

WSR 11-14-008**PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON UNIVERSITY**

[Filed June 23, 2011, 10:11 a.m.]

Subject of Possible Rule Making: Updating chapter 172-168 WAC, Library policies.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules add clarity to the existing chapter by focusing more directly on the intended scope and applicability of the chapter. The proposed revisions are intended to bring these rules up to date with current practices and to remove provisions that are prescribed by internal policies.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making; and agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Trent Lutey, University Policy Administrator, Office of the President, Eastern Washington University, 214 Showalter Hall, Cheney, WA 99004, phone (509) 359-6322, fax (509) 359-7036, and e-mail tlutey@ewu.edu. A public hearing will be held to permit comment on all proposed rules and revisions.

June 23, 2011

Trent Lutey

University Policy Administrator

WSR 11-14-017**PREPROPOSAL STATEMENT OF INQUIRY
SOUTHWEST CLEAN
AIR AGENCY**

[Filed June 23, 2011, 1:52 p.m.]

Subject of Possible Rule Making: SWCAA 802 SEPA Procedures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141 and 43.21C.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule is being changed to update agency SEPA requirements consistent with changes in chapter 197-11 WAC that have occurred since Southwest Clean Air Agency's (SWCAA) last rule revision.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA 802 is substantially similar to chapter 173-802 WAC and is intended to be consistent with the provisions of chapter 197-11 WAC. Portions of chapter 197-11 WAC that are not applicable to SWCAA will not [be] incorporated. Similar rule-making proposals previously filed under WSR 98-12-012 and 00-17-036 were never completed.

Process for Developing New Rule: The proposed rule revisions are being developed through internal agency review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wess Safford, 11815 N.E. 99th Street, Suite 1294, Vancouver, WA 98682, phone (360) 574-3058 ext. 126, e-mail wess@swcleanair.org.

June 23, 2011

Robert D. Elliot

Executive Director

WSR 11-14-050**PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD**

[Filed June 29, 2011, 11:25 a.m.]

Subject of Possible Rule Making: WAC 314-11-015
What are my responsibilities as a liquor licensee?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.28.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is the result of a stakeholder request to allow entertainers to consume alcohol while performing on a liquor licensed premises. This activity is currently prohibited in WAC 314-11-015.

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, Agency Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1631, fax (360) 664-9689, e-mail rules@liq.wa.gov.

June 29, 2011

Sharon Foster

Chairman

WSR 11-14-070**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed June 30, 2011, 10:29 a.m.]

Subject of Possible Rule Making: Chapter 196-30 WAC, Fees for on-site wastewater treatment designers and inspectors.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.24.086, 18.43.035, and 18.210.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This existing rule needs to be revised to reflect passage of HB 1061, signed by the governor May 5, 2011. The implementation plan calls for adoption of reduced fees that will become effective on or after January 1, 2012.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting George A. Twiss, Executive Director, Board of Registration for Professional Engineers and Land Surveyors, P.O. Box 9025, Olympia, WA 98507-9025, phone (360) 664-1565, fax (360) 664-2551, e-mail engineers@dol.wa.gov. Comments may be submitted through regular mail, fax or e-mail. Draft language of rule amendments will be distributed to the board's list of interested persons (listserv).

June 30, 2011
Ben T. Shomshor
Rules Coordinator

WSR 11-14-097
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Financial Services Administration)

[Filed July 1, 2011, 2:01 p.m.]

Subject of Possible Rule Making: The department is amending chapter 388-02 WAC, notice of where rules of health care authority are located in WAC and adoption of no wrong door provisions for hearings before more than one agency.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Section 53, chapter 15, Laws of 2011, effective July 1, 2011, RCW 34.05.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: An amendment to WAC 388-02-0005 would direct our customers to a new rule chapter adopted in order to implement a statute that is effective July 1, 2011. The new section WAC 388-02-0387 is intended to implement the governor's "no wrong door" policy and allow petitions for review filed with DSHS in matters in which an applicant or recipient of medical services programs set forth in chapter 74.09 RCW seeks review of decisions made by more than one agency to go forward.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Marjorie R. Gray, Office Building II, 1115 Washington Street S.E., Olympia, WA 98504, phone (360) 664-6062, fax (360) 664-6187, e-mail Marjorie.gray@dshs.wa.gov.

