

WSR 06-10-002
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed April 19, 2006, 4:33 p.m.]

Subject of Possible Rule Making: Commercial catch accounting rules.

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 catch accounting rules do not require identification when fish are delivered as dressed fish and do not require record retention concurrent with charging period for false reporting. Additionally, there is no limit on take-home halibut, which evades the wholesale dealer's license requirement, and fish receiving tickets are not required to be retained on board vessels participating in a vessel trip fishery. Clarifying these requirements, as well as clarifying when fresh fish need to be reported and the reporting of the entire amount of fish landed will assist in catch accounting.

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 Jim Eby, Information Technical Services Manager, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2303. Contact by June 15, 2006. Expected proposal filing on or after June 16, 2006.

April 19, 2006
 Evan Jacoby
 Rules Coordinator

WSR 06-10-008
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Order 06-04—Filed April 21, 2006, 11:50 a.m.]

Subject of Possible Rule Making: Chapter 182-04 WAC, Public access to information and records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.160, 42.17.250, 42.56.040, 70.02.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: All state agencies are required to adopt procedures that establish how individuals can request and obtain agency public records. The health care authority's (HCA's) public disclosure rules are contained in chapter 182-04 WAC, which was last amended in 1997. The current rules do not reflect changes in state law, technology, and HCA processes. The agency will consider changes that improve clarity and update the chapter. One option that is under consideration is the use of a question and answer rule-writing style to provide information to the public in the clearest possible fashion.

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

Process for Developing New Rule: Public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sheri Ammerman, P.O. Box 42700, Olympia, WA 98504-2700, e-mail samm107@hca.wa.gov. Information on proposed rule making will also be available on the health care authority web site at <http://www.hca.wa.gov/laws/index.shtml>.

April 21, 2006
 Pete Cutler
 Rules Coordinator

WSR 06-10-016
PREPROPOSAL STATEMENT OF INQUIRY
UNIVERSITY OF WASHINGTON

[Filed April 24, 2006, 11:18 a.m.]

Subject of Possible Rule Making: Chapter 478-136 WAC, Use of University of Washington facilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.160 RCW and RCW 28B.20.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To amend the University of Washington's smoking rules consistent with the newly enacted provisions of I-901 (chapter 70.160 RCW).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Although not federal or state agencies, the University of Washington will keep local health departments, Public Health Seattle and King County, and Tacoma Pierce County Health Department, informed of this rule making and solicit feedback from these local agencies.

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. Written comments or inquiries may be directed to Rebecca Goodwin Deardorff, Director of Rules Coordination by one of the following routes: Mail: University of Washington, Rules Coordination Office, Box 355509, Seattle, WA 98195-5509; e-mail: rules@u.washington.edu; or fax (206) 221-6917.

April 20, 2006
 Rebecca Goodwin Deardorff
 Director of Rules Coordination

WSR 06-10-019
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health and Recovery Services Administration)

[Filed April 24, 2006, 4:19 p.m.]

Subject of Possible Rule Making: WAC 388-513-1350 Defining the maximum amount of resources allowed and determining resource availability for long-term care (LTC) services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.500, 74.09.530, 74.09.575, and Section 1924 of the Social Security Act (42 U.S.C. 1396r-5) and 2005 Federal Deficit Reduction Act (DRA).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: DSHS is making changes to the language, clarifying the rules, increasing the spousal resource maximum from \$41,000 to \$41,943 effective July 1, 2005, and increasing the community spousal share maximum to \$99,540 effective January 1, 2006.

DSHS is clarifying that an individual retirement account (IRA) belonging to a community spouse is a countable resource when determining eligibility for long-term care (LTC) services; (Social Security Act section 1924 supersedes Social Security Income (SSI)-related rules).

Also, DSHS is amending this rule due to federal law change in the 2005 Deficit Reduction Act of 2005 (Public Law 109-171) regarding disqualification for long-term care assistance for individuals with home equity in excess of \$500,000 effective May 1, 2006.

Process for Developing New Rule: The department invites the interested public to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representative listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lori Rolley, Health and Recovery Services Administration, P.O. Box 45534, Olympia, WA 98504-5534, phone (360) 725-1304, fax (360) 664-0910, TTY 1-800-848-5429, e-mail rollelj@dshs.wa.gov.

April 24, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-10-020
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health and Recovery Services Administration)

[Filed April 24, 2006, 4:21 p.m.]

