

WSR 06-14-016**PREPROPOSAL STATEMENT OF INQUIRY****NOXIOUS WEED
CONTROL BOARD**

[Filed June 23, 2006, 12:54 p.m.]

Subject of Possible Rule Making: Chapter 16-750 WAC, State noxious weed list and schedule of monetary penalties.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 17.10.080, 17.10.070, and 17.10.010(5).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state noxious weed control board is charged with updating the state noxious weed list on an annual basis to ensure it accurately reflects the noxious weed control priorities and noxious weed distribution.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state agencies regulate this subject. Federal agencies are subject to the federal noxious weed laws that require them to coordinate with state regulations. Federal agencies in Washington are invited to participate in all stages of noxious weed rule making.

Process for Developing New Rule: The state noxious weed control board annually solicits suggestions from county weed boards, weed districts, state and federal agencies, interest groups and the general public. The noxious weed committee of the board, which includes representation from the Washington Native Plant Society, county weed boards, the nursery industry and several scientific advisors, meets at least twice to review and research the suggestions. These draft suggestions are sent out again for public comment before the noxious weed committee drafts its final recommendation to the board. Public comment is welcome at all committee and board meetings. A press release and information mailing is prepared on the recommended changes and a public hearing is scheduled. The board makes its final decision after considering public input received at the hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties can submit suggestions for changes to the noxious weed list, and can attend meetings of the noxious weed committee and meetings of the state noxious weed board. Interested parties can also testify at the hearing, and/or submit written testimony. Information on participating in the decision making process can be obtained from Steve McGonigal, Washington State Noxious Weed Control Board, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-2053, fax (360) 902-2094, e-mail smcgonigal@agr.wa.gov.

June 23, 2006
Steve McGonigal
Executive Secretary

WSR 06-14-021**PREPROPOSAL STATEMENT OF INQUIRY
SOUTHWEST CLEAN
AIR AGENCY**

[Filed June 26, 2006, 8:39 a.m.]

Subject of Possible Rule Making: SWCAA 400 General Regulations for Air Pollution Sources: Sections 400-030, 400-045, 400-046, 400-050, 400-070, 400-075, 400-101, 400-110, 400-111, 400-115, 400-141, and 400-171.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.141 and 70.94.152.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule changes are intended to correct minor typographical errors, update program definitions, amend statutory emission standards, incorporate revisions made in associated state regulations, update adoption by reference of federal regulations, streamline public notice requirements, and implement revised elements of SWCAA's ozone maintenance plan for the Portland/Vancouver maintenance area.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SWCAA 400 is substantially similar to chapter 173-400 WAC as administered by the department of ecology. The proposed rule changes also incorporate by reference updated federal regulations promulgated by the Environmental Protection Agency (EPA). Recent changes in the state rule and the associated federal regulations will be incorporated into SWCAA 400. None of the proposed rule changes conflict or differ substantially from the associated state and federal regulations.

Process for Developing New Rule: The proposed rule revisions were developed through internal agency review. Maintenance plans elements were developed in conjunction with the Oregon Department of Environmental Quality.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wess Safford, 11815 N.E. 99th Street, Suite 1294, Vancouver, WA 98682-2454, phone (360) 574-3058 ext. 26, or e-mail wess@swcleanair.org.

June 22, 2006
Paul R. Mairose
for Robert D. Elliott
Executive Director

WSR 06-14-025**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS**

[Filed June 27, 2006, 8:14 a.m.]

Subject of Possible Rule Making: WAC 415-103-215 What are the WSPRS Plan 1 retirement benefit options?

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 amend WAC 415-103-215 to clarify the rights of surviving spouses.

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.

June 26, 2006

Leslie Saeger
Rules Coordinator

WSR 06-14-033

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration
Aging and Disability Services Administration)

[Filed June 28, 2006, 9:24 a.m.]

Subject of Possible Rule Making: WAC 388-513-1380 Determining a client's financial participation in the cost of care for long-term care (LT) services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.500, and 74.09.530; 2005-07 revised omnibus operating budget (2006 supplement) (chapter 372, Laws of 2006).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: DSHS is making changes to the language, clarifying the rules, indicating the formulas for standard increases used in determining long-term care (LTC) services. DSHS is increasing the personal needs standard (PNA) to \$53.68 for individuals residing in medical institutions effective July 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, P.O. Box 45534, Olympia, WA 98504-5534, (360) 725-1304, rollelj@dshs.wa.gov, fax (360) 664-0910.

