

WSR 09-09-006
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed April 2, 2009, 11:34 a.m.]

Subject of Possible Rule Making: WAC 392-500-030
 Pupil tests and records.

Statutes Authorizing the Agency to Adopt Rules on this
 Subject: RCW 28A.300.040, 28A.300.045.

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: The Washington State Public
 Health Association has requested a revision of WAC 392-
 500-030 in order to create unified procedures for administer-
 ing student surveys.

Other Federal and State Agencies that Regulate this Sub-
 ject and the Process Coordinating the Rule with These Agen-
 cies: The United States Department of Education regulates
 the collection and dissemination of certain student data.

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 pub-
 lication by contacting the Office of the Superintendent of
 Public Instruction, Attn: R. Bertschi, P.O. Box 47200, Olym-
 pia, WA 98504-7200, phone (360) 725-6368, rudi.bertschi
 @k12.wa.us.

March 13, 2009
 Randy I. Dorn
 Superintendent of
 Public Instruction

WSR 09-09-015
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed April 3, 2009, 10:57 a.m.]

Subject of Possible Rule Making: The department plans
 to amend WAC 388-310-0700 and related rules to modify the
 comprehensive evaluation process for WorkFirst partici-
 pants.

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

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: The department is proposing
 to modify and enhance the comprehensive evaluation to
 improve timely engagement in WorkFirst activities.

Other Federal and State Agencies that Regulate this Sub-
 ject and the Process Coordinating the Rule with These Agen-
 cies: 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 pub-
 lication by contacting Dasha Mitchell, Program Administra-
 tor, Community Services Division, P.O. Box 45470, Olym-
 pia, WA 98504-5470, phone (360) 725-4354, fax (360) 725-
 4905, e-mail mitchdj@dshs.wa.gov.

March 25, 2009
 Stephanie E. Schiller
 Rules Coordinator

WSR 09-09-025
PREPROPOSAL STATEMENT OF INQUIRY
CENTRAL WASHINGTON UNIVERSITY

[Filed April 6, 2009, 1:02 p.m.]

Subject of Possible Rule Making: Carpool policies.

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

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: Create new rule.

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 pub-
 lication by contacting Kristy Magdlin, Office of the Presi-
 dent, 400 East University Way, Ellensburg, WA 9826-7501
 [98926-7501], (509) 963-2154, fax (509) 963-3206,
 magdlink@cwu.edu.

April 6, 2009
 James L. Gaudino
 President

WSR 09-09-031
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
 (Chiropractic Quality Assurance Commission)

[Filed April 7, 2009, 8:45 a.m.]

Subject of Possible Rule Making: WAC 246-808-150
 Commission approved continuing education: The chiroprac-
 tic quality assurance commission (commission) will review
 the current continuing education (CE) requirements for
 Washington state licensed chiropractors.

Statutes Authorizing the Agency to Adopt Rules on this
 Subject: RCW 18.25.0171.

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: The commission is consider-
 ing adding language to include a required ethics and bound-
 aries course. In addition, the commission will review the cur-
 rent CE requirements against the current practice standards to
 see if any changes, additions, or deletions are needed.

Other Federal and State Agencies that Regulate this Sub-
 ject and the Process Coordinating the Rule with These Agen-
 cies: None.

Process for Developing New Rule: Collaborative rule
 making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Leann Yount, Chiropractic Commission Program Manager, P.O. Box 47852. Stakeholders will be notified of the rule inquiry via listserv and it will be posted on the web site. Stakeholders will be given an opportunity to submit written comments for consideration. In addition, they can also participate in the public rule-writing workshop and/or testify at the public hearing.

March 30, 2009
Leann Yount
Program Manager

WSR 09-09-042

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed April 8, 2009, 2:15 p.m.]

