

WSR 06-08-015**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

[Filed March 23, 2006, 3:55 p.m.]

Subject of Possible Rule Making: WAC 246-338-022, 246-338-024 and 246-338-990, medical test site fees and due dates.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.42.090 Medical test site fees—Account.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A change in due dates for license and renewal fees is necessary to bring the medical test site fee funding cycle in line with the allotment cycle. The funding cycle currently begins sixteen months after the beginning of the biennial funding cycle. The department anticipates changing the expiration dates in the fee sections from October 31 in even numbered years to June 30 in odd numbered years.

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, the department will involve stakeholders in the rule-making process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Yvette Fox, Department of Health, P.O. Box 47872, Olympia, WA 98504-7852, phone (360) 236-2928, e-mail yvette.fox@doh.wa.gov.

March 22, 2006

B. White
for Mary C. Selecky
Secretary

WSR 06-08-016**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed March 24, 2006, 9:11 a.m.]

Subject of Possible Rule Making: Adopt rules to allow the commission to implement the recently passed legislation (SSB 6382) that amends [a] section in chapter 67.16 RCW that allows the commission to expend up to \$300,000 of its operating funds, per fiscal year, for the development of the equine industry.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2006 SSB 6382 was signed into law and authorizes the commission to expend \$300,000 from its operating funds for the development of the equine industry, improvement of racing facilities and equine health research. In order to meet the intent of SSB 6382, the commission plans to adopt rules that create a process to determine how to allocate the funds available.

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 Robert J. Lopez, Administrative Services Manager, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, rlopez@whrc.state.wa.us.

March 23, 2006

R. M. Leichner
Executive Secretary

WSR 06-08-027**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed March 28, 2006, 9:55 a.m.]

Subject of Possible Rule Making: Fee increase for private investigator company licenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.165 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The reason for the fee increase is that dedicated fund requires that the program establish and maintain a reasonable fund balance. The fee increase will accomplish meeting this requirement.

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 Mary Haglund, Department of Licensing, P.O. Box 9649, Olympia, WA 98507, e-mail Secularity@dol.wa.gov, (360) 664-6624.

March 21, 2006

Mary Haglund
Program Manager

WSR 06-08-032**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Disability Services Administration)**

[Filed March 28, 2006, 4:31 p.m.]

Subject of Possible Rule Making: WAC 388-105-0005, 388-105-0035, and 388-105-0045 to update rates for vendor rate increase effective July 1, 2006; to remove the construction requirements for receiving a capital add-on rate; and to change the process for determining which assisted living facilities may receive a capital add-on rate based on their Medicaid occupancy.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESSB 6386 supplemental operating appropriations, section 206; chapter 74.39A RCW as amended by ESHB 2925.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These proposed changes

increase the Medicaid per diem rate for boarding homes and adult family homes (AFH) by 1%. The proposed changes also permit the department to pay any assisted living facility with a Medicaid occupancy percentage of 60% or greater as determined by a statutory formula a capital add-on rate for each fiscal year that the assisted living facility qualifies.

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

Process for Developing New Rule: By publishing in the Washington State Register: CR-101 Preproposal statement of inquiry; CR-102 Proposed rule making; and CR-103 Rule making order including a concise explanatory statement. ADSA welcomes the public participation in developing its rule(s). Anyone interested in participating should contact the staff person indicated below. After the rule(s) is drafted, ADSA will send a copy to anyone that contacts the staff person named in the section below allowing them to comment before it publishes the CR-102.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Patricia Hague, Home and Community Rates, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2447, fax (360) 725-2641, e-mail haguepe@dshs.wa.gov.

March 27, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-08-033

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)**

[Filed March 28, 2006, 4:32 p.m.]

Subject of Possible Rule Making: Working connections child care, WAC 388-290-0273 When would my provider be assessed an overpayment?, and other sections as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.12.340, 74.13.085.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: By changing this rule, DSHS would allow WCCC payment and not be required to assess an overpayment to a child care provider if they have sufficient documentation in their attendance records showing the child was in their care.

