my child(ren).
5. I have cooperated with the Department of Social and Health Services to develop a plan to receive appropriate child welfare services.
6. I agree to pay the cost of the services if I am financially able to do so.
7. I understand that the court will not accept a petition for deferred prosecution from me if I sincerely believe that I am innocent of the crime(s) or if I sincerely believe that I do not need child welfare services.
8. I have not previously been placed on a deferred prosecution for a Chapter 9A.42 RCW or similar municipal ordinance violation.
9. The Department of Social and Health Services' case history and child welfare service plan have been filed with this petition as required by RCW 10.05.020.
10. I have the following rights: (a) to have a lawyer represent me at all hearings; (b) to have a lawyer appointed at public expense if I cannot afford one; (c) to have a speedy, public jury trial; (d) to appeal any conviction; (e) to remain silent and not testify; (f) to question witnesses who testify against me; (g) to call witnesses to testify for me, at no cost; (h) to be presumed innocent unless the charge(s) against me is (are) proved beyond a reasonable doubt; and (i) to present evidence and a defense. By deferring prosecution on these charges, I understand I give up my right to: (a) a speedy trial; (b) a jury; (c) testify on my own behalf; (d) call and (e) question witnesses; and (f) present evidence or a defense.
11. I agree that the facts as reported in the attached police reports are admissible in evidence and are sufficient to support conviction for the charged crime(s). I acknowledge that the above items will be used to support a finding of guilty if the deferred prosecution is revoked.

12. If my deferred prosecution is revoked and I am found guilty, I may be sentenced up to the maximum penalty allowed by law.

13. If I proceed to trial and I am found guilty, I may be allowed to seek suspension of some or all fines and incarceration if I seek treatment. I understand that I may seek treatment from a public or private agency at any time, whether or not I have been found guilty or placed on deferred prosecution.

14. If the court defers prosecution on any crime that would be a violation of a state law or local ordinance relating to motor vehicle traffic control, I will be disqualified from driving a commercial motor vehicle for the period specified in RCW 46.25.090, and if I drive a commercial motor vehicle holding a license issued by Washington State, I will be required to notify the Department of Licensing and my employer of this deferred prosecution within 30 days of the judge granting this petition. RCW 46.25.030. If the court grants this petition, I may not operate a motor vehicle on the public highways without a valid operator's license and proof of liability insurance pursuant to RCW 46.29.490. If my parenting problems and resulting wrongful conduct are based on alcohol dependency, I shall also be required to install an ignition interlock device under RCW 46.20.720. The required periods of interlock use shall be no less than the periods provided for in RCW 46.20.720 (3)(a), (b), and (c), and subject to certification from the ignition interlock device vendor. RCW 46.20.720(4). I may also be required to pay restitution to victims, pay court costs, and pay probation costs authorized by law. To help ensure continued sobriety and reduce the likelihood of reoffense, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for alcoholism or drugs, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. Alcoholism programs shall require a minimum of two (2) self-help recovery groups per week for the duration of the treatment program. The court may terminate the deferred prosecution program if I violate this paragraph.

15. If the court grants this petition, during the period of deferred prosecution I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if my wrongful conduct involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; (iv) a sexual offense that requires me to register as a sex offender in Washington state. I understand that I will be required to pay an application fee with my travel or transfer request.

16. If I fail or neglect to comply with any part of my service plan, or with any ignition interlock device requirements, the court will hold a hearing to determine whether I should be removed from the deferred prosecution program. The termination of my parental rights with regard to the alleged victim due to abuse or neglect that occurred during the pendency of the deferred prosecution shall be per se evidence that I did not successfully complete the service plan. After the hearing, the court will either order that I continue with treatment or be removed from deferred prosecution and enter judgment. If I am convicted of a similar offense during the deferred prosecution, the court will revoke the deferred prosecution and enter judgment.

17. If the court grants my petition, the court will dismiss the charge(s) against me in this case when the court receives proof that I have successfully completed the child welfare service plan, or the service plan has been terminated because the alleged victim has reached his or her majority and there are no other minor children in the home.

I certify under penalty of perjury under the laws of the state of Washington that I have read the foregoing and agree with all of its provisions and that all statements made are true and correct.

Dated at _____, Washington this ____ day of _____.

Petitioner-Defendant

Defense Attorney/WSBA No.

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

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 11-01-019
RULES OF COURT
STATE SUPREME COURT
[December 2, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO CrRLJ) NO. 25700-A-970
4.2(g)-STATEMENT OF DEFENDANT)
ON PLEA OF GUILTY AND CrRLJ 4.2(g))
"OFFENDER REGISTRATION")
ATTACHMENT)

The Washington State Pattern Forms Committee having recommended the adoption of the proposed amendments to CrRLJ 4.2(g)-Statement of Defendant on Plea of Guilty and CrRLJ 4.2(g) "Offender Registration" Attachment, and the Court having determined that the proposed amendments will aid in the prompt and orderly administration of justice and further determined the need for expedited adoption;

Now, therefore, it is hereby

ORDERED:

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

(b) That the amendments will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 2nd day of December, 2010.

	Madsen, C.J.
C. Johnson, J.	Owens, J.
Alexander, J.	Fairhurst, J.
Sanders, J.	J. M. Johnson, J.
Chambers, J.	Stephens, J.

Court of Washington
for _____
Plaintiff,
vs.
Defendant.

No. **Statement of Defendant on Plea of Guilty**

1. My true name is _____.

2. My age is _____.

3. I went through the _____ grade.

4. ***I Have Been Informed and Fully Understand that:***

(a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me.

(b) I am charged with:

Count	Crime	RCW or Ordinance (with subsection)
1.		
2.		
3.		
4.		

In count(s) _____, the defendant committed the offense against another family or household member as defined in RCW 10.99.020.

The elements are:

as set out in the charging document.

as follows: _____

5. I Understand That I Have the Following Important Rights, and I Give Them All Up by Pleading Guilty:

(a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;

(b) The right to remain silent before and during trial, and the right to refuse to testify against myself;

(c) The right at trial to hear and question the witnesses who testify against me;

(d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

(e) I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;

(f) The right to appeal a finding of guilt after a trial.

6. In Considering the Consequences of my Guilty Plea, I Understand That:

(a) The crime with which I am charged carries a maximum sentence of _____ days in jail and a \$_____ fine.

(b) The prosecuting authority will make the following recommendation to the judge: _____

(c) The judge does not have to follow anyone's recommendation as to sentence. The judge can give me any sen-

tence up to the maximum authorized by law no matter what the prosecuting authority or anyone else recommends.

(d) The judge may place me on probation for up to five (5) years if I am sentenced for a domestic violence offense or under RCW 46.61.5055, or up to two (2) years for all other offenses and impose conditions of probation. If the court orders me to appear at a hearing regarding my compliance with probation and I fail to attend the hearing, the term of probation will be tolled until I appear before the court on the record.

(e) The judge may require me to pay costs, fees and assessments authorized by law. The judge may also order me to make restitution to any victims who lost money or property as a result of crimes I committed. The maximum amount of restitution is double the amount of the loss of all victims or double the amount of my gain.

(f) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

Notification Relating to Specific Crimes: If any of the Following Paragraphs Apply, the Box Should Be Checked and the Paragraph Initialed by the Defendant.

(g) The crime of _____ has a mandatory minimum sentence of _____ days in jail and \$_____ fine plus costs and assessments. The law does not allow any reduction of this sentence.

(h) If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.

(i) This plea of guilty will result in suspension or revocation of my driving license or privilege by the Department of Licensing for a period of _____. This period may not include suspension or revocation based on other matters.

(j) I may not possess, own, or have under my control any firearm unless my right to do so is restored by a superior court in Washington State, and by a federal court if required. I must immediately surrender any concealed pistol license. RCW 9.41.040.

(k) If this crime involves a violation of Title 77 RCW, the Department of Fish and Wildlife may, and in some cases shall, suspend or revoke my privileges.

(l) If this crime involves a drug offense, my eligibility for state and federal education benefits will be affected. 20 U.S.C. § 1091(r).

(m) This plea of guilty is considered a conviction under RCW 46.25.010 and I will be disqualified from driving a commercial motor vehicle. RCW 46.25.090. I am required to notify the Department of Licensing and my employer of this guilty plea within 30 days after the judge signs this document. RCW 46.25.030.

(n) If this case involves driving while under the influence of alcohol and/or being in actual physical control of a vehicle while under the influence of alcohol and/or drugs, I have been informed and understand that I will be subject to:

the penalties described in the "DUI" Attachment.

OR

these penalties: The mandatory minimum sentence of _____ days in jail, _____ days of electronic home monitoring and \$_____ monetary penalty. The court shall require me to apply for an ignition interlock driver's license and to drive only with a functioning ignition interlock device or, if the court waives those requirements, to submit to alcohol monitoring, for ____ year(s). I may also be required to drive only motor vehicles equipped with an ignition interlock device as imposed by the Department of Licensing and/or the court. My driving privilege will be suspended or revoked by the Department of Licensing for the period of time stated in paragraph 6(i). In lieu of the minimum jail term, the judge may order me to serve _____ days in electronic home monitoring. If I do not have a dwelling, telephone service, or any other necessity to operate electronic home monitoring, if I live out of state, or if the judge determines I would violate the terms of electronic home monitoring, the judge may waive electronic home monitoring and impose an alternative sentence which may include additional jail time, work crew or work camp.

(o) If this crime involves sexual misconduct with a minor in the second degree, communication with a minor for immoral purposes, or attempt, solicitation or conspiracy to commit a sex offense, or a kidnapping offense involving a minor, as defined in RCW 9A.44.128, I will be required to register with the county sheriff as described in the "Offender Registration" Attachment.

(p) Pursuant to RCW 43.43.754, if this crime is an offense which requires sex or kidnapping offender registration, or is one of the following offenses: assault in the fourth degree with sexual motivation, communication with a minor for immoral purposes, custodial sexual misconduct in the second degree, failure to register, harassment, patronizing a prostitute, sexual misconduct with a minor in the second degree, stalking, or violation of a sexual assault protection order granted under chapter 7.90 RCW, I will be required to have a biological sample collected for purposes of DNA identification analysis.

(q) ***Travel Restrictions:*** I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if I am placed on probation for one (1) year or more and this crime involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; (iv) a sexual offense that requires the offender to register as a sex offender in the sending state. I understand that I will be required to pay an application fee with my travel or transfer request.

7. I plead guilty to the crime(s) of _____ as charged in the complaint(s) or citation(s) and notice. I have received a copy of that complaint or citation and notice.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. **Statement of Facts:** The judge has asked me to state in my own words what I did that makes me guilty of the crime(s). This is my statement (state the specific facts that support each element of the crime(s)):

Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Date: _____

Defendant
I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

Prosecuting Authority _____ Defendant's Lawyer _____

Type or WSBA No. Type or WSBA No.
Print Name Print Name

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that (check appropriate box):

- (a) The defendant had previously read; or
- (b) The defendant's lawyer had previously read to him or her; or
- (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full.

Interpreter Declaration: I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands. I have translated this document for the defendant from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter _____ Print Name _____

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: _____

Judge

Case Name: _____ Cause No.: _____

"Offender Registration" Attachment: Sexual misconduct with a minor in the second degree, communication with a minor for immoral purposes, or attempt, solicitation or conspiracy to commit a sex offense, or kidnapping offense involving a minor, as defined in RCW 9A.44.128. (If required, attach to Statement of Defendant on Plea of Guilty.)

1. General Applicability and Requirements: Because this crime involves sexual misconduct with a minor in the second degree, communication with a minor for immoral purposes, or attempt, solicitation or conspiracy to commit a sex offense, or a kidnapping offense involving a minor, as defined in RCW 9A.44.128, I will be required to register.

If I am a resident of Washington, I must register with the sheriff of the county of the state of Washington where I reside. I must register within three business days of being sentenced unless I am in custody, in which case I must register at the time of my release with the person designated by the agency that has jurisdiction over me. I must also register within three business days of my release with the sheriff of the county of the state of Washington where I will be residing.

If I am not a resident of Washington but I am a student in Washington or I am employed in Washington or I carry on a vocation in Washington, I must register with the sheriff of the county of my school, place of employment, or vocation. I must register within three business days of being sentenced unless I am in custody, in which case I must register at the time of my release with the person designated by the agency that has jurisdiction over me. I must also register within three business days of my release with the sheriff of the county of my school, where I am employed, or where I carry on a vocation.

2. Offenders Who are New Residents or Returning Washington Residents: If I move to Washington or if I leave this state following my sentencing or release from custody but later move back to Washington, I must register within three business days after moving to this state. If I leave this state following my sentencing or release from custody, but later while not a resident of Washington I become employed in Washington, carry on a vocation in Washington, or attend school in Washington, I must register within three business days after attending school in this state or becoming employed or carrying out a vocation in this state.

3. Change of Residence Within State: If I change my residence within a county, I must provide, by certified mail, with return receipt requested or in person, signed written notice of my change of residence to the sheriff within three business days of moving. If I change my residence to a new county within this state, I must register with the sheriff of the new county within three business days of moving. Also within three business days, I must provide, by certified mail, with return receipt requested or in person, signed written notice of my change of address to the sheriff of the county where I last registered.

4. Leaving the State or Moving to Another State: If I move to another state, or if I work, carry on a vocation, or attend school in another state I must register a new address,

fingerprints, and photograph with the new state within three business days after establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state. If I move out of the state, I must also send written notice within three business days of moving to the new state or to a foreign country to the county sheriff with whom I last registered in Washington State.

5. Notification Requirement When Enrolling in or Employed by a Public or Private Institution of Higher Education or Common School (K-12): If I am a resident of Washington and I am admitted to a public or private institution of higher education, I shall, within three business days prior to arriving at the institution, notify the sheriff of the county of my residence of my intent to attend the institution. If I become employed at a public or private institution of higher education, I am required to notify the sheriff of the county of my residence of my employment by the institution within three business days prior to beginning to work at the institution. If my enrollment or employment at a public or private institution of higher education is terminated, I am required to notify the sheriff for the county of my residence of my termination of enrollment or employment within three business days of such termination. If I attend, or plan to attend, a public or private school regulated under Title 28A RCW or chapter 72.40 RCW, I am required to notify the sheriff of the county of my residence of my intent to attend the school. I must notify the sheriff within three business days prior to arriving at the school to attend classes. The sheriff shall promptly notify the principal of the school.

Date: _____

6. Registration by a Person Who Does Not Have a Fixed Residence: Even if I do not have a fixed residence, I am required to register. Registration must occur within three business days of release in the county where I am being supervised if I do not have a residence at the time of my release from custody. Within three business days after losing my fixed residence, I must send signed written notice to the sheriff of the county where I last registered. If I enter a different county and stay there for more than 24 hours, I will be required to register with the sheriff of the new county not more than three business days after entering the new county. I must also report in person to the sheriff of the county where I am registered on a weekly basis. The weekly report will be on a day specified by the county sheriff's office, and shall occur during normal business hours. I must keep an accurate accounting of where I stay during the week and provide it to the county sheriff upon request. The lack of a fixed residence is a factor that may be considered in determining a sex offender's risk level and shall make me subject to disclosure to the public at large pursuant to RCW 4.24.550.

7. Application for a Name Change: If I apply for a name change, I must submit a copy of the application to the county sheriff of the county of my residence and to the state patrol not fewer than five days before the entry of an order granting the name change. If I receive an order changing my name, I must submit a copy of the order to the county sheriff of the county of my residence and to the state patrol within three business days of the entry of the order. RCW 9A.44.130(7).

Defendant's signature

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 11-01-020
RULES OF COURT
STATE SUPREME COURT
[December 2, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO CrRLJ 6.13-) NO. 25700-A-971
EVIDENCE)

The Department of Licensing having recommended the adoption of the proposed amendments to CrRLJ 6.13-Evidence, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Courts' websites in January, 2011.