Subject of Possible Rule Making: Special permit regulating the slaughter, preparation and sale of one thousand or fewer poultry in a calendar year by an agricultural producer for the sale of whole raw poultry directly to the ultimate consumer at the producer's farm under chapter 16-170 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.07.103.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department anticipates that legislation amending RCW 69.07.103 (SSB 5350) will be passed by the 2009 legislature. If the legislation does pass, the amendment of chapter 16-170 WAC will be necessary to comply with this legislation. The proposed legislation expands coverage under a special permit for slaughtering chickens to include poultry; and the special permit may be issued for one or two years expiring on December 31.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state department of agriculture (WSDA) is the sole regulator of this area but will keep United States Department of Agriculture, Washington state department of health and interested county officials informed on the proposed amendments.

Process for Developing New Rule: The department will notify and request participation on the proposed amendments from the food safety advisory committee, department of health, interested county health officials as well as those industry groups affected.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties should direct any comments or questions on the proposed rule making to Claudia Coles, Program Manager, WSDA, Food Safety Program, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1905, or e-mail WSDARulesComments@agr.wa.gov.

April 8, 2009
Jerry Buendel
Assistant Director

WSR 09-09-049

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed April 10, 2009, 9:38 a.m.]

Subject of Possible Rule Making: Reporting requirements for a change of name.

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 propose a rule change to allow individuals to report their name change within thirty days after the change. Currently, they are required to report name changes thirty days before the change.

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; Mark Harris, Assistant Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3579; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] May 15, 2009, at the Red Lion Hotel, 2525 North 20th Avenue, Pasco, WA 99301, (509) 547-0701; on July 10, 2009, at The Heathman Lodge, 7801 N.E. Greenwood Drive, Vancouver, WA 98662, (360) 254-3100; and on August 14, 2009, at the Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, (253) 858-1111.

April 10, 2009
Susan Arland
Rules Coordinator

WSR 09-09-059

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

[Filed April 13, 2009, 11:07 a.m.]

Subject of Possible Rule Making: The department is amending WAC 388-530-2000 Covered—Outpatient drugs, devices, and drug-related supplies and 388-530-2100 Non-covered—Outpatient drugs and pharmaceutical supplies.

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: Amendments to the prescription drug program are required due to shortfalls in anticipated budget revenues.

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 Wendy L. Boedigheimer, Rules Program Manager, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1306, fax (360) 586-9727, TTY (800) 848-5429, e-mail boediwl@dshs.wa.gov.

April 13, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-09-060

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed April 13, 2009, 12:26 p.m.]

Subject of Possible Rule Making: The department is repealing WAC 388-517-0400 Medicare coinsurance payment—Extended care patient.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.-500, Section 1902 (a)(10)(E)(iii) and Section 1905 (p)(3)(A) (ii) of the Social Security Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: HRSA is repealing this section because medicare coinsurance, deductibles, and copayments are addressed in WAC 388-517-0320.

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 Kevin Sullivan, HRSA Rules Coordinator, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1344, fax (360) 586-9727, TTY 1-800-848-5429, e-mail sullikm@dshs.wa.gov.

April 13, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-09-076

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF

FINANCIAL INSTITUTIONS

(Division of Credit Unions)

[Filed April 14, 2009, 5:31 p.m.]

Subject of Possible Rule Making: Requirements and standards for state-chartered credit unions in the mitigation of

losses for loans collateralized by real property, or real property acquired as [a] result of loan defaults, and the management, marketing, sales and accounting practices required when dealing with other real estate owned (OREO), typically from foreclosed properties.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 31.12.404, 31.12.426, 31.12.428, 31.12.436, 31.12.516, 31.12.569.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Needed to maintain safe and sound practices of credit union operations by providing standards and guidelines for evaluating, managing and selling OREO. OREO is real property that a state-chartered credit union holds as a consequence of defaults on loans.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The National Credit Union Administration (federal agency). Coordination will occur by communication with the NCUA and by monitoring relevant federal exam guidelines and rule making on the subject of this rule.