Subject of Possible Rule Making:

- Creating new WAC 388-513-1363 Evaluating the transfer of an asset for clients found eligible for

long-term care (LTC) services on or after May 1, 2006.

- Updating WAC 388-513-1330 to reference WAC 388-513-1363 Evaluating the transfer of an asset for clients found eligible for LTC services on or after May 1, 2006, and 388-513-1364 Evaluating the transfer of an asset for clients found eligible for LTC services on or after April 1, 2003.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.575, 2005 Federal Deficit Reduction Act (DRA), Public Law 109-171.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing these amendments and new text to change transfer of asset rules for clients found eligible for long-term (LTC) services. This change is due to the 2005 Federal Deficit Reduction Act (DRA), Public Law 109-171. The department will be creating new WAC 388-513-1363 Evaluating the transfer of an asset for clients found eligible for LTC services on or after May 1, 2006.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lori Rolley, Health and Recovery Services Administration, P.O. Box 45534, Olympia, WA 98504-5534, e-mail Rollelj@dshs.wa.gov, phone (360) 725-1304, fax (360) 664-0910, TTY 1-800-848-5429.

April 24, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-10-021
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health and Recovery Services Administration)

[Filed April 24, 2006, 4:24 p.m.]

The health and recovery services administration requests the withdrawal of preproposal statement of inquiry filed as WSR 05-13-139 on June 20, 2006 (WAC 388-513-1350).

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-10-022**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Order 06-06—Filed April 24, 2006, 4:26 p.m.]

Subject of Possible Rule Making: This rule making will amend chapter 173-308 WAC. The rule making will propose amendments to the following:

- Streamline the permitting process requirements.
- Better address septage management requirements.
- Develop a more thorough and equitable fee structure.
- Address "general housekeeping" issues such as providing clarifications, making formatting changes, and ensuring that the rule is consistent with the new biosolids general permit and previous interpretations and policy decisions.

The anticipated revisions will impact all facilities subject to the biosolids rule, including wastewater treatment plants (WWTPs) and septage management facilities (SMFs).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 70.95J and 70.95 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule revisions are necessary to improve permitting processes, address inconsistencies in septage management requirements, create a more equitable program implementation fee, clarify previous rule interpretations and policy decisions, and correct inconsistencies between the biosolids rule and the biosolids general permit. Currently SMFs are paying fees that cover only an estimated 12% of the staff time estimated to be devoted to addressing SMFs. Facilities that manage only biosolids (not septage) are covering an estimated 81% of the estimated program staff time devoted to these facilities. Thus, there is a need for a new fee structure that better covers staff time and is more equitable. Other rule changes envisioned are relatively minor and will not deviate substantially from federal rule.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: EPA also regulates this subject. The federal biosolids rule is Title 40 C.F.R. Part 503. RCW 70.95J.020 requires the department to adopt rules to implement a biosolids management program that, at a minimum, is consistent with the federal biosolids rule. The current rule is deemed consistent with the federal biosolids rule; however, revisions are needed to clarify the current rule.

Process for Developing New Rule: This rule making is to amend an existing rule. Amendments to the rule will be drafted and reviewed internally and by an advisory group. The public will be provided the opportunity to comment on the proposed rule. At least two public hearings will be conducted. Additionally, the proposed amendments will be posted on the department web site and will be provided to parties that have previously identified themselves as interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kathi Scanlan, Washington Department of Ecology, P.O. Box 47600, Olympia, WA 98605-

7600 [98504-7600], phone (360) 407-6559, e-mail ksca461@ecy.wa.gov.

April 21, 2006

Cullen D. Stephenson, Program Manager
Solid Waste and Financial Assistance Program

WSR 06-10-023**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
CODE REVISER**

[Filed April 25, 2006, 4:35 p.m.]

Subject of Possible Rule Making: Amending WAC 1-06-090, to clarify current copying fees, electronic distribution costs, and faxing policy associated with public records, as defined in WAC 1-06-020.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.300.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify and set fees in regards to the copying and electronic distribution of public records. These public records are defined in WAC 1-06-020. Fees will include the per page charge for providing paper copies of public records maintained either on paper or electronically; the fee for providing a CD ROM of electronically maintained material; and the fee for formatting a 2-column, publication master copy of electronically maintained information. The amendment to WAC 1-06-020 would also set in rule the office of the code reviser's faxing policy, which is a maximum of ten pages.