(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, 2011. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 2nd day of December, 2010.

For the Court

Madsen, C.J.

CHIEF JUSTICE

GR 9 Cover Sheet
Suggested Change to CrRLJ 6.13 (EVIDENCE)

(C) **Purpose:** The suggested changes to CrRLJ 6.13 result from the U.S. Supreme Court's recent decision in *Melendez-Diaz v. Massachusetts*, decided June 25, 2009 (US, 129 S.Ct. 2527; a copy of the decision is enclosed.) In *Melendez-Diaz*, the Court expanded its holding in *Crawford v. Washington*, 541 US 36 (2004) and held that lab test reports prepared for the purposes of trial are testimonial and

admission of them violate a defendant's right of confrontation. The Court further held that "notice-and-demand" statutes are constitutional. In jurisdictions with "notice and demand" procedures, the prosecuting authority provides notice to the defendant of its intent to use a report as evidence at trial. The defendant then has a period of time to object and demand that the analyst appear live and testify. If the defendant does not object, the witness does not need to appear and testify; instead, the certified report is admissible.

Melendez-Diaz has broad application in trial courts and impacts the system most greatly in Driving While License Suspended (DWLS) cases. In State v. Kirkpatrick, 160 Wn. 2d 873 (2007), the Washington Supreme Court ruled that the Department of Licensing (DOL) custodian of records declarations accompanying a driving record were not testimonial. The Melendez-Diaz case calls into question the Kirkpatrick analysis and conclusion. The suggested rule change will better allow the trial courts to manage their trial calendars and administer justice by adding a "notice and demand" procedure to CrRLJ 6.13 to govern the admissibility of certified reports from DOL custodians of record.

Suggested Change to CrRLJ 6.13 EVIDENCE

[(a) - (d) No changes.]

(e) Certified Report of Department of Licensing Custodian

(1) Generally. A certified report from a Department of Licensing (DOL) custodian of records pertaining to a defendant's driving record(s) and a defendant's driving status on a particular date is admissible at any hearing or trial in lieu of testimony of a DOL custodian of records. The certified report shall have the same effect as if the records custodian had testified, if the report is in substantial compliance with the following certification:

CERTIFICATE OF DEPARTMENT OF LICENSING CUSTODIAN OF RECORD

I, _____ do certify under penalty of perjury as follows:

I have been appointed by the Director of the Department of Licensing as a legal custodian of driving records of the State of Washington. I certify under penalty of perjury that such records are official and are maintained in the office of the Department of Licensing, Olympia, Washington.

All information contained in this report pertains to the driving record of:

Lic. # _____ Birthdate: _____
Name: _____ Eyes: _____ Sex _____
Hgt: _____ Wgt: _____
License Issued: _____
License Expires: _____

After a diligent search of the computer files, the official record indicates that on _____ (date), the following statements apply to the status of the above named person:

The attached document(s) are a true and accurate copy of the document(s) maintained in the office of the Department of Licensing, Olympia, Washington.

(specify all documents attached to this affidavit)

Dated: _____

(name)
Custodian of Records
Place: Olympia, Washington
Date: _____

(2) Exclusion of Test Reports: The court shall exclude the Certificate of Department of Licensing Custodian otherwise admissible under this section if:

(i) a copy of the certificate has not been served or mailed to the defendant's lawyer, if represented, at least 14 days prior to the trial or hearing date, or upon a showing of cause, such lesser time as the court deems proper, or

(ii) in the case of an unrepresented defendant, a copy of this rule in addition to a copy of the certificate has not been served or mailed to the defendant at least 14 days prior to the trial or hearing date or, upon a showing of cause, such lesser time as the court deems proper:

(iii) at least 7 days prior to the trial or hearing date, or, upon a showing of cause, such lesser time as the court deems proper, the defendant has served or mailed a written demand upon the prosecuting authority to produce a custodian of records from the Department of Licensing for trial or hearing.

(f) Continuance. The court at the time of trial shall hear testimony concerning the alleged offense and, if necessary, may continue the proceedings for the purpose of obtaining (1) the maintenance technician's presence for testimony concerning the working order of the Breathalyzer machine and the certification thereof, (2) evidence concerning the working order of the BAC Verifier Data Master instrument and the certification thereof, (3) evidence concerning the preparation of the BAC Verifier Data Master simulator solution and the certification thereof, ~~or~~ (4) evidence concerning an electronic speed measuring device or laser speed measuring device and the certification thereof, or (5) evidence concerning the certified report of the Department of Licensing. If, at the time it is supplied, the evidence is insufficient, a motion to suppress the results of such test or readings shall be granted.

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

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 11-01-021
RULES OF COURT
STATE SUPREME COURT**
[December 2, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO GR 30-) NO. 25700-A-972
ELECTRONIC FILING)

The Judicial Information System Committee having recommended the adoption of the proposed amendment to GR 30-Electronic Filing, and the Court having approved the proposed amendment for publication;

Now, therefore, it is hereby

ORDERED:

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

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

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

DATED at Olympia, Washington this 2nd day of December, 2010.

For the Court

Madsen, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

**Proposal to Amend General Rule 30
Concerning Electronic Filing**

Purpose:

The ETRIP initiative started as an effort to reduce redundant data entry, reduce time required to create and file documents with courts and other agencies, and ensure the correctness of data. ETRIP allows law enforcement officers to electronically create and send citations and citations to the appropriate state agency. ETRIP consists of the SECTOR (Statewide Electronic Collision & Traffic Online Records) application, the JINDEX (Justice Information Network Data Exchange), and many enhancements to applications at AOC (Administrator for the Courts), DOL (Department of Licensing), and DOT (Department of Transportation).

SECTOR is currently available free of charge to all local law enforcement in Washington. It is being used by over 150 agencies and courts including Washington State Patrol (WSP), tribal agencies, and other local law enforcement agencies.

ETRIP and SECTOR benefit law enforcement officers, court staff, and DOL and DOT staff by reducing filing time and data entry time, and by providing more accurate data. Unfortunately, the current language of GR 30 (d)(2) reduces SECTOR's effectiveness.

SECTOR consists of a client application that resides on a law enforcement officer's computer which allows them to quickly and easily capture data related to citations and collisions. This data is sent to the SECTOR BackOffice application which resides at WSP. The SECTOR BackOffice application stores and sends the data to the AOC, DOL, and DOT as applicable, where it is processed accordingly.

Background and Proposed Change to GR 30 (d)(1)(A)

Law enforcement officers that receive SECTOR training receive the user ID and password after electronic filing training is completed. They do not receive the user ID and password from the electronic service provider. Rather, they receive them from their local system administrator. The proposal to GR 30 (d)(1)(A) eliminates the words "applied for" and "provider," and adds that officers receive their passwords from a government agency. This will allow law enforcement officers to use electronic filing as long as they have a user ID and password. This change in the rule does not affect the overall intent of electronic filing: that electronic filers must maintain and use a user ID and password to electronically file their cases.

Background and Proposed Change to GR 30 (d)(2) (D)

When an officer creates an incident/eTicket, using SECTOR, they sign onto the client application to create the incident. Once the incident is created, the ticket(s) may be served on a defendant and electronically filed with a court, or may be routed to a prosecutor for review and filing with a court. Defendants are no longer required to sign their copy of a ticket and an officer's signature on the ticket or citation is achieved by them using their user ID and password, following GR 30. See GR 30 (d)(2)(D).

Many counties and cities do not authorize police officers to directly file criminal charges. Instead, the prosecuting authorities in these jurisdictions require the police officers to forward their reports for prosecutor review. The prosecuting authority then makes an independent charging decision after reviewing the criminal history of the suspect, considering available defenses, the prosecutorial standards set forth at RCW 9.94A.411, and local charging standards. If the prosecuting attorney determines that charges will be pursued, the charging decision is memorialized by the filing of a complaint pursuant to CrRLJ 2.1(a).

Unfortunately, GR 30 (d)(2)(D) does not provide that documents completed by the officer in the SECTOR system that are sent to the prosecutor for charging purposes will be presumed to have been signed by the officer for purposes of the perjury statute. The same issue applies with respect to any documents attached to the eTicket and filed with the court.

In addition, GR 30 (d)(2)(D) does not provide that documents attached to eTickets are presumed to meet the requirements of RCW 9A.72.085 that, in addition to signature, they must include the date and place of signature.

This proposal treats any document completed by an officer with his or her user ID and password that is transmitted through the SECTOR system to a prosecutor or to a court to be "signed under penalty of perjury."

GR 30 ELECTRONIC FILING

(a) Definitions

- (1) "Digital signature" is defined in RCW 19.34.020.
- (2) "Electronic Filing" is the electronic transmission of information to a court or clerk for case processing.
- (3) "Electronic Document" is an electronic version of information traditionally filed in paper form, except for documents filed by facsimile which are addressed in GR 17. An

electronic document has the same legal effect as a paper document.

(4) "Electronic Filing Technical Standards" are those standards, not inconsistent with this rule, adopted by the Judicial Information System committee to implement electronic filing.

(5) "Filer" is the person whose user ID and password are used to file an electronic document.

Comment: The form of "digital signature" that is acceptable is not limited to the procedure defined by chapter 19.34 RCW, but may include other equivalently reliable forms of authentication as adopted by local court rule or general.

(b) Electronic filing authorization, exception, service, and technology equipment.

(1) The clerk may accept for filing an electronic document that complies with the Court Rules and the Electronic Filing Technical Standards.

(2) A document that is required by law to be filed in non-electronic media may not be electronically filed. Comment Certain documents are required by law to be filed in non-electronic media. Examples are original wills, certified records of proceedings for purposes of appeal, negotiable instruments, and documents of foreign governments under official seal.

(3) Electronic Transmission from the Court. The clerk may electronically transmit notices, orders, or other documents to a party who has filed electronically, or has agreed to accept electronic documents from the court, and has provided the clerk the address of the party's electronic mailbox. It is the responsibility of the filing or agreeing party to maintain an electronic mailbox sufficient to receive electronic transmissions of notices, orders, and other documents.

(4) Electronic Service by Parties. Parties may electronically serve documents on other parties of record only by agreement.

(5) A court may adopt a local rule that mandates electronic filing by attorneys provided that the attorneys are not additionally required to file paper copies except for those documents set forth in (b)(2). The local rule shall not be inconsistent with this Rule and the Electronic Filing Technical Standards, and the local rule shall permit paper filing upon a showing of good cause. Electronic filing should not serve as a barrier to access.

Comment: When adopting electronic filing requirements, courts should refrain from requiring counsel to provide duplicate paper pleadings as "working copies" for judicial officers.

(c) Time of Filing, Confirmation, and Rejection.

(1) An electronic document is filed when it is received by the clerk's designated computer during the clerk's business hours; otherwise the document is considered filed at the beginning of the next business day.

(2) The clerk shall issue confirmation to the filing party that an electronic document has been received.

(3) The clerk may reject a document that fails to comply with applicable electronic filing requirements. The clerk must notify the filing party of the rejection and the reason therefore.

(d) Authentication of Electronic Documents.

(1) Procedures

(A) A person filing an electronic document must have ~~applied for and~~ received a user ID and password from a government agency or a person delegated by such agency in order to use the applicable electronic filing service provider.

Comment: The committee encourages local clerks and courts to develop a protocol for uniform statewide single user ID's and passwords.

(B) All electronic documents must be filed by using the user ID and password of the filer.

(C) A filer is responsible for all documents filed with his or her user ID and password. No one shall use the filer's user ID and password without the authorization of the filer.

(2) Signatures

(A) Attorney Signatures - An electronic document which requires an attorney's signature may be signed with a digital signature or signed in the following manner:

s/John Attorney
State Bar Number 12345
ABC Law Firm
123 South Fifth Avenue
Seattle, WA 98104
Telephone: (206) 123-4567
Fax: (206) 123-4567
E-mail: John.Attorney@lawfirm.com

(B) Non-attorney signatures - An electronic document which requires a non-attorney's signature and is not signed under penalty of perjury may be signed with a digital signature or signed in the following manner:

s/John Citizen
123 South Fifth Avenue
Seattle, WA 98104
Telephone: (206) 123-4567
Fax: (206) 123-4567
E-mail: John.Citizen@email.com

(C) Non-attorney signatures on documents signed under penalty of perjury - Except as set forth in (d)(2)(D) of this rule, if the original document requires the signature of a non-attorney signed under penalty of perjury, the filer must either:

(i) Scan and electronically file the entire document, including the signature page with the signature, and maintain the original signed paper document for the duration of the case, including any period of appeal, plus sixty (60) days thereafter; or

(ii) Ensure the electronic document has the digital signature of the signer.

(D) Law enforcement officer signatures on documents signed under penalty of perjury. ~~Arresting or citing officer signatures on citations, and notices of infraction filed electronically in courts of limited jurisdiction -~~

(i) A citation or notice of infraction initiated by an arresting or citing officer as defined in IRLJ 1.2(j) and in accordance with CrRLJ 2.1 or IRLJ 2.1 and 2.2 is presumed to have been signed when the arresting or citing officer uses his or her user id and password to electronically file the citation or notice of infraction.

(ii) Any document initiated by a law enforcement officer is presumed to have been signed when the officer uses his or her user ID and password to electronically submit the document to a court or prosecutor through the Statewide Electronic Collision & Traffic Online Records application, the Justice Information Network Data Exchange, or a local secured system that the presiding judge designates by local rule. Unless otherwise specified, the signature shall be presumed to have been made under penalty of perjury under the laws of the State of Washington and on the date and at the place set forth in the citation.

(E) Multiple signatures - If the original document requires multiple signatures, the filer shall scan and electronically file the entire document, including the signature page with the signatures, unless:

(i) The electronic document contains the digital signatures of all signers; or

(ii) For a document that is not signed under penalty of perjury, the signator has the express authority to sign for an attorney or party and represents having that authority in the document.

If any of the non-digital signatures are of non-attorneys, the filer shall maintain the original signed paper document for the duration of the case, including any period of appeal, plus sixty (60) days thereafter.

(F) Court Facilitated Electronically Captured Signatures - An electronic document that requires a signature may be signed using electronic signature pad equipment that has been authorized and facilitated by the court. This document may be electronically filed as long as the electronic document contains the electronic captured signature. (3) An electronic document filed in accordance with this rule shall bind the signer and function as the signer's signature for any purpose, including CR 11. An electronic document shall be deemed the equivalent of an original signed document if the filer has complied with this rule. All electronic documents signed under penalty of perjury must conform to the oath language requirements set forth in RCW 9A.72.085 and GR 13.

(e) Filing fees, electronic filing fees.

(1) The clerk is not required to accept electronic documents that require a fee. If the clerk does accept electronic documents that require a fee, the local courts must develop procedures for fee collection that comply with the payment and reconciliation standards established by the Administrative Office of the Courts and the Washington State Auditor.

(2) Anyone entitled to waiver of non-electronic filing fees will not be charged electronic filing fees. The court or clerk shall establish an application and waiver process consistent with the application and waiver process used with respect to non-electronic filing and filing fees.

WSR 11-01-022
RULES OF COURT
STATE SUPREME COURT
[December 2, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO GR 33-) NO. 25700-A-973
REQUESTS FOR ACCOMMODATION)
BY PERSONS WITH DISABILITIES)

The Impediments Committee of the Washington State Access to Justice Board having recommended the adoption of the proposed amendments to GR 33-Requests for Accommodation by Persons with Disabilities, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

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

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

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than 90 days from the published date. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 2nd day of July, 2010.

For the Court

Madsen, C.J.

