

**WSR 24-09-005
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Filed April 4, 2024, 8:27 a.m.]

HB [2SHB] 2151 reassigned the accreditation of private cannabis laboratories, starting on July 1, 2024, from the department of ecology (ecology) to the Washington state department of agriculture. Because of this, ecology is withdrawing the CR-101 rule announcement related to this program filed on June 21, 2023, as WSR 23-13-116.

Annette Hoffmann
Program Manager
Environmental Assessment Program

WSR 24-09-006
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed April 4, 2024, 11:59 a.m.]

Subject of Possible Rule Making: WAC 182-543-1000 Medical equipment, supplies, and appliances—Definitions; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority (agency) is amending this rule to update medical equipment, supplies, and appliances definitions to align with industry standard. During the course of this review, the agency may identify additional related changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Centers for Medicare and Medicaid Services.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Valerie Freudenstein, Rule-Making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, telecommunication[s] relay service (TRS) 711, email valerie.freudenstein@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Dani Crawford, Program Questions, 626 8th Avenue S.E., Olympia, WA 98504, phone 360-725-0983, fax 360-586-9727, TRS 711, email dani.crawford@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

April 4, 2024
Wendy Barcus
Rules Coordinator

WSR 24-09-012
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed April 5, 2024, 11:18 a.m.]

Subject of Possible Rule Making: Clarifying "culturally congruent care" in chapter 246-835 WAC, Birth doula. The department of health (department) is considering amendments to WAC 246-835-010 Definitions, and 246-835-025 Culturally congruent ancestral practices, training, and education, to clarify the definition of "culturally congruent care" and to ensure education and training requirements related to "culturally congruent care" are clear.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.47.030 and 18.47.800.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amendments to address concerns expressed by the Doulas For All Coalition and other interested parties regarding the definition of "culturally congruent care" and the use of the term in WAC 246-835-025. The department also received a petition request in February of 2024 requesting that the department update the definition of "culturally congruent care." Amending WAC 246-835-025 and the definition of "culturally congruent care" could address concerns raised by interested parties by clarifying the practice of "culturally congruent care" and the required competencies for a birth doula seeking state certification.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kim-Boi Shadduck, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2912, fax 360-236-2901, TTY 711, email kimboi.shadduck@doh.wa.gov, website www.doh.wa.gov, <https://public.govdelivery.com/accounts/WADOH/subscriber/new> [<https://public.govdelivery.com/accounts/WADOH/subscriber/new>].

Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting rules workshops with the interested parties. Rule-making notices will be delivered via the GovDelivery list. To receive notices, please go to <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions" and then check "Birth Doula." You may also check the box next to one or more of the other professions or facilities listed to received information related to that specific topic.

April 5, 2024
Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

WSR 24-09-014
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed April 5, 2024, 11:24 a.m.]

Subject of Possible Rule Making: Genetic counselor; removing licensure barriers and updates to align rules with recent legislation. The department of health (department) is considering amendments to genetic counselor licensure requirements in WAC 246-825-080 Licensure by endorsement, to comply with 2SHB 1724 (chapter 425, Laws of 2023).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.290.020; and 2SHB 1724, (chapter 425, Laws of 2023).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Section 8 of 2SHB 1724 directs all disciplining authorities for licensed professionals to waive education, training, experience, and exam requirements for applicants who have been credentialed in another state or states with substantially equivalent standards for at least two years immediately preceding their application with no interruption in licensure for longer than 90 days.

The intent of the bill is to make disciplining authorities review and adjust licensure requirements to remove barriers to entering and remaining in the health care workforce, and to streamline and shorten the credentialing process. Rule making may be necessary to amend licensure requirements in WAC 246-825-080 to align with section 8 of 2SHB 1724.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kim-Boi Shadduck, Program Manager, Office of Health Professions, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2912, fax 360-236-2901, TTY 711, email kimboi.shadduck@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting rules workshops with the interested parties and subject matter experts. The department will use the GovDelivery genetic counselors program list to inform interested parties of opportunities to provide input on proposed rule language.

To receive notices, please go to <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions" and then check "Genetic Counselors Program." You may also check the box next to one or more of the other professions or facilities listed to receive information related to that specific topic.

April 5, 2024
Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

WSR 24-09-033

PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY

[Order 24-02—Filed April 11, 2024, 7:06 a.m.]

