

WSR 07-11-003**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed May 2, 2007, 4:56 p.m.]

Subject of Possible Rule Making: Card games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Staff will be recommending a change to card room rules relating to cashier's bank/minimum bankroll.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Sharon Reese, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3452; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] July 13, 2007, at the La Quinta Inn & Suites, 1425 East 27th Street, Tacoma, WA 98421, (253) 383-0146; on August 10, 2007, at the Gilton [Hilton], 301 West 6th Street, Vancouver, WA 98660, (360) 993-4500; and on September 14, 2007, at the Hilton Garden Inn, 401 East Yakima Avenue, Yakima, WA 98901, (509) 494-5004.

May 2, 2007
Susan Arland
Rules Coordinator

WSR 07-11-007**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed May 3, 2007, 9:48 a.m.]

Subject of Possible Rule Making: Tribal state gaming compacts.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The gambling commission is rewriting its rules manual using plain English techniques. We anticipate the project will be completed by January 1, 2008. The rules manual is being broken into sections and rewritten a section at a time. This filing is to provide notification that rules regarding tribal state gaming compacts is currently under review and is now being rewritten in plain English. There may be some sustentative and policy decisions made by the commission during the rewrite. If so, those will be identified under the proposed rule making CR-102 filing. The text of the rules will be posted on our web site approximately two weeks prior to each commission meeting they are discussed at. Please visit our web site at www.wsgc.wa.gov/PublicMeetings.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Sharon Reese, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3452; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] July 13, 2007, at the La Quinta Inn & Suites, 1425 East 27th Street, Tacoma, WA 98421, (253) 383-0146; on August 10, 2007, at the Gilton [Hilton], 301 West 6th Street, Vancouver, WA 98660, (360) 993-4500; and on September 14, 2007, at the Hilton Garden Inn, 401 East Yakima Avenue, Yakima, WA 98901, (509) 494-5004.

May 3, 2007
Susan Arland
Rules Coordinator

WSR 07-11-008**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed May 3, 2007, 9:49 a.m.]

Subject of Possible Rule Making: Public disclosure.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The gambling commission is rewriting its rules manual using plain English techniques. We anticipate the project will be completed by January 1, 2008. The rules manual is being broken into sections and rewritten a section at a time. This filing is to provide notification that rules regarding public disclosure is [are] currently under review and is [are] now being rewritten in plain English. There may be some sustentative and policy decisions made by the commission during the rewrite. If so, those will be identified under the proposed rule making CR-102 filing. The text of the rules will be posted on our web site approximately two weeks prior to each commission meeting they are discussed at. Please visit our web site at www.wsgc.wa.gov/PublicMeetings.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Sharon Reese, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3452; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] July 13, 2007, at the La Quinta Inn & Suites, 1425 East 27th Street, Tacoma, WA 98421, (253) 383-0146; on August 10, 2007, at the Gilton [Hilton], 301 West 6th Street, Vancouver, WA 98660, (360) 993-4500; and on September 14, 2007, at the Hilton Garden Inn, 401 East Yakima Avenue, Yakima, WA 98901, (509) 494-5004.

May 3, 2007
Susan Arland
Rules Coordinator

WSR 07-11-009

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed May 3, 2007, 10:01 a.m.]

Subject of Possible Rule Making: Title 230 WAC, various commission rules, housekeeping/clean-up package to the plain English rewrite.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The gambling commission has rewritten its rules manual using plain English techniques. We anticipate the project will be completed by January 1, 2008. The rules manual was broken into sections and rewritten a section at a time. After all chapters are completed, this clean-up package will move forward and will include rules which were inadvertently not included in the rewrite. These inadvertent omissions will be written in plain English. There may be some sustentative and policy decisions made by the commission during the rewrite. If so, those will be identified under the proposed rule making CR-102 filing. The text of the rules will be posted on our web site approximately two weeks prior to each commission meeting they are discussed at. Please visit our web site at www.wsgc.wa.gov/Public-Meetings.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Sharon Reese, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3452; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] July 13, 2007, at the La Quinta Inn & Suites, 1425 East 27th Street, Tacoma, WA 98421, (253) 383-0146; on August 10, 2007, at the Gilton [Hilton], 301 West 6th Street, Vancouver, WA 98660, (360) 993-4500; and on September 14, 2007, at the Hilton Garden Inn, 401 East Yakima Avenue, Yakima, WA 98901, (509) 494-5004.