June 23, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-14-037

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed June 28, 2006, 9:29 a.m.]

Subject of Possible Rule Making: The division of employment and assistance programs will amend chapter 388-406 WAC, Applications.

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: Revisions to the chapter are needed to clarify delayed application processing and actions on applications that are thirty days old for the Basic Food program consistent with provisions under Title 7 C.F.R. 273.2. Other amendments for the purposes of clarifying the rule text may be incorporated with this revision.

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 Rebecca Henrie, Program Manager, Division of Employment and Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4615, fax (360) 493-3493, e-mail henrira@dshs.wa.gov.

June 27, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-14-040

WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed June 28, 2006, 9:32 a.m.]

The Health and Recovery Services Administration requests the withdrawal of preproposal statement of inquiry filed as WSR 06-12-039 on May 31, 2006 (WAC 388-438-0110).

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-14-041
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Health and Recovery Services Administration)

[Filed June 28, 2006, 9:36 a.m.]

Subject of Possible Rule Making: WAC 388-438-0110 Alien emergency medical (AEM).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.500, and 74.09.530.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current rule says a person eligible for AEM receives categorically needy (CN) scope of care. While it is possible for a person to receive CN services, those services must be necessary to the treatment of the emergency medical condition for which the person was found eligible.

This notice replaces WSR 06-12-039 that was filed on May 31, 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 Joanie Scotson, P.O. Box 45534, Olympia, WA 98504-5534, phone (360) 725-1330, fax (360) 664-0910, TTY 1-800-848-5429, e-mail scotsjk@dshs.wa.gov.

June 28, 2006

Andy Fernando, Manager
 Rules and Policies Assistance Unit

WSR 06-14-042
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Health and Recovery Services Administration)

[Filed June 28, 2006, 9:38 a.m.]

Subject of Possible Rule Making: The documentation of citizenship requirement for applicants for and recipients of Medicaid.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, and the federal Deficit Reduction Act of 2005 (Public Law 109-171, Section 6036).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The federal Deficit Reduction Act of 2005 contains language that require states to obtain documentation of citizenship for all applicants and recipients of Medicaid.

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 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 Joanie Scotson, P.O. Box 45534, Olympia, WA 98504-5534, phone (360) 725-1330, fax (360) 664-0910, TTY 1-800-848-5429, e-mail scotsjk@dshs.wa.gov.

June 28, 2006

Andy Fernando, Manager
 Rules and Policies Assistance Unit

WSR 06-14-043
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed June 28, 2006, 9:40 a.m.]

Subject of Possible Rule Making: The division of employment and assistance programs will amend rules in chapter 388-410 WAC related to establishing and collecting overpaid benefits for food assistance through the Washington Basic Food program. This may include amending the following sections and related rules: WAC 388-410-0020 What happens if I get more food assistance benefits than I am supposed to get?, 388-410-0025 Am I responsible for an overpayment in my assistance unit?, 388-410-0030 How does the department calculate and set up my Basic Food overpayment?, and 388-410-0033 How and when does the department collect a food assistance overpayment?

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 department is amending rules to meet federal requirements under 7 C.F.R. 273.18 regarding establishing and collecting food stamp overpayment claims against households consistent with RCW 74.04.510.

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 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.

June 28, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-14-044

PREPROPOSAL STATEMENT OF INQUIRY

**DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed June 28, 2006, 9:42 a.m.]

Subject of Possible Rule Making: The division of employment and assistance programs will amend WAC 388-492-0040 Can I choose whether I get WASHCAP food benefits or Basic Food benefits?

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 department has requested changes to the demonstration project waivers to federal regulations that govern the Washington combined application project (WASHCAP). Some of these changes pertain to the criteria by which a recipient can choose whether to participate in WASHCAP or apply for Basic Food benefits (opt-out). Pending approval of the new WASHCAP waivers by the United States Department of Agriculture (USDA), amendments may be needed to the rule to redefine the opt-out criteria for the demonstration project.

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 Rebecca Henrie, Program Manager, Division of Employment and Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4615, fax (360) 493-3493, e-mail henrira@dshs.wa.gov.

June 28, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-14-056

**PREPROPOSAL STATEMENT OF INQUIRY
BATES TECHNICAL COLLEGE**

[Filed June 29, 2006, 3:22 p.m.]