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 Kerry Radcliff, Rules Coordinator, P.O. Box 40551, Olympia, WA 98504-0551, (360) 786-6697, e-mail radcliff.kerry@leg.wa.gov.

April 25, 2006

K. Kyle Thiessen
Code Reviser

WSR 06-10-030**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Disability Services Administration)**

[Filed April 27, 2006, 4:19 p.m.]

Subject of Possible Rule Making: Chapter 388-825 WAC, Division of developmental disabilities service rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules are necessary to

amend WAC 388-825-560 implementing ESSB 6090, Section 205 (1)(e), 2005-2007 conference budget (chapter 518, Laws of 2005), which established a flexible family support pilot program for families who are providing care and support for family members with developmental disabilities. The family support pilot program is funded through June 30, 2007. These amendments will allow the reimbursement to parents who have purchased necessary goods or services.

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 public participation 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.

April 27, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-10-031

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Children's Administration)

[Filed April 27, 2006, 4:21 p.m.]

Subject of Possible Rule Making: Amending WAC 388-148-0010, 388-148-0120, adding a new WAC within chapter 388-148 WAC, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.15.030, and chapter 74.13 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending the current rules and adding a new rule brings the WAC in line with policy by requiring foster parents to report within certain timeframes to the department and law enforcement when a child goes missing from their care. This is being done to protect the health and safety of children in the care and custody of the department.

Process for Developing New Rule: Children's administration (CA) will be filing a proposed rule for public comment and public hearing at a later date. To receive future notices about these rules, please contact the person listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Debbie Willis, Policy Program Manager, P.O. Box 45710, Olympia, WA 98504-5710, phone

(360) 902-0247, fax (360) 902-7903, e-mail widd300@dshs.wa.gov.

April 26, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-10-044

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed April 28, 2006, 4:25 p.m.]

Subject of Possible Rule Making: The department plans to amend WAC 388-450-0045 How do we count income from employment and training programs?, related to treatment of income from VISTA programs.

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.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The United States Department of Agriculture, Food and Nutrition Service has issued guidance that the department must count payment/stipends from programs under the Domestic Volunteer Services Act of 1973, Titles I and II, as amended.

Payments under these titles including VISTA and Americorps VISTA must be counted as earned income if the VISTA participant did not receive food stamp benefits at the time they entered the service program. We exclude payments under these titles as income if the person already received Washington Basic Food program benefits at the time they join the service program.

The change is necessary to meet federal requirements for the food stamp program and comply with RCW 74.04.510.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) publishes federal regulations for the food stamp program in the federal register. Rules published in the federal register are incorporated into the United States Code of Federal Regulations (CFR). FNS also issues administrative notices and memos to inform states of program requirements that are not yet in CFR as well as standards that are not formally adopted under the federal rule-making process.

DSHS incorporates these regulations, federal standards, policy guidance, and exercises state options by adopting administrative rules for food assistance benefits in Washington state.

The department will propose and adopt amendments to WAC 388-450-0045 to be consistent with federal requirements.

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 John Camp, Policy Analyst, Division of Employment and Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4616, fax (360) 493-3493, e-mail campjx@dshs.wa.gov.

April 28, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-10-064

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed May 2, 2006, 10:34 a.m.]

Subject of Possible Rule Making: Cemeteries, Title 98 WAC, chapters 98-08, 98-11, 98-12, 98-14, 98-15, 98-16, 98-20, 98-60, 98-70, and 98-80 WAC, to inform licensees and the public that the cemetery board is reviewing its rules for possible amendments needed due to the passing of SSB 5752.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 68.05.105 and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments are needed to bring rules into uniformity with SSB 5752 and to bring rules of procedure for cremation into uniformity with chapter 308-47 WAC, Funeral directors and embalmers.

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

Process for Developing New Rule: Study by the cemetery board.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeanne Todd, Department of Licensing, Cemeteries, P.O. Box 9012, Olympia, WA 98507, Funerals@dol.wa.gov.

May 2, 2006

Joe Vincent Jr.
Administrator

WSR 06-10-065

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed May 2, 2006, 11:01 a.m.]

