

**WSR 06-21-019****PREPROPOSAL STATEMENT OF INQUIRY  
STATE BOARD OF EDUCATION**

[Filed October 6, 2006, 12:16 p.m.]

Subject of Possible Rule Making: Chapter 180-22 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.310.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Technical amendments are necessary to comply with the reorganization of the board in E2SHB 3098.

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 Edie Harding, Executive Director, edie.harding@k12.wa.us, or Laura Moore, Executive Assistant, laura.moore@k12.wa.us, 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.

August 10, 2006  
Edith W. Harding  
Executive Director

**WSR 06-21-028****PREPROPOSAL STATEMENT OF INQUIRY  
WASHINGTON STATE PATROL**

[Filed October 9, 2006, 2:12 p.m.]

Subject of Possible Rule Making: WAC 446-10-010 through 446-10-150, public records compliance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040 through 46.56.570, Public Records Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To provide information to records requestors and state and local agencies about "best practices" for complying with the Public Records Act, RCW 42.56.040 through 42.56.570. The model rules will establish a culture of compliance among agencies and a culture of cooperation among requestors by standardizing best practices throughout the state. The Washington state patrol WAC rules are outdated and in an effort to comply with the wishes of the 2005 legislature, we wish to modify them to more closely resemble the attorney general model rules, and update agency rules regarding disclosure of public records.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Attorney general's office.

Process for Developing New Rule: Worked with the attorney general's office to update the current WAC to coordinate compliance among agencies in establishing a culture of cooperation among requestors by standardizing best practices throughout the state.

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

lication by contacting the Washington State Patrol, Public Disclosure Section, P.O. Box 42631, Olympia, WA 98504-2631, Gretchen.dolan@wsp.wa.gov, (360) 753-5467, fax (360) 753-0234. Review proposed language at www.wsp.wa.gov under Rules Assistance Center, WACs.

October 9, 2006  
John R. Batiste  
Chief

**WSR 06-21-030****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed October 9, 2006, 2:49 p.m.]

Subject of Possible Rule Making: Clarifying commercial catch and management reporting area boundary lines.

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: Increases clarity of boundary descriptions and adds housekeeping corrections to provide consistency in rules between different sections.

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 November 29, 2006. Expected proposal filing on or after December 1, 2006.

October 9, 2006  
Morris W. Barker  
Rules Coordinator

**WSR 06-21-038****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed October 11, 2006, 9:18 a.m.]

Subject of Possible Rule Making: Rules on invasive aquatic species and ballast water standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.020, 77.12.875, and 77.120.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Provide additional control efforts for invasive species and increase measurable standards for ballast water compliance.

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 November 29, 2006. Expected proposal filing on or after December 1, 2006.

October 10, 2006  
Morris W. Barker  
Rules Coordinator

**WSR 06-21-055**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)

[Filed October 13, 2006, 3:46 p.m.]

**Subject of Possible Rule Making:** The department is planning to amend rules in chapter 388-310 WAC, Work-First, and related WACs.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 74.04.050, 74.08.090, and 74.08A.340.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The department is amending these rules to comply with federal law changes under the Deficit Reduction Act of 2005 (DRA), Public Law 109-171. As part of this process, the department may find it necessary to adopt additional rules in order to comply with the DRA.

**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 proposed rule-making notice with the office of the code reviser, and invite the public to attend a hearing or send written comments on the proposed rules. 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 Ian Horlor, Program Manager, Division of Employment and Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 413-4634, fax (360) 493-3493, e-mail Horloit@dshs.wa.gov.

October 13, 2006  
Andy Fernando, Manager  
Rules and Policies Assistance Unit

**WSR 06-21-058**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF REVENUE**  
[Filed October 16, 2006, 12:52 p.m.]

**Subject of Possible Rule Making:** WAC 458-20-274 Staffing services.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 82.32.300 and 82.01.060(2).

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The department of revenue is considering a new rule to explain the tax-reporting requirements of staffing companies. Such a rule will recognize the Washington Supreme Court's decision in *City of Tacoma v. William Rogers Company, Inc.*, 148 Wash.2d 169, 60 P.3d 79 (2002). The department anticipates this rule will provide information consistent with the more exhaustive detailed "Staffing Industry Tax Guide," which is available via the department's internet web site at <http://dor.wa.gov/content/taxes/Industry/Staffing/default.aspx>.

**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 Stephen P. Zagelow, Interpretations and Technical Advice Unit, P.O. Box 47453, Olympia, WA 98504-7453, e-mail StephenZ@dor.wa.gov, phone (360) 570-6117, fax (360) 586-5543.

**Public Meeting Location:** Capital Plaza Building, 4th Floor Executive Conference Room, 1025 Union Avenue S.E., Olympia, WA, on November 16, 2006, at 1:30 a.m.