July 1, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-14-098
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Child Support)

[Filed July 1, 2011, 2:13 p.m.]

Subject of Possible Rule Making: New sections and/or amendments in chapter 388-14A WAC, to implement sections 9, 10 and 11 of ESSB 5921 (chapter 42, Laws of 2011).

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESSB 5921 (chapter 42, Laws of 2011), RCW 34.05.020, 34.05.220, 74.08.090, 74.20.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules are necessary to implement sections 9, 10 and 11 of ESSB 5921 (chapter 42, Laws of 2011), under which recipients of child care subsidies or working connections child care (WCCC) subsidies are required to apply for child support enforcement services and cooperate with the department of social and health services (DSHS) division of child support (DCS) unless granted good cause not to do so. These rules deal with how DCS will implement ESSB 5921, and the department of early learning (DEL) will adopt its own eligibility rules. DCS will notify the community services division (CSD), which deals with eligibility for child care subsidies or WCCC subsidies under rules adopted by DEL. Any sanctions for failure to cooperate with DCS will be determined under DEL rules and will be imposed by CSD.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DCS is working with CSD and DEL as we implement ESSB 5921.

Process for Developing New Rule: DCS engages in modified collaborative rule making. Those persons wishing to participate in developing the new rules are encouraged to contact Nancy Koptur at the DSHS/DCS headquarters as soon as possible. DCS will post information regarding this rule development project and others on its web site, which can be found at <http://www.dshs.wa.gov/dcs/>, or on the DSHS economic services administration's policy review web site, which can be found at <https://fortress.wa.gov/dshs/f2ws03esaapps/extpolicy/>. DSHS/DCS encourages the public to take part in developing the rules. After the rules are drafted, DSHS will file a copy with the office of the code reviser with a notice of proposed rule making, and will send a copy to everyone currently on the mailing list and to anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nancy Koptur, Rules Coordinator, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, e-mail nkoptur@dshs.wa.gov or nancy.koptur@dshs.wa.gov, phone (360) 664-5065, toll-free 1-800-457-6202, fax (360) 664-5342, TTY/TDD (360) 664-5011.

July 1, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-14-104
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed July 5, 2011, 1:13 p.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Teacher preparation programs—Higher education programs standards, criteria, infrastructure and timelines for approval.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is responsible for teacher certification and preparation programs. The legislature continually directs the activities of teacher preparation and qualifications. Rule-making authority is granted to the PESB for Title 181 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

July 5, 2011
 David Brenna
 Legislative and
 Policy Coordinator

WSR 11-14-105
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed July 5, 2011, 1:18 p.m.]

Subject of Possible Rule Making: Chapter 181-79A WAC, Standards for teacher, administrator, and educational staff associate certification—Certification requirements related to professional certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.410.010, and 28A.150.-220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules for teacher, administrator, education staff associates certification. Addresses requirements for teachers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication. Professional educator standards board meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

July 5, 2011
 David Brenna
 Legislative and
 Policy Coordinator

WSR 11-14-107
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed July 5, 2011, 4:39 p.m.]

Subject of Possible Rule Making: The form, display, procedures, fees, and rules for recreational licenses, permits, tags, stamps, and raffle tickets issued by authorized officials.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047, 77.32.050, and 77.32.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Provides clarification on licensing regulations, and updates rules to make them consistent with legislative changes related to fish and wildlife licensing requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of natural resources, department of health, and state parks and recreation commission may have been affected by the statutory changes and will be contacted if these fish and wildlife rules affect them.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nate Pamplin, Wildlife Program Assistant Director, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2515.

July 5, 2011
 Lori Preuss
 Rules Coordinator

WSR 11-14-110
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY

[Order 11-05—Filed July 6, 2011, 8:20 a.m.]