May 3, 2007
Susan Arland
Rules Coordinator

WSR 07-11-033

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed May 8, 2007, 11:15 a.m.]

Subject of Possible Rule Making: Changes to the Washington department of fish and wildlife's (WDFW's) recreational sport fishing rules, Columbia River commercial fishing rules, coastal commercial fishing rules, and Puget Sound commercial fishing rules, resulting from North of Falcon recommendations.

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: Rules based on North of Falcon recommendations change from year to year to reflect resource availability and to achieve conservation goals.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: NOAA Fisheries and the National Marine Fisheries Service. These agencies, as well as WDFW, Pacific Fisheries Management Council, and the Pacific Salmon Commission, all provided input and/or took part in the North of Falcon meetings and recommendations.

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 John Long, WDFW Fish Program, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2733, fax (360) 902-2158, e-mail at longjal@dfw.wa.gov. Contact by August 1, 2007. Expected proposal filing on or after September 5, 2007.

May 8, 2007
Lori Preuss
Rules Coordinator

WSR 07-11-034

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed May 8, 2007, 11:16 a.m.]

Subject of Possible Rule Making: Ballast water and aquatic invasive species.

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: E2SB 5923 passed the 2007 Washington legislature and has been signed into law. This bill requires the Washington department of fish and wildlife (WDFW) to enact rules for enforcement and control of ballast water and aquatic invasive species.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state patrol, the United States Coast Guard, and other state and federal agencies. WDFW will adopt standards in consultation with these federal and state

agencies to ensure consistency with the federal Clean Water Act and standards set by the United States Coast Guard.

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 Allen Pleus, Fish Program, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2724, e-mail at pleusaep@dfw.wa.gov. Contact by August 1, 2007. Expected proposal filing on or after September 5, 2007.

May 8, 2007
Lori Preuss
Rules Coordinator

WSR 07-11-040
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health and Recovery Services Administration)
[Filed May 8, 2007, 4:24 p.m.]

The health and recovery services administration requests the withdrawal of the preproposal statement of inquiry filed as WSR 05-19-120 on September 20, 2005 (chapter 388-551 WAC).

Stephanie E. Schiller
Rules Coordinator

WSR 07-11-041
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Administrative Services Division)
[Filed May 8, 2007, 4:33 p.m.]

The management services, administrative services division requests the withdrawal of the preproposal statement of inquiry filed as WSR 05-06-081 on March 1, 2005 (chapter 388-02 WAC).

Stephanie E. Schiller
Rules Coordinator

WSR 07-11-056
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed May 11, 2007, 11:23 a.m.]

Subject of Possible Rule Making: Chapter 392-300 WAC, Fingerprint record checks—Access to records—Privacy.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.400.303 and 28A.400.305.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These changes are being made as required under SB 5382, which amended RCW 28A.400.303 and 28A.400.305.

Process for Developing New Rule: Other [no further information supplied by agency.]

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Charles Schreck, Director, Office of Professional Practices, P.O. Box 47200, Olympia, WA 98504-7200, (360) 725-6130, fax (360) 725-4201, Charles.schreck@k12.wa.us.

May 11, 2007
Dr. Terry Bergeson
Superintendent of
Public Instruction

WSR 07-11-089
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE
[Filed May 15, 2007, 4:15 p.m.]

Subject of Possible Rule Making: *Brassica* seed crops, the department is proposing to adopt rules regarding the orderly production of *Brassica* seed crops.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 181, Laws of 2007.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As a result of the 2007 legislative session, chapter 181, Laws of 2007, was enacted, including an emergency clause. Its purpose is to provide for the orderly production of potentially incompatible varieties of *Brassica* seed crops. This new law authorizes the department of agriculture to establish *Brassica* seed production districts in response to grower petitions. The legislation also authorizes the department to adopt implementation rules for the statute. These rules are necessary to decrease the potential of genetic crosses that could result in significant loss of quality, purity, and value in the seed produced.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary A. Martin Toohey, Assistant Director, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA

98504-2560, phone (360) 902-1907, fax (360) 902-2094, e-mail mtoohy@agr.wa.gov.

May 15, 2007
Mary A. Martin Toohey
Assistant Director

WSR 07-11-097

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

[Filed May 16, 2007, 10:21 a.m.]

