

**WSR 11-11-005**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**  
 (Traffic Safety Education)  
 [Filed May 5, 2011, 11:23 a.m.]

Subject of Possible Rule Making: Chapter 392-143 WAC, Transportation—Specifications for school buses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.61.380.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revisions to this WAC will eliminate the requirement of a weight slip and copy of the warrant being provided to the office of superintendent of public instruction (OSPI) prior to issuance of an operation permits [permit]. These amendments will be a cost-savings benefit to all school district[s], educational service districts, and OSPI. In addition, some grammatical changes may be made to this chapter.

Process for Developing New Rule: Other [no 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, Student Transportation, P.O. Box 47200, Olympia, WA 98504-7200, (360) 725-6120, or fax (360) 586-6124, allan.jones@k12.wa.us.

May 5, 2011

Randy Dorn  
 Superintendent of  
 Public Instruction

**WSR 11-11-020**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**GAMBLING COMMISSION**  
 [Filed May 9, 2011, 11:47 a.m.]

Subject of Possible Rule Making: Licensed charitable/nonprofit organizations and commercial businesses.

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 Robert Bearden, representing over a dozen charitable and nonprofit (CH/NPO) organizations in Washington state. The petitioner is requesting that rules relating to CH/NPO be reviewed to assist the industry, to include: Reducing license fees; the sale of bingo equipment, increasing the number of bingo cards played on electronic bingo daubers; and allowing for-profit organizations to operate electronic bingo daubers to raise money for charity.

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 Susan Arland, Rules Coordinator, P.O.

Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Arland@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] Friday, May 13, 2011, at 9:30 a.m., at the Tumwater Comfort Inn, 1620 74th Avenue S.W., Tumwater, WA 98501; on July 14 and/or 15, 2011, at the Seattle Convention Center or Seattle Red Lion on 5th Avenue, visit www.wsgc.wa.gov on July 1 to confirm meeting location and start time; and on August 11 and/or 12, 2011, tentative location, Vancouver Heathman Lodge, 7801 Greenwood Drive, Vancouver, WA 98662, visit www.wsgc.wa.gov on August 1 to confirm meeting location and start time.

May 9, 2011

Susan Arland  
 Rules Coordinator

**WSR 11-11-033**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**  
 [Filed May 11, 2011, 12:49 p.m.]

Subject of Possible Rule Making: Plan 3 member investment defaults.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 41.32, 41.34, 41.35, 41.50 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington state legislature has enacted legislation which changes the default investment option for new members of the defined contribution portion of the plan 3 retirement systems.

Process for Developing New Rule: The department of retirement systems (DRS) will develop the draft rule(s) with the assistance of the attorney general's office. The public is invited and encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DRS encourages your active participation in the rule-making process. After the rule(s) is drafted, DRS will file a copy with the office of the code reviser with a notice of proposed rule making. The notice will include the time and date of a public rules hearing. DRS will send a copy of the notice and the proposed rule(s) to everyone currently on the mailing list and anyone else who requests a copy. To request a copy or for more information on how to participate, please contact Ken Goolsby, Rules Coordinator, DRS, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, fax (360) 753-5397, e-mail Rules@drs.wa.gov.

May 11, 2011

Ken Goolsby  
 Rules Coordinator

**WSR 11-11-038**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
(Board of Pharmacy)  
[Filed May 11, 2011, 5:06 p.m.]

The department of health, board of pharmacy (board) would like to withdraw the following proposed rule making (CR-101):

WAC NUMBER	WSR NUMBER	WSR DATE	SUBJECT
246-887-100	11-04-066	January 27, 2011	Schedule I

The original proposal was to consider amending rules to add synthetic cannabinoids to the Schedule I controlled substances list. However, since the filing of WSR 11-04-066 the board has become aware of significant public health and safety risks presented by substituted cathinones. These substances, also known as "bath salts," and sold under names like Ivory Wave, Purple Wave, and Zoom, cause similar public safety concerns as synthetic cannabinoids.

For this reason, the board voted to withdraw the CR-101 filed as WSR 11-04-066 and file a new CR-101 to consider placing synthetic cannabinoids and substituted cathinones in Schedule I of the Controlled Substances Act, chapter 246-887 WAC.