CHIEF JUSTICE

GENERAL RULE (GR) 33

Requests for Accommodation by Persons with Disabilities

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

(1) "Accommodation" means measures to make each court service, program, or activity, when viewed in its entirety, readily accessible to and usable by a qualified person with a disability, and may include but is not limited to:

(A) making reasonable modifications in policies, practices, and procedures;

(B) furnishing, at no charge, auxiliary aids and services, including but not limited to equipment, devices, materials in alternative formats, qualified interpreters, or readers; and

(C) as to otherwise unrepresented parties to the proceedings, representation by counsel, as appropriate or necessary to making each service, program, or activity, when viewed in its entirety, readily accessible to and usable by a person with a disability.

(2) "Person with a disability" means a person with a sensory, mental or physical disability as defined by the Americans with Disabilities Act of 1990 (§ 42 U.S.C. 12101 et

seq., the Washington State Law Against Discrimination (RCW 49.60 *et seq.*), or other similar local, state, or federal laws.

~~(2)~~ (3) "Proceedings Applicant" means any lawyer, party, witness, juror, or any other individual who ~~has a specific interest in or~~ is participating in any proceeding before any court.

~~(3) "Court" means any court or other agency or body subject to the rulemaking authority of the Supreme Court.~~

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

~~(4) "Person with a disability" means a person covered by the Americans with Disabilities Act of 1990 (§ 42 U.S.C. 12101 *et seq.*), RCW 49.60 *et seq.*, or other similar local, state, or federal laws. This term includes but is not limited to an individual who has a physical or mental impairment that limits one or more major life activities, has a documented history of such an impairment, or is regarded as having such an impairment.~~

~~(5) "Qualified person with a disability" means a person with a disability who is otherwise entitled to participate in any program, service, or activity made available by any court.~~

(b) Process for Requesting Accommodation.

(1) Persons seeking accommodation may proceed under this rule. Local procedures not inconsistent with this rule may be adopted by courts to supplement the requirements of this rule. A disputed or denied request for accommodation is automatically subject to review under the procedures set out in subsections (d) and (e) of this rule.

~~(1)~~ (2) An application requesting accommodation may be presented *ex parte* in writing, or orally and reduced to writing, on a form approved by the Administrative Office of the Courts, to the presiding judge or officer of the court or his or her designee.

~~(2)~~ (3) An application for accommodation shall include a description of the accommodation sought, along with a statement of the ~~impairment~~ disability necessitating the accommodation. The court may require the applicant to provide additional information about the qualifying ~~impairment~~ disability to help assess the appropriate accommodation. Medical and other health information shall be submitted under a cover sheet created by the Administrative Office of the Courts for use by applicants designated "SEALED MEDICAL AND HEALTH INFORMATION" and such information shall be sealed automatically. The court may order that such information be sealed if it has not previously automatically been sealed.

(4) An application for accommodation should be made as far in advance as practical, ~~of the proceeding for which the accommodation is sought.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) the applicant has failed to satisfy the substantive requirements of this rule;

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

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

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

(e) Order Decision: Proceedings Applicants. The court shall, in writing or on the record, inform the applicant and the court personnel responsible for implementing accommodations that the request for accommodation has been granted or denied, in whole or in part, and the nature and scope of the accommodation to be provided, if any. The decision shall be entered in the proceedings file, if any, or in the court's administrative files. The court shall issue an order consistent with its decision. If the court denies a requested accommodation pursuant to section (d) of this rule, the order decision shall specify the reasons for the denial. If a requested accommodation is not provided by the court under subsection (c)(2) or (c)(3) of this rule, the court's shall state order shall include a description of:

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

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

The court shall inform the applicant and the court personnel responsible for implementing accommodations that the request for accommodation has been granted or denied, in whole or in part, and the nature of the accommodation to be provided, if any.

(f) **Decision: Public Applicants.** A public applicant should be accommodated consistent with the ADA of 1990 (42 USC 12101 et seq) and the WLAD (RCW 49.60 et seq). The applicant shall, orally or in writing, be informed that the request for accommodation has been granted or denied. If requested, a written statement of reasons for denial shall be provided.

~~**Duration of Accommodation.** The accommodation ordered shall commence on the date set forth in the order granting the accommodation and shall remain in effect for the period specified in the order, which may be extended as the court deems appropriate. The court may grant an accommodation for an indefinite period or for a particular proceeding or appearance.~~

Comment

[1] Access to justice for all persons is a fundamental right. It is the policy of the courts of this state to assure that persons with disabilities have equal and meaningful access to the judicial system. Nothing in this rule shall be construed to limit or invalidate the remedies, rights, and procedures accorded to any person with a disability under local, state, or federal law.

[2] Supplemental informal procedures for handling accommodation requests may be less onerous for both applicants and court administration. Courts are strongly encouraged to adopt an informal grievance process for public applicants whose requested accommodation is denied.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

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 11-01-023
RULES OF COURT
STATE SUPREME COURT
[December 2, 2010]

IN THE MATTER OF THE ADOPTION OF) ORDER
THE AMENDMENTS TO NEW CrR 4.11-) NO. 25700-A-974
RECORDING WITNESS INTERVIEWS; MAR)
3.2-AUTHORITY OF ARBITRATORS; MAR)
6.2-FILING OF AWARD; MAR 6.3-JUDG-)
MENT ON AWARD; MAR 6.4-WITNESS)
COSTS AND ATTORNEY FEES AND COSTS)
AND MAR 7.1-REQUEST FOR TRIAL DE)
NOVO, RPC 1.2(f)-SCOPE OF REPRESENTATION AND ALLOCATION OF AUTHORITY BETWEEN LAWYER AND CLIENT;)
RPC 1.6-CONFIDENTIALITY OF INFORMATION; 1.8(g)-CONFLICT OF INTEREST:)
CURRENT CLIENTS: SPECIFIC RULES;)
RPC 1.10(a), (e)-IMPUTATION OF CONFLICTS OF INTEREST: GENERAL RULE;)
RPC 1.15A (h)(7)-SAFEGUARDING PROPERTY; RPC 3.4-FAIRNESS TO OPPOSING)
PARTY AND COUNSEL AND RPC 3.8(g), (h))
AND (i)-SPECIAL RESPONSIBILITIES OF A)
PROSECUTOR)

The Washington State Bar Association having recommended the adoption of the proposed amendments to New CrR 4.11-Recording Witness Interviews; MAR 3.2-Authority of Arbitrators; MAR 6.2-Filing of Award; MAR 6.3-Judgment on Award; MAR 6.4-Witness Costs and Attorney Fees and Costs and MAR 7.1-Request for Trial De Novo; RPC 1.2(f)-Scope of Representation and Allocation of Authority between Lawyer and Client; RPC 1.6-Confidentiality of Information; RPC 1.8(g)-Conflict of Interest: Current Clients: Specific Rules; RPC 1.10 (a), (e)-Imputation of Conflicts of Interest: General Rule; RPC 1.15A (h)(7)-Safeguarding property; RPC 3.4-Fairness to Opposing Party and Counsel and RPC 3.8 (g), (h) and (i)-Special Responsibilities of a Prosecutor, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Courts' websites in January, 2011.

(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, 2011. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 2nd day of December, 2010.

For the Court

Madsen, C.J.

CHIEF JUSTICE

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 11-02 issue of the Register.

WSR 11-01-024
NOTICE OF PUBLIC MEETINGS
HANFORD AREA
ECONOMIC INVESTMENT FUND

[Filed December 3, 2010, 9:27 a.m.]

Below is the meeting schedule for the Hanford area economic investment fund committee regular monthly meetings for 2011.

Location: TRIDEC, 7130 West Grandridge Boulevard, Kennewick, WA 99336.

January 24, 2011	4:00 p.m.
February 28, 2011	4:00 p.m.
March 28, 2011	4:00 p.m.
April 25, 2011	4:00 p.m.
May 23, 2011	4:00 p.m.
June 27, 2011	4:00 p.m.
July 25, 2011	4:00 p.m.
August 22, 2011	4:00 p.m.
September 26, 2011	4:00 p.m.
October 24, 2011	4:00 p.m.
November 28, 2011	4:00 p.m.
December 19, 2011	4:00 p.m.

WSR 11-01-027
NOTICE OF PUBLIC MEETINGS
LOCAL RECORDS COMMITTEE

[Filed December 3, 2010, 1:36 p.m.]

MEETINGS, POWERS AND DUTIES

FOR LOCAL GOVERNMENT AGENCIES: The local records committee may adopt appropriate procedures for records disposition authorization, scheduling, and other matters relating to the retention, preservation, or destruction of public records of local government agencies. **(WAC 434-630-030.)**

The local records committee shall review lists of records submitted to it for destruction authorization and may veto the destruction of any or all items contained therein.

The local records committee shall also review recurring disposition schedules recommended to it by agencies of local government and may veto, approve, or amend such schedules. **(WAC 434-630-040.)**

You may verify meeting cancellations by visiting our web site at <http://www.sos.wa.gov/archives/> or by calling records management at (360) 586-4902. The 2011 meeting dates are as follows:

LOCAL RECORDS COMMITTEE - 10:00 a.m.

Location: 1129 Washington Street S.E., Olympia

2011

January 27

March 31

May 26

July 28

September 29

November 17

(3rd Thursday)

WSR 11-01-028
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
 (Health Technology Clinical Committee)

[Filed December 3, 2010, 1:40 p.m.]

2011 PUBLIC MEETING SCHEDULE

	Date of Public Meeting	Location
1.	Friday, March 18, 2011 8:00 a.m. - 5:00 p.m.	Port of Seattle 17801 International Boulevard Seattle, WA 98158
2.	Friday, May 20, 2011 8:00 a.m. - 5:00 p.m.	Port of Seattle 17801 International Boulevard Seattle, WA 98158
3.	Friday, September 16, 2011 8:00 a.m. - 5:00 p.m.	Port of Seattle 17801 International Boulevard Seattle, WA 98158
4.	Friday, November 18, 2011 8:00 a.m. - 5:00 p.m.	Port of Seattle 17801 International Boulevard Seattle, WA 98158

Topics to be finalized with each meeting's published agenda.

If you are a person with a disability and need special accommodation, please contact Denise Santoyo at (360) 923-2742.

WSR 11-01-030
NOTICE OF PUBLIC MEETINGS
PARKS AND RECREATION
COMMISSION

[Filed December 6, 2010, 9:47 a.m.]

2011 Schedule of Regular Meetings

As required by RCW 42.30.075, Open Public Meetings Act, the following schedule is submitted for publishing in the Washington State Register.

The Washington state parks and recreation commission has adopted the following 2011 regular meeting schedule. The first meeting of [the] commission will be held on January

26 and 27. The work session on the 26th will be held at Washington State Parks Headquarters Office, 1111 Israel Road S.W., Olympia, WA and the 27th regular meeting at Millersylvania State Park, Environmental Learning Center, 12245 Tilley Road South, Olympia, WA 98512, (360) 753-1519.

The date and city location of the March through November meetings in 2011 are as follows:

March 24	Olympia
May 18 and 19	Spokane
August 11	Wenatchee
October 5 and 6	Tri Cities
November 17	Northwest Region - Burlington

The building or facility locations of the meetings have not yet been determined and will be announced at the close of each regular meeting. The meeting locations may be obtained by writing to the Director, Washington State Parks and Recreation Commission, P.O. Box 42650, Olympia, WA 98504-2650, or by calling (360) 902-8505.

Regular meetings run from 8 a.m. to 5 p.m. and include an opportunity for public comment. The commission typically meets in a work session from approximately noon to 4:30 p.m. the day prior to the regular meeting in the same location or at a location near the regular meeting location. Work sessions are educational sessions on park operations and issues that eventually may go before the commission.

The commission may also tour area sites or parks the day following the regular meeting. No public comment and no formal action are taken at work sessions and tours. The commission chair may call special meetings at any time; all special meetings are announced in advance.

The public is welcome to attend all state park and recreation commission meetings. Meeting sites will be barrier free to the greatest extent feasible. The commission will provide braille or taped agenda items for the visually impaired and interpreters for those with hearing impairments if a request is received at the appropriate address shown above at least ten working days in advance of the scheduled meeting date.

Agendas are posted on the agency web site <http://www.parks.wa.gov/agency/commissionmeetings> at least one week in advance of meetings, and commission action posted.

WSR 11-01-032
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
CLEAN AIR AGENCY
 [Filed December 6, 2010, 9:48 a.m.]

BOARD OF DIRECTOR
MEETING DATES FOR 2011

January 27, 2011
 February 24, 2011
 March 24, 2011

April 28, 2011
 May 26, 2011
 June 23, 2011
 July 28, 2011
 August - No Meeting
 September 22, 2011
 October 27, 2011
 November 17, 2011
 December 15, 2011

WSR 11-01-033
NOTICE OF PUBLIC MEETINGS
CLOVER PARK
TECHNICAL COLLEGE
 [Filed December 6, 2010, 9:48 a.m.]

The board of trustees of Clover Park Technical College, at its regularly scheduled meeting on September 8, 2010, identified the dates following for the board's monthly meetings in the year 2011, in compliance with RCW 42.30.075.

All meetings will begin at 3 p.m. and be held in the Rotunda, Building 3, Clover Park Technical College, 4500 Steilacoom Boulevard S.W., Lakewood, WA 98499-4098, except:

- The April 13 meeting will begin at 3 p.m. and be held at the South Hill Campus, 17214 110th Avenue East, South Hill, WA 98374.
- The May 11 meeting will begin at 2:00 (in the Rotunda, Building 3).

Board of Trustees Meetings
 2011 Meeting Calendar to Include Budget
 Workshop Session and General Study Sessions

January 12, 2011	Study Session	3 p.m.	Rotunda, Building 3
	Business Agenda	4 p.m.	Rotunda, Building 3
February 2, 2010	Study Session	3 p.m.	Rotunda, Building 3
	Business Agenda	4 p.m.	Rotunda, Building 3
March 9, 2011	Study Session	3 p.m.	Rotunda, Building 3
	Business Agenda	4 p.m.	Rotunda, Building 3
April 13, 2011	Study Session	3 p.m.	South Hill Campus
	Business Agenda	4 p.m.	South Hill Campus
May 11, 2011	<i>Budget Workshop</i>	2 p.m.	Rotunda, Building 3
	Study Session	3 p.m.	Rotunda, Building 3
	Business Agenda	4 p.m.	Rotunda, Building 3

June 16, 2011	Study Session	3 p.m.	Rotunda, Building 3
	Business Agenda	4 p.m.	Rotunda, Building 3
July 13, 2011	Study Session	3 p.m.	Rotunda, Building 3
	Business Agenda	4 p.m.	Rotunda, Building 3
August 10, 2011	No Meeting		
September 14, 2011	Study Session	3 p.m.	Rotunda, Building 3
	Business Agenda	4 p.m.	Rotunda, Building 3
October 12, 2011	Study Session	3 p.m.	Rotunda, Building 3
	Business Agenda	4 p.m.	Rotunda, Building 3
November 16, 2011	Study Session	3 p.m.	Rotunda, Building 3
	Business Agenda	4 p.m.	Rotunda, Building 3
December 14, 2011	Study Session	3 p.m.	Rotunda, Building 3
	Business Agenda	4 p.m.	Rotunda, Building 3

~~May 24, 2011~~ changed to May 31, 2011
~~June 28, 2011~~ changed June 21, 2011
 August 9, 2011
 September 6, 2011
 October 18, 2011
 November 29, 2011
 No December 2011 meeting

WSR 11-01-035
PUBLIC RECORDS OFFICER
DEPARTMENT OF
EARLY LEARNING
 [Filed December 6, 2010, 10:55 a.m.]