Subject of Possible Rule Making: This rule making will amend the preassessment screening and oil spill compensation schedule (chapter 173-183 WAC) rule to:

- Update the monetary amount of compensation that can be calculated for spills of one thousand gallons or greater in volume. This will change the current range of \$1 to \$100 to a new range of \$3 to \$300 per gallon spilled.

- Amend the mathematical formula multipliers contained in WAC 173-183-830, 173-183-840, 173-183-850 and 173-183-860, to reflect the above update.
- Define persistent oil, nonpersistent oil, primary recovery liquids, secondary recovery liquids, and persistent oil recovery liquids.
- Codify the method to provide credit back to a spiller for their early on-water recovery actions by moving the Resource Damage Assessment Committee Resolution 96-1.1 from guidance into rule (twenty-four hour recovery credit for nonpersistent oils).
- Develop the method to provide credit back to a spiller for their early on-water recovery actions by now allowing for a forty-eight hour recovery credit for persistent oils.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 90.48.366, 90.56.050, 90.48.035, and chapter 122, Laws of 2011 (E2SHB 1186).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In April 2011, the legislature modified the natural resource damage assessment (NRDA) compensation range in RCW 90.48.366 for oil spills of one thousand gallons or more in volume to \$3 to \$300 per gallon of oil spilled. Current formula multipliers in WAC 173-183-830, 173-183-840, 173-183-850, and 173-183-860 are mathematically incapable of achieving the full range of compensation now required in state law. This rule making would amend the natural resource damage liability formula multipliers for calculation of damages from oil so that the full range of compensation provided in RCW 90.48.366 can be realized. Multiplier descriptions will show the new multiplier. Additionally, the legislature allowed a reduction in the amount of the assessment if spillers of persistent oil recover the spilled oil within forty-eight hours (recovery credit). Ecology currently uses a recovery credit method for all oil types recovered from the water within twenty-four hours. This rule making would move the current guidance method into rule and incorporate the new forty-eight hour requirement now set in law. Definitions for persistent oil, nonpersistent oil, primary recovery liquids, secondary recovery liquids, and persistent oil recovery liquids will be added to the rule.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington resource damage assessment (RDA) committee is responsible for determining which method to use for assessing natural resource damages following an oil spill in state waters. The RDA committee includes representatives from the departments of ecology, fish and wildlife, natural resources, health, archaeology and historic preservation and the state parks and recreation commission. Federal trustee agencies that often attend RDA committee meetings include the National Oceanic and Atmospheric Administration and the United States Fish and Wildlife Service. Coordination and communication with these and other agencies regarding this rule making will occur through regular RDA committee meetings. Additionally, the United States Coast Guard (USCG) has shown interest in this rule making. Communications with the USCG about this rule making can happen during regularly scheduled quarterly meetings. Tribes

have some trustee responsibilities. Ecology will communicate with them in regular updates sent by a listserv.

Process for Developing New Rule: This rule making is to amend an existing rule. Ecology is seeking input from the public, industry, environmental groups, and tribal, state, and federal representatives. A minimum of one public hearing will be conducted. The proposed amendments will be provided to all parties that have identified themselves as interested in this rule making, and will be posted on the internet at <http://www.ecy.wa.gov/programs/spills/rules/main.html>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rebecca Post, Washington Department of Ecology Spills Program, P.O. Box 47600, Olympia, WA 98504, phone (360) 407-7114, fax (360) 407-7288, e-mail rulemaking2011@ecy.wa.gov.

July 6, 2011

David Byers

for Dale Jensen
Program Manager

WSR 11-14-111

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF ECOLOGY

[Order 11-06—Filed July 6, 2011, 8:22 a.m.]