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

Process for Developing New Rule: All interested parties are invited to review and provide input on the draft language. Obtain draft material by contacting the individual below. At a later date, a draft of this rule will also be posted on the policy proposal comment internet site at <http://www1.dshs.wa.gov/esa/extpolicy/> before the formal rule proposal.

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

lication by contacting Sally Reigel, Division of Child Care and Early Learning, P.O. Box 45480, Olympia, WA 98504-5480, phone (360) 725-4693, e-mail reigesj@dshs.wa.gov.

March 27, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-08-034

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Disability Services Administration)**

[Filed March 28, 2006, 4:33 p.m.]

Subject of Possible Rule Making: The division of developmental disabilities is creating a new chapter 388-831 WAC, Community protection program, to implement ESSB 6630, Laws of 2006.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESSB 6630, Laws of 2006, chapter 71A.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules are needed to implement ESSB 6630 - the establishment of the community protection program. This new chapter describes the rules governing the operating procedures for the community protection program.

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

Process for Developing New Rule: The department welcomes the public to participate in the development of these rules. At a later date, the department will publish proposed rules for public comment, and a public hearing will be held before the rules are adopted as permanent.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Steve Brink, Program Manager, Division of Developmental Disabilities, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3416, fax (360) 407-0955, e-mail brinksc@dshs.wa.gov.

March 27, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-08-041

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed March 30, 2006, 10:51 a.m.]

Subject of Possible Rule Making: Chapter 308-108 WAC, Driver training schools.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.82.290, 46.28.310, 46.28.320, 46.28.330, and 46.28.340.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Adoptions and amendments

to the existing rules are necessary to incorporate program changes made necessary by the enactment of chapter 219, Laws of 2006 (HB 2829).

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 Tana Cochran, Department of Licensing, Driver Training School Program, P.O. Box 9026, Olympia, WA 98507, phone (360) 664-6699, e-mail tchochran@dol.wa.gov, fax (360) 570-4976. Interested parties may send in their comments by mail, phone, facsimile, or e-mail. Additional information will be posted on the driver training school internet web site at <http://www.dol.wa.gov/ds/tse/cdt.htm>.

March 30, 2006
Tana Cochran
Program Manager

WSR 06-08-050

PREPROPOSAL STATEMENT OF INQUIRY

**DEPARTMENT OF
FISH AND WILDLIFE**

[Filed March 30, 2006, 4:44 p.m.]

Subject of Possible Rule Making: Modifying requirements for catch record card.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047 and 77.32.430.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Efforts to improve recreational crab catch estimates through the use of a catch record card are hampered by the current breadth of geographical area included. Rule proposal would limit the geographical area where a Dungeness crab catch record card is required, consistent with the legislatively required endorsement. This proposal will increase the accuracy of the recreational crab catch estimates in Puget Sound.

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 Lew Atkins, Fish Program Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2651. Contact by August 21, 2006. Expected proposal filing on or after August 22, 2006.

March 30, 2006
Evan Jacoby
Rules Coordinator

WSR 06-08-051

PREPROPOSAL STATEMENT OF INQUIRY

**DEPARTMENT OF
FISH AND WILDLIFE**

[Filed March 30, 2006, 4:45 p.m.]

Subject of Possible Rule Making: Rules on the commercial harvest of geoduck clams.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current rules do not provide enough critical definition for geoduck harvest track boundaries thereby allowing boundaries to fluctuate with tidal height. This fluctuation creates inconsistencies with track survey data on allowable harvest estimates and can lead to overharvest. The rule proposal will correct this tendency.

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 Lew Atkins, Fish Program Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2651. Contact by June 19, 2006. Expected proposal filing on or after June 20, 2006.

March 30, 2006
Evan Jacoby
Rules Coordinator

WSR 06-08-061

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LICENSING

[Filed March 31, 2006, 1:52 p.m.]