If you have any questions, please contact Doreen E. Beebe, program manager, at (360) 236-4834.

Mary C. Selecky  
Secretary

**WSR 11-11-044**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**WASHINGTON STATE UNIVERSITY**  
[Filed May 12, 2011, 3:06 p.m.]

Subject of Possible Rule Making: The university is updating the library policies, rules and regulations.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To update and clarify the library policies, rules and regulations, including but not limited to, administration and use of the library and library materials. These changes include repeal of chapter 504-40 WAC and creation of new chapter 504-41 WAC.

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 Ralph Jenks, P.O. Box 641225, Pullman, WA 99164-1225, phone (509) 335-2005, fax (509) 335-3969, and e-mail [jenks@wsu.edu](mailto:jenks@wsu.edu). A public hearing will be held to permit comment to all proposed rules and revisions. There will be an opportunity to provide written comments to the proposed rules.

May 12, 2011  
Ralph T. Jenks, Director  
Office of Procedures, Records, and Forms  
and the University Rules Coordinator

**WSR 11-11-046**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STATE BOARD OF HEALTH**  
[Filed May 13, 2011, 9:52 a.m.]

Subject of Possible Rule Making: WAC 246-290-460 Fluoridation of drinking water.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20.050(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 1983, the state board of health (SBOH) set in WAC 246-290-460 a fluoride concentration range based on federal recommendations. This level of fluoride is intended to prevent cavities while minimizing dental fluorosis. The SBOH rule applies to public drinking water systems choosing to fluoridate under RCW 57.08.012. The United States Department of Health and Human Services (HHS) is currently considering changing its recommendation for an optimal fluoride level in drinking water. On January 13, 2011, HHS published a request for public comments on its draft recommendation. The SBOH will consider revising WAC 246-290-460 based on the finalized HHS recommendation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Environmental Protection Agency (EPA) regulates the maximum level of fluoride in public water systems under the Safe Drinking Water Act. These federal regulations set the maximum allowable level in drinking water to protect public health. The HHS recommended level considered optimal for cavity prevention is much lower than the maximum level of fluoride allowed in public drinking water supplies by EPA. SBOH will assure the allowed fluoridation level set in WAC 246-290-260 [246-290-460] is under the maximum level allowed by EPA. SBOH will consider revising the rule based on the level recommended by HHS.

Process for Developing New Rule: The SBOH will use a collaborative rule-making process, seeking input from interested parties. Outreach efforts will include providing information on our web page, [www.sboh.wa.gov](http://www.sboh.wa.gov), and using e-mail contact lists of public drinking water stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting comments to SBOH at [wsboh@doh.wa.gov](mailto:wsboh@doh.wa.gov). For additional information contact Ned Therien, Health Policy Analyst, SBOH, P.O. Box 47990, Olympia, WA 98504-7990, e-mail [ned.therien@doh.wa.gov](mailto:ned.therien@doh.wa.gov), phone (360) 236-4103, fax (360) 236-4088.

May 13, 2011  
Craig McLaughlin  
Executive Director

**WSR 11-11-049**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**COMMUNITY COLLEGES**  
**OF SPOKANE**

[Filed May 13, 2011, 1:34 p.m.]

Subject of Possible Rule Making: Amend chapter 132Q-136 WAC, Use of district facilities.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Housekeeping to update titles, addresses, and internal references. Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: Community Colleges of Spokane (CCS) welcomes students, employees, and the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, CCS will file with the office of the code reviser a notice of proposed rule making with the formal text. A copy of the proposal will be posted on the CCS internet site [www.ccs.spokane.edu/about-ccs/rulemaking](http://www.ccs.spokane.edu/about-ccs/rulemaking).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne Tucker, Public Information Officer, Mailstop 1009, P.O. Box 6000, Spokane, WA 99217-6000, e-mail [atucker@ccs.spokane.edu](mailto:atucker@ccs.spokane.edu).

May 13, 2011  
 Anne Tucker  
 Public Information Office  
 and Rules Coordinator

**WSR 11-11-050**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**COMMUNITY COLLEGES**  
**OF SPOKANE**

[Filed May 13, 2011, 1:35 p.m.]