Subject of Possible Rule Making: Repeal grievances, WAC 495A-121-027 and to update and amend Student grievances, WAC 495A-121-090; Student grievance procedure, WAC 495A-121-091; Records, WAC 495A-121-092; Time limits on filing a grievance, WAC 495A-121-093; and Grievances excluded, WAC 495A-121-094.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule making is to repeal and clarify for students, under student rights and responsibilities, the student grievance procedure. The revisions clarify time limits, add emphasis to an initial meeting with the grievant and the college employee, remove confusion about "complaints" and "grievances," and provides additional notice that student complaints of discrimination or sexual harassment are first submitted to the vice-president for student services.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Bates will notify the state board for community and technical colleges of this proposed change.

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 Gwen Sailer, Student Services, Bates Technical College, 1101 South Yakima Avenue, Tacoma, WA 98405, phone (253) 680-7000. Parties interested in the development of these rules may contact Gwen Sailer at (253) 680-7005 or gsailer@bates.ctc.edu.

Gwen K. Sailer
Vice-President
of Student Services

WSR 06-14-058

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS**

[Filed June 30, 2006, 8:02 a.m.]

Subject of Possible Rule Making: Rules interpreting the definition of "equivalent share insurance program" under RCW 31.12.408, rules describing the requirements for credit unions that want to insure under an equivalent share insurance program, and rules setting forth the requirements for the private share insurer.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 31.12.516(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In the event an equivalent share insurance program seeks permission to offer private share insurance to state-chartered credit unions, the department needs rules to define the meaning of: (a) Holds reserves proportionately equal to the federal share insurance program;

(b) maintains adequate reserves and access to additional sources of funds through replenishment features, reinsurance, or other sources of funds; and (c) has share insurance contracts that reflect a national geographic diversity. The department also needs rules describing the requirements for a credit union wanting to insure its shares privately and rules setting forth requirements that a private share insurance program would have to follow to be acceptable to the department of financial institutions.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other federal or state agencies that regulate this subject.

Process for Developing New Rule: We will be working with stakeholders to develop our rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah Bortner, Regulatory Counsel, Department of Financial Institutions, P.O. Box 41200, Olympia, WA 98504, (360) 902-0511, dbortner@dfi.wa.gov; or Linda Jekel, Director of Credit Unions, Department of Financial Institutions, P.O. Box 41200, Olympia, WA 98504, (360) 902-[8778], ljekel@dfi.wa.gov. Meetings will be set up during the rule-making process to solicit interested party input both in person and electronically through the agency's web site at www.dfi.wa.gov.

June 30, 2006
Deborah Bortner
Regulatory Counsel

WSR 06-14-061

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed June 30, 2006, 9:56 a.m.]

Subject of Possible Rule Making: WAC 388-827-0115 What are the programmatic eligibility requirements for DDD/SSP? and 388-817-0145 How much money will I receive?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 74.04.057.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The amended sections are necessary to expand the population eligible to receive the state supplementary payment (SSP) to include certain individuals in residential settings; to clarify the amount of SSP certain individuals who were previously on traditional family support are eligible to receive; and to establish rules allowing one-time payments to certain individuals. In order to receive federal funding for Title XIX Medicaid, the state is required to expend a certain amount of state supplementary payments (SSP) to meet a yearly maintenance of effort established by the federal Social Security Administration as specified in 20 C.F.R. 416.2099. By adopting these rules, the state will achieve this maintenance of effort.

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.

June 28, 2006
Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-14-063

WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed June 30, 2006, 10:04 a.m.]

The health and recovery services administration requests the withdrawal of the preproposal statement of inquiry filed as WSR 04-07-088 on March 16, 2004 (WAC 388-502-0160).

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-14-070

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed June 30, 2006, 4:29 p.m.]

Subject of Possible Rule Making: Chapter 181-01 WAC, WEST-B exemption.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.410.210 and 28A.410.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify and change existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the rules.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Stan-

dards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular board meetings of the professional educator standards board (PESB). Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

June 28, 2006
Nasue Nishida
Policy and Research Analyst

WSR 06-14-075**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed July 1, 2006, 5:10 p.m.]

Subject of Possible Rule Making: Chapter 180-08 WAC, Purpose and authority.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.305.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Technical amendments as the result of board reorganization by the legislature.