**Assistance for Persons with Disabilities:** Contact Sandy Davis no later than ten days before the hearing date, TTY 1-800-451-7985 or (360) 725-7499.

October 16, 2006  
Alan R. Lynn  
Rules Coordinator

**WSR 06-21-065**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed October 16, 2006, 4:03 p.m.]

**Subject of Possible Rule Making:** Commercial sardine 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:** Issues on the timing of license renewals exist and the changes may facilitate a better time frame for renewals and notices; caps on tonnage available for reduction are an issue in the fishery and changes may provide for more complete utilization of the quota; and sea-

sons, log books, by-catch and observer requirements need to be reviewed to meet industry and management needs.

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 Phil Anderson, Special Assistant to the Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2720. Contact by November 29, 2006. Expected proposal filing on or after December 1, 2006.

September 26, 2006

Morris W. Barker  
Rules Coordinator

### WSR 06-21-066

#### PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed October 16, 2006, 2:32 p.m.]

Subject of Possible Rule Making: Educational staff associates (ESA) professional certificate programs—Time extension for compliance with new program standards.

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: Because the ESA professional certificate benchmarks have recently been approved, implementation by professional certificate programs will take time to implement. Current WAC states September 1, 2007, as the deadline for programs to be within compliance. This may not be a realistic timeline given the benchmarks have just been approved.

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 Standards 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. Rules changes are conducted at regular 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.

October 16, 2006

Nasue Nishida  
Policy and Research Analyst

### WSR 06-21-067

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

(Health and Recovery Services Administration)

[Filed October 16, 2006, 2:36 p.m.]

Subject of Possible Rule Making: Sections in chapter 388-535 WAC, Dental-related services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.500, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing these amendments to update and clarify current policy regarding the dental-related services HRSA covers for clients through age twenty; to update and clarify other sections in the dental-related services chapter.

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 Kathy Sayre, Rules Program Manager, 626 8th Avenue S.E., P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1342, fax (360) 586-9727, TTY 1-800-848-5429, e-mail sayrek@dshs.wa.gov.

October 16, 2006

Andy Fernando, Manager  
Rules and Policies Assistance Unit

### WSR 06-21-068

#### PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed October 16, 2006, 2:38 p.m.]

Subject of Possible Rule Making: First Peoples' language/culture (FPLC) certificate.

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: Under current rule, this program is a pilot. The professional educator standards board will make a decision about the permanency of the FPLC.

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 Standards 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. Rules changes are conducted at regular meetings of the professional educator stan-

dards board (PESB). Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 16, 2006

Nasue Nishida

Policy and Research Analyst

**WSR 06-21-069**

**PREPROPOSAL STATEMENT OF INQUIRY**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed October 16, 2006, 2:50 p.m.]

Subject of Possible Rule Making: WAC 388-515-1550 Medically needy in-home waiver (MNIW).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.520, 74.09.500, 74.09.530, 2004 c 276 (6)(b) and *Townsend vs. Quazim (DSHS)*, U.S. District Court, Western District of Washington, No. CV-00-00944 TSZ.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is:

- Increasing the personal needs allowance (PNA) for the medically needy in-home waiver program to match the PNA allowed for the categorically needy waiver described in WAC 388-515-1505, per order of the United States Ninth Circuit Court of Appeals (No-01-35689). This will make services more available to the public.
- Amending the rule to note the deduction for medical and remedial care expenses that were incurred as a result of imposition of assets penalty period is limited to zero.
- Making changes to the language in order to make rules clearer.

This notice replaces the preproposal statement of inquiry filed as WSR 06-12-092 on June 6, 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: 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 45600, Olympia, WA 98504-5600, phone (360) 725-2271, e-mail rollej@dshs.wa.gov.

October 16, 2006

Andy Fernando, Manager

Rules and Policies Assistance Unit

**WSR 06-21-079**

**PREPROPOSAL STATEMENT OF INQUIRY**

**DEPARTMENT OF**

**LABOR AND INDUSTRIES**

[Filed October 17, 2006, 9:14 a.m.]

Subject of Possible Rule Making: Industrial insurance, WAC 296-20-010 General information, 296-20-125 Billing procedures, 296-31-080 How do providers bill for services?, 296-23A-0160 How must hospitals submit charges for ambulance and professional services?, and 296-23A-0230 How does the department or self-insurer pay out-of-state hospitals for hospital services?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.12.330 or chapter 51.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The federal Centers for Medicare and Medicaid Services (CMS) is changing the name of two billing forms used by medical providers. This rule making will update the references to those forms in our rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal CMS is changing the name of two of their billing forms. The purpose of this rule making is to coordinate and reflect this change in our rules.