Subject of Possible Rule Making: Electronic technicians scope, WAC 296-127-01322.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 39.12 RCW and RCW 43.22.270.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Prevailing wage rates on public work projects are determined and enforced according

to the trade or occupation or "classification" of work. These classifications are described in the "scopes of work." The electronic technician regulation is a preexisting scope of work rule. The purpose of this rule making is to work with interested parties to amend the scope for electronic technicians.

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 and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sally Elliott, Department of Labor and Industries, Specialty Compliance Services Division, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6411, fax (360) 902-5292, e-mail yous235@lni.wa.gov.

May 2, 2006

Gary Weeks
Director

WSR 06-10-070

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF TRANSPORTATION

[Filed May 2, 2006, 2:35 p.m.]

Subject of Possible Rule Making: In order to effectively implement the tolling statutes contained in chapters 47.46, 47.56 and 47.63 RCW, the Washington state department of transportation (the "department") will:

(a) Develop and implement administrative rules that support a uniform but flexible toll collection system for the department's toll transportation projects;

(b) Adopt rules regulating toll collections within the state's uniform toll collection system;

(c) Adopt rules, to the extent that technology and resources permit, that establish an open standard electronic toll collection system using automatic vehicle identification technology (AVI) that is compatible with:

- Washington state ferry fare collection;
- WSDOT commercial vehicle information systems and networks (CVISN) program;
- Other public transportation systems using various electronic payment methods; or
- Other toll collection systems using automatic vehicle identification (AVI) technology; and

(d) Adopt rules that allow multiple vendors to provide, as technology permits, electronic payment devices and transponders.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.46.105 Toll collections, 46.63.160 Electronic toll collection, photo enforcement, and 47.56.403 High-occupancy toll lane project (HOT lanes).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The toll rules developed by the department will establish:

(1) An open standard for the transponders used in the automatic vehicle identification technology (AVI) systems that are part of the department's toll projects. An open standard will allow compatibility and interoperability between agencies and transportation systems using AVI technology or some other electronic toll payment/collection device. Such an electronic toll system will increase access and ease of use for consumers of public transportation services, including ferries, bus, rail, freight and tolled public roads and bridges, by using a payment device recognized and accepted throughout the state. Finally, an electronic toll system that allows electronic payment devices to be provided by multiple vendors will help create a competitive environment, reduce costs to the users of those devices and allow the department to take advantage of advances in technology as they occur.

(2) A set of regulations governing toll collections on current (Tacoma Narrows Bridge and HOT lanes) and future department tolling projects.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department is the only agency charged with developing rules governing the collection of tolls on the department's toll projects. In developing its toll collection rules, the department will involve interested parties such as the Washington state transportation commission, Washington state ferry system, regional transportation systems, the Federal Communication Commission and any citizen advisory committees established to advise the department on toll issues.

Process for Developing New Rule: The proposed rules will be developed by department staff based upon recommendations from interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting R. David Pope, Toll Systems Manager, Washington State Department of Transportation, Olympic Region, Tacoma Narrows Bridge Project, 3214 50th Street Court N.W., Suite 302, Gig Harbor, WA 98335-8583, e-mail Poped@wsdot.wa.gov or orfeedback@wsdot.wa.gov, phone (253) 534-4673, (253) 534-4640 or toll free at (877) 762-7769, fax (253) 534-4679.

May 2, 2006

John F. Conrad

Assistant Secretary

Engineering and Regional Operations

WSR 06-10-078

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed May 2, 2006, 4:11 p.m.]

Subject of Possible Rule Making: These are housekeeping amendments required by two 2006 legislative amendments that take effect June 7, 2006. Those are the SHB 1504 amendments to RCW 46.55.130(1), and the SSB 6676

amendment to chapter 9.45 RCW, RCW 46.12.101 (6)(e) and 46.12.102(4).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.55.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: They are required so that the rules align with the new statutory amendments.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state patrol (WSP) is interested in the rules of this chapter for inspections and administering their program for contracting for the impounding of vehicles. We coordinate with the WSP when there is any question about the contents of the rules.

Process for Developing New Rule: These housekeeping amendments are simply required so that the rules do not contradict the new statutory amendments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kim Johnson, Dealer and Manufacturer Services, P.O. Box 9039, Olympia, WA 98507-9039, (360) 664-6464.

May 2, 2006

Daniel Devoe, Administrator

Dealer and Manufacturer Services

WSR 06-10-079

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

[Filed May 2, 2006, 4:21 p.m.]