Subject of Possible Rule Making: The department of ecology (ecology) is considering amendments to chapters 173-446 and 173-441 WAC that would facilitate the option of linking Washington's carbon market with the California-Québec carbon market, and to make related changes to these chapters necessary for linkage.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70A.65 RCW, Greenhouse gas emissions—Cap and invest program, as amended, and RCW 70A.15.2200, as amended.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As required by the Climate Commitment Act (CCA), ecology is investigating the option of linking Washington's cap-and-invest program carbon market with the California-Québec carbon market. In a linked cap-and-invest program, Washington's carbon market would combine with the joint California-Québec market to create a single shared market with joint allowance auctions and a common allowance price across all jurisdictions. Allowances could be traded across jurisdictions and used to cover emissions in any of the three jurisdictions. As part of this effort, the legislature passed legislation in 2024 modifying the CCA in ways that facilitate linkage (E2SSB 6058). This rule making is needed to modify chapters 173-446 and 173-441 WAC to implement these legislative changes as well as to make other changes to these rules necessary to facilitate linkage. These rule changes do not constitute linkage, nor do they require linkage or do anything that would make linkage inevitable. Additional steps would be needed, outside of the Washington rule-making process, to establish linkage, including signing on to a linkage agreement.

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

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nikki Harris, Department of Ecology, Climate Pollution Reduction Program, P.O. Box 47600, Olympia, WA 98504-7600, phone 360-764-6018, Washington relay service or TTY call 711 or 877-833-6341, email CCALinkage@ecy.wa.gov, website <https://ecology.wa.gov/regulations-permits/laws-rules-rulemaking/rulemaking/WAC-173-441-446-Linkage>.

Additional comments: Interested parties can stay informed about the rule making and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

Ecology will conduct an environmental justice assessment in accordance with RCW 70A.02.060 as a part of this rule making.

April 11, 2024

Joel Creswell

Climate Pollution Reduction Program Manager

WSR 24-09-039
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed April 12, 2024, 9:56 a.m.]

Subject of Possible Rule Making: The division of child support (DCS) is proposing to amend WAC 388-14A-3375 What kinds of credits does the division of child support give when establishing or enforcing an administrative support order?, and other related rules as required to reflect the 2020 repeal of public assistance standards on which DCS calculates a credit available during administrative support establishment procedures to a paying parent for payments towards shelter care.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 26.23.110, 34.05.220, 74.08.090, and 74.20A.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: When establishing administrative support orders, DCS is authorized by law to provide several different types of credits towards a noncustodial parent's support obligation. One such credit is for shelter care, either based on public assistance standards or one-half of the actual shelter payment. These public assistance standards referenced in WAC 388-14A-3375 were established by the community services division in WAC 388-478-0010, and have since been repealed due to legislative changes in the 2020 supplemental budget (ESSB 6168, chapter 357, Laws of 2020) with WSR 20-20-007.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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 Monica Turnbaugh at the department of social and health services (DSHS) DCS headquarters as soon as possible. DCS will post information regarding this rule development project and others on its website, which can be found at <https://www.dshs.wa.gov/esa/division-child-support> or on the DSHS economic services administration's policy review website, which can be found at <https://fortress.wa.gov/dshs/f2ws03esaapps/extpolicy/>.

Rule-making forms and draft rules may also be found on the DSHS filings and rules page at [https://www.dshs.wa.gov/office-of-the-secretary/filings-and-rulings?](https://www.dshs.wa.gov/office-of-the-secretary/filings-and-rulings?field_type_value=Preproposal+Statement+of+Inquiry+%28CR-101%29&field_admincategory_value=Economic+Services)

[field_type_value=Preproposal+Statement+of+Inquiry+%28CR-101%29&field_admincategory_value=Economic+Services](https://www.dshs.wa.gov/office-of-the-secretary/filings-and-rulings?field_type_value=Preproposal+Statement+of+Inquiry+%28CR-101%29&field_admincategory_value=Economic+Services).

DCS encourages the public to take part in developing 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 Monica Turnbaugh, DCS Rules Coordinator, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone 360-664-5339, fax 360-664-5342, TTY 1-800-833-6384, email Monica.Turnbaugh@dshs.wa.gov.

April 12, 2024
Katherine I. Vasquez
Rules Coordinator

WSR 24-09-048
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed April 15, 2024, 10:26 a.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is planning to amend WAC 388-310-0800 WorkFirst—Support services, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120, and 74.08A.250.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Effective July 1, 2024, planned amendments will restore WorkFirst support services to address housing and utility needs for participants. If applicable, these amendments will make additional changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations. Funding for these services is supported within the WorkFirst spending plan for state fiscal year 2025.