Pursuant to RCW 42.56.580, the public records officer for the department of early learning is Brandon Chapman, P.O. Box 40970, Olympia, WA 98504, (360) 725-4385, (360) 413-3482, brandon.chapman@del.wa.gov.
 Elizabeth M. Hyde
 Director

TACTC Winter Conference	Olympia, Washington	January 23-24, 2011
ACCT National Legislative Summit	Washington, DC	February 13-16, 2011
CCID Annual Conference	Orlando, Florida	February 26-March 1, 2011
AACC Annual Convention	New Orleans, Louisiana	April 9-12, 2011
TACTC Spring Convention	Bellingham, Washington	May 2011 (dates TBD)
CPTC Graduation	Tacoma Dome	June 17, 2011
ACCT Annual Congress	Dallas, Texas	October 12-15, 2011
CPTC Board of Trustees Annual Retreat		TBD

WSR 11-01-036
NOTICE OF PUBLIC MEETINGS
SENTENCING GUIDELINES COMMISSION
 (Sex Offender Policy Board)
 [Filed December 6, 2010, 11:38 a.m.]

In accordance with RCW 42.30.075, following is a schedule of regular meeting[s] of the Washington sex offender policy board for calendar year 2011.
 If you have question[s] or need additional information, please contact Andi May at (360) 407-1050 or via e-mail andim@sgc.wa.gov.
 See web site for more information, www.sgc.wa.gov.

WSR 11-01-034
NOTICE OF PUBLIC MEETINGS
BIG BEND
COMMUNITY COLLEGE
 [Filed December 6, 2010, 10:44 a.m.]

This notice is in accordance with RCW 42.30.075 that the board of trustees for Big Bend Community College, District No. 18, meet Tuesdays at 1:30 p.m., as per the schedule posted below, in the Grant County ATEC Building 1800, Room 1837, Hardin Community Room, on the campus of Big Bend Community College.

- January 4, 2011
- February 22, 2011
- March 15, 2011
- April 12, 2011

2011	
Date	Location
January 13, 2011	Seattle Area
March 10, 2011	Seattle Area
May 12, 2011	Seattle Area
August 11, 2011	Seattle Area
October 13, 2011	Seattle Area
November 10, 2011	Seattle Area

WSR 11-01-040
NOTICE OF PUBLIC MEETINGS
OFFICE OF
CIVIL LEGAL AID
(Civil Legal Aid Oversight Committee)
[Filed December 6, 2010, 3:16 p.m.]

MEETING SCHEDULE FOR CALENDAR YEAR 2011

During calendar year 2011, the civil legal aid oversight committee established by RCW 2.53.010 will meet and conduct business on the following dates:

March 4, 2011, from 10:00 a.m. to 2:00 p.m. in the Chief Justice's Conference Room, Temple of Justice, 415 12th Avenue S.W., Olympia, WA.

June 3, 2011, at the Three Rivers Convention Center in Kennewick, Washington, in conjunction with the annual access to justice/bar leaders conference (time of meeting to be determined).

October 7, 2011, from 10:00 a.m. to 2:00 p.m. at a location to be determined in Seattle, Washington.

December 2, 2011, from 10:00 a.m. to 2:00 p.m. at a location to be determined in Seattle, Washington, or, upon determination of the oversight committee, by telephone conference call.

Accommodations: 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 11-01-043
RULES OF COURT
STATE SUPREME COURT
[December 3, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
OF NEW GR 34-WAIVER OF COURT) NO. 25700-A-975
AND CLERK'S FEES AND CHARGES IN)
CIVIL MATTERS ON THE BASIS OF)
INDIGENCY)

The Washington State Bar Association having recommended the adoption of the proposed New GR 34-Waiver of Court and Clerk's Fees and Charges in Civil Matters on the Basis of Indigency, and the Court having considered New GR 34 and comments submitted thereto, and having determined that the new rule will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:
(a) That New GR 34 as shown below is adopted.
(b) That New GR 34 will be published in the Washington Reports and will become effective upon its publication.
DATED at Olympia, Washington this 3rd day of December, 2010.

Table with 2 columns of names: Madsen, C.J.; C. Johnson, J.; Alexander, J.; Sanders, J.; Chambers, J.; Owens, J.; Fairhurst, J.; J. M. Johnson, J.; Stephens, J.

GENERAL RULES (GR)
RULE 34. WAIVER OF COURT AND CLERK'S FEES AND CHARGES IN CIVIL MATTERS ON THE BASIS OF INDIGENCY

(a) Any individual, on the basis of indigent status as defined herein, may seek a waiver of filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief from a judicial officer in the applicable trial court.

(1) The application for such a waiver may be made ex parte in writing or orally, accompanied by a mandatory pattern form created by the Administrative Office of the Courts (AOC) whereby the applicant attests to his or her financial status or, in the case of an individual represented by a qualified legal services provider ("QLSP") or an attorney working in conjunction with a QLSP, a declaration of counsel stating that the individual was screened and found eligible by the QLSP.

(2) The court shall accept an application submitted in person, by mail and where authorized by local court rule not inconsistent with GR 30, electronic filing. The process for presentation of the application shall conform to local court rules and clerk processes not inconsistent with the rules of this court for presenting ex parte orders to the court directly or via the clerk. All applications shall be presented to a judicial officer for consideration in a timely manner and in conformity with the local court's established procedures. There shall be no locally imposed fee for making an application. The applicant or applicant's attorney filing by mail, shall provide the court with a self-addressed stamped envelope for timely return of a conformed copy of the order.

COMMENT

This rule establishes the process by which judicial officers may waive civil filing fees and surcharges for which judicial officers have authority to grant a waiver. This rule applies to mandatory fees and surcharges that have been lawfully established, the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief. These include but are not limited to legislatively established filing fees and surcharges (e.g., RCW 36.18.020(5)); other initial filing charges required by statute (e.g., family court

facilitator surcharges established pursuant to RCW 26.12.-240; family court service charges established pursuant to RCW 26.12.260; domestic violence prevention surcharges established pursuant to RCW 36.18.016 (2)(b)); and other lawfully established fees and surcharges which must be paid as a condition of securing access to judicial relief.

(3) An individual who is not represented by a qualified legal services provider (as that term is defined below) or an attorney working in conjunction with a qualified legal services provider shall be determined to be indigent within the meaning of this rule if such person, on the basis of the information presented, establishes that:

(A) he or she is currently receiving assistance under a needs-based, means-tested assistance program such as the following:

(i) Federal Temporary Assistance for Needy Families (TANF);

(ii) State-provided general assistance for unemployable individuals (GA-U or GA-X);

(iii) Federal Supplemental Security Income (SSI);

(iv) Federal poverty-related veteran's benefits; or

(v) Food Stamp Program (FSP); or

(B) his or her household income is at or below 125 percent of the federal poverty guideline; or

(C) his or her household income is above 125 percent of the federal poverty guideline and the applicant has recurring basic living expenses (as defined in RCW 10.101.010 (4)(d)) that render him or her without the financial ability to pay the filing fees and other fees or surcharges for which a request for waiver is made; or

(D) other compelling circumstances exist that demonstrate an applicant's inability to pay fees and/or surcharges.

(4) An individual represented by a QLSP, or an attorney working in conjunction with a QLSP that has screened and found the individual eligible for services, is presumptively deemed indigent when a declaration from counsel verifies representation and states that the individual was screened and found eligible for services.

(5) As used in this rule, "qualified legal services provider" means those legal services providers that meet the definition of APR 8(e).

COMMENT

The adoption of this rule is rooted in the constitutional premise that every level of court has the inherent authority to waive payment of filing fees and surcharges on a case by case basis. Each court is responsible for the proper and impartial administration of justice which includes ensuring that meaningful access to judicial review is available to the poor as well as to those who can afford to pay.

(b) Nothing in this rule shall prohibit or delay action on the underlying petition upon the court's approval of a waiver and presentation of an original petition may accompany the initial fee waiver.

WSR 11-01-044 OFFICE OF THE GOVERNOR

[Filed December 7, 2010, 9:48 a.m.]

December 7 Lowering of the Washington State and United States Flags

I hereby direct that Washington State and United States flags at all State agency facilities be lowered to half-staff Tuesday, December 7, for National Pearl Harbor Remembrance Day.

Please notify all of your field offices and facilities around the state.

Other government entities, citizens and businesses are encouraged to join this recognition.

National Pearl Harbor Remembrance Day was created by Congress in 1994 in honor of those Americans killed or injured as a result of the attack on Pearl Harbor on December 7, 1941.

Flags should remain at half-staff until close of business/sunset Tuesday or first thing Wednesday morning, December 8.

Please call (360) 902-0383 if you have any questions about this flag lowering.

Christine O. Gregoire
Governor

WSR 11-01-045 NOTICE OF PUBLIC MEETINGS PUBLIC DISCLOSURE COMMISSION

[Filed December 7, 2010, 9:48 a.m.]

The following is a list of the meetings currently scheduled for the public disclosure commission for the year 2011:

Thursday, January 27

Thursday, February 24

Thursday, March 24

Thursday, April [April] 28

Thursday, May 26

Thursday, June 23

Thursday, July 28

Thursday, August 25

Thursday, September 22

Thursday, October 27

Thursday, December 8

(November/December Meeting)

WSR 11-01-048
NOTICE OF PUBLIC MEETINGS
FREIGHT MOBILITY
STRATEGIC INVESTMENT BOARD
 [Filed December 7, 2010, 10:52 a.m.]

2011 Meeting Schedule

January 21	Olympia
March 11	Kent
May 13	Pasco
July 15	Suquamish
September 16	Vancouver
November 18	Seattle

WSR 11-01-051
NOTICE OF PUBLIC MEETINGS
LIQUOR CONTROL BOARD
 [Filed December 7, 2010, 12:23 p.m.]

Public Meeting Schedule for
January - December 2011

Meeting Location: WSLCB Board Offices, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1600.

Board Caucus Conference Room 105 10 a.m. - 12 p.m.	Board Meeting Boardroom 10 a.m. - 12 p.m.	Executive Management Team Meeting Boardroom 1:30 p.m. - 5 p.m.
January 3, 2011	January 5, 2011	January 5, 2011
January 4, 2011	January 12, 2011	January 12, 2011
January 10, 2011	January 19, 2011	January 19, 2011
January 11, 2011	January 26, 2011	January 26, 2011
January 18, 2011		
January 25, 2011		
January 31, 2010 [2011]		
February 1, 2011	February 2, 2011	February 2, 2011
February 7, 2011	February 9, 2011	February 9, 2011
February 8, 2011	February 16, 2011	February 16, 2011
February 14, 2011	February 23, 2011	February 23, 2011
February 15, 2011		
February 22, 2011		
February 28, 2011		
March 1, 2011	March 2, 2011	March 2, 2011
March 7 2011	March 9, 2011	March 9, 2011
March 8, 2011	March 16, 2011	March 16, 2011
March 14, 2011	March 23, 2011	March 23, 2011
March 15, 2011	March 30, 2011	March 30, 2011
March 21, 2011		
March 22, 2011		
March 28, 2011		
March 29, 2011		
April 4, 2011	April 6, 2011	April 6, 2011
April 5, 2011	April 13, 2011	April 13, 2011
April 11, 2011	April 20, 2011	April 20, 2011
April 12, 2011	April 27, 2011	April 27, 2011

Board Caucus Conference Room 105 10 a.m. - 12 p.m.	Board Meeting Boardroom 10 a.m. - 12 p.m.	Executive Management Team Meeting Boardroom 1:30 p.m. - 5 p.m.
April 18, 2011		
April 19, 2011		
April 25, 2011		
April 26, 2011		
May 2, 2011	May 4, 2011	May 4, 2011
May 3, 2011	May 11, 2011	May 11, 2011
May 9, 2011	May 18, 2011	May 18, 2011
May 10, 2011	May 25, 2011	May 25, 2011
May 16, 2011		
May 17, 2011		
May 23, 2011		
May 24, 2011		
May 31, 2011		
June 6, 2011	June 1, 2011	June 1, 2011
June 7, 2011	June 8, 2011	June 8, 2011
June 13, 2011	June 15, 2011	June 15, 2011
June 14, 2011	June 22, 2011	June 22, 2011
June 20, 2011	June 29, 2011	June 29, 2011
June 21, 2011		
June 27, 2011		
June 28, 2011		
July 5, 2011	July 6, 2011	July 6, 2011
July 11, 2011	July 13, 2011	July 13, 2011
July 12, 2011	July 20, 2011	July 20, 2011
July 18, 2011	July 27, 2011	July 27, 2011
July 19, 2011		
July 25, 2011		
July 26, 2011		
August 1, 2011	August 3, 2011	August 3, 2011
August 2, 2011	August 10, 2011	August 10, 2011
August 8, 2011	August 17, 2011	August 17, 2011
August 9, 2011	August 24, 2011	August 24, 2011
August 15, 2011	August 31, 2011	August 31, 2011
August 16, 2011		
August 22, 2011		
August 23, 2011		
August 29, 2011		
August 30, 2011		
September 6, 2011	September 7, 2011	September 7, 2011
September 12, 2011	September 14, 2011	September 14, 2011
September 13, 2011	September 21, 2011	September 21, 2011
September 19, 2011	September 28, 2011	September 28, 2011
September 20, 2011		
September 26, 2011		
September 27, 2011		
October 3, 2011	October 5, 2011	October 5, 2011
October 4, 2011	October 12, 2011	October 12, 2011
October 10, 2011	October 19, 2011	October 19, 2011
October 11, 2011	October 26, 2011	October 26, 2011
October 17, 2011		
October 18, 2011		
October 24, 2011		
October 25, 2011		
October 31, 2011		

Board Caucus Conference Room 105 10 a.m. - 12 p.m.	Board Meeting Boardroom 10 a.m. - 12 p.m.	Executive Management Team Meeting Boardroom 1:30 p.m. - 5 p.m.
November 1, 2011	November 2, 2011	November 2, 2011
November 7, 2011	November 9, 2011	November 9, 2011
November 8, 2011	November 16, 2011	November 16, 2011
November 14, 2011	November 23, 2011	November 23, 2011
November 15, 2011	November 30, 2011	November 30, 2011
November 21, 2011		
November 22, 2011		
November 28, 2011		
November 29, 2011		
December 5, 2011	December 7, 2011	December 7, 2011
December 6, 2011	December 14, 2011	December 14, 2011
December 12, 2011	December 21, 2011	December 21, 2011
December 13, 2011	December 28, 2011	December 28, 2011
December 19, 2011		
December 20, 2011		
December 27, 2011		

Persons who need accommodation to participate call (360) 664-1783.

Note: This meeting schedule is subject to change. For more information about liquor control board meetings, please check our web site www.lcb.wa.gov or dial (360) 664-1717.

WSR 11-01-052
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
ASIAN PACIFIC AMERICAN AFFAIRS

[Filed December 7, 2010, 12:51 p.m.]

The commission on Asian Pacific American affairs will have the following board meetings on:

- January 15, 2011
10:00 a.m. - 2:00 p.m. International Community Health Services
720 8th Avenue South
Seattle, WA 98104
- March 19, 2011
10:00 a.m. - 2:00 p.m. General Administration - Auditorium
210 11th Avenue S.W.
Olympia, WA 98504
- June 18, 2011
10:00 a.m. - 2:00 p.m. Filipino Community Center
211 West 2nd Street
Wapato, WA 98951
- September 17, 2011
10:00 a.m. - 2:00 p.m. Snohomish County Administration Building
3000 Rockefeller Avenue
Everett, WA 98201
- November 19, 2011
10:00 a.m. - 2:00 p.m. Korean Women's Association
Senior City Apartments
31635 23rd Avenue South
Federal Way, WA 98003

Public comment will take place from 1:00 p.m. - 2:00 p.m.

If you need further information, contact Veasna Hoy, 210 11th Avenue S.W., Suite 301A, P.O. Box 40925, (360) 725-5667, veasnahoy@capaa.wa.gov, <https://capaa.wa.gov>.

WSR 11-01-056
NOTICE OF PUBLIC MEETINGS
WHATCOM COMMUNITY COLLEGE

[Filed December 7, 2010, 2:46 p.m.]