Subject of Possible Rule Making: The administrative services division is amending, consolidating and colocating existing department background check rules in chapter 388-06 WAC and other DSHS rules related to background checks impacted by the 2007 legislative session. These changes will establish consistent and standard department-wide background check requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.43.830 through 43.43.845 as amended by chapter 421, Laws of 2005 (SSB 5899); and chapter 43.43 RCW as amended by the 2007 legislature under ESSB 5774.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is responsible to license, contract, certify, authorize client payments and authorize unsupervised access to vulnerable adults, juveniles and children receiving services through the department and through community-based entities and individuals. The department must collect and pay fees to the Washington state patrol and the Federal Bureau of Investigation associated with fingerprint-based background checks. Current DSHS background check requirements are located in multiple rules. The department must establish centrally located background check rules and procedures which are applied to DSHS employees and community service providers to reduce confusion about department background check requirements. These rules will include requirements of ESSB 5774 passed by the 2007 legislature related to background checks.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department is coordinating with the federal Health and Human Services (HHS) to ensure background check requirements are consistent with the federal Child Abuse Prevention and Treatment Act and the Adam Walsh Act of 2006. The department is coordinating with the Washington state patrol (WSP) to ensure DSHS rules meet WSP requirements. The department is coordinating with the Federal Bureau of Investigation (FBI) to ensure DSHS rules meet FBI requirements relating to national background checks under the Adam Walsh Act.

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 Jackie Beery, Policy Manager, DSHS/Background Check Central Unit, Administrative Services Division, P.O. Box 45025, Olympia, WA 98504-5025, phone (360) 902-7814, fax (360) 902-7954, e-mail beeryja@dshs.wa.gov.

May 14, 2007
Stephanie E. Schiller
Rules Coordinator

WSR 07-11-098

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health and Recovery Services Administration)**

[Filed May 16, 2007, 10:23 a.m.]

Subject of Possible Rule Making: WAC 388-408-0055 Medical assistance units, 388-416-0015 Certification periods, 388-418-0005 How will I know what changes I must report?, 388-418-0025 Effect of changes, 388-450-0210 Countable income for medical, 388-476-0005 Social Security number requirements, 388-478-0075 Medical income standards based on the federal poverty level (FPL), 388-505-0210 Children's medical eligibility, 388-505-0211 Premium requirements for SCHIP children, 388-542-0010 Purpose and scope of SCHIP, 388-542-0020 Other rules for SCHIP, 388-542-0050 SCHIP definitions, and 388-542-0300 Waiting period for SCHIP.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.530, and 74.09.700; 2SSB 5093 (chapter 5, Laws of 2007).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To comply with the provisions of 2SSB 5093, signed into law by the governor on March 13, 2007, authorizing medical assistance coverage for all children living in households with income at or below 250% of the federal poverty level (FPL).

During the course of this review, the department may identify additional changes that are required in order to improve clarity or to update policy.

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. 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 pub-

lication by contacting Kevin Cornell, Program Manager, P.O. Box 45534, Olympia, WA 98504-5534, phone (360)725-1423, fax (360) 664-0910, TTY 1-800-848-5429, e-mail corneke@dshs.wa.gov.

May 14, 2007
Stephanie E. Schiller
Rules Coordinator

contact Sarah Monaly, Rules 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 SarahM@drs.wa.gov.

May 17, 2007
Sarah Monaly
Rules Coordinator

WSR 07-11-099
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed May 16, 2007, 11:18 a.m.]

The department of licensing hereby withdraws proposed [preproposed] rule chapter 308-96A WAC, Vehicle licenses, filed with your office on June 22, 2005, as part of WSR 05-13-181.

The department of licensing has a policy of providing equal access to its services. This correspondence is available in alternate format. If you need special accommodation, please call (360) 902-3600 or TTY 664-8885.

Dale R. Brown
Rules Coordinator
Vehicle Services

WSR 07-11-106
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed May 17, 2007, 10:20 a.m.]

Subject of Possible Rule Making: Chapter 415-02 WAC, General provisions.

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: Amendments to the department of retirement systems (DRS) rules are needed to incorporate recently codified SB 5175 (2007). This amendment will update the rules to reflect the current eligibility requirements for receiving a cost of living adjustment.

Process for Developing New Rule: 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

WSR 07-11-116
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed May 18, 2007, 3:44 p.m.]