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 attending any public hearings on the proposed rule, and by contacting the Division of Credit Unions, Joanne Conrad, Regulatory Analyst, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8813, fax (360) 704-6490, e-mail jconrad@dfi.wa.gov.

April 14, 2009
Linda Jekel
Director

WSR 09-09-079

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed April 15, 2009, 1:43 p.m.]

Subject of Possible Rule Making: Electronic pull-tab dispensers.

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: We have received a petition for rule change from ZDI Gaming requesting a rule change regarding electronic video pull-tab dispensers and how dispensers read and display information.

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; Mark Harris, Assistant Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3579; or Susan Arland, Rules Coord-

dinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] May 15, 2009, at the Red Lion Hotel, 2525 North 20th Avenue, Pasco, WA 99301, (509) 547-0701; on July 10, 2009, at The Heathman Lodge, 7801 N.E. Greenwood Drive, Vancouver, WA 98662, (360) 254-3100; and on August 14, 2009, at the Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, (253) 858-1111.

April 15, 2009
Susan Arland
Rules Coordinator

WSR 09-09-084

PREPROPOSAL STATEMENT OF INQUIRY HORSE RACING COMMISSION

[Filed April 16, 2009, 7:35 a.m.]

Subject of Possible Rule Making: WAC 260-49-070 Distribution of source market fee.

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: With the passage of SB 5125 the Washington bred owner's bonus fund account has been renamed to the "Washington bred owner's bonus fund and breeder award account" (RCW 43.79A.040 and sections in chapter 67.16 RCW). Passage of this legislation make amendments to the rule on the distribution of source market fee necessary.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Robert J. Lopez, Executive Secretary, 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.

April 15, 2009
R. J. Lopez
Executive Secretary

WSR 09-09-085

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF CORRECTIONS

[Filed April 16, 2009, 8:20 a.m.]

Subject of Possible Rule Making: Payment of benefits to department employees assaulted by offenders, amend chapter 137-78 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 72.01.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To modify the process by which employees may request compensation for injuries suf-

fered from offender assaults and make other administrative changes.

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 interested parties to review and provide input on the proposed rules. Comments may be sent to John Nispel, rules coordinator, at the address shown below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Nispel, Rules Coordinator, Department of Corrections, Contracts and Legal Affairs, P.O. Box 41114, Olympia, WA 98504-1114, phone (360) 725-8365, fax (360) 664-2009.

April 15, 2009
E. Vail
Secretary

WSR 09-09-086

WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY ENERGY FACILITY SITE EVALUATION COUNCIL

[Filed April 16, 2009, 8:52 a.m.]

The energy facility site evaluation council (EFSEC) requests withdrawal of its CR-101 filed on January 14, 2009, and published in WSR 09-03-064.

The subject of the CR-101 was the amendment of chapter 463-62 WAC, Construction and operation standards for energy facilities. EFSEC had proposed to develop construction and operation standards that would apply some, if not all alternative energy resources as defined in RCW 80.50.020 (18). EFSEC has no current plans to refile at a later date.

If you have any questions please call Allen Fiksdal at (360) 956-2152 or e-mail allenf@cted.wa.gov.

WSR 09-09-089

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed April 16, 2009, 3:18 p.m.]

Subject of Possible Rule Making: Examination results and successful applicants applying for license, WAC 308-124A-030.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.85.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: New real estate licensing statutes will be effective July 1, 2010, which will affect test results and licensing.

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 Jerry McDonald, P.O. Box 23445, Olympia, WA 98507, phone (360) 6614-6524 [664-6524], fax (360) 570-7051, e-mail jmcdonald@dol.wa.gov.

April 16, 2009
Jerry McDonald
Assistant Administrator

WSR 09-09-093

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF THE STATE TREASURER

[Filed April 17, 2009, 9:03 a.m.]