The following is the schedule of regular meetings for the Whatcom Community College board of trustees for 2011:

Board of Trustees Schedule of Meetings for 2011

Date	Time	Location
Thursday, January 13	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226
Thursday, February 10	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226
Wednesday, March 16	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226
Wednesday, April 6	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226
Wednesday, May 11	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226
Wednesday, June 15	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226
Wednesday, July 20	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226
August (no regular meeting)		
Wednesday, September 21	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226
Wednesday, October 12	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226
Wednesday, November 16	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226
Wednesday, December 14	2 p.m.	Whatcom Community College Laidlaw Center Board Room (LDC 143) 237 West Kellogg Road Bellingham, WA 98226

If you need further information please contact Keri Parriera, Executive Assistant to the President, Whatcom Community College, 237 West Kellogg Road, Bellingham, WA 98226, (360) 383-3330, kparrier@whatcom.ctc.edu.

WSR 11-01-058
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
JUDICIAL CONDUCT
 [Filed December 7, 2010, 4:20 p.m.]

The commission on judicial conduct will hold their year 2011 business meetings at 11:00 a.m. on the following dates at the Radisson Gateway Hotel, 18118 International Boulevard, SeaTac, WA 98188.

- February 11, 2011
- April 22, 2011
- July 8, 2011
- September 9, 2011
- November 18, 2011

WSR 11-01-061
NOTICE OF PUBLIC MEETINGS
BOARD FOR VOLUNTEER
FIREFIGHTERS AND RESERVE OFFICERS
 [Filed December 8, 2010, 11:56 a.m.]

The state board for volunteer firefighters will meet in the James R. Larson Forum Building, 605 11th Avenue S.E., Suite 112, on January 21, April 15, July 15 and October 21, 2010 [2011], at 9:00 a.m.

WSR 11-01-063
NOTICE OF PUBLIC MEETINGS
BUILDING CODE COUNCIL
 [Filed December 8, 2010, 3:03 p.m.]

2011 Meeting Schedule

In accordance with RCW 42.30.075, the following is a proposed schedule of regular meetings of the Washington state building code council for calendar year 2011.

If you have questions or need additional information, please contact council staff at (360) 902-7293 or via e-mail at sbcc@ga.wa.gov.

- January 14, 2011 General Administration Building Auditorium
210 11th Avenue S.W.
Olympia
- March 18, 2011 SeaTac area location to be determined
- May 13, 2011 Conference call
Monitor location at council's offices
- June 17, 2011 SeaTac area location to be determined
- September 9, 2011 Spokane area location to be determined

- October 14, 2011 SeaTac area location to be determined
- November 18, 2011 SeaTac area location to be determined

All meetings are scheduled to begin at 10:00 a.m.

WSR 11-01-065
NOTICE OF PUBLIC MEETINGS
WASHINGTON CITIZENS' COMMISSION ON
SALARIES FOR ELECTED OFFICIALS
 [Filed December 9, 2010, 8:45 a.m.]

Following is the 2011 public meeting schedule for the Washington citizens' commission on salaries for elected officials.

2011 Public Meeting Schedule

Date	Time	City	Meeting Location
February 3 and 4	9 a.m. to 5 p.m.	Lacey	North Thurston Public Schools #3
April 13	6 p.m. to 8 p.m.	Renton	Holiday Inn
May 18	9 a.m. to 5 p.m.	Renton	Holiday Inn
Note: Meetings may be adjourned early if all business is complete			

Please contact Carol Sayer at carol.sayer@salaries.wa.gov or 725-5669 if you need additional information.

WSR 11-01-066
NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE
 [Filed December 9, 2010, 2:10 p.m.]

The board of trustees of Bates Technical College has cancelled its regular meeting of December 21, 2010, scheduled to take place in the Clyde Hupp Board Room, 1101 South Yakima, Tacoma, WA 98405. The meeting has been cancelled due to the lack of a quorum.

WSR 11-01-068
NOTICE OF PUBLIC MEETINGS
PIERCE COLLEGE
 [Filed December 10, 2010, 9:43 a.m.]

BOARD OF TRUSTEES
2010 [2011] REGULAR MEETING SCHEDULE

The board of trustees of Community College District Number Eleven will hold their regular meetings on the second Wednesday of each month. These meetings will be open to the public and advertised accordingly (RCW 42.30.075). The chancellor shall file, with the code reviser, a schedule of the time and place of such meetings on or before January of each year for publication in the Washington State Register.

2011 REGULAR MEETING SCHEDULE

DATE	TIME	LOCATION
January 12	1:00 p.m.	Pierce College Puyallup
February 9	1:00 p.m.	Pierce College Fort Steilacoom
March 2	1:00 p.m.	Pierce College Puyallup <i>Joint Lunch with Foundation Board</i>
April 13	1:00 p.m.	Pierce College at McChord
May 18	1:00 p.m.	Pierce College Fort Steilacoom
June 8	1:00 p.m.	Pierce College Puyallup
July	(No meeting is scheduled)	
August 10	TBA	Retreat
September 14	1:00 p.m.	Pierce College Fort Steilacoom
October 12	1:00 p.m.	Pierce College Puyallup
November 9	1:00 p.m.	Pierce College Fort Steilacoom

(No meeting is scheduled)

PLEASE NOTE: Special meetings may be called at any time by the chairperson or a majority vote of the board. All special meetings will be publicly advertised at least twenty-four hours prior to being convened. A study session will take place at 12:30 p.m. prior to each board meeting.

Date	Time	Location
May 18	9:30 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA
June 30	9:00 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA
July 20*	9:30 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA
August 17*	9:30 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA
September 21	9:30 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA
October 19	9:30 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA
November 16	9:30 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA
December 14	9:30 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA

*Optional meetings.

If you need further information, contact Jerri Ramsey, Walla Walla Community College, 500 Tausick Way, Walla Walla, WA 99362, phone (509) 527-4274, fax (509) 527-4249, e-mail jerri.ramsey@wwcc.edu.

WSR 11-01-070
NOTICE OF PUBLIC MEETINGS
WALLA WALLA
COMMUNITY COLLEGE
 [Filed December 10, 2010, 10:30 a.m.]

2011 Meeting Schedule

Following is the schedule of meetings for the Board of Trustees of Walla Walla Community College, District 20, for the calendar year 2011. All meetings will be held in the Board Room on the Walla Walla Community College campus, unless otherwise noted.

Date	Time	Location
January 19	9:00 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA
February 16	9:30 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA
March 16	9:30 a.m.	Walla Walla Community College 500 Tausick Way Walla Walla, WA
April 20	10:00 a.m.	WWCC Clarkston Campus 1470 Bridge Street Clarkston, WA

WSR 11-01-071
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
 (Home Inspector Licensing Advisory Board)
 [Filed December 10, 2010, 10:48 a.m.]

Meeting Schedule and Locations for 2011

March 15, 2011 9:30 a.m. to 1:30 p.m.	Liquor Control Board WSLCB - Distribution Center 4401 East Marginal Way South Seattle, WA 98134 (206) 464-7920
June 14, 2011 9:30 a.m. to 1:30 p.m.	Liquor Control Board WSLCB - Distribution Center 4401 East Marginal Way South Seattle, WA 98134 (206) 464-7920
September 13, 2011 9:30 a.m. to 1:30 p.m.	Liquor Control Board WSLCB - Distribution Center 4401 East Marginal Way South Seattle, WA 98134 (206) 464-7920

December 13, 2011 Liquor Control Board
9:30 a.m. to 1:30 p.m. WSLCB - Distribution Center
4401 East Marginal Way South
Seattle, WA 98134
(206) 464-7920

The department of licensing has a policy of providing equal access to its services. If you need special accommodation, please contact (360) 664-6524 or TTY (360) 664-0116.

WSR 11-01-073
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF HEALTH

[Filed December 10, 2010, 4:07 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT OR INTERPRETIVE STATEMENT

Title of Policy/Interpretive Statement: Inactive Status of Optometrists.

Issuing Entity: Board of optometry.

Subject Matter: Placing an active license on inactive status.

Effective Date: December 3, 2010.

Contact Person: Judy Haenke, Program Manager, Health Professions Quality Assurance, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4947.

WSR 11-01-074
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF HEALTH

[Filed December 10, 2010, 4:08 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT OR INTERPRETIVE STATEMENT

Title of Policy/Interpretive Statement: Credentialing by Endorsement.

Issuing Entity: Board of optometry.

Subject Matter: Meeting the prescribing requirement by endorsement.

Effective Date: December 3, 2010.

Contact Person: Judy Haenke, Program Manager, Health Professions Quality Assurance, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4947.

WSR 11-01-075

NOTICE OF PUBLIC MEETINGS

HOP COMMISSION

[Filed December 13, 2010, 9:25 a.m.]

2011 Regular Meeting Schedule

The Washington hop commission has scheduled its 2011 regular meetings, as follows:

Tuesday, February 15, 2011	Moxee
Tuesday, April 19, 2011	Moxee
Tuesday, June 21, 2011	Prosser
Tuesday, October 18, 2011	Sunnyside

Interested individuals may contact the Washington hop commission at (509) 453-4749 prior to each scheduled date for the specific time and location of each meeting.

WSR 11-01-076

NOTICE OF PUBLIC MEETINGS

CONVENTION AND TRADE CENTER

[Filed December 13, 2010, 9:26 a.m.]

NOTICE OF PUBLIC MEETING

A special meeting of the Washington state convention center nonprofit corporation board of directors will be held on Tuesday, December 14, 2010, at 1:30 p.m. The meeting will be held in Room 303 of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding the board meeting, please call (206) 694-5000.

WSR 11-01-077

NOTICE OF PUBLIC MEETINGS

CONVENTION AND TRADE CENTER

[Filed December 13, 2010, 9:26 a.m.]

NOTICE OF PUBLIC MEETING

A special meeting of the Washington state convention center public facilities district board of directors will be held on Tuesday, December 14, 2010, at 2:00 p.m. The meeting will be held in Room 303 of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call (206) 694-5000.

WSR 11-01-078

**NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY**

[Filed December 13, 2010, 9:26 a.m.]

The Eastern Washington University board of trustees' meeting schedule for 2011 (adopted at the November 19, 2010, meeting of the board) is as follows:

Friday, January 21	approximately 2:00 p.m.	Tawanka 215 B & C
Friday, March 25	approximately 2:00 p.m.	Tawanka 215 B & C
Thursday, May 19	approximately 2:00 p.m.	Tawanka 215 B & C
Board of Trustees Annual Planning Session		June 21 and 22
Wednesday, June 22	approximately 3:00 p.m.	Tawanka 215 B & C
Thursday, August 25	approximately 3:00 p.m.	Tawanka 215 B & C
Friday, September 30	approximately 2:00 p.m.	Tawanka 215 B & C
Friday, November 18	approximately 3:00 p.m.	Tawanka 215 B & C

Committee meetings will be held the afternoon prior to and the morning of the board meetings. Committees will not meet in June.

Executive session will be held from approximately 11:30 a.m. - 12:30 p.m. on the day of the board meetings.

If you have questions concerning this schedule, please contact Julie Thayer at (509) 359-4648.

WSR 11-01-079

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION**

(State Capitol Committee)

[Filed December 13, 2010, 9:27 a.m.]

The state capitol committee meeting scheduled for Thursday, December 16, 2010, has been cancelled.

If you have any questions, please contact Kim M. Buccarelli at (360) 902-0955.

WSR 11-01-080

**NOTICE OF PUBLIC MEETINGS
GUARANTEED EDUCATION
TUITION PROGRAM**

[Filed December 13, 2010, 9:27 a.m.]

In accordance with RCW 28B.95.020, and WAC 14-276-030, the advanced college tuition program, known as guaranteed education tuition program has adopted the following updated regular committee meeting schedule for 2011:

DATE	TIME	PLACE
Monday February 7, 2011	2:00 - 4:00 p.m.	State Investment board 2100 Evergreen Park Drive S.W. Olympia, WA
Monday April 26, 2011 or May 5, 2011	2:00 - 4:00 p.m.	Office of the Insurance Commissioner 5000 Capitol Boulevard S.E. Tumwater, WA
Monday August 8, 2011	2:00 - 4:00 p.m.	Office of the Insurance Commissioner 5000 Capitol Boulevard S.E. Tumwater, WA
Monday November 7, 2011	2:00 - 4:00 p.m.	Office of the Insurance Commissioner 5000 Capitol Boulevard S.E. Tumwater, WA

If anyone wishes to request disability accommodations, notice should be given to the guaranteed education tuition program at least ten days in advance of the meeting in question. Notice may be given by any of the following methods: (360) 753-7860 (voice); (360) 753-7809 (TDD); or (360) 704-6260 (fax).

WSR 11-01-081

**NOTICE OF PUBLIC MEETINGS
DAIRY PRODUCTS COMMISSION**

[Filed December 13, 2010, 12:51 p.m.]

2011 Regular Meeting Schedule

DATE	LOCATION	TIME
January 19-20	WA Dairy Center 4201 198th Street S.W. Suite 101 Lynnwood, WA 98036	9:30 a.m. January 19 8:30 a.m. January 20
March 16-17	WA Dairy Center	9:30 a.m. March 16 8:30 a.m. March 17
April 27-28	Sunnyside, WA Location to be determined	TBD
June 23-24	WA Dairy Center	9:30 a.m. June 23 8:30 a.m. June 24
August 3-4	WA Dairy Center	9:30 a.m. August 3 8:30 a.m. August 4
September 21-22	WA Dairy Center	9:30 a.m. September 21 8:30 a.m. September 22
November 1	Red Lion Inn 2525 North 20th Avenue Pasco, WA 99301	8:00 a.m.
December 7-8	WA Dairy Center	9:30 a.m. December 7 8:30 a.m. December 8

NOTE: The above meetings are subject to change. Please confirm all meetings with Celeste Piette at (425) 672-0687 to verify date, time, and location. In addition, some meeting location[s] and times are still to be determined.

WSR 11-01-083
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
 [Filed December 13, 2010, 2:49 p.m.]

Geologist Licensing Board - All meetings start at 9 a.m.

March 29, 2011	Walla Walla, Washington
June 7, 2011	Lacey, Washington
September 29, 2011	Lacey, Washington
December 6, 2011	Lacey, Washington

Washington State Board for Architects

January 21, 2011	9 a.m.	Seattle, Washington
March 18, 2011	9:30 a.m.	Olympia, Washington
May 6, 2011	10:30 a.m.	Olympia, Washington
July 15, 2011	9 a.m.	Olympia, Washington
September 9, 2011	9 a.m.	Pullman, Washington
November 18, 2011	9 a.m.	Olympia, Washington

Board of Licensure for Landscape Architects - All meetings start at 9:30 a.m.

February 10, 2011	Olympia, Washington
April 21, 2011	Seattle, Washington
August 4, 2011	Olympia, Washington
October 20, 2011	Pullman, Washington

Funeral and Cemetery Board (time and location pending)

January 25, 2011	Olympia, Washington
April 26, 2011	Olympia, Washington
August 23, 2011	Olympia, Washington
November 15, 2011	Olympia, Washington

WSR 11-01-086
POLICY STATEMENT
MARINE EMPLOYEES' COMMISSION
 [Filed December 14, 2010, 10:54 a.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title: Participating in the Voluntary Employees' Beneficiary Association (VEBA).

Issuing Entity: Marine employees' commission.

Description: To outline participation of marine employees' commission employees in VEBA and medical expense plan (MEP).

Contact: Kathy Marshall, Administrator, Marine Employees' Commission, Evergreen Plaza Building, Suite

104, P.O. Box 40902, Olympia, WA 98504-0902, phone (360) 586-6354.

Effective Date: December 1, 2010.

WSR 11-01-087
NOTICE OF PUBLIC MEETINGS
GRAYS HARBOR COLLEGE
 [Filed December 14, 2010, 10:54 a.m.]

The Grays Harbor College board of trustees will meet in the boardroom on the main campus in the Jewell C. Manspeaker Instructional Building, unless otherwise noted, on the following dates at 1:00 p.m.