Subject of Possible Rule Making: Amendments to chapter 388-14A WAC, specifically to the rules regarding the division of child support's license suspension program: WAC 388-14A-4500 What is the division of child support's license suspension program?, 388-14A-4505 The notice of noncompliance and intent to suspend licenses, 388-14A-4510 Who is subject to the DCS license suspension program?, 388-14A-4515 How do I avoid having my license suspended for failure to pay child support?, 388-14A-4520 Signing a repayment agreement may avoid certification for noncompliance, 388-14A-4525 How to obtain a release of certification of noncompliance, and 388-14A-4530 Administrative hearings regarding license suspension are limited in scope, and new sections as required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.20A.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The division of child support (DCS) seeks to clarify the rules regarding the license suspension program and establish clearer standards for suspending and/or releasing licenses, to improve predictability and consistency in the program.

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 www.wa.gov/dshs/dcs, or on the DSHS economic services administration's policy review web site, which can be found at <http://www1.dshs.wa.gov/esa/extolcy/>. 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, DCS Rules Coordinator, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone (360) 664-5065, e-mail nkoptur@dshs.wa.gov, toll-free 1-800-457-6202, fax (360) 664-5055, TTY/TDD (360) 664-5011.

May 2, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-10-084
PREPROPOSAL STATEMENT OF INQUIRY
PARKS AND RECREATION
COMMISSION

[Filed May 3, 2006, 10:05 a.m.]

Subject of Possible Rule Making: State parks will conduct a review of the following chapters of administrative rules to determine the need for updates, clarifications or other revisions:

- Chapter 352-32 WAC, Public use of state park areas.
- Chapter 352-12 WAC, Moorage and use of marine and inland water facilities.
- Chapter 352-37 WAC, Ocean beaches.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 79A.05 RCW including RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.065, 79A.05.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: State parks will conduct a review of three chapters of the commission's administrative rules pertaining to (1) public use of state park areas, (2) moorage and use of marine and inland water facilities; and (3) ocean beaches. The annual review will be conducted to identify the need for changes to these rules including the need for clarifications and or modifications to update changes in business practices. Substantive changes may include changes to state parks pass program abuse/misuse, length of stay in campsites, yurts, cabins and other overnight accommodations, clarification in standard fees charged and decriminalization and clarification of specific rules. All of the commission's and the agency's business practices and regulatory control covered by this preproposal statement of inquiry will be considered and may be proposed for amendment following this review.

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 Pamela McConkey, Washington State Parks, P.O. Box 42650, Olympia, WA 98504-2650, phone (360) 902-8595, fax (360) 586-5875, e-mail Pam.McConkey@parks.WA.gov.

Jim French, Administrator
Statewide Recreation Programs

WSR 06-10-088
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed May 3, 2006, 10:24 a.m.]

Subject of Possible Rule Making: Cougar seasons; waterfowl seasons and regulations; game reserves/closures; nontoxic shot; elk special permits; official hunting hours; deer and elk areas; mandatory hunter reporting; small game seasons and regulations; furbearer trapper reporting and regulations.

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: Provides clarification and recreational opportunity.

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 Dave Brittell, Wildlife Program Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2515.

May 3, 2006

Evan Jacoby
Rules Coordinator

WSR 06-10-089
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed May 3, 2006, 11:14 a.m.]

Subject of Possible Rule Making: This rule making would consider changes to rules relating to price lists in light of SSB 6473, which eliminates the requirement that telecommunications companies file price lists. Rules that may be considered include WAC 480-80-030, 480-80-201 through 480-80-206, 480-80-241, 480-80-242, 480-120-021, 480-120-061, 480-120-102, 480-120-103, 480-120-122, 480-120-161, 480-120-171, 480-120-172, 480-120-196, 480-120-263, 480-120-264, 480-120-540, 480-120-560, 480-121-011, 480-121-018, and 480-121-020. The rule making is assigned Docket UT-060676.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040(4), 80.04.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SSB 6473, chapter 347, Laws of 2006, eliminates price list requirements for telecommunications services. The new law takes effect on June 8, 2006. Compliance with SSB 6473 requires the utilities and transportation commission to examine its rules and modify any provisions that refer to price lists or are premised upon the filing requirement. It is expected that as a result of the new law the commission may amend and adopt rules that require companies to communicate with customers directly using a written contract or customer service agreement instead of using price lists. Additional rules may be necessary to govern waivers, if withdrawal of a price list would harm customers or competition, and opportunities for customers to accept ongoing offers when price lists are withdrawn.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies regulate price lists for competitively classified telecommunications services.