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 Gary Fryer, P.O. Box 45470, Olympia, WA 98504-5470, phone 253-720-5306, fax 360-725-4905, email gary.fryer@dshs.wa.gov.

April 15, 2024
Katherine I. Vasquez
Rules Coordinator

WSR 24-09-049
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed April 15, 2024, 10:29 a.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is planning to amend WAC 388-432-0005 Can I get help from DSHS for a family emergency without receiving monthly cash assistance?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.08A.210.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Effective January 1, 2025, planned amendments will implement HB 2415 (chapter 154, Laws of 2024) and increase the maximum diversion cash assistance payment from \$1,250 to \$2,000. If applicable, amendments will make additional changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations.

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 Sarah Garcia, P.O. Box 45470, Olympia, WA 98504-5470, fax 360-522-2214, email Sarah.Garcia@dshs.wa.gov.

April 15, 2024
Katherine I. Vasquez
Rules Coordinator

WSR 24-09-050
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed April 15, 2024, 10:58 a.m.]

Subject of Possible Rule Making: Updating licensure by endorsement requirements for birth doulas. The department of health (department) is considering amendments to the birth doula certification requirements in WAC 246-835-040 Applicants currently certified in other states or territories, to comply with 2SHB 1724 (chapter 425, Laws of 2023).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.47.800; and 2SHB 1724 (chapter 425, Laws of 2023).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Section 8 of 2SHB 1724 directs all disciplining authorities to waive education, training, experience, and exam requirements for applicants who have been credentialed in another state or states with substantially equivalent standards for at least two years immediately preceding their application with no interruption in certification for longer than 90 days.

The intent of the bill was to make disciplining authorities review and adjust certification requirements to remove barriers to entering and remaining in the health care workforce, and to streamline and shorten the credentialing process. Rule making is necessary to amend certification requirements in WAC 246-835-040 to align with section 8 of 2SHB 1724.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kim-Boi Shadduck, Program Manager, Office of Health Professions, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2912, fax 360-236-2901, TTY 711, email kim-boi.shadduck@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties can participate in drafting the proposed rules. The department will be conducting rules workshops with the interested parties and subject matter experts. The department will use the GovDelivery birth doula program list to inform interested parties of opportunities to provide input on the proposed rule language.

To receive notices, please go to <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next, click open on the box labeled "Health Professions," and then click "Birth Doula Program." You may also check the box next to one or more of the other professions or facilities listed to received information related to that specific topic.

April 15, 2024
Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

WSR 24-09-063
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed April 16, 2024, 9:45 a.m.]

Subject of Possible Rule Making: Monetary penalties and appeals; chapter 296-900 WAC, Administrative rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, 49.17.180, 49.17.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The division of occupational safety and health (DOSH) is initiating rule making to update how certain penalties are calculated in order to make penalties more effective and address concerns raised through the Occupational Safety and Health Administration (OSHA) State Activities Mandated Measures (SAMM) report that Washington penalties continue to be below the national average. OSHA uses the SAMM report to determine whether state plans are as-effective-as OSHA. Changes considered under this rule making include adding inflation adjustments to the penalty calculations.

In addition, state-initiated amendments will also be proposed to address other areas and make housekeeping updates in chapter 296-900 WAC relating to penalties and appeals.

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

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cynthia Ireland, Administrative Regulations Analyst, Department of Labor and Industries, DOSH, P.O. Box 44620, Olympia, WA 98504-4620, phone 360-791-5048, fax 360-902-5619, email Cynthia.Ireland@Lni.wa.gov, website Rulemaking Activity at L&I (wa.gov).

April 16, 2024
Joel Sacks
Director

WSR 24-09-067
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed April 16, 2024, 11:01 a.m.]

Subject of Possible Rule Making: Chapter 246-275 WAC, On-site nonpotable water systems. The department of health (department) is considering adopting a new chapter to Title 246 WAC, Department of health. The rules may establish general administrative procedures, including for waivers and extensions of compliance, treatment and performance requirements, including risk-based log reduction targets for the removal of pathogens; allowable source water, end uses, and implementation scales; design and construction standards; cross-connection control requirements; permitting; water quality standards; monitoring; reporting and recordkeeping; operation and maintenance, including for qualified operators and O&M manual contents; malfunction notification and user confidence requirements; and enforcement, violations, and fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESHB 1180 (chapter 156, Laws of 2021) codified as RCW 90.46.290 and 43.70.250.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 1184 (chapter 156, Laws of 2021) directed the department to adopt these rules to protect and improve public health, protect and enhance the environment and conserve potable (drinking) water where nonpotable (not drinkable) water can safely be used on site or nearby. Rules may be needed to establish comprehensive standards for a statewide on site nonpotable water systems program in Washington.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of ecology, Washington state building code council, as well as local health jurisdictions with plumbing code enforcement authority. The department will invite participation on the rule advisory committee and offer opportunities for review and commenting on drafts as they are developed.