Subject of Possible Rule Making: The division of employment and assistance programs is amending WAC 388-310-0300 Infant care exemptions for mandatory participants, 388-310-1450 Pregnancy to employment, and any other related WACs.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is required to make modifications to the WorkFirst pregnancy to employment pathway as directed by the legislature under 2SSB 6016 (chapter 289, Laws of 2007). The bill requires a change to the one-time exemption for a parent with a child under twelve months.

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 Ian Horlor, Program Manager, Division of Employment and Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4634, fax (360) 493-3493, e-mail Horloit@dshs.wa.gov.

May 18, 2007
Stephanie E. Schiller
Rules Coordinator

WSR 07-11-117
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed May 18, 2007, 3:56 p.m.]

Subject of Possible Rule Making: The department will amend all necessary sections in Title 388 WAC to implement annual adjustments to standards for WASHCAP and the Washington Basic Food program. Changes include updates to the following standards for Federal Fiscal Year 2008: Income standard, maximum allotment, maximum shelter deduction standard, standard deduction, standard utility allowances, WASHCAP shelter cost standard, and WASHCAP opt-out standard.

These changes include amendments to the following WAC sections and any related rules: WAC 388-450-0185 Does the department count all of my income to determine my eligibility and benefits for Basic Food?, 388-450-0190 How does the department figure my shelter cost income deduction for Basic Food?, 388-450-0195 Utility allowances for Basic Food programs, 388-478-0060 What are the income limits and maximum benefit amounts for Basic Food?, 388-492-0040 Can I choose whether I get WASHCAP food benefits or Basic Food benefits?, and 388-492-0070 How are my WASHCAP benefits calculated?

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, and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These standards are required by federal regulations and approved department waivers. These standards must be adjusted annually in order to determine a client's eligibility and benefit level for WASHCAP or the Washington Basic Food program.

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) annually adjust income and payment standards, the standard deduction, and maximum shelter deductions for the upcoming federal fiscal year. FNS also requires that the department adjust the food stamp utility allowance and WASHCAP standards on an annual basis. DSHS adopts the new FNS standards into administrative rule. The department adjusts WASHCAP standards as required under the department's approved waiver based on changes to the consumer price index. The department determines the Basic Food standard utility allowance by applying the consumer price index to a utility market basket survey and adopting the new amounts under administrative rule.

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.

May 18, 2007
Stephanie E. Schiller
Rules Coordinator

WSR 07-11-120
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed May 21, 2007, 11:45 a.m.]

Subject of Possible Rule Making: WAC 260-20-160 Ambulances.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current rule addresses ambulances for both humans and horses. Amendments to chapter 260-20 WAC have established a new section dedicated to the requirements of equine ambulances. The current section needs to be amended to address medical aid at not only Class A and B racing associations, but also Class C racing associations.

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

Process for Developing New Rule: Negotiated rule making; and agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Robert J. Lopez, Administrative Services Manager, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, rlopez@whrc.state.wa.us.

May 21, 2007
R. J. Lopez
Deputy Secretary

WSR 07-11-125
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed May 22, 2007, 8:19 a.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, Vehicle licenses, to include but not limited to WAC 308-96A-065 and 308-96A-560.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.16.010, 46.16.313.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 308-96A-065, rule making may be required to explain the issuance and restrictions of personalized special plates.

WAC 308-96A-560, rule making may be required to explain the continuing requirements for organizations to maintain the issuance of special plates.

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 of licensing (DOL) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DOL 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 Dale R. Brown, Management Analyst, Vehicle Services, Assistant Director's Office, Mailstop 48205, P.O. Box 2956, Olympia, WA 98507-2957, or by phone (360) 902-4020, fax (360) 902-7821 or 902-7822, TTY (360) 664-8885, e-mail DBROWN@dol.wa.gov.

May 21, 2007

Julie Knittle
Assistant Director
Vehicle Services

WSR 07-11-126

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed May 22, 2007, 8:20 a.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, Vehicle licenses, to include but not limited to WAC 308-96A-070 and 308-96A-048.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110, 46.16.316.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required as a service to the Washington state patrol (WSP) [to] not allow the use of WSP in the call sign of the amateur radio 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: The department of licensing (DOL) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DOL 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 Dale R. Brown, Management Analyst, Vehicle Services, Assistant Director's Office, Mailstop 48205, P.O. Box 2956, Olympia, WA 98507-2957, or by

phone (360) 902-4020, fax (360) 902-7821 or 902-7822, TTY (360) 664-8885, e-mail DBROWN@dol.wa.gov.