Tuesday, January 18, 2011
 Tuesday, February 15, 2011
 Tuesday, March 15, 2011
 Tuesday, April 19, 2011
 Tuesday, May 17, 2011
 Tuesday, June 21, 2011
 Tuesday, July 19, 2011
 Tuesday, September 20, 2011
 Tuesday, October 18, 2011
 Tuesday, November 15, 2011

WSR 11-01-088
OFFICE OF THE GOVERNOR
 [Filed December 14, 2010, 10:54 a.m.]

Lowering of the Washington State and United States Flags

I hereby direct that Washington State and United States flags at all state agency facilities be lowered to half-staff **Tuesday, December 14, 2010**, in memory of U.S. Marine Corps Sgt. Jason D. Peto, 31, of Vancouver, who died December 7 from wounds received last month while conducting combat operations in Helmand Province, Afghanistan.

Please notify your staff and all of your field offices and facilities around the state.

Flags should remain at half-staff until close of business Tuesday, or first thing Wednesday morning, December 15.

Other government entities, citizens and businesses are encouraged to join this recognition.

Please call (360) 902-0383 if you have any questions about this flag lowering.

Christine O. Gregoire
 Governor

WSR 11-01-089
PROCLAMATION
OFFICE OF THE GOVERNOR

[December 9, 2010]

PROCLAMATION BY THE GOVERNOR
10-07

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2010 regular session on March 11, 2010, the 60th day of the session; and

WHEREAS, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, I convened the Washington State Legislature in Special Session in the Capitol at Olympia on Monday, March 15, 2010, for the purpose of enacting legislation with respect to biennial operating and capital budgets and bills necessary to implement those budgets; and

WHEREAS, the Washington State Legislature enacted legislation with respect to biennial operating and capital budgets and bills necessary to implement those budgets and the 2010 1st Special Session adjourned on April 12, 2010; and

WHEREAS, after the adjournment of the 2010 1st Special Session, the Economic and Revenue Forecast Council adopted a September 2010 official state economic and revenue forecast that reduced the revenue forecasted to be collected in the 2009-11 biennium due to a slowdown in economic activity; and

WHEREAS, on September 13, 2010, I signed Executive Order 10-04 "Ordering Expenditure Reductions in Allotments of State General Fund Appropriations" institution across-the-board reductions of allotments of appropriations to avoid a projected cash deficit at the end of the fiscal period; and

WHEREAS, the Economic and Revenue forecast Council has adopted a November 2010 official state economic and revenue forecast that has further lowered the revenue forecasted to be collected this biennium due to slower than anticipated economic recovery and as a result of the adopted of Initiative 1107; and

WHEREAS, legislative action is needed to avoid a deficit in the State General Fund at the end of the current fiscal period on June 30, 2011; and

WHEREAS, time is of the essence to implement budget reductions and mitigate the severity of impacts of the revenue downturns on programs and benefits that are identified as the highest priorities;

NOW, THEREFORE, I, Christine O. Gregoire, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Saturday, December 11, 2010, at 9 a.m., for the purpose of enacting legislation to reduce the projected deficit in the State General Fund for the current fiscal period.

Signed and sealed with the official seal of the state of Washington this 9th day of December, A.D., Two Thousand and Ten at Olympia, Washington.

By:

 Christine O. Gregoire
 Governor

BY THE GOVERNOR:

Steve Excell

 [Assistant] Secretary of
 State

WSR 11-01-091
ATTORNEY GENERAL OPINION
ATTORNEY GENERAL'S OFFICE

[Filed December 14, 2010, 2:19 p.m.]

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

The Washington attorney general issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the attorney general's office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the attorney general's office of your interest by January 12, 2011. This is not the due date by which comments must be received. However, if you do not notify the attorney general's office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the attorney general's office of your intention to comment by calling (360) 586-0728, or by writing to the Office of the Attorney General, Solicitor General Division, Attention Jeffrey T. Even, Deputy Solicitor General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you may be provided with a copy of the opinion request in which you are interested; information about the attorney general's opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

If you are interested in receiving notice of new formal opinion requests via e-mail, you may visit the attorney general's web site at www.atg.wa.gov/AGOOpinions/default.aspx for more information on how to join our opinions list-serv.

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

Opinion Docket No. 10-12-05
Request by D. Angus Lee, Grant County Prosecutor

Does a misdemeanor conviction preclude, per RCW 9.92.120, an individual from being appointed as a deputy coroner by the new county coroner?

Does a misdemeanor conviction preclude, per RCW 9.92.120, an individual from being employed by the coroner as a consultant or personal assistant with duties essentially identical to that of a deputy coroner?

WSR 11-01-094

**NOTICE OF PUBLIC MEETINGS
LAKE WASHINGTON
TECHNICAL COLLEGE**

[Filed December 15, 2010, 10:08 a.m.]

Pursuant to RCW 42.30.075, we are hereby notifying you of an upcoming special meeting of the Lake Washington Technical College board of trustees and the board of trustees from Edmonds Community College, Everett Community College, Shoreline Community College, and Cascadia Community College on December 16, 2010.

Appropriate advertising of this meeting will take place prior to the meeting. The regular meeting agenda begins at 9:30 a.m. at Shoreline Community College in Building 9000, Room 9208.

WSR 11-01-095

**NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE**

[Filed December 15, 2010, 10:08 a.m.]

The following is a location and time change for the Tacoma Community College board of trustees meeting on January 21:

From: College Room of the Administration Building #27 at Tacoma Community College, 6501 South 19th Street, Tacoma, WA 98466, 8:00 a.m. - 5:00 p.m.

To: 601 South 8th Street, Tacoma, WA 98402, 8:00 a.m. - 1:00 p.m.

For more information, Cathie Bitz can be reached at (253) 566-5101.

WSR 11-01-096

**NOTICE OF PUBLIC MEETINGS
EVERETT COMMUNITY COLLEGE**

[Filed December 15, 2010, 10:09 a.m.]

NOTIFICATION OF SPECIAL MEETING

The board of trustees of Everett Community College will hold a special study session on December 13, 2010, 5:00 - 6:00, p.m. in the Olympus Board Room, 2000 Tower Street, Everett, WA 98201. No action will be taken.

WSR 11-01-097

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed December 15, 2010, 10:11 a.m.]

Notice of Interpretive or Policy Statement

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

**Medicaid Purchasing Administration (MPA)
Division of Legal Services**

Document Title: # Memo 10-71.

Subject: Prescription drug program: Maximum allowable cost (MAC) update.

Effective Date: December 1, 2010.

Document Description: Effective for dates of service on and after December 1, 2010, (unless otherwise noted) MPA will implement the following changes to the prescription drug program:

1. New additions to the MAC list;
2. Adjustments to existing MACs; and
3. MAC removals.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, MPA, P.O. Box 5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 11-01-098

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed December 15, 2010, 10:12 a.m.]

Notice of Interpretive or Policy Statement

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

**Medicaid Purchasing Administration (MPA)
Division of Legal Services**

Document Title: # Memo 10-74.

Subject: Prescription drug program: Maximum allowable cost (MAC) update.

Effective Date: January 1, 2011.

Document Description: Effective for dates of service on and after January 1, 2011, (unless otherwise noted) MPA will implement the following changes to the prescription drug program:

1. New additions to the MAC list;
2. Adjustments to existing MACs; and
3. MAC removals.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, MPA, P.O. Box 5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-

9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 11-01-099
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 [Filed December 15, 2010, 10:13 a.m.]

Notice of Interpretive or Policy Statement

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

Medicaid Purchasing Administration (MPA)
Division of Legal Services

Document Title: # Memo 10-73.
 Subject: January 1, 2011, benefit changes.
 Effective Date: January 1, 2011.

Document Description: NOTICE TO MEDICAID CLIENTS AND PROVIDERS: Medicaid is eliminating coverage of optional health care services as a consequence of Executive Order 10-04, which Governor Gregoire issued on September 13, 2010. For a full list of services to be eliminated, please visit the medicaid budget web site at <http://hrsa.dshs.wa.gov/News/Budget.htm>. Providers also are encouraged to join a listserv for relevant e-mails at <https://fortress.wa.gov/dshs/hrsalistsrvsignup/>.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, MPA, P.O. Box 5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

WSR 11-01-100
NOTICE OF PUBLIC MEETINGS
STATE INDEPENDENT
LIVING COUNCIL
 [Filed December 15, 2010, 11:35 p.m.]

SILC Quarterly Meeting
 January 14, 2011
 Community Services
 6860 Capitol Boulevard S.E.,
 Tumwater
 9:00 a.m.

WSR 11-01-101
NOTICE OF PUBLIC MEETINGS
ATTORNEY GENERAL'S OFFICE
 [Filed December 15, 2010, 12:18 p.m.]

2011 Regular Meeting Schedule

The following is the 2011 meeting schedule for the public records exemptions accountability committee ("sunshine committee"):

March 22, 2011	9 a.m. - 1 p.m.	John A. Cherberg Building Conference Room B/C Olympia, Washington
May 17, 2011	9 a.m. - 1 p.m.	John A. Cherberg Building Senate Hearing Room 3 Olympia, Washington
August 16, 2011	9 a.m. - 1 p.m.	John A. Cherberg Building Conference Room ABC Olympia, Washington
October 18, 2011	9 a.m. - 1 p.m.	John A. Cherberg Building Senate Hearing Room 3 Olympia, Washington

Meetings will begin at 9 a.m. and last until 1 p.m. Some meetings may be rescheduled or relocated. The meeting location, agenda, and other information will be available five to seven days prior to each meeting at <http://www.atg.wa.gov/opengovernment/sunshine.aspx>. Please visit this web site to join the sunshine committee listserv to receive notices about when materials are posted.

Contact Rebecca Podszus, Program Specialist, Policy and Government Affairs, Washington State Attorney General's Office, (360) 586-2683, rebeccap3@atg.wa.gov, if you have any questions regarding this meeting agenda.

WSR 11-01-103
NOTICE OF PUBLIC MEETINGS
CLOVER PARK
TECHNICAL COLLEGE
 [Filed December 16, 2010, 11:13 a.m.]

The date and meeting of June 16, 2011, has been changed to June 17, 2011, by action taken at the December 8, 2010, board of trustees meeting.

WSR 11-01-104
NOTICE OF PUBLIC MEETINGS
SHORELINE COMMUNITY COLLEGE
 [Filed December 16, 2010, 11:13 a.m.]

In compliance with the Open Public Meetings Act, this letter is to notify the code reviser's office that the Shoreline Community College board of trustees will participate in a five star consortium meeting beginning at 9:30 a.m. on Thursday, December 16, 2010. The purpose of the meeting is to receive and discuss updates from personnel representing the work groups of the five star consortium colleges (Cascadia, Edmonds, Everett, Lake Washington, Shoreline) related

to instruction, administrative services, student services and human resources.

This special meeting will take place in the Quiet Dining Room (#9208) in the 9000 building at Shoreline Community College, 16101 Greenwood Avenue North, Shoreline, WA 98133.

Please call (206) 546-4552 or e-mail Lori Yonemitsu at lyonemitsu@shoreline.edu if you need further information.

WSR 11-01-106

NOTICE OF PUBLIC MEETINGS WASHINGTON STATE REHABILITATION COUNCIL

[Filed December 16, 2010, 1:03 p.m.]

YOU ARE INVITED TO SHARE INPUT WITH THE WASHINGTON STATE REHABILITATION COUNCIL (WSRC)

Join us if you wish
Friday, January 21, 2011
1:00 p.m. to 3:00 p.m.
Seminar II (2) Building
Room B 2105

2700 Evergreen Parkway N.W.
Olympia, WA 98505

(if one is entering the bus loop, Seminar II is the four story building on the far right)

American Sign Language Interpretation provided.

The WSRC is a group of fifteen governor-appointed volunteers. The council was created by Title I, Section 105 of the Rehabilitation Act and by Executive Order 04-04, for the purpose of increasing employment and economic advancement for eligible jobseekers with disabilities. We are systems advocates for the vocational rehabilitation service system and the customers it serves. Our mandates include gathering public input, which is why you are being invited to share your thoughts. **You are not required to attend. This is not a regular DVR appointment with your counselor.** We will take comment for ninety minutes. The last half hour will leave time for mingling and individual follow-up.

We are interested in how the VR system is working, so we hope you will help us understand:

- What you understand about how participating in DVR services is related to going to work;
- Whether your questions are answered by DVR staff in a timely manner;
- Whether or not you feel that your process will lead to a job you want;
- Whether you think you will have the wage and benefits that you need;
- What you would want decision makers to consider for the next generation of people using VR services.

To request reasonable accommodation or a spoken language interpreter, please contact JoAnne Lang at langjk@

dshs.wa.gov or 1-866-252-2939 (between 9 a.m. and 1 p.m., Monday through Friday).

Although we would look forward to seeing you in person, it may be more convenient to submit written comments by e-mail. You are welcome to do that by contacting JoAnne at the e-mail listed above.

Will You be Riding the Bus to the Meeting?: Intercity Transit route 41 or 48 run frequently from the Olympia Transit Center. The routes service to the bus loop at the college.

WSR 11-01-107

NOTICE OF PUBLIC MEETINGS WASHINGTON STATE REHABILITATION COUNCIL

[Filed December 16, 2010, 1:06 p.m.]

NOTICE OF PUBLIC MEETING OF THE WASHINGTON STATE REHABILITATION COUNCIL (WSRC)

The WSRC is a group of governor-appointed volunteers. The council was created by Title I, Section 105 of the Rehabilitation Act and by Executive Order 04-04, for the purpose of increasing employment and economic advancement for eligible jobseekers with disabilities. We are systems advocates for the vocational rehabilitation service system and the customers it serves. Our mandates include gathering public input about vocational rehabilitation services, assessing program data and performance, and making policy recommendations.

The Evergreen State College
2700 Evergreen Parkway N.W.
Olympia, WA 98505
Seminar II (2) Building
Room B 2105

(if one is entering the bus loop, Seminar II is the four story building on the far right)

Friday, January 21, 2011

9:00 a.m. to 4:00 p.m.

All portions of this meeting are open to the public.

American Sign Language Interpretation will be provided.

The objectives for the meeting are to:

- Hold 2011 council elections;
- To learn from customers at a customer forum.

For more information, or to request reasonable accommodation or a spoken language interpreter, contact JoAnne at 1-866-252-2939 or e-mail langjk@dshs.wa.gov.

Will You be Riding the Bus to the Meeting?: Intercity Transit route 41 or 48 run frequently from the Olympia Transit Center. The routes service to the bus loop at the college.

WSR 11-01-108
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE
REHABILITATION COUNCIL
[Filed December 16, 2010, 1:24 p.m.]

NOTICE OF PUBLIC MEETING
OF THE WASHINGTON STATE REHABILITATION COUNCIL
(WSRC)

The WSRC is a group of governor-appointed volunteers. The council was created by Title I, Section 105 of the Rehabilitation Act and by Executive Order 04-04, for the purpose of increasing employment and economic advancement for eligible jobseekers with disabilities. We are systems advocates for the vocational rehabilitation service system and the customers it serves. Our mandates include gathering public input about vocational rehabilitation services, assessing program data and performance, and making policy recommendations.

The Evergreen State College
2700 Evergreen Parkway N.W.
Olympia, WA 98505
Seminar II (2) Building
Room B 2105

(if one is entering the bus loop, Seminar II is the four story building on the far right)
Thursday, January 20, 2011
9:00 a.m. to 4:00 p.m.

All portions of this meeting are open to the public. American Sign Language Interpretation will be provided.

The objectives for the meeting are to:

- Welcome and orient newly appointed members;
- Identify strategic opportunities within our policy partnership in 2011;
- Select committee assignments.