Subject of Possible Rule Making: Ecology is proposing to amend the oil spill contingency planning rule (chapter 173-182 WAC) to implement chapter 122, Laws of 2011 (E2SHB 1186). This rule making will:

- Update state oil spill preparedness planning standards to incorporate best achievable protection and best available technology.
- Improve the state's current vessels of opportunity system.
- Establish a volunteer coordination system.
- Require joint large-scale equipment deployment drills from tank vessels.
- Improve the state-required notification process to include potential spill threats as well as actual spills.
- Change contingency plan requirements for nonprofit "umbrella" organizations.
- Update definitions.
- Make other changes related to oil spill contingency plans and ecology's contingency plan review and approval process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 88.46, 90.48, 90.56 RCW, and chapter 122, Laws of 2011 (E2SHB 1186) authorizes and directs the department of ecology to implement rules on this subject.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In April 2011, the legislature adopted E2SHB 1186. Rule revisions are needed to update vessel planning standards to ensure that the state has a response system that can operate safely and continuously at night, and during inclement weather conditions, such as, rain, fog, waves and high currents. Additionally, this rule making

is needed to enhance the state's vessels of opportunity system, volunteer coordination system, drill program, notification requirements, and contingency plan requirements for non-profit "umbrella" organizations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Coast Guard and the state of Oregon broadly regulate many of the same entities. Ecology will include representatives from the United States Coast Guard and Oregon in stakeholder groups to ensure that we receive their input and advice, as well as, ensure that our standards are compatible and coordinated with federal and Oregon contingency planning standards.

Process for Developing New Rule: This rule making is to amend an existing rule. During the rule-making process, ecology will share draft language, and seek input and expert advice from stakeholders - including representatives from the oil industry, the Puget Sound partnership and its oil spill work group, environmental groups, tribes, state agencies, and the federal agencies. Ecology expects to seek input and advice, and schedule stakeholder meetings in early 2012. Further, ecology will prepare press releases, focus sheets and other explanatory materials for distribution to mailing and e-mail lists. In addition, information will be posted on our web site that details the process and opportunities for involvement. Ecology will seek comments on an informal draft prior to issuing a formal proposed rule. After a formal proposed rule has been released ecology will hold at least two public hearings.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ben Rau, Washington Department of Ecology Spills Program, P.O. Box 47600, Olympia, WA 98504, phone (360) 407-7238, fax (360) 407-7288, e-mail rulemaking2011@ecy.wa.gov. Ecology intends to involve stakeholders and interested parties through an open and collaborative process. Ecology has established a listserv and web site which will be used to provide stakeholders and interested parties with updates on the process: Web site <http://www.ecy.wa.gov/programs/spills/rules/main.html> and list-serv <http://listserv.wa.gov/cgi-bin/wa?A0=SPILLS-PROGRAM>.

July 6, 2011
David Byers
for Dale Jensen
Program Manager
Spills Prevention,
Preparedness and Response

WSR 11-14-113
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2011-11—Filed July 6, 2011, 9:28 a.m.]

Subject of Possible Rule Making: Grievance and appeal process requirements for health carriers and health plans.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Affordable Care Act (ACA) became effective March 23, 2010. The ACA includes consumer protection elements, one of which requires carriers and plans to provide internal and external appeal processes. The proposed rule making will align chapter 284-43 WAC, with the federal requirements, creating consistent standards for carriers and plans.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal Department of Health and Human Services issued regulations implementing the ACA that will form the basis for the proposed rule making. The commissioner will continue to monitor federal guidance on appeal process requirements.

The Washington state department of health provides regulatory oversight of the independent review organizations (IRO) required for external appeals. The commissioner has met and reviewed the elements of the federal requirements with department of health. Coordination will continue through e-mail, telephone and in person meetings with the department of health.

Process for Developing New Rule: Notice and comment, submit written comments by August 31, 2011.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Meg L. Jones, P.O. Box 40258, Olympia, WA 98504, (360) 725-7170, fax (360) 725-7170, e-mail megj@oic.wa.gov.

July 6, 2011
Mike Kreidler
Insurance Commissioner

WSR 11-14-115
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed July 6, 2011, 9:42 a.m.]