Subject of Possible Rule Making: Chapter 389-12 WAC, Practice and procedure—Public depositaries.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 39.58 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To amend and update the procedures to be followed by financial institutions who hold public funds in Washington state in accordance with the Public Deposit Protection Act, as amended by chapter 9, Laws of 2009.

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 agency will consult with stakeholders in the development of these rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties can participate in this rule-making process by contacting Shad Pruitt, Deputy Treasurer, P.O. Box 40200, Olympia, WA 98504-0200, phone (360) 902-8904, fax (360) 586-6890, e-mail shad.pruitt@tre.wa.gov; monitoring the office of the state treasurer web site; providing written comments; and providing oral testimony at the public hearing.

April 17, 2009
Shad Pruitt
Deputy Treasurer

WSR 09-09-097

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

(Health and Recovery Services Administration)

[Filed April 20, 2009, 9:05 a.m.]

The health and recovery services administration requests the withdrawal of the preproposal statement of inquiry filed

as WSR 09-03-099 on January 21, 2009 (WAC 388-546-5500).

Stephanie E. Schiller
Rules Coordinator

WSR 09-09-099

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

[Filed April 20, 2009, 9:58 a.m.]

Subject of Possible Rule Making: The department plans to propose amendments to WAC 388-310-0350 and other related rules to allow for streamlining of the WorkFirst exemption process.

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 proposing to modify the rule to allow for streamlining of the WorkFirst exemption process.

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 Sandy Jsmes, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4648, fax (360) 725-4905, e-mail Jsmesm@dshs.wa.gov.

April 20, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-09-100

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

[Filed April 20, 2009, 9:59 a.m.]

Subject of Possible Rule Making: The department is amending WAC 388-546-5500 Modifications of privately owned vehicles.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Due to shortfalls in antici-

pated budget revenues, the department is amending this section by moving modifications of privately owned vehicles to noncovered.

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 Wendy L. Boedigheimer, Rules Program Manager, Health and Recovery Services Administration, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1306, fax (360) 586-9727, TTY 1-800-848-5429, e-mail boediwl@dshs.wa.gov.

April 20, 2009
Stephanie E. Schiller
Rules Coordinator

WSR 09-09-102

PREPROPOSAL STATEMENT OF INQUIRY

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed April 20, 2009, 11:25 a.m.]

Subject of Possible Rule Making: Chapter 392-141 WAC, Transportation—State allocation for operations.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To update and clarify reporting requirements and calculations of the operation allocation formula.

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 Allan J. Jones, Director, Pupil Transportation and Traffic Safety Education, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, (360) 725-6120, fax (360) 586-6124, e-mail allan.jones@k12.wa.us.

April 20, 2009
Randy I. Dorn
Superintendent of
Public Instruction

WSR 09-09-106

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed April 20, 2009, 4:30 p.m.]

Subject of Possible Rule Making: To offer a supplemental fundamentals course to applicants to attain the required one hundred and twenty hours of classroom education.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.280.070(2), home inspectors.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule would address home inspectors who have previously taken a minimum of sixty hours of education courses in approved fundamentals courses relating the practice of home inspection five or less years prior to the effective date of the law to use this education towards the required one hundred and twenty hours of education required for initial licensure.

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 Jerry McDonald, P.O. Box 2445, Olympia, WA 98507, phone (360) 664-6524, fax (360) 570-7051, e-mail jmcdonald@dol.wa.gov.

April 20, 2009
Jerry McDonald
Assistant Administrator

WSR 09-09-114

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed April 21, 2009, 1:36 p.m.]

Subject of Possible Rule Making: Chapter 296-46B WAC, Electrical safety standards, administration, and installation.

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 plans to review the electrical rule for administrative additions or revisions. The electrical rules are reviewed on a regular basis to ensure the rules are consistent with the national consensus standards, industry practice, to clarify the rules, and for possible housekeeping changes.