Process for Developing New Rule: Collaborative rule making using the National Blue-Ribbon Commission for On-site Nonpotable Water System model rules and consultation with affected agencies and interested parties. Rule-making notices will be delivered via GovDelivery to various general interest and environmental public health lists. The department will also keep interested parties informed of the rule development process by posting information on the department's rule-making web page. Affected agencies and interested parties will have the opportunity to provide comments throughout the rule-making process, during the formal comment period, and at the public hearing. The department may also hold workshops throughout the rule-making process to solicit feedback.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jocelyn W. Jones, P.O. Box 47820, Olympia, WA 98504-7820, phone 360-236-3020, TTY 711, email jocelyn.jones@doh.wa.gov, website <https://doh.wa.gov/community-and-environment/wastewater-management/rules-and-regulations/onsite-nonpotable-water-systems-rulemaking>; or Mamdouh El-Aarag, phone 509-329-2148, TTY 711, email mamdouh.el-aarag@doh.wa.gov.

Additional comments: To receive notices, interested people may sign up for the on-site nonpotable water systems rule-making listserv at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

April 16, 2024
Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

WSR 24-09-068
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed April 16, 2024, 11:02 a.m.]

This memo serves as notice that the department of health (department) is withdrawing the CR-101 for chapter 246-275 WAC, On-site nonpotable water systems (ONWS), which was filed August 9, 2021, and published as WSR 21-17-040.

The department is withdrawing this CR-101 because the scope of the possible rule making was too narrow. Initially, the department anticipated the rule making would only set risk-based water quality and construction standards. However, during consultation with the ONWS rule advisory committee, it became clear that if the ONWS chapter was more comprehensive and included more than the risk-based water quality and construction standards, we could better ensure statewide consistency and reduce the regulatory burden on small businesses, designers, engineers, installers, and local health jurisdictions. The department is filing a new CR-101 with a broader scope to develop a more comprehensive ONWS rule.

Individuals requiring information on this rule should contact Jocelyn Jones, rule project coordinator, at 360-236-3020, jocelyn.jones@doh.wa.gov.

Tami M. Thompson
Regulatory Affairs Manager

WSR 24-09-075
PREPROPOSAL STATEMENT OF INQUIRY
PARKS AND RECREATION
COMMISSION

[Filed April 17, 2024, 9:00 a.m.]

Subject of Possible Rule Making: State parks staff will review WAC 352-32-010.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 79.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This is to update the definition of residence that references WAC 352-32-030 Camping stay limits. This is to align with the same updates we are proposing to WAC 352-32-030

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 Emily Weathers, Operations Division, 1111 Israel Road S.W., Olympia, WA 98504-2650, phone 360-902-8848, TTY 800-833-6388, email Emily.Weathers@parks.wa.gov, website www.parks.wa.gov.

April 17, 2024
Valeria Veasley
Management Analyst

WSR 24-09-076

PREPROPOSAL STATEMENT OF INQUIRY

TACOMA COMMUNITY COLLEGE

[Filed April 17, 2024, 9:11 a.m.]

Subject of Possible Rule Making: Rule changes to Tacoma Community College's (TCC) hazing policy and procedures, Title 132V WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140, 28B.10.900, 28B.10.904, 28B.10.906; chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To bring TCC's hazing WAC into compliance with the antihazing provisions of SHB 1751 and RCW 28B.10.900 through [28B.10].902.

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 Natalie Boes, 6501 South 19th Street, Tacoma, WA 98466, phone 253-566-5169, email nboes@tacomacc.edu.

April 17, 2024
Natalie Boes
Rules Coordinator

WSR 24-09-077

PREPROPOSAL STATEMENT OF INQUIRY

TACOMA COMMUNITY COLLEGE

[Filed April 17, 2024, 9:12 a.m.]

Subject of Possible Rule Making: Rule changes to Tacoma Community College's (TCC) student conduct code and procedures and hazing policy and procedures, Title 132V WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140, 28B.10.900, 28B.10.904, 28B.10.906; chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To bring TCC's student conduct code into compliance with Title IX federal regulations under 34 C.F.R. § 106, the anti-hazing provisions of SHB 1751 and RCW 28B.10.900 through [28B.10].902, and to bring adjudicative procedures into compliance with the Administrative Procedure Act, chapter 34.05 RCW, and to clarify and streamline agency procedures.