Subject of Possible Rule Making: New chapter 196-28 WAC, Professional practices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.43.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To better organize existing and future rules that pertain to professional practice of engineers and land surveyors under one chapter heading.

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 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, phone, fax, or e-mail. Draft language of rules will be

posted on the board's web site, <http://www.dol.wa.gov/engineers/engfront.htm>.

March 31, 2006
George A. Twiss
Executive Director

East University Way, Ellensburg, WA 98926-7501, (509) 963-2156, fax (509) 963-3206.

March 29, 2006
Jerilyn S. McIntyre
President

WSR 06-08-062**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed March 31, 2006, 1:52 p.m.]

Subject of Possible Rule Making: Chapter 196-24 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.43.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Repeal of chapter 196-24 WAC, and place existing section into new chapter that better explains subject matter.

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 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, phone, fax, or e-mail. Draft language of rules will be posted on the board's web site, <http://www.dol.wa.gov/engineers/engfront.htm>.

March 31, 2006
George A. Twiss
Executive Director

WSR 06-08-069**PREPROPOSAL STATEMENT OF INQUIRY
CENTRAL WASHINGTON UNIVERSITY**

[Filed April 3, 2006, 8:45 a.m.]

Subject of Possible Rule Making: Career counseling services for community members.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.10.528 and 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Establish a fee structure for career counseling services provided to community members.

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 Judy B. Miller, President's Office, 400

WSR 06-08-070**PREPROPOSAL STATEMENT OF INQUIRY
CENTRAL WASHINGTON UNIVERSITY**

[Filed April 3, 2006, 8:46 a.m.]

Subject of Possible Rule Making: Student registration for coursework.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.10.528 and 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Clarify existing rules for nonpayment of tuition.

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 Judy B. Miller, President's Office, 400 East University Way, Ellensburg, WA 98926-7501, (509) 963-2156, fax (509) 963-3206.

March 29, 2006
Jerilyn S. McIntyre
President

WSR 06-08-071**PREPROPOSAL STATEMENT OF INQUIRY
CENTRAL WASHINGTON UNIVERSITY**

[Filed April 3, 2006, 8:47 a.m.]

Subject of Possible Rule Making: Tobacco use regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.10.528 and 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Clarify existing rules and comply with new state regulation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Consistent with governor's Executive Order 88-06 setting policy on smoking in state facilities.

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 Judy B. Miller, President's Office, 400 East University Way, Ellensburg, WA 98926-7501, (509) 963-2156, fax (509) 963-3206.

March 29, 2006
Jerilyn S. McIntyre
President

WSR 06-08-072
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed April 3, 2006, 12:49 p.m.]

Subject of Possible Rule Making: LEOFF Plan 2 catastrophic disability allowance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050(5) and 41.26.470.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule is needed to implement HB 2932, which provides a greater disability retirement allowance for LEOFF 2 members who incur a catastrophic disability in the line of duty.

Process for Developing New Rule: The department of retirement systems (DRS) will develop the draft rule(s) with the assistance of the attorney general's office. The public is invited and encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DRS encourages your active participation in the rule-making process. After the rule(s) is drafted, DRS will file a copy with the office of the code reviser with a notice of proposed rule making. The notice will include the time and date of a public rules hearing. DRS will send a copy of the notice and the proposed rule(s) to everyone currently on the mailing list and anyone else who requests a copy. To request a copy or for more information on how to participate, please contact Leslie Saeger, Rules and Contracts Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, fax (360) 753-3166, e-mail leslies@drs.wa.gov.

March 28, 2006

Leslie Saeger
Rules Coordinator

WSR 06-08-073
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed April 3, 2006, 12:50 p.m.]