Subject of Possible Rule Making: The community services division is proposing changes and additions to WAC 388-478-0005 Cash assistance need and payment standards and grant maximum, and any other related rules, to reduce the cash assistance grant maximum to \$726.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08A.-100, 74.04.770, and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will propose amendments and additions to WAC 388-478-0005, and any other related rules, in order to reduce the cash assistance grant maximum to \$726 to address a growing WorkFirst budget shortfall, driven by increased demand for services by families affected by the economic recession as described in

the "WorkFirst Reductions" announcement dated March 4, 2011.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sandra Jsames, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4648, fax (360) 725-4905, e-mail jsamesm@dshs.wa.gov.

July 6, 2011

Katherine I. Vasquez
Rules Coordinator

WSR 11-14-119

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed July 6, 2011, 10:37 a.m.]

Subject of Possible Rule Making: Establishment of an additional assessment pursuant to RCW 15.88.110 and 66.24.215 on vinifera grapes and wine produced. Approval of the additional assessment would be approved by referendum vote of affected producers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW, RCW 15.88.110, 66.24.215.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The additional assessment would be used to award funds to the Richland Public Development Authority for the purpose of financing a portion of the Washington State Wine Science Center construction project proposed to be built on Port of Benton land. The Wine Science Center will house a world-class wine research and education program managed by Washington State University.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The wine commission will work with the liquor control board in the collection of the additional assessments if approved.

Process for Developing New Rule: Members of the agency and Washington wine commission will develop the rule proposal and will communicate with stakeholders regarding the proposal. Interested parties can participate in the public hearing/public comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kelly Frost, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-

2560, phone (360) 902-1802, fax (360) 902-2092, e-mail kfrost@agr.wa.gov.

July 6, 2011
Dan Newhouse
Director

WSR 11-14-122

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed July 6, 2011, 11:05 a.m.]

Subject of Possible Rule Making: Title 308 WAC, Department of licensing (DOL), to include but not limited to WAC 308-94A-005 Certificates of ownership and registration.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is required to comply with SSB 5800 of the 62nd legislature passed during the 2011 legislative session.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DOL welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DOL will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Debra K. Then, Research Analyst, Program and System Support, Mailstop 48205, P.O. Box 9037, Olympia, WA 98507-9037, or by phone (360) 902-4094, fax (360) 902-7821, TTY (360) 664-8885, e-mail dthen@dol.wa.gov.

July 6, 2011
Ben T. Shomshor
Rules Coordinator

WSR 11-14-123

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF

FINANCIAL INSTITUTIONS

(Division of Consumer Services)

[Filed July 6, 2011, 11:34 a.m.]

Subject of Possible Rule Making: Amending the rules (chapter 208-660 WAC) under the Mortgage Broker Practices Act (chapter 19.146 RCW).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.320 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules for renewal must

be amended to require that renewal candidates continue to meet the same standards for licensing as those required at the initial licensing. Without this amendment, a renewal candidate may renew without meeting the stricter initial licensing requirements. Renewing under lesser standards creates a public safety concern. OFM Guideline 3.d.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal SAFE Act regulated by HUD has the stricter renewal requirements; amending the state rules will create consistency between the state and federal rules.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Elizabeth Hampton, Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200, (360) 902-8786, elizabeth.hampton@dfi.wa.gov, DFI web site www.dfi.wa.gov, listserv subscription.

July 6, 2011

Deborah Bortner, Director
Division of Consumer Services

WSR 11-14-127
PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS

[Filed July 6, 2011, 11:58 a.m.]

Subject of Possible Rule Making: Chapter 196-32 WAC, On-site wastewater treatment system designer licenses/inspector certificates of competency.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 18.210 and 18.43 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This existing rule needs to be revised to reflect passage of HB 1061, signed by the governor May 5, 2011. The implementation plan calls for adoption of the revised requirements for licensure that will become effective on or after January 1, 2012.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting George A. Twiss, Executive Director, Board of Registration for Professional Engineers and Land Surveyors, P.O. Box 9025, Olympia, WA 98507-9025, phone (360) 664-1565, fax (360) 664-2551. Comments may be submitted through regular mail, fax or e-mail. Draft language of rule amendments will be distributed to the board's list of interested persons (listserv).

July 6, 2011

George A. Twiss
Executive Director