May 21, 2007

Julie Knittle
Assistant Director
Vehicle Services

WSR 07-11-127

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed May 22, 2007, 8:21 a.m.]

Subject of Possible Rule Making: Chapter 308-96B WAC, Individuals with disabilities vehicle license privileges, to include but not limited to WAC 308-96B-010 Definitions—Individuals with disabilities special parking privileges and 308-96B-020 General provisions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.12.381.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required to meet the requirements of HB 1000 and 1505 passed during the 60th legislature 2007 regular session, signed by the governor and effective July 22, 2007.

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 of licensing (DOL) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DOL 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 Dale R. Brown, Management Analyst, Vehicle Services, Assistant Director's Office, Mailstop 48205, P.O. Box 2956, Olympia, WA 98507-2957, or by phone (360) 902-4020, fax (360) 902-7821 or 902-7822, TTY (360) 664-8885, e-mail DBROWN@dol.wa.gov.

May 21, 2007

Julie Knittle
Assistant Director
Vehicle Services

WSR 07-11-145

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed May 22, 2007, 11:18 a.m.]

Subject of Possible Rule Making: Chapter 296-19A WAC, Vocational rehabilitation; chapter 296-14 WAC, Industrial insurance; and chapter 296-15 WAC, Workers' compensation self-insurance rules and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.04.030, 51.32.095, and chapter 72, Laws of 2007 (ESSB 5920).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rules will assist in the implementation of chapter 72, Laws of 2007 (ESSB 5920). To implement the pilot program for vocational rehabilitation services, this rule making will include new rules and may include amendments of existing rules.

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 this subject.

Process for Developing New Rule: Labor and industries will begin the rule development process and will share the draft proposal with stakeholders and other interested parties, including the workers' compensation advisory committee. Public hearings will be held throughout the state after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Valerie Grimm, Department of Labor and Industries, P.O. Box 44208, Olympia, WA 98504-4208, phone (360) 902-5005, fax (360) 902-4960, e-mail COLB235@LNI.WA.GOV.

May 22, 2007
Judy Schurke
Director

WSR 07-11-146
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 22, 2007, 12:19 p.m.]

Subject of Possible Rule Making: Chapter 296-200A WAC, Contractor certificate of registration.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.27 RCW and SHB 1843 from the 2007 legislative session.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is a result [of] SHB 1843, which passed the 2007 legislature. The legislation amends the contractor registration rules to be consistent with the statute. The rule making will also review the contractor registration rules for additions or revisions. The rules need to be reviewed to ensure the rules are consistent with industry practice and to clarify the rules. Program policies will also be incorporated into the rules. For example, the conditions for a handyman and the disclosure notice will be integrated into the contractor registration 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: Interested parties and the public may also participate by providing written comments or giving oral 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 22, 2007
Judy Schurke
Director

WSR 07-11-147
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 22, 2007, 1:16 p.m.]

Subject of Possible Rule Making: Factory assembled structure rules, chapter 296-150M WAC and possibly a new chapter.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.22 RCW and SHB 2118 from the 2007 legislative session.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is a result [of] SHB 2118, which passed the 2007 legislature. This bill transfers the mobile and manufactured home installation program and the state administrative agency (SAA) programs from the department of community, trade and economic development to the department of labor and industries. Therefore, the department needs to adopt new rules to be consistent with the statute.

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

Process for Developing New Rule: Interested parties and the public may also participate by providing written comments or giving oral 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 22, 2007
Judy Schurke
Director

WSR 07-11-148
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 22, 2007, 1:36 p.m.]

Subject of Possible Rule Making: WAC 296-46B-925 Electrical/telecommunications contractor's license.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 19.28 RCW, Electricians and electrical installations.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department received a petition for rule making on March 30, 2007, from the Washington State HVACR Association. The rule making will review the need for the "establishment of a new specialty electrician, a new specialty electrical contractor administrator, and a new specialty electrical contractor in order to do all necessary electrical work to install, service, repair or replace all heating, ventilation, air conditioning and refrigeration equipment and systems commonly done in the heating, ventilation, air conditioning and refrigeration industry."

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 electrical board will be used to develop these rules.

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 22, 2007

Judy Schurke

Director

WSR 07-11-156

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2007-05—Filed May 23, 2007, 7:13 a.m.]