Subject of Possible Rule Making: WAC 415-108-805 What is the PERS Plan 1 "adjusted minimum benefit"? and 415-112-555 What is the TRS Plan 1 "adjusted minimum benefit"?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050(5), 41.32.4851, and 41.40.1984.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule is needed to implement SB 6453, which provides that the adjusted minimum monthly allowance for qualifying PERS Plan 1 and TRS Plan 1 retirees will be increased by 3% on July 1 of each year.

Process for Developing New Rule: The department of retirement systems (DRS) will develop the draft rule(s) with the assistance of the attorney general's office. The public is invited and encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DRS encourages your active participation in the rule-making process. After the rule(s) is drafted, DRS will file a copy with the office of the code reviser with a notice of proposed rule making. The notice will include the time and date of a public rules hearing. DRS will send a copy of the notice and the proposed rule(s) to everyone currently on the mailing list and anyone else who requests a copy. To request a copy or for more information on how to participate, please contact Leslie Saeger, Rules and Contracts Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, fax (360) 753-3166, e-mail leslies@drs.wa.gov.

April 3, 2006

Leslie Saeger
Rules Coordinator

WSR 06-08-074
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed April 3, 2006, 12:52 p.m.]

Subject of Possible Rule Making: LEOFF Plan 2 survivor health care.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050(5).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule implements SB 6723, which adds a subsection to RCW 41.26.510: "The retirement allowance paid to the spouse and dependent children of a member who is killed in the course of employment, as set forth in RCW 41.05.011(14), shall include reimbursement for any payments of premium rates to the Washington state health care authority pursuant to RCW 41.05.080."

Process for Developing New Rule: The department of retirement systems (DRS) will develop the draft rule(s) with the assistance of the attorney general's office. The public is invited and encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DRS encourages your active participation in the rule-making process. After the rule(s) is drafted, DRS will file a copy with the office of the code reviser with a notice of proposed rule making. The notice will include the time and date of a public rules hearing. DRS will send a copy of the notice and the proposed rule(s) to everyone currently on the mailing list and anyone else who requests a copy. To request a copy or for more information on how to participate, please contact Leslie Saeger, Rules and Contracts Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, fax (360) 753-3166, e-mail leslies@drs.wa.gov.

March 28, 2006

Leslie Saeger
Rules Coordinator

WSR 06-08-075**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed April 3, 2006, 1:13 p.m.]

Subject of Possible Rule Making: Changes to WAC 308-29-090, 308-29-100, 308-29-110, and 308-29-120; establishing WAC 308-29-130, relating to brief adjudicative proceedings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.16.351.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To align the WACs covering brief adjudicative proceedings with WAC 308-08-525 which are authorized by chapter 18.235 RCW, the Uniform Regulation of Business and Professions Act.

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 Harumi Tucker Tolbert, Department of Licensing, Collection Agency Board, P.O. Box 9034, Olympia, WA 98507-9034, fax (360) 570-7875. Notification will be sent to all licensees and interested parties.

March 31, 2006

Harumi Tucker Tolbert
WMS Manager

WSR 06-08-076**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed April 3, 2006, 1:14 p.m.]

Subject of Possible Rule Making: Limousine definitions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.04.274.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Legislation was signed into law on March 17, 2006, that removed all existing limousine definitions from law and provides for defining limousines by rule. This rule process is to place current definitions into rule and add definitions for vehicles that are not currently defined but are in use in the limousine industry.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state patrol is responsible under chapter 46.72A RCW to perform inspections of limousines defined in RCW 46.04.274.

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 Nancy Skewis, Business Resource Section Administrator, (360) 664-1446, nskewis@dol.wa.gov or Harumi Tolbert, Business Resource Section Program Manager, (360) 664-1389, htolbert@dol.wa.gov, 405

Black Lake Boulevard S.W., Olympia, WA 98502. Provide information by mail to Master License Service, P.O. Box 9034, Olympia, WA 98507-9034. Additional information is on the department of licensing internet web site at <http://www.dol.wa.gov/mls/limolegfaq.htm>. Public hearings will be scheduled in June and July 2006.