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 Natalie Boes, 6501 South 19th Street, Tacoma, WA 98466, phone 253-566-5169, email nboes@tacomacc.edu.

April 17, 2024
Natalie Boes
Rules Coordinator

WSR 24-09-080

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF AGRICULTURE

[Filed April 17, 2024, 10:00 a.m.]

Subject of Possible Rule Making: Chapter 16-752 WAC, Noxious weed seed and plant quarantine. In response to petitions received, the department of agriculture (department) is considering adding additional species to the noxious weed seed and plant quarantine, which would prohibit their sale and distribution.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 17.10.074, 17.24.011, and 17.24.041.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The intrusion into this state of nonnative, invasive weed species continues to be a concern. The spread of these weeds presents a risk to the economic well-being of the agricultural, forest, horticultural, and floricultural industries, and the environmental quality and natural resources of the state. Several of the plant species being considered are transported and sold within the state of Washington both as nursery plants and as seeds in packets. The subsequent "escape" of these plants has been a documented source of several infestations and has resulted in large public and private expenditures by landowners and land managers, weed boards, and weed districts to control. Initiating quarantines forbidding entry or distribution of weed species may be critical for their exclusion or control.

Some of the candidate species are either already listed or are being considered for listing as a noxious weed in chapter 16-750 WAC, the state noxious weed list. Being listed as a noxious weed allows counties to enforce control if it is deemed necessary and sometimes requires control. Being listed as a noxious weed on the state noxious weed list doesn't prohibit its sale, allowing consumers to buy a plant species that the state or county may require them to remove. Adding a plant species to the noxious weed seed and plant quarantine would prevent this from happening.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state noxious weed control board.

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholder groups. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Brooks, Plant Services Program Manager, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-485-1235, fax 360-902-2094, TTY 800-833-6388 or 711, email sbrooks@agr.wa.gov, website <https://agr.wa.gov/services/rulemaking>; or Greg Haubrich, Assistant Director, Plant Protection Division, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-902-2071, fax 360-902-2094, TTY 800-833-6388 or 711, email ghaubrich@agr.wa.gov, website <https://agr.wa.gov/services/rulemaking>.

April 5, 2024
Greg Haubrich
Assistant Director

WSR 24-09-082

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LICENSING

[Filed April 17, 2024, 11:12 a.m.]

Subject of Possible Rule Making: Create a new chapter in Title 308 WAC to define business rules, guidelines, and the process for conducting administrative reviews and administrative interviews.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.20.245, 46.20.289, 46.20.291, 46.20.2892; WAC 308-104-025, 308-104-160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Administrative reviews and interviews occur when individuals contest actions made by the department of licensing (department) that impact their eligibility to operate a motor vehicle. Although administrative reviews and interviews are defined in RCW 46.20.245, the specifics of conducting the document review or interview must be defined by the department, and applicable business area. Standard procedures will include eligibility, evidence to be reviewed, authority of the review, and other legal remedies available post-review.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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 Colton Myers, 1125 Washington Street S.E., Olympia, WA 98504, phone 360-634-5094, email rulescoordinator@dol.wa.gov [rulescoordinator@dol.wa.gov], website dol.wa.gov/rulemaking; or Marta Reinhold, 1125 Washington Street S.E., 4th Floor E, Olympia, WA 98504, phone 360-664-1488, fax 360-570-4950, email MReinhold@dol.wa.gov, hearings@dol.wa.gov.

April 17, 2024

Ellis Starrett

Rules and Policy Manager

WSR 24-09-083

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LICENSING

[Filed April 17, 2024, 11:14 a.m.]

Subject of Possible Rule Making: Definitions related to vehicle dealers and manufacturers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 Rule-making authority, and 46.70.160 Rules and regulations.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, there is ambiguity in the definition of a vehicle dealer versus a manufacturer, and what activities each business type is allowed to participate in. This has led to confusion and issues amongst industry members, requiring opinions from the attorney general's office. The department of licensing is considering rule making to further define each type of business practice to provide clarity for industry members on allowable activities.

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 Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98504, phone 360-902-3846, email rulescoordinator@dol.wa.gov, website dol.wa.gov/about/rulemaking-activity; or Kathe McDaniel, 405 Black Lake Boulevard S.W., Olympia, WA 98502, phone 360-664-1386, email kmcdaniel@dol.wa.gov.

April 17, 2024
Ellis Starrett
Rules and Policy Manager