The rule making will:

- Make technical reference corrections;
- Change submission time, for design documents, to "on the jobsite at the time of inspection" for wind and PV systems;
- Remove reciprocal and temporary electrician certification language;
- Amend the time an electrical trainee has to pass the written examination;

- Amend the retest times for electricians who fail the written examination;
- Amend the requirements for continuing education requirements; and
- Clarify inconsistencies with the language regarding the submission of documents for appeal hearings and applying of appeal bonds.

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 these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. Public hearings will be held 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 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.

April 21, 2009
Judy Schurke
Director

WSR 09-09-123

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed April 22, 2009, 8:18 a.m.]

Subject of Possible Rule Making: Chapter 16-497 WAC, Hop disease quarantine, at the request of the affected industry, the department is proposing to amend the hop disease quarantine rule by adding hop stunt viroid to the list of diseases that hop planting stock entering the state needs to be certified free of. In addition, the department is proposing to revise the current language to make it more clear and readable and to reflect current industry practices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 17.24, 15.14, and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Hop stunt viroid is an economically significant, exotic, and highly infectious disease of commercial hops. It has recently been found for the first time in this state's hop planting stock, and an industry sponsored project to eliminate it has been initiated at the WSU Irrigated Agriculture Research and Extension Center at Prosser. Adding it to the list of prohibited diseases in the existing quarantine rule has been proposed by the affected industry to protect the state from reinfestation.

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 amendments 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 mtoohey@agr.wa.gov; or Tom Wessels, Plant Services Program Manager, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1984, fax (360) 902-2094, e-mail twessels@agr.wa.gov.

April 21, 2009
Mary A. Martin Toohey
Assistant Director

WSR 09-09-124

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed April 22, 2009, 8:23 a.m.]

Subject of Possible Rule Making: Chapter 16-354 WAC, Hop rootstocks—Certification, the department is proposing to amend the hop certification rule to change the criteria for certification. The proposal would add hop stunt viroid to the list of diseases that certified hop planting stock needs to be free of. In addition, the department is proposing to revise the current language to make it more clear and readable and reflect current industry practices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 15.14 and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: At the request of the affected industry, hop stunt viroid is proposed for addition to the list of diseases that must be absent, in order for planting stock to be eligible for certification. Certified planting stock is stock that has met standards for freedom from disease and other pests. Hop stunt viroid is an economically significant, exotic, and highly infectious disease of commercial hops. It has recently been found for the first time in this state's hop planting stock, and an industry sponsored project to eliminate it has been initiated at the WSU Irrigated Agriculture Research and Extension Center at Prosser. It would benefit the industry to eliminate it from the certified planting stock program criteria.

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 amendments 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 mtoohey@agr.wa.gov; or Tom Wessels, Plant Services Program Manager, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1984, fax (360) 902-2094, e-mail twessels@agr.wa.gov.

April 21, 2009
Mary A. Martin Toohey
Assistant Director

WSR 09-09-127

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed April 22, 2009, 10:14 a.m.]

Subject of Possible Rule Making: Chapter 308-107 WAC, Ignition interlock driver's license, application, eligibility requirements, deadlines, duration.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 and 46.20.385.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Clarify deadlines for meeting eligibility requirements once an application for an ignition interlock driver's license has been submitted, and specifying the duration of the requirement for an ignition interlock driver's license.

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

Process for Developing New Rule: Review of internal policies, soliciting advice of attorney general's office and interested stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Clark J. Holloway, Department of Licensing, P.O. Box 9020, Olympia, WA 98507-9020, (360) 902-3846, cholloway@dol.wa.gov.

April 21, 2009
Clark J. Holloway
Legislative Liaison

WSR 09-09-130

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

(Aging and Disability Services Administration)

[Filed April 22, 2009, 11:19 a.m.]

The aging and disability services administration requests the withdrawal of the preproposal statement of inquiry filed as WSR 09-07-040 on March 10, 2009 (WAC 388-832-115).

Stephanie E. Schiller
Rules Coordinator