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 Bob Butts, Interim Executive Director, bbutts@ospi.wednet.edu, or Laura Moore, Executive Assistant, lmoore@ospi.wednet.edu; State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, (360) 725-6025, fax (360) 586-2357. Changes will be made at regularly scheduled business meetings of the state board of education.

June 29, 2006
R. C. Butts
Interim Executive Director

WSR 06-14-076**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed July 1, 2006, 5:10 p.m.]

Subject of Possible Rule Making: Chapter 180-38 WAC, Purpose and authority.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Technical amendments as the result of board reorganization by the legislature.

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 Bob Butts, Interim Executive Director, bbutts@ospi.wednet.edu, or Laura Moore, Executive Assistant, lmoore@ospi.wednet.edu; State Board of Education,

P.O. Box 47206, Olympia, WA 98504-7206, (360) 725-6025, fax (360) 586-2357. Changes will be made at regularly scheduled business meetings of the state board of education.

June 29, 2006

R. C. Butts
Interim Executive Director

WSR 06-14-077**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed July 1, 2006, 5:11 p.m.]

Subject of Possible Rule Making: WAC 180-44-050 Regulatory provisions relating to RCW 28A.305.130(6) and 28A.600.010—School day as related to the teacher.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.600.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Repeal the section as the authority was transferred to school districts by the legislature.

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 Bob Butts, Interim Executive Director, bbutts@ospi.wednet.edu, or Laura Moore, Executive Assistant, lmoore@ospi.wednet.edu; State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, (360) 725-6025, fax (360) 586-2357. Changes will be made at regularly scheduled business meetings of the state board of education.

June 29, 2006
R. C. Butts
Interim Executive Director

WSR 06-14-078**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed July 1, 2006, 5:11 p.m.]

Subject of Possible Rule Making: WAC 180-51-100 Temporary exemption from course and credit requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.230.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Technical amendments as the result of board reorganization by the legislature.

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 Bob Butts, Interim Executive Director, bbutts@ospi.wednet.edu, or Laura Moore, Executive Assistant, lmoore@ospi.wednet.edu; State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, (360) 725-6025,

fax (360) 586-2357. Changes will be made at regularly scheduled business meetings of the state board of education.

June 29, 2006

R. C. Butts

Interim Executive Director

fax (360) 586-2357. Changes will be made at regularly scheduled business meetings of the state board of education.

June 29, 2006

R. C. Butts

Interim Executive Director

WSR 06-14-079

**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed July 1, 2006, 5:11 p.m.]

Subject of Possible Rule Making: Chapter 180-34 WAC, Real property sales.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.335.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Repeal chapter, authority transferred to school districts by legislature.

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 Bob Butts, Interim Executive Director, bbutts@ospi.wednet.edu, or Laura Moore, Executive Assistant, lmoore@ospi.wednet.edu; State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, (360) 725-6025, fax (360) 586-2357. Changes will be made at regularly scheduled business meetings of the state board of education.

June 29, 2006

R. C. Butts

Interim Executive Director

WSR 06-14-081

**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed July 1, 2006, 5:11 p.m.]

Subject of Possible Rule Making: Chapter 180-55 WAC, Purpose and authority.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.305.130(6).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Technical amendments as the result of board reorganization by the legislature.

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 Bob Butts, Interim Executive Director, bbutts@ospi.wednet.edu, or Laura Moore, Executive Assistant, lmoore@ospi.wednet.edu; State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, (360) 725-6025, fax (360) 586-2357. Changes will be made at regularly scheduled business meetings of the state board of education.

June 29, 2006

R. C. Butts

Interim Executive Director

WSR 06-14-080

**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed July 1, 2006, 5:11 p.m.]

Subject of Possible Rule Making: Chapter 180-16 WAC, State support of public schools.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Technical amendments as the result of board reorganization by the legislature.

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 Bob Butts, Interim Executive Director, bbutts@ospi.wednet.edu, or Laura Moore, Executive Assistant, lmoore@ospi.wednet.edu; State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, (360) 725-6025,

WSR 06-14-082

**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed July 1, 2006, 5:11 p.m.]

Subject of Possible Rule Making: Chapter 180-36 WAC, Central purchasing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.355.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Repeal chapter, authority transferred to school districts by legislature.