Subject of Possible Rule Making: Disclosure form to be used by insurers marketing individual and group fixed-payment insurance, as required by recently enacted SHB 1233 (chapter 296, Laws of 2007).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, chapter 296, Laws of 2007.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 296, Laws of 2007, requires the commissioner to adopt rules that set forth the content of the standard disclosure form that must be used by insurers marketing individual and group fixed payment insurance products.

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

Process for Developing New Rule: Other [no further information supplied by agency.]

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Please submit written comments by July 2, 2007, to

Kacy Scott, P.O. Box 40260, Olympia, WA 98504-0260, e-mail Kacys@oic.wa.gov.

May 23, 2007

Mike Kreidler

Insurance Commissioner

WSR 07-11-157

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2007-06—Filed May 23, 2007, 7:18 a.m.]

Subject of Possible Rule Making: The insurance commissioner is considering the adoption of rules that would require life and disability insurers and fraternal benefit societies to submit specimen copies of life, long-term care, annuity and disability products used and marketed in Washington state, when such products combine components approved by Interstate Insurance Product Regulation Commission (commission) with Washington state approved components.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 (3)(a).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 48.130 RCW establishes Washington state as a member of the Interstate Insurance Product Regulation Commission (commission). All forms of life, disability income and long-term care insurance policies and annuity contracts approved by the commission may be used in Washington without further approval by the office of insurance commissioner (OIC). RCW 48.18.110 requires policy forms other than commission-approved forms to be filed with and approved by the insurance commissioner prior to sale in this state.

The commission is contemplating adopting filing procedures known as the "Interstate Insurance Product Regulation Commission Operating Procedure for the Filing and Approval of Product Filings" that would allow insurers to mix commission-approved forms with state-approved forms. After these standards are adopted by the commission, life and disability insurers or fraternal benefit societies will be permitted to file policy forms with the commission for sale in this state that may be combined with policy forms already approved by the insurance commissioner. The combined state-commission forms may not be acceptable based on Washington law and may contain provisions that are "inconsistent, ambiguous, unfair, inequitable or misleading," or may contain exceptions or conditions that "unreasonably affect the risk purported to be assumed."

The insurance commissioner is considering the adoption of rules that would require insurers and fraternal benefit societies to submit informational specimen copies of the combined products that are made up of state-approved and commission-approved form components. These specimen copies will be used by OIC staff to address consumer and market place issues as they arise, and to confirm that the combinations do not contain provisions that are inconsistent, ambiguous, unfair, inequitable or misleading, or contain exceptions or

conditions that unreasonably affect the risk purported to be assumed.

Rules also might be adopted that clarify that the insurance commissioner retains authority to prohibit the use of a state-commission combination form if the certification of compliance to the commission made by the insurer is found to be incorrect.

Process for Developing New Rule: OIC will have discussions with interested parties, and exchange drafts of possible rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Please submit written comments by June 26, 2007, to Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, e-mail Kacys@oic.wa.gov, fax (360) 586-3109.

May 23, 2007
Mike Kreidler
Insurance Commissioner

WSR 07-11-160

PREPROPOSAL STATEMENT OF INQUIRY EMPLOYMENT SECURITY DEPARTMENT

[Filed May 23, 2007, 9:48 a.m.]

Subject of Possible Rule Making: Adopting and amending rules on the general subject of unemployment insurance taxes, including tax rates, reporting, coverage, and enforcement, and rules implementing 2007 legislation: SHB 1278 (chapter 51, Laws of 2007), tax rates for new employers; ESSB 5373 (chapter 146, Laws of 2007), sections relating to reporting requirements, penalties, and corporate officers; SSB 5534 (chapter 366, Laws of 2007) exempting payments by certain small performing arts industries; SSB 5702 (chapter 386, Laws of 2007), requiring notification by religious organizations to their employees; ESSB 5915 (chapter 287, Laws of 2007), employer notices.

The department will generally review and update unemployment insurance tax rules, including chapter 192-300 WAC, Registering for unemployment insurance taxes; chapter 192-310 WAC, Reporting of wages and taxes due; chapter 192-320 WAC, Experience rating and benefit charging; chapter 192-330 WAC, Collections and refunds; and chapter 192-340 WAC, Audits and technical assistance.