March 31, 2006

Nancy Skewis
Administrator Business
Resource Section

WSR 06-08-079**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS**

[Filed April 3, 2006, 4:12 p.m.]

Subject of Possible Rule Making: Purchase of service credit for teaching out of state.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050(5).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will implement ESHB 2680, which sets criteria for Teachers' Retirement System Plan 2 and 3 members to purchase TRS service credit for teaching in another state or for the federal government.

Process for Developing New Rule: The department of retirement systems (DRS) will develop the draft rule(s) with the assistance of the attorney general's office. The public is invited and encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DRS encourages your active participation in the rule-making process. After the rule(s) is drafted, DRS will file a copy with the office of the code reviser with a notice of proposed rule making. The notice will include the time and date of a public rules hearing. DRS will send a copy of the notice and the proposed rule(s) to everyone currently on the mailing list and anyone else who requests a copy. To request a copy or for more information on how to participate, please contact Leslie Saeger, Rules and Contracts Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, fax (360) 753-3166, e-mail leslies@drs.wa.gov.

April 3, 2006

Leslie Saeger
Rules Coordinator

WSR 06-08-080
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed April 3, 2006, 4:12 p.m.]

Subject of Possible Rule Making: Retirement benefits for justices and judges.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050(5).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will implement SHB 2691, which provides new retirement benefit provisions for justices and judges.

Process for Developing New Rule: The department of retirement systems (DRS) will develop the draft rule(s) with the assistance of the attorney general's office. The public is invited and encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DRS encourages your active participation in the rule-making process. After the rule(s) is drafted, DRS will file a copy with the office of the code reviser with a notice of proposed rule making. The notice will include the time and date of a public rules hearing. DRS will send a copy of the notice and the proposed rule(s) to everyone currently on the mailing list and anyone else who requests a copy. To request a copy or for more information on how to participate, please contact Leslie Saeger, Rules and Contracts Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, fax (360) 753-3166, e-mail leslies@drs.wa.gov.

April 3, 2006
 Leslie Saeger
 Rules Coordinator

WSR 06-08-081
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed April 3, 2006, 4:12 p.m.]

Subject of Possible Rule Making: WAC 415-112-502 Do I qualify for retirement from Plan 3?, and possible other new or amended sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050(5), 41.32.875, 41.35.680, and 41.40.820.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will amend and/or adopt new rules to implement SHB 2684. Currently PERS, TRS and SERS Plan 3 members may retire with an unreduced benefit at age sixty-five with at least five service credit years, including twelve service credit months after attaining age fifty-four. SHB 2684 changed the age threshold for earning twelve service credit months to age forty-four.

Process for Developing New Rule: The department of retirement systems (DRS) will develop the draft rule(s) with

the assistance of the attorney general's office. The public is invited and encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DRS encourages your active participation in the rule-making process. After the rule(s) is drafted, DRS will file a copy with the office of the code reviser with a notice of proposed rule making. The notice will include the time and date of a public rules hearing. DRS will send a copy of the notice and the proposed rule(s) to everyone currently on the mailing list and anyone else who requests a copy. To request a copy or for more information on how to participate, please contact Leslie Saeger, Rules and Contracts Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, fax (360) 753-3166, e-mail leslies@drs.wa.gov.

April 3, 2006
 Leslie Saeger
 Rules Coordinator

WSR 06-08-085
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed April 4, 2006, 9:24 a.m.]

Subject of Possible Rule Making: Chapter 296-24 WAC, General safety and health standards Part J-1; WAC 296-45-25510(1) Safety standards for electrical workers; chapter 296-155 WAC, Safety standards for construction work; WAC 296-305-05501(4) Safety standards for fire fighters; chapter 296-307 WAC, Safety standards for agriculture; and chapter 296-800 WAC, Safety and health core rules.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Fall protection, WISHA is proposing to rewrite and clarify requirements relating to the fall protection standard. This rule making is part of our long-term goal to rewrite our general occupational safety and health rules. This proposal will move all fall protection requirements relating to general industries from both chapter 296-24 WAC, General safety and health and chapter 296-155 WAC, Safety standards for construction work, and place them in a new chapter. WISHA may also make updates to chapter 296-800 WAC, Safety and health core rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known that regulate this subject.