For more information, or to request reasonable accommodation or a spoken language interpreter, contact JoAnne at 1-866-252-2939 or e-mail langjk@dshs.wa.gov.

Will You be Riding the Bus to the Meeting?: Intercity Transit route 41 or 48 run frequently from the Olympia Transit Center. The routes service to the bus loop at the college.

WSR 11-01-110
NOTICE OF PUBLIC MEETINGS
GREEN RIVER
COMMUNITY COLLEGE
[Filed December 16, 2010, 7:09 p.m.]

Regular Meeting Schedule - 2011

The board of trustees of Community College District No. 10 has set its regular meeting schedule for calendar year 2011. The board meets on the third Thursday of each month, commencing at 4:00 p.m., in the Board Room of the Admin-

istration Building, Green River Community College, 12401 S.E. 320th Street, Auburn, WA 98092.

- January 20
- February 17
- March 17
- April 21
- May 19
- June 16
- July 21
- August 18
- September 15
- October 20
- November 17
- December 15

WSR 11-01-111
AGENDA
DEPARTMENT OF CORRECTIONS

[Filed December 17, 2010, 8:59 a.m.]

SEMI-ANNUAL RULE MAKING AGENDA
JANUARY 1 - JUNE 30, 2011

Following is the department of corrections' semi-annual rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314. In compliance with the governor's executive order, the department's rule making will be limited to that which is critical to the agency's mission.

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

RULE DEVELOPMENT CALENDAR

January - June 30, 2011

WAC Chapter or Section	Purpose
137-91-010	Amend the definition of medical necessity.
137-xx (new chapter)	Earned release time for offenders.

John Nispel
Rules Coordinator

WSR 11-01-116
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
(Public Employees Benefits Board)
[Filed December 17, 2010, 3:41 p.m.]

The health care authority (HCA) will hold a public meeting to consider proposed public employees benefits board (PEBB) customer service administrative policies, as well as administrative policies that PEBB customer service plans to rescind.

The meeting is scheduled for **Friday, January 21, 2011, at 1:00 p.m.** in the Sue Crystal Center, Health Care Authority, 676 Woodland Square Loop S.E., Lacey, WA 98503.

The proposed policies, and the policies that are proposed to be rescinded, can be downloaded on-line from <http://www.pebb.hca.wa.gov/policy.html> and are summarized below. Public comment on these proposed and repealed policies can be submitted through the web page or to Shelli Lackey, P.O. Box 42684, Olympia, WA 98504-2684. The deadline for public comment is January 21, 2011.

For further information or to receive a hard copy of the proposed policies, please contact Shelli Lackey at (360) 923-2643.

Interpretive and Policy Statements
Notice of Interpretive or Policy Statements

The following is a summary of policy and interpretive statements issued by the health care authority PEBB program regarding employee eligibility and enrollment.

Policy #15-1: *Determining eligibility for seasonal employees and maintenance of employer contribution through the off-season.* The purpose of this policy is to clarify seasonal employee eligibility as described in WAC 182-12-109 and 182-12-114(2). Effective January 1, 2011.

The PEBB program is rescinding the following policies:

Policy #1-06: *Enrollment in the PEBB program following post-retirement employment.* The purpose of this policy was to clarify the application of the provisions of chapters 182-08 and 182-12 WAC as they relate to employees that apply for participation in PEBB retiree insurance following post-retirement employment with a PEBB employer or Washington state K-12 school district or educational service district (ESD). The PEBB program will address this in a future policy.

Policy #4-01: *Certification of full-time student dependents.* The purpose of this policy was to provide guidelines for the PEBB program in determining the eligibility of a full-time student dependent under a subscriber's account. This policy is no longer required due to national health care reform.

Policy #4-06: *Request for change of PEBB medical or dental plans.* The purpose of this policy was to establish guidelines for the PEBB program when an employee, self-pay, COBRA or retiree subscriber requests to change medical or dental plans outside an open enrollment period. This is now addressed in rule.

Policy #4-07: *Reinstatement of PEBB medical coverage outside of open enrollment period.* The purpose of this policy was to establish procedures when reinstating a PEBB member's medical coverage outside the annual open enrollment period. This information is addressed in rule (WAC 182-12-262, 182-08-198, and 182-12-128).

Policy #4-08: *Enrollment in the PEBB program following post-retirement employment.* The purpose of this policy was to clarify the application of the provisions of chapter 182-12 WAC as they relate to employees that apply for participation in PEBB retiree insurance following post-retirement employment with a PEBB employer or Washington state K-12 school district or ESD. The PEBB program will address this in a future policy.

Policy #4-09: *Reinstatement of PEBB medical coverage outside of open enrollment period.* The purpose of this policy was to establish procedures when reinstating a PEBB member's medical coverage outside the annual open enrollment period. This information is addressed in rule (WAC 182-12-262, 182-08-198, and 182-12-128).

Policy #5-01: *Disenrollment from a health plan for just cause.* The purpose of this policy was to provide a fair and consistent method to process a plan's request to disenroll a PEBB member from a health plan for just cause. This information is addressed in rule (WAC 182-12-207).

WSR 11-01-122
NOTICE OF PUBLIC MEETINGS
CENTRALIA COLLEGE
[Filed December 20, 2010, 10:32 a.m.]

Centralia College has changed the following regular meeting:

From: January 13, 2011, at 3 p.m.
To: January 12, 2011, at 2 p.m.

If you need further information contact Janet Reaume, 600 Centralia College Boulevard, Centralia, WA 98531, at 736-9391 ext. 231 or jreaume@centralia.edu, or visit the web site at <http://www.centralia.edu/>.

WSR 11-01-123
RULES OF COURT
STATE SUPREME COURT
[December 2, 2010]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO GR 33-) NO. 25700-A-973
REQUESTS FOR ACCOMMODATION)
BY PERSONS WITH DISABILITIES)

The Washington State Access to Justice Board having recommended the adoption of the proposed amendment to GR 33-Requests for Accommodation by Persons with Disabilities, and the Court having determined that the proposed amendment will aid in the prompt and orderly administration of justice and further determined the need for expedited adoption;

Now, therefore, it is hereby
ORDERED:

- (a) That the amendment as shown below is adopted.
- (b) That the amendment will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 2nd day of December, 2010.

Madsen, C.J.

C. Johnson, J. Owens, J.

Alexander, J. Fairhurst, J.

Sanders, J.

J. M. Johnson, J.

Chambers, J.

Stephens, J.

GENERAL RULE (GR) 33

Requests for Accommodation by Persons with Disabilities

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

(1) "Accommodation" means measures to make each court service, program, or activity, when viewed in its entirety, readily accessible to and usable by a ~~qualified~~ person with a disability, and may include but is not limited to:

(A) making reasonable modifications in policies, practices, and procedures;

(B) furnishing, at no charge, auxiliary aids and services, including but not limited to equipment, devices, materials in alternative formats, qualified interpreters, or readers; and

(C) as to otherwise unrepresented parties to the proceedings, representation by counsel, as appropriate or necessary to making each service, program, or activity, when viewed in its entirety, readily accessible to and usable by a person with a disability.

~~(2) "Person with a disability" means a person with a sensory, mental or physical disability as defined by the Americans with Disabilities Act of 1990 (§ 42 U.S.C. 12101 et seq.), the Washington State Law Against Discrimination (RCW 49.60 et seq.), or other similar local, state, or federal laws.~~

~~(2) (3) "Proceedings Applicant" means any lawyer, party, witness, juror, or any other individual who has a specific interest in or is participating in any proceeding before any court.~~

~~(3) "Court" means any court or other agency or body subject to the rulemaking authority of the Supreme Court.~~

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

~~(4) "Person with a disability" means a person covered by the Americans with Disabilities Act of 1990 (§ 42 U.S.C. 12101 et seq.), RCW 49.60 et seq., or other similar local, state, or federal laws. This term includes but is not limited to an individual who has a physical or mental impairment that limits one or more major life activities, has a documented history of such an impairment, or is regarded as having such an impairment.~~

~~(5) "Qualified person with a disability" means a person with a disability who is otherwise entitled to participate in any program, service, or activity made available by any court.~~

(b) Process for Requesting Accommodation.

(1) Persons seeking accommodation may proceed under this rule. Local procedures not inconsistent with this rule may be adopted by courts to supplement the requirements of this rule. A disputed or denied request for accommodation is automatically subject to review under the procedures set out in subsections (d) and (e) of this rule.

~~(1) (2)~~ (2) An application requesting accommodation may be presented *ex parte* in writing, or orally and reduced to writing, on a form approved by the Administrative Office of

the Courts, to the presiding judge or officer of the court or his or her designee.

~~(2) (3)~~ (3) An application for accommodation shall include a description of the accommodation sought, along with a statement of the ~~impairment~~ disability necessitating the accommodation. The court may require the applicant to provide additional information about the qualifying ~~impairment~~ disability to help assess the appropriate accommodation. Medical and other health information shall be submitted under a cover sheet created by the Administrative Office of the Courts for use by applicants designated "SEALED MEDICAL AND HEALTH INFORMATION" and such information shall be sealed automatically. The court may order that such information be sealed if it has not previously automatically been sealed.

(4) An application for accommodation should be made as far in advance as practical ~~of the proceeding for which the accommodation is sought.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) the applicant has failed to satisfy the substantive requirements of this rule;

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

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

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

(e) ~~Order Decision: Proceedings Applicants.~~ The court shall, in writing or on the record, inform the applicant and the court personnel responsible for implementing accommodations that the request for accommodation has been granted or denied, in whole or in part, and the nature and scope of the accommodation to be provided, if any. The decision shall be entered in the proceedings file, if any, or in the court's administrative files. The court shall issue an order consistent with its decision. If the court denies a requested accommodation pursuant to section (d) of this rule, the ~~order~~ decision shall specify the reasons for the denial. If a requested accommodation is not provided by the court under subsection (c)(2) or (c)(3) of this rule, the court's shall state order shall include a description of:

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

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

~~The court shall inform the applicant and the court personnel responsible for implementing accommodations that the request for accommodation has been granted or denied, in whole or in part, and the nature of the accommodation to be provided, if any.~~

(f) Decision: Public Applicants. A public applicant should be accommodated consistent with the ADA of 1990 (42 USC 12101 et seq) and the WLAD (RCW 49.60 et seq). The applicant shall, orally or in writing, be informed that the request for accommodation has been granted or denied. If requested, a written statement of reasons for denial shall be provided.

~~**Duration of Accommodation.** The accommodation ordered shall commence on the date set forth in the order granting the accommodation and shall remain in effect for the period specified in the order, which may be extended as the court deems appropriate. The court may grant an accommodation for an indefinite period or for a particular proceeding or appearance.~~

Comment

[1] Access to justice for all persons is a fundamental right. It is the policy of the courts of this state to assure that persons with disabilities have equal and meaningful access to the judicial system. Nothing in this rule shall be construed to limit or invalidate the remedies, rights, and procedures accorded to any person with a disability under local, state, or federal law.

[2] Supplemental informal procedures for handling accommodation requests may be less onerous for both applicants and court administration. Courts are strongly encouraged to adopt an informal grievance process for public applicants whose requested accommodation is denied.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

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 11-01-125

AGENDA

DEPARTMENT OF LABOR AND INDUSTRIES

[Filed December 20, 2010, 10:50 a.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 11-02 issue of the Register.

WSR 11-01-130

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF LABOR AND INDUSTRIES

(Industrial Insurance Medical Advisory Committee)

[Filed December 21, 2010, 8:17 a.m.]

Pursuant to chapter 42.30 RCW, the Open Public Meetings Act, the industrial insurance medical advisory committee is scheduled to meet as follows:

DATES	TIME	LOCATION
January 27, 2011	1:00 -	SeaTac Airport
April 28, 2011	5:00 p.m.	Port of Seattle
July 28, 2011		Beijing Conference Room
October 27, 2011		17801 International Boulevard Room 6012M Seattle, WA 98158

Please call Simone Javaher at (360) 902-5762 if you have any questions about these meetings.

The meeting agenda will be posted at least twenty calendar days prior to the meeting at <http://www.lni.wa.gov/ClaimsIns/Providers/Treatment/PAC/Meetings.asp?WT.svl=3>.

WSR 11-01-131

NOTICE OF PUBLIC MEETINGS

SEATTLE COMMUNITY COLLEGES

[Filed December 21, 2010, 9:17 a.m.]

In compliance with RCW 42.30.075, following is the Seattle Community Colleges - District VI board of trustees regular meeting schedule for 2011, which as adopted by the board on October 14, 2010.

There also is a changed in the January 13, 2011, meeting. There is no study session on January 13; the regular session will start at 3 p.m.

If you have any questions, please contact Harrietta Hanson at (206) 587-3850.

BOARD OF TRUSTEES
2011 MEETING SCHEDULE

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

DATE	LOCATION
January 13	North Seattle Community College (NSCC) 9600 College Way North Seattle, WA 98103
February 10	Seattle Vocational Institute (SVI) 2120 South Jackson Street Seattle, WA 98144
March 10	South Seattle Community College (SSCC) 6000 16th Avenue S.W. Seattle, WA 98106
April 14	Seattle Central Community College (SCCC) 1701 Broadway Seattle, WA 98122
May 12	SCCD (Siegal Center) 1500 Harvard Avenue Seattle, WA 98122
June 9	North Seattle Community College (NSCC) 9600 College Way North Seattle, WA 98103
July 14	Seattle Vocational Institute (SVI) 2120 South Jackson Street Seattle, WA 98144
August	NO MEETING
September 8	Seattle Central Community College (SCCC) 1701 Broadway Seattle, WA 98122
October 13	South Seattle Community College (SSCC) 6000 16th Avenue S.W. Seattle, WA 98106
November 10	SCCD (Siegal Center) 1500 Harvard Avenue Seattle, WA 98122
December 8	North Seattle Community College (NSCC) 9600 College Way North Seattle, WA 98103

WSR 11-01-132
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
INFORMATION SERVICES
[Filed December 21, 2010, 9:17 a.m.]

Information services board - all meetings are held from 1:00 - 5:00 p.m., in the department of information services boardroom located on the 2nd Floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- January 13
- March 10
- May 12
- July 14
- September 8
- November 10

Customer advisory board - all meetings are held from 1:30 - 3:30 p.m., in the department of information services boardroom located on the 2nd Floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- January 19
- February 16
- March 15
- April 13
- May 18
- June 14
- July 20
- August 24
- September 22
- October 25
- November 22
- December 20

State interoperability executive committee - all meetings are held from 1:30 - 3:30 p.m., in the department of information services boardroom located on the 2nd Floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- February 17
- April 21
- June 16
- August 18
- October 20
- December 15

Washington state geographic information council - all meetings are held from 10:00 a.m. - 12:00 p.m., in the department of information services boardroom located on the 2nd Floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- January 20
- April 21
- July 21
- October 20

Geographic information technology committee - all meetings are held from 10:00 a.m. - 12:00 p.m., in the department of information services boardroom located on the 2nd Floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

March 16
 June 15
 September 21
 December 14

Enterprise architecture program committee - all meetings are held from 1:00 - 3:00 p.m., in the department of information services boardroom located on the 2nd Floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

January 26
 February 23
 March 30
 April 27
 May 25
 June 29
 July 27
 August 31
 September 28
 October 26
 November 30
 December 28

For further information please contact Laurel McMillan at (360) 902-3566.

WSR 11-01-136

NOTICE OF PUBLIC MEETINGS

TREE FRUIT RESEARCH COMMISSION

[Filed December 21, 2010, 12:31 p.m.]