Process for Developing New Rule: The parties interested in the development of these rules may contact the individual listed below. Interested parties may also participate during the public comment period by submitting written comments or giving oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bob Mayer, Department of Labor and Industries, 7273 Linderson Way, Tumwater, WA 98501, phone (360) 902-5021, fax (360) 902-4249, e-mail MAYR235@LNI.WA.GOV. Public hearing will be scheduled for interested parties to comment on proposed rule change.

October 17, 2006

Gary Weeks

Director

**WSR 06-21-080**

**PREPROPOSAL STATEMENT OF INQUIRY**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Children's Administration)

[Filed October 17, 2006, 9:24 a.m.]

Subject of Possible Rule Making: Amending WAC 388-15-009 What is child abuse or neglect?, to meet the requirements from ESSB 5922 (chapter 512, Laws of 2005).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.13.031, 74.04.050, and chapter 26.44 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending

the definition of child abuse or neglect. Changes are needed to meet the definition changes required in ESSB 5922.

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 Leah Stajduhar, Division of Program and Practice Improvement, P.O. Box 45710, Olympia, WA 98504-5710, phone (360) 902-7539, fax (360) 902-7903, e-mail [moul300@dshs.wa.gov](mailto:moul300@dshs.wa.gov).

October 17, 2006  
Andy Fernando, Manager  
Rules and Policies Assistance Unit

**WSR 06-21-081**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Children's Administration)

[Filed October 17, 2006, 6:27 a.m.]

Subject of Possible Rule Making: Amending WAC 388-15-049 When must the department notify the alleged perpetrator of allegations of child abuse or neglect?, to meet the requirements from ESSB 5922 (chapter 512, Laws of 2005).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.13.031, 74.04.050, and chapter 26.44 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending the definition of the notification of alleged perpetrators of child abuse or neglect. Changes are needed to meet the definition changes required in ESSB 5922.

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 Leah Stajduhar, Division of Program and Practice Improvement, P.O. Box 45710, Olympia, WA 98504-5710, phone (360) 902-7539, fax (360) 902-7903, e-mail [moul300@dshs.wa.gov](mailto:moul300@dshs.wa.gov).

October 17, 2006  
Andy Fernando, Manager  
Rules and Policies Assistance Unit

**WSR 06-21-085**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:05 a.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 Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, [nnishida@ospi.wednet.edu](mailto:nnishida@ospi.wednet.edu) or [pesb@ospi.wednet.edu](mailto:pesb@ospi.wednet.edu). Rule changes are conducted at regular board meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006  
Nasue Nishida  
Policy and Research Analyst

**WSR 06-21-086**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:05 a.m.]

Subject of Possible Rule Making: Chapter 181-02 WAC, WEST-E assessment program.

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 Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, [nnishida@ospi.wednet.edu](mailto:nnishida@ospi.wednet.edu).

edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular board meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006  
Nasue Nishida  
Policy and Research Analyst

**WSR 06-21-087**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:05 a.m.]

Subject of Possible Rule Making: Chapter 181-77 WAC, Standards for career and technical education certification.

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 Standards 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. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006  
Nasue Nishida  
Policy and Research Analyst

**WSR 06-21-088**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:05 a.m.]

Subject of Possible Rule Making: Chapter 181-77A WAC, Approval standards for career and technical education teacher preparation programs based on business and industry work experience.

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 Standards 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. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006  
Nasue Nishida  
Policy and Research Analyst

**WSR 06-21-089**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Approval standards for performance-based preparation programs for teachers, administrators, and education staff associates.

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 Standards 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. Public comment may be provided via public

testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006  
Nasue Nishida  
Policy and Research Analyst

**WSR 06-21-090**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 181-83 WAC, Internships.

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 Standards 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. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006  
Nasue Nishida  
Policy and Research Analyst

**WSR 06-21-096**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 181-82A WAC, Performance-based teacher certificate endorsements.

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 Standards 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. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006  
Nasue Nishida  
Policy and Research Analyst

**WSR 06-21-097**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 181-82 WAC, Certificate endorsements and assignment of certificated personnel.

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.

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October 17, 2006  
Nasue Nishida  
Policy and Research Analyst

**WSR 06-21-098**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 181-79A WAC, Standards for teacher, administrator, and educational staff associate certification.

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.

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October 17, 2006  
 Nasue Nishida  
 Policy and Research Analyst

**WSR 06-21-099**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 181-86 WAC, Professional certification—Policies and procedures for administration of certification proceedings.

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. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006  
 Nasue Nishida  
 Policy and Research Analyst

**WSR 06-21-100**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 181-87 WAC, Professional certification—Acts of unprofessional conduct.