Process for Developing New Rule: The department must adopt rules identical to or at-least-as-effective-as OSHA rules as required by the OSHA/WISHA state plan agreement. Parties interested in the formulation of these rules for proposal may contact the individuals 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 Jamie Scibelli, Department of Labor and Industries, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-4568, fax (360) 902-5619.

April 4, 2006
Gary Weeks
Director

WSR 06-08-099
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2006-05—Filed April 5, 2006, 8:11 a.m.]

Subject of Possible Rule Making: Reinsurance-intermediary broker and manager licensing and reporting.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.94.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, reinsurance intermediary manager and broker licenses are issued for a single year, ending one year from the date of licensure; payment for the licenses is by advance fee payment as provided for by RCW 48.14.010 (1)(f). Subsequent one-year renewals are based on the original date of licensure. The commissioner will consider options to provide for the issuance of licenses having duration of up to thirty months, and to synchronize the reinsurance intermediary license renewals with those of other agent/broker licenses issued by the office of the insurance commissioner.

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; send written comments by May 15, 2006, to Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0258, fax (360) 586-3109, e-mail KacyS@oic.wa.gov.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, fax (360) 586-3109, e-mail KacyS@oic.wa.gov.

April 5, 2006
Mike Kreidler
Insurance Commissioner

WSR 06-08-103
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

(Board of Pharmacy)
[Filed April 5, 2006, 10:29 a.m.]

Subject of Possible Rule Making: WAC 246-901-030 (3)(b) Technician education and training and 246-901-060(2) Technician certification—Establish board approved standardized examination for pharmacy technicians.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64A.020 Rules—Qualifications and training programs.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board of pharmacy has set education and training requirements for pharmacy technicians for over twenty-five years. Currently, pharmacy technician training programs use site-specific exams which vary widely in assessing a pharmacy technician's knowledge. The board is considering requiring successful completion of a standardized national examination, to demonstrate a technician's competency to practice, as a requirement for new applicants. A standardized exam would provide a consistent measure of the knowledge level of all pharmacy technicians, which would improve public health and safety.

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, mailings and public meetings.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Doreen Beebe, Washington State Board of Pharmacy, P.O. Box 47863, Olympia, WA 98504-7863, e-mail doreen.beebe@doh.wa.gov, phone (360) 236-4834 or fax (360) 586-4359.

Interested parties will have an opportunity to participate in the public rule-writing workshops and will be contacted by listserv and mailings. Interested parties may also submit written comments for consideration. Please contact Ms. Beebe to be added to the interested parties list and for information regarding public meetings related to this matter.

March 31, 2006
Steven Saxe
Executive Director

WSR 06-08-104
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

(Board of Pharmacy)
[Filed April 5, 2006, 10:32 a.m.]

Subject of Possible Rule Making: WAC 246-863-XXX Pharmacist responsibilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To ensure public safety, rules may be needed to establish enforceable standards or

requirements when a pharmacist is presented with a lawful prescription, including whether a pharmacist may refuse to process the prescription for clinical, conscientious, moral, or religious reasons.

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. Parties interested in participating in and receiving additional information in this matter may join an interested parties list at WSBOP-Rules@listserv.wa.gov.

Stakeholder meetings will be held in eastern and western Washington in April. The board of pharmacy will request participation by sending notice of public meetings and soliciting written comments from interested party lists.

Written comments can be sent to Board of Pharmacy, P.O. Box 47863, Olympia, WA 98504-7863, fax (360) 586-4359, e-mail WSBOP@doh.wa.gov.

March 31, 2006
Steven Saxe
Executive Director