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 Bob Butts, Interim Executive Director, bbutts@ospi.wednet.edu, or Laura Moore, Executive Assistant, lmoore@ospi.wednet.edu; State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, (360) 725-6025,

fax (360) 586-2357. Changes will be made at regularly scheduled business meetings of the state board of education.

June 29, 2006

R. C. Butts

Interim Executive Director

WSR 06-14-083

**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed July 1, 2006, 5:11 p.m.]

Subject of Possible Rule Making: Chapter 180-43 WAC, Interscholastic activities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.600.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Repeal chapter, authority transferred to the Washington Interscholastic Activities Association by legislature.

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 Bob Butts, Interim Executive Director, bbutts@ospi.wednet.edu, or Laura Moore, Executive Assistant, lmoore@ospi.wednet.edu; State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, (360) 725-6025, fax (360) 586-2357. Changes will be made at regularly scheduled business meetings of the state board of education.

June 29, 2006

R. C. Butts

Interim Executive Director

WSR 06-14-087

**PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE UNIVERSITY**

[Filed July 3, 2006, 1:09 p.m.]

Subject of Possible Rule Making: Standards of conduct for students.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules are being changed to provide revised rules for student conduct at Washington State University and to update and clarify WSU's current code.

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

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. There will be a public hearing to permit comment on

the proposed rules and revisions. There will be an opportunity to provide written comments on the proposed rules.

June 29, 2006

Ralph T. Jenks, Director

Office of Procedures,

Records, and Forms

University Rules Coordinator

WSR 06-14-088

**PREPROPOSAL STATEMENT OF INQUIRY
CENTRAL WASHINGTON UNIVERSITY**

[Filed July 5, 2006, 8:54 a.m.]

Subject of Possible Rule Making: Equal opportunity.

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: Update list of protected groups.

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, miller@cwu.edu.

June 29, 2006

Jerilyn S. McIntyre

President

WSR 06-14-089

**PREPROPOSAL STATEMENT OF INQUIRY
CENTRAL WASHINGTON UNIVERSITY**

[Filed July 5, 2006, 8:55 a.m.]

Subject of Possible Rule Making: Library 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: Adjust current rules to reflect current public conduct regulations in the library.

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, miller@cwu.edu.

June 29, 2006

Jerilyn S. McIntyre

President

WSR 06-14-090
PREPROPOSAL STATEMENT OF INQUIRY
CENTRAL WASHINGTON UNIVERSITY

[Filed July 5, 2006, 8:56 a.m.]

Subject of Possible Rule Making: Student records policy.

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: Editorial and substantive changes to modify rules governing access to and disposition of student records consistent with federal and state regulations.

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, miller@cwu.edu.

June 29, 2006

Jerilyn S. McIntyre
 President

WSR 06-14-092
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed July 5, 2006, 10:37 a.m.]

Subject of Possible Rule Making: Chapter 296-127 WAC, Prevailing wage—Scope of work descriptions.

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 actually performed. The purpose of this rule making is to write scope of work descriptions for job classifications that have wage rates but no written scope of work description. The department is working with the prevailing wage advisory committee on the development of scopes. The scope of work descriptions will be filed with the office of the code reviser as they are finalized.

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

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.

July 5, 2006

Gary Weeks

Director

WSR 06-14-093
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed July 5, 2006, 11:15 a.m.]

Subject of Possible Rule Making: WAC 246-840-740 Sexual misconduct prohibited, the nursing care quality assurance commission is considering amending this rule to clarify that this rule applies to nursing technicians, as well as to registered nurses, licensed practical nurses and advanced registered nurse practitioners.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.130.180(24) and 18.79.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule prohibits sexual misconduct for those who hold a credential issued under chapter 246-840 WAC. However, the language refers specifically to "nurses" and nursing technicians may not be aware that it also applies to them. The commission wishes to clarify the language to assure that nursing technicians understand that they are held to the same standards as all other nurses and that they may be disciplined if they do not comply with the 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: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. A public meeting will be held at the Department of Health, Point Plaza East, Room 152/153, 310 Israel Road S.E., Tumwater, WA on July 14, 2006. Written comments may be sent to Kendra Pitzler, P.O. Box 47864, Olympia, WA 98504-7864, (360) 236-4723, fax (360) 236-4738 or e-mail kendra.pitzler@doh.wa.gov.

July 5, 2006

Judith D. Personett, EdD, RN, Chair
 Nursing Care Quality Assurance Commission