Process for Developing New Rule: Agency study; and the commission will ask for initial comments, and will provide the opportunity for additional comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may file comments with the Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, phone (360) 664-1174, fax (360) 586-1150, by **Friday, June 30, 2006**.

WRITTEN COMMENTS: Written comments may be submitted to the commission at the address given above and should be filed with the commission no later than **June 30, 2006**.

Electronic copies. The commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted by e-mail to the commission's Records Center at records@wutc.wa.gov. Please include:

- The docket number of this proceeding (UT-060676).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 1/2 inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The commission will post on the commission's web site all comments that are provided in electronic format. The web site is located at <http://www.wutc.wa.gov/telecom/pricelists>. If you are unable to file your comments electronically or to submit them on a disk, the commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's

web site as it becomes available. If you wish to receive further information on this rule making you may (1) call the commission's record center at (360) 664-1234, (2) e-mail the commission at records@wutc.wa.gov, or (3) mail written comments to the address above to the attention of Carole J. Washburn, Secretary. When contacting the commission, please refer to Docket UT-060676 to ensure that you are placed on the appropriate service list. Questions may be addressed to Tom Wilson, (360) 664-1282 or e-mail at tomw@wutc.wa.gov.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING — The commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rule making, please advise the records center by any one of the following methods: (1) Send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket UT-060676, and the words "Please keep me on the mailing list"; or (2) e-mail your name, address, telephone and fax numbers, referencing Docket UT-060676, and the words "Please keep me on the mailing list" to records@wutc.wa.gov. Please note that all information in the mailings will be accessible through the commission's internet web site at <http://www.wutc.wa.gov/telecom/pricelists>. **THOSE PARTIES WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

May 3, 2006

Carole J. Washburn
Executive Secretary

WSR 06-10-092 PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed May 3, 2006, 11:26 a.m.]

Subject of Possible Rule Making: Amendatory section WAC 458-16-180 Cemeteries.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.36.020 and 84.36.865.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 458-16-180 explains the property tax exemption available under RCW 84.36.020 to public burying grounds or cemeteries. The department is considering an amendment to this rule to more adequately inform those eligible to receive a property tax exemption under RCW 84.36.020. The rule was last amended in 1994, and the department feels that the contents of the rule need to be clarified.

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 this rule making may contact the individual listed below. The

public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of possible rule changes is available for viewing and printing on our web site at <http://dor.wa.gov/content/laws/RuleMaking/default.aspx>. Written comments on and/or requests for copies of the rule may be directed to Kim M. Qually, Legislation and Policy Division, P.O. Box 47467, Olympia, WA 98504-7467, e-mail kimq@dor.wa.gov, phone (360) 570-6113, fax (360) 664-0693.

Public meeting location: Capital Plaza Building, 4th Floor L&P Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on June 7, 2006, at 10:00.

May 3, 2006
Alan R. Lynn
Rules Coordinator

WSR 06-10-094
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE
[Filed May 3, 2006, 11:45 a.m.]

Subject of Possible Rule Making: Public disclosure rules.

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: The department's public disclosure rules are currently found in two different titles, are, in part, contradictory, and need to be reconciled. Additionally, the office of the attorney general has come out with guidelines for agency public disclosure based on a request from the legislature. The attorney general has asked agencies to review the advisory model rules on the Public Records Act, and to adopt the model rules.

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 Ron McQueen, Business Program Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2720. Contact by June 15, 2006. Expected proposal filing on or after June 16, 2006.

May 3, 2006
Evan Jacoby
Rules Coordinator

WSR 06-10-095
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed May 3, 2006, 11:53 a.m.]

Subject of Possible Rule Making: Chapter 392-139 WAC, Finance—Maintenance and operation levies.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revisions to rules are required to (1) update rules for new revenue codes and (2) include district generated federal revenue paid directly to the ESD via a cooperative or consortium agreement.

Process for Developing New Rule: Solicitation of public comments and recommendations respecting new, amended or repealed rules, and consideration of the comments and recommendation in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Steve Shish, (360) 725-6307, sshish@ospi.wednet.edu.

April 19, 2006
Marty Daybell
for Dr. Terry Bergeson
Superintendent of
Public Instruction