2011 Meeting Calendar

Date	Item	Time	Location
February 3	Board meeting	3:00 p.m.	Wenatchee
March 3	Board meeting	3:00 p.m.	Teleconference WTFRC Offices
April 14	Board meeting	Following technology review	USDA-ARS Wapato
May 12	Board meeting	3:00 p.m.	Teleconference WTFRC offices
June 2	Board meeting	3:00 p.m.	Teleconference WTFRC offices
August 11	Summer board retreat	All day	TBD
September 8	Board meeting	3:00 p.m.	Teleconference WTFRC offices
October 6	Board meeting	3:00 p.m.	Teleconference WTFRC offices
November 9	Board meeting	Following NW cherry review	Hood River
December 11-13	Winter board retreat	All day	TBD

Miscellaneous

WSR 11-01-142

**NOTICE OF PUBLIC MEETINGS
 DEPARTMENT OF HEALTH**

(Board of Optometry)

[Filed December 21, 2010, 3:07 p.m.]

Following is the schedule of regular meetings for the department of health, board of optometry, for the year 2011. The board 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 reserves the right to change or amend agendas at the meeting.

Date	Time	Location
March 18, 2011	9:00 a.m.	Creekside Three at Center Point 20435 72nd Avenue South Room 1 Kent, WA 98032
June 3, 2011	9:00 a.m.	Creekside Three at Center Point 20435 72nd Avenue South Room 1 Kent, WA 98032
September 23, 2011	9:00 a.m.	Creekside Three at Center Point 20435 72nd Avenue South Room 1 Kent, WA 98032
December 2, 2011	9:00 a.m.	Creekside Three at Center Point 20435 72nd Avenue South Room 1 Kent, WA 98032

If you need further information, please contact Judy Haenke, Program Manager, Board of Optometry, Washington Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4947, fax (360) 236-2901, Judy.haenke@doh.wa.gov, <http://www.doh.wa.gov/hsqa/Professions/Optomtery/Default.htm>.

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

WSR 11-01-143

**INTERPRETIVE OR POLICY STATEMENT
 DEPARTMENT OF HEALTH**

[Filed December 21, 2010, 3:07 p.m.]

**NOTICE OF ADOPTION OF A
 POLICY STATEMENT OR INTERPRETIVE STATEMENT**

Title of Policy/Interpretive Statement: Inactive Status for Optometrists.

Issuing Entity: Board of optometry.

Subject Matter: Placing an active license on inactive status.

Effective Date: December 3, 2010.

Contact Person: Judy Haenke, Program Manager, Health Professions Quality Assurance, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4947.

WSR 11-01-144
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Veterinary Board of Governors)
 [Filed December 21, 2010, 3:07 p.m.]

Following is the schedule of regular meetings for the department of health, veterinary board of governors, for the year 2011. The board 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 reserves the right to change or amend agendas at the meeting.

Date	Time	Location
March 7, 2011	9:00 a.m.	Creekside Three at Center Point 20435 72nd Avenue South Room 2 Kent, WA 98032
June 6, 2011	9:00 a.m.	Creekside Three at Center Point 20435 72nd Avenue South Room 2 Kent, WA 98032
September 12, 2011	9:00 a.m.	Creekside Three at Center Point 20435 72nd Avenue South Room 1 Kent, WA 98032
December 5, 2011	9:00 a.m.	Creekside Three at Center Point 20435 72nd Avenue South Room 2 Kent, WA 98032

If you need further information, please contact Judy Haenke, Program Manager, Veterinary Board of Governors, Washington Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4947, fax (360) 236-2901, Judy.haenke@doh.wa.gov, <http://www.doh.wa.gov/hsqa/Professions/Veterinarian/default.htm>.

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

WSR 11-01-145
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Dental Quality Assurance Commission)
 [Filed December 21, 2010, 3:08 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health, dental quality assurance commission, for the year 2011. The dental quality assurance commission meetings are open to the public, and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

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

Date	Time	Location
February 4, 2011	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
March 25, 2011	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
May 13, 2011	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
July 15, 2011	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
September 9, 2011	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501
November 4, 2011	8:00 a.m.	Department of Health 310 Israel Road S.E. Tumwater, WA 98501

If you need further information, please contact Jennifer Santiago, Health Service Consultant 3, Washington Department of Health, Dental Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4893, fax (360) 236-2901, e-mail Jennifer.santiago@doh.wa.gov, web www.doh.wa.gov.

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

WSR 11-01-146
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Board of Denturists)
 [Filed December 21, 2010, 3:08 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health, board of denturists, for the year 2011. The board of denturists 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 denturists reserves the right to change or amend agendas at the meeting.

Date	Time	Location
March 24, 2011	1:00 p.m.	Tumwater
June 3, 2011	1:00 p.m.	Conference call
August 5, 2011	1:00 p.m.	Conference call
September 22, 2011	1:00 p.m.	Tumwater
November 4, 2011	9:00 a.m.	Conference call

If you need further information, please contact Vicki Brown, Program Manager, Board of Denturists, Washington Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4865, fax (360) 236-2901, vicki.brown@doh.wa.gov, www.doh.wa.gov.

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

WSR 11-01-147
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Dental Hygiene Examining Committee)
 [Filed December 21, 2010, 3:08 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health, dental hygiene examining committee, for the year 2011. The dental hygiene examining committee meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via listserv and the department of health web site (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the dental hygiene examin-

ing committee reserves the right to change or amend agendas at the meeting.

Date	Time	Location
March 18, 2011	9:00 a.m.	Tumwater
June 3, 2011	9:00 a.m.	Conference call
August 5, 2011	9:00 a.m.	Conference call
October 21, 2011	9:00 a.m.	Tumwater

If you need further information, please contact Vicki Brown, Program Manager, Dental Hygiene Examining Committee, Washington Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4865, fax (360) 236-2901, vicki.brown@doh.wa.gov, www.doh.wa.gov.

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

WSR 11-01-148
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Board of Physical Therapy)
 [Filed December 21, 2010, 3:11 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health, board of physical therapy, for the year 2011. 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
January 26, 2011	10:00 a.m.	Kent
March 16, 2011	9:00 a.m.	Conference call
May 18, 2011	10:00 a.m.	Tumwater
July 20, 2011	9:00 a.m.	Conference call
September 14, 2011	10:00 a.m.	Kent
November 16, 2011	10:00 a.m.	Kent

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

Please be advised the board of physical therapy is required to comply with the Public Disclosure Act, chapter

42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the board, including personal information, may ultimately be subject to disclosure as a public record.

WSR 11-01-149

DEPARTMENT OF CORRECTIONS

[Filed December 21, 2010, 3:27 p.m.]

Reviser's note: The following material has *not* been adopted under the Administrative Procedure Act, chapter 34.05 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

Following is an amendment to chapter 137-91 WAC, Adult correctional institutions—Medical care—Health care. This amendment is submitted for publication in the Washington State Register and the Washington Administrative Code. Pertinent information follows:

1. The amendment to chapter 137-91 WAC, Adult correctional institutions—Medical care—Health care is adopted as of December 21, 2010.

2. The effective date of this amendment shall be January 21, 2011.

3. I certify pursuant to RCW 34.05.030 that the rule as stated above is excluded from the Administrative Procedure Act.

Eldon Vail
Secretary

AMENDATORY SECTION (Amending WSR 97-22-057, filed 11/3/97, effective 10/22/97)

WAC 137-91-010 Health care—General policy. The policy of the department of corrections (the department) with regard to health care for offenders in adult correctional facilities is to provide that care, consistent with the **Offender Health Plan (OHP)**, which is medically necessary to respond to the offender's medical, dental, and mental health needs. Medically necessary is defined as that care that is determined by the department to:

- Be consistent with applicable department policies and procedures;
- Be ordered by an authorized department health care provider;
- ((~~Be required to prevent significant deterioration in the offender's health or permanent functional impairment if not rendered during the period of incarceration;~~))
- Not be considered experimental or be lacking in medically recognized professional documentation of efficacy; and
- Not be administered solely for the convenience of the offender or the health care provider.

WSR 11-01-155

**NOTICE OF PUBLIC MEETINGS
FRUIT COMMISSION**

[Filed December 21, 2010, 4:11 p.m.]

2011

COMMISSION MEETING SCHEDULE

At their December 2010 board meeting, the Washington state fruit commission (WSFC) approved the following meeting dates and places for the 2011 year:

March 9, 2011	11:00 a.m.	W.L. Hansen Building Yakima, Washington
May 18, 2011	9:00 a.m.	Red Lion Richland, Washington
July 27, 2011	11:00 a.m.	Wa. Apple Commission Wenatchee, Washington
December 14, 2011	11:00 a.m.	W.L. Hansen Building Yakima, Washington

If there are any questions, please contact the WSFC offices at (509) 453-4837.

WSR 11-01-156

**NOTICE OF PUBLIC MEETINGS
NOXIOUS WEED
CONTROL BOARD**

[Filed December 21, 2010, 4:21 p.m.]

The meeting schedule of the Washington state noxious weed control board for January - December 2011 is as follows:

Washington State Noxious Weed Control Board Meetings

January 11, 2011	9:00 a.m.	Natural Resources Building Room 172 A+B 1111 Washington Street S.E. Olympia, WA 98504
March 16, 2011	9:00 a.m.	Teleconference with limited seating available at Chelan City Council Chambers 135 East Johnson Chelan, WA 98816
May 10, 2011		Teleconference
July 12, 2011	9:00 a.m.	Teleconference
September 13, 2011	9:00 a.m.	Teleconference
Wednesday, November 2, 2010 [2011]	9:00 a.m.	Public Works Maintenance and Operations Complex 1216 South 18th Street Yakima, WA 98901

Noxious Weed List Public Hearing

Tuesday, November 1, 2010 [2011]	1:00 p.m. - 3:00 p.m.	Public Works Maintenance and Operations Complex 1216 South 18th Street Yakima, WA 98901
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**WSR 11-01-157
AGENDA
UTILITIES AND TRANSPORTATION
COMMISSION**

[Filed December 22, 2010, 8:31 a.m.]

The Washington utilities and transportation commission (UTC) submits its semi-annual report rule development agenda, along with the energy facility site evaluation council (EFSEC), for publication in the Washington State Register pursuant to RCW 34.05.314.

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

**Semi-annual Rules Development Agenda
(January 1 - June 30, 2011)**

This report is the utilities and transportation commission's semi-annual report rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

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

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

TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
		CR-101	CR-102 or CR-105	CR-103 HEARING	
CURRENT:					
Paperless billing rule making	Roger Kouchi (360) 664-1101	4/7/10 Supplemental CR-101 8/4/10	Filed 11/3/10 (Continued under guidelines 3(e), 5 to Executive Order 10-06)	1/4/11	Consider the need to develop a new rule and/or modify existing rules in chapters 480-90 and 480-100 WAC to address the use of electronic bills, notices of tariff
					revisions, bill inserts, documents in adjudicative proceedings, and reports required by settlement stipulations.
Inquiry on regulatory treatment for renewable energy resources	Danny Kermod (360) 664-1253	5/19/10	(Continued under guidelines 3(e), 5 to Executive Order 10-06) Report and policy statement to be issued by end of year.		Examine the need to adopt new regulations relating to the acquisition of renewable resources by Washington's investor owned electric utilities.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
CURRENT (Continued):						
"999" sections in various chapters of Title 480 WAC	Adoption by reference expedited rule making	Edward Keating (360) 664-1312		(CR-105) 11/3/10 (Continued under Guidelines 3 (a) and (e) to Executive Order 10-06)	N/A	Annual update of the citations to material that's incorporated by reference.
	Fuel surcharge inquiry	Dave Gomez (260) 664-1240	10/15/10 (Continued under Guideline 3(e) to Executive Order 10-06)	To be determined	To be determined	Examine whether the commission should consider adopting rules to address methods for determining the circumstances under which it will permit solid waste, auto transportation and ferry companies to impose a surcharge for fuel costs and the methods of calculating any such fuel surcharge.
PROPOSED:						
WAC 480-15 480-30	Fitness standard rule making	Sharon Wallace (360) 664-1143	To be determined	To be determined	To be determined	Consider the need to modify existing rules in chapter 480-15 WAC (household goods) and chapter 480-30 WAC (passenger transportation) to define "fitness" for transportation industries regulated by the statutory "fit, willing and able" entry standard.
ON-HOLD (Per Executive Order 10-06):						
WAC 480-120	E911 Excise tax clean-up expedited rule making	Sharyn Bate (360) 664-1295		(CR-105) To be determined	N/A	Amend existing rules and statute references in chapter 480-120 WAC in response to SB 6846.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
WAC 480-07 480-123	Telecom fee rule making	Ann Rendahl (360) 664-1144	To be determined	To be determined	To be determined	Consider the need to establish fees to recover the costs of performing Telecom Act services from telecommunications companies who receive these services.
WAC 480-75 480-93	Pipeline GIS data submission standards	Dave Lykken (360) 664-1219	To be determined	To be determined	To be determined	Consider the need to establish rules specifying the geographic and pipeline-related data pipeline operators must report to the commission under RCW 80.88.080.
WITHDRAWN (Per Executive Order 10-06):						
WAC 480-70-016(3)	Solid waste— Definitions rule making	Penny Ingram (360) 664-1242	5/7/08 Withdrawn 12/8/10 WSR 11-01-059			Consider the circumstances under which a hauler of construction and demolition waste is not required to have a solid waste certificate.
WAC 480-04	Public access to information and records	Adam Torem (360) 664-1138	9/22/10 Withdrawn 12/7/10 WSR 11-01-049			Review of rules in chapter 480-04 WAC relating to public access to information and records.

**Energy Facility Site Evaluation Council
Semi-annual Rules Development Agenda
(January 1 - June 30, 2011)**

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
PROPOSED:						
	Greenhouse gas reporting rule	Jim La Spina (360) 664-1362	N/A	(CR-105) 2/2011	N/A	Expedited adoption of ecology's greenhouse gas reporting rule - chapter 173-441 WAC.
WAC 463-58	Charges for EFSEC services	Al Wright (360) 664-1360	To be determined	To be determined	To be determined	Amend existing rule in response to SHB 2527. (Revisions to EFSEC jurisdiction and charges for EFSEC services.)
WAC 463-06 463-58	Administrative rules	Al Wright (360) 664-1360	To be determined	To be determined	To be determined	Amend existing rules in response to E2SHB 2658. (Administrative revisions resulting from transfer of EFSEC to UTC.)

David W. Danner
Executive Director
and Secretary

**WSR 11-01-160
OFFICE OF THE GOVERNOR**

[Filed December 22, 2010, 10:38 a.m.]

Lowering of the Washington State and United States Flags

I hereby direct that Washington State and United States flags at all state agency facilities be lowered to half-staff **Tuesday, December 21, 2010**, in memory of U.S. Army Cpl. Sean M. Collins, 25, of Yelm, who died December 12 from wounds received when insurgents attacked his unit with an improvised explosive device in Kandahar province, Afghanistan.

Please notify your staff and all of your field offices and facilities around the state.

Flags should remain at half-staff until close of business Tuesday, or first thing Wednesday morning, December 22.

Other government entities, citizens and businesses are encouraged to join this recognition.

Please call (360) 902-0383 if you have any questions about this flag lowering.

Christine O. Gregoire
Governor

**WSR 11-01-161
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE**

(Recreation and Conservation Funding Board)

[Filed December 22, 2010, 10:38 a.m.]

The public meetings for the recreation and conservation funding board for 2011 will be on:

Dates	Location
February 1, 2011	Conference Call Olympia Room 175 a/b

March 31 - April 1, 2011	Olympia NRB Room 172
June 22 - 23, 2011	Olympia NRB Room 172
September 21 - 22, 2011	Olympia NRB Room 172 or Okanogan Commissioners' Hearing Room
November 14 - 15, 2011	Olympia NRB Room 172

For further information, please contact Tauren Ibarra at (360) 902-3013 or check recreation and conservation office's (RCO) web page at <http://www.rco.wa.gov/rcfb/board/schedule.htm>.

The RCO schedules all public meetings at barrier free sites. Persons who need special assistance may contact Tauren Ibarra at the number listed above or by e-mail at tauren.ibarra@rco.wa.gov.