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 Standards 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. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006  
 Nasue Nishida  
 Policy and Research Analyst

**WSR 06-21-101**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed October 17, 2006, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 181-85 WAC, Professional certification—Continuing education requirement.



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 Standards 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. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006

Nasue Nishida

Policy and Research Analyst

#### WSR 06-21-102

#### PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed October 17, 2006, 10:11 a.m.]

Subject of Possible Rule Making: Chapter 181-88 WAC, Definitions of sexual misconduct, verbal abuse and physical abuse—Mandatory disclosure—Prohibited agreements.

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 Standards 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. Public comment may be provided via public

testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

October 17, 2006

Nasue Nishida

Policy and Research Analyst

#### WSR 06-21-112

#### PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed October 17, 2006, 3:12 p.m.]

Subject of Possible Rule Making: Chapter 204-10 WAC, Equipment standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To update existing language with current Federal Motor Vehicle Safety Standards (FMVSS) 108 and add clarifying language in other sections. The amendments are a result of reviewing the WAC with current FMVSS.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of licensing, Mr. Dale Brown, WAC coordinator, was provided an e-mail copy of proposed updates.

Process for Developing New Rule: Reviewed current federal standards and found chapter 204-10 WAC was not up-to-date with those standards.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Washington State Patrol, Equipment and Standards Review Unit, P.O. Box 42600, Olympia, WA 98504-2600, christine.fox@wsp.wa.gov, (360) 753-3697 or fax (360) 753-5469. Review proposed language at www.wsp.wa.gov under Rules Assistance Center, WACs.

October 16, 2006

Paul S. Beckley

for John R. Batiste

Deputy Chief

#### WSR 06-21-117

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

(Aging and Disability Services Administration)

[Filed October 17, 2006, 4:08 p.m.]

The aging and disability services administration is withdrawing preproposal statement of inquiry filed as WSR 06-12-092 (WAC 388-515-1550). The department plans to replace this CR-101 with a new preproposal statement of inquiry.

Andy Fernando, Manager  
Rules and Policies Assistance Unit

**WSR 06-21-123**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF THE**  
**INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2006-10—Filed October 18, 2006,  
 7:34 a.m.]

Subject of Possible Rule Making: Several sections of Washington's actuarial opinion and memorandum regulation (chapter 284-07 WAC) need to be amended to adopt changes to the model regulation of the National Association of Insurance Commissioners and to edit for clarity of language.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.05.380, 48.44.050, 48.46.200, and 48.74.025.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Several sections of Washington's actuarial opinion and memorandum regulation (contained in chapter 284-07 WAC) need to be amended to adopt changes to a model regulation of Accreditation Part A Standards of the National Association of Insurance Commissioners and to edit for clarity of language.

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; and by submitting written comments by December 4, 2006, to Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, 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.

October 18, 2006  
 Mike Kreidler  
 Insurance Commissioner

**WSR 06-21-124**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF THE**  
**INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2006-11—Filed October 18, 2006,  
 7:35 a.m.]

Subject of Possible Rule Making: Standards for rotational referrals to independent review organizations (IROs) and submission of reports of referrals and the results of reviews to the office of the insurance commissioner (OIC). In addition, sections of WAC 284-43-630 that duplicate Washington laws will be repealed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.43.535(10).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: It has come to the attention of the OIC that clarification on rotational referrals to IROs and requirements for submission of reports of referrals and the results of reviews are necessary to ensure that proper pro-

cedures are followed. Sections of WAC 284-43-630 that duplicate Washington laws will be repealed.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The state department of health and OIC jointly regulate IROs; however, it is the sole responsibility of the OIC to ensure the proper process for using certified IROs is followed and that reports concerning the results of the reviews are appropriately filed.

Process for Developing New Rule: Agency study; and by submitting written comments by December 4, 2006, to Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, 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.

October 18, 2006  
 Mike Kreidler  
 Insurance Commissioner

**WSR 06-21-127**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**CONSERVATION COMMISSION**

[Filed October 18, 2006, 9:41 a.m.]

Subject of Possible Rule Making: Procedures for conservation district special assessments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 89.08.040 and 89.08.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The conservation commission is proposing rules on this subject to make it easier for conservation districts and county legislative authorities to develop, propose, adopt, implement, revise and renew conservation district special assessments consistent with RCW 89.08.400.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other agencies have authority to regulate conservation district special assessment.

Process for Developing New Rule: The conservation commission will work with stakeholders to develop proposed rules. After the rule proposal publishes in the state register, the commission will hold a public hearing and comment period to receive feedback on the proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary Anderson, Washington Conservation Commission, P.O. Box 47721, Olympia, WA 98504-7721, (360) 407-6200.

October 18, 2006  
 Mark A. Clark  
 Executive Director