The portions of ESSB 5373 relating to professional employer organizations, claimant penalties, and overpayments are the subjects of separate concurrent rule-making proceedings by the department. The subjects of transfers of employers or businesses and classification of employees are also the subjects of separate concurrent rule-making proceedings by the department.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed to implement 2007 legislation related to unemployment insurance taxes including new employer rates, corporate officers, employer registration, benefit charging, penalties, an exemption for small theaters, and required notices. In order to make

rules clearer and more comprehensive and to provide more consistent, predictable, and transparent standards, the department intends to review and update current rules which also relate to these topics. In addition, it will review tax rates, reporting, coverage, enforcement, and other unemployment insurance tax topics, including delinquent and qualified tax rates, rate recalculations, reporting by employers, reimbursable employers, possible definitions of fraud and misrepresentation, and technical amendments.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

In addition, proposed regulations will be shared with the state department of revenue, department of labor and industries, and department of licensing.

Process for Developing New Rule: The department will hold public meetings to obtain and consider public and stakeholder input prior to filing the proposed rules. In addition, there will be a mailing to stakeholders identified in the rule-making process and written comments from stakeholders will be considered.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Juanita Myers, Unemployment Insurance Rules Coordinator, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, phone (360) 902-9665, fax (360) 902-9799, e-mail jmyers@esd.wa.gov. Please include your name, organization (if any), mailing address, e-mail address, and telephone number.

May 22, 2007
Paul Trause
Deputy Commissioner

WSR 07-11-161

PREPROPOSAL STATEMENT OF INQUIRY EMPLOYMENT SECURITY DEPARTMENT

[Filed May 23, 2007, 9:50 a.m.]

Subject of Possible Rule Making: Adopting and amending unemployment insurance rules involving the transfer of an employer or business. Subjects of potential rule making including predecessor-successor relationships and "SUTA-dumping," as well as related unemployment insurance issues.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.040, and 50.29.064.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This is a continuation and expansion of the rule-making proceeding begun in 2006 following enactment of chapter 47, Laws of 2006 (SSB 6359). The purpose is to review and clarify rules about predecessor-successor business relationships, continue implementation of the 2006 legislation, consolidate related rules in a new chap-

ter. "SUTA-dumping" is the process of unlawfully avoiding state unemployment taxes and is the subject of federal law in Public Law 108-295.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

In addition, proposed regulations will be shared with the state department of revenue, department of labor and industries, which relate to successor employers for purposes other than unemployment insurance.

Process for Developing New Rule: The department will hold public meetings to obtain and consider public and stakeholder input prior to filing the proposed rules. In addition, there will be a mailing to stakeholders identified in the rule-making process and written comments from stakeholders will be considered.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Juanita Myers, Unemployment Insurance Rules Coordinator, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, phone (360) 902-9665, fax (360) 902-9799, e-mail jmyers@esd.wa.gov. Please include your name, organization (if any), mailing address, e-mail address, and telephone number.

May 22, 2007

Paul Trause

Deputy Commissioner

WSR 07-11-162

PREPROPOSAL STATEMENT OF INQUIRY EMPLOYMENT SECURITY DEPARTMENT

[Filed May 23, 2007, 9:50 a.m.]

Subject of Possible Rule Making: Adopting rules to implement ESSB 5373, section 1, chapter 146, Laws of 2007, relating to treatment of overpayments when an unemployment claim becomes invalid due to an employer's failure to report, or misreporting of, hours worked; and section 7, relating to fraud committed by a claimant.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.040, and 50.20.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESSB 5373, section 1, amended RCW 50.12.070 concerning benefits paid to a claimant prior to a claim becoming invalid due to misreported hours. The rules will clarify how overpayments assessed prior to the claim becoming invalid will be treated. Section 7 amended RCW 50.20.070 concerning benefits paid as a result of fraud by increasing the denial period and adding penalties to subsequent instances of fraud. The rules will define the elements of fraud; clarify the conditions applying to a first, second, or third and subsequent instance of fraud;

clarify that interest accrues on both the fraud principal and penalty; clarify the methods by which overpayments may be collected by the department; establish the priority in which cash payments will be applied; and related issues.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: The department intends to hold meetings with the interested public to obtain input on the proposed rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Juanita Myers, Unemployment Insurance Rules Coordinator, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, phone (360) 902-9665, fax (360) 902-9799, e-mail jmyers@esd.wa.gov.

May 22, 2007

Paul Trause

Deputy Commissioner

WSR 07-11-163

PREPROPOSAL STATEMENT OF INQUIRY EMPLOYMENT SECURITY DEPARTMENT

[Filed May 23, 2007, 9:50 a.m.]

Subject of Possible Rule Making: Adopt rules to implement SSB 5653, chapter 248, Laws of 2007, which establishes a self-employment assistance program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.040, 50.20.010, and section 1(7), chapter 248, Laws of 2007.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules will clarify that the self-employment assistance program is a component of commissioner-approved training; the conditions for approving a participant's training program; define when a participant fails to participate in the program and the consequences of that failure; how a participant's earnings will be treated while enrolled in the training program; clarify provisions related to the prohibition against competing with a former employer; define terms; and related provisions necessary to the administration of the program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

In addition, department will work with other state agencies, including the department of community, trade and economic development and workforce training and education coordinating board, in the development of these regulations.

Process for Developing New Rule: The department intends to hold meetings with the interested public and other state agencies to obtain input on the proposed rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Juanita Myers, Unemployment Insurance Rules Coordinator, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, phone (360) 902-9665, fax (360) 902-9799, e-mail jmyers@esd.wa.gov.

May 22, 2007

Paul Trause

Deputy Commissioner

WSR 07-11-164

PREPROPOSAL STATEMENT OF INQUIRY EMPLOYMENT SECURITY DEPARTMENT

[Filed May 23, 2007, 9:50 a.m.]

Subject of Possible Rule Making: Adopting and amending rules to implement the portions of ESSB 5373 (chapter 146, Laws of 2007) regarding professional employer organizations (PEOs) and client employers. The subject includes how unemployment insurance relates to PEOs and client employers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed for implementation of ESSB 5373 (chapter 146, Laws of 2007), primarily sections 9 to 17. The statute provides generally for registration and taxation of PEOs and client employers for purposes of unemployment insurance.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

In addition, proposed regulations will be shared with the state department of revenue and department of labor and industries, both of which may regulate PEOs and client employers for purposes other than unemployment insurance.

Process for Developing New Rule: The department will hold public meetings to obtain and consider public and stakeholder input prior to filing the proposed rules. In addition, there will be a mailing to stakeholders identified in the rule-making process and written comments from stakeholders will be considered.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Juanita Myers, Unemployment Insur-

ance Rules Coordinator, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, phone (360) 902-9665, fax (360) 902-9799, e-mail jmyers@esd.wa.gov. Please include your name, organization (if any), mailing address, e-mail address, and telephone number.

May 22, 2007

Paul Trause

Deputy Commissioner

WSR 07-11-169

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed May 23, 2007, 11:42 a.m.]

Subject of Possible Rule Making: ESHB 1249, which provides for a once in a lifetime, one-license-year deferral of hunter education training.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047 and 77.32.155.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 1249 requires the fish and wildlife commission to adopt rules for administering the hunter-education deferral program to avoid potential fraud and abuse.

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 Mik Mikitik, WDFW Hunter Education, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-8113, fax (360) 902-2155, e-mail at mikitjm@dfw.wa.gov. Contact by July 31, 2007. Expected proposal filing on or after September 5, 2007.

May 23, 2007

Lori Preuss

Rules Coordinator

WSR 07-11-172

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed May 23, 2007, 11:55 a.m.]

Subject of Possible Rule Making: A possible new rule, to be adopted in chapter 458-20 WAC, explaining the role and responsibilities of a certified service provider (CSP) retained by voluntary sellers registered in Washington. The new rule will establish the monetary allowances due to a CSP. The department is also considering addressing the tax credit available to eligible taxpayers as defined by section 1602, chapter 6, Laws of 2007 (SSB 5089).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300, 82.01.060, and section 301, chapter 6, Laws of 2007.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department believes a rule is needed to explain the roles and responsibilities of CSPs. Additionally, section 301, chapter 6, Laws of 2007, provides that the department will adopt by rule monetary allowances for certified service providers.

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. Written comments on and/or requests for copies of the rule may be directed to Tim Jennrich, Interpretations and Technical Advice Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail TimJe@dor.wa.gov, phone (360) 570-6136, fax (360) 586-5543.

Public meeting location: Capital Plaza Building, 4th Floor Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on June 26, 2007, at 10:00 a.m.

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

May 23, 2007
Alan R. Lynn
Rules Coordinator