Subject of Possible Rule Making: Amend chapter 132Q-01 WAC, Board of trustees.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Housekeeping to update titles, addresses, and internal references. Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: Community Colleges of Spokane (CCS) welcomes students, employees, and the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, CCS will file with the office of the code reviser a notice of proposed rule making with the formal text. A copy of the proposal will be posted on the CCS internet site [www.ccs.spokane.edu/about-ccs/rulemaking](http://www.ccs.spokane.edu/about-ccs/rulemaking).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne Tucker, Public Information Officer, Mailstop 1009, P.O. Box 6000, Spokane, WA 99217-6000, e-mail [atucker@ccs.spokane.edu](mailto:atucker@ccs.spokane.edu).

May 13, 2011  
 Anne Tucker  
 Public Information Office  
 and Rules Coordinator

**WSR 11-11-051**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**COMMUNITY COLLEGES**  
**OF SPOKANE**

[Filed May 13, 2011, 1:36 p.m.]

Subject of Possible Rule Making: Amend chapter 132Q-02 WAC, Student records.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To ensure compliance with recent changes to the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g. Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: Community Colleges of Spokane (CCS) welcomes students, employees, and the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, CCS will file with the office of the code reviser a notice of proposed rule making with the formal text. A copy of the proposal will be posted on the CCS internet site [www.ccs.spokane.edu/about-ccs/rulemaking](http://www.ccs.spokane.edu/about-ccs/rulemaking).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne Tucker, Public Information Officer, Mailstop 1009, P.O. Box 6000, Spokane, WA 99217-6000, e-mail [atucker@ccs.spokane.edu](mailto:atucker@ccs.spokane.edu).

May 13, 2011  
 Anne Tucker  
 Public Information Office  
 and Rules Coordinator

**WSR 11-11-052**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**COMMUNITY COLLEGES**  
**OF SPOKANE**

[Filed May 13, 2011, 1:47 p.m.]

Subject of Possible Rule Making: Amend chapter 132Q-20 WAC, Faculty and student traffic rules and regulations.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To incorporate updates and changes recommended by the Community Colleges of Spokane (CCS) parking taskforce. Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: Agency study; and CCS convened a taskforce in fall 2009 to do a comprehensive review of parking services over the course of two academic years. The taskforce held campus forums to share the results of the review with CCS constituents and published a final report on the CCS internet site. At a later date, CCS will file with the office of the code reviser a notice of proposed rule making with the formal text. A copy of the proposal will be posted on the CCS internet site [www.ccs.spokane.edu/about-ccs/rulemaking](http://www.ccs.spokane.edu/about-ccs/rulemaking).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne Tucker, Public Information Officer, Mailstop 1009, P.O. Box 6000, Spokane, WA 99217-6000, e-mail [atucker@ccs.spokane.edu](mailto:atucker@ccs.spokane.edu).

May 13, 2011

Anne Tucker

Public Information Office  
and Rules Coordinator

### WSR 11-11-053

#### PREPROPOSAL STATEMENT OF INQUIRY COMMUNITY COLLEGES OF SPOKANE

[Filed May 13, 2011, 1:38 p.m.]

Subject of Possible Rule Making: Amend chapter 132Q-30 WAC, Standards of conduct for students.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify existing rules and add a new section regarding smoking and tobacco use. Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: Community Colleges of Spokane (CCS) welcomes students, employees, and the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, CCS will file with the office of the code reviser a notice of proposed rule making with the formal text. A copy of the proposal will be posted on the CCS internet site [www.ccs.spokane.edu/about-ccs/rulemaking](http://www.ccs.spokane.edu/about-ccs/rulemaking).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne Tucker, Public Information Offi-

cer, Mailstop 1009, P.O. Box 6000, Spokane, WA 99217-6000, e-mail [atucker@ccs.spokane.edu](mailto:atucker@ccs.spokane.edu).

May 13, 2011

Anne Tucker

Public Information Office  
and Rules Coordinator

### WSR 11-11-054

#### PREPROPOSAL STATEMENT OF INQUIRY COMMUNITY COLLEGES OF SPOKANE

[Filed May 13, 2011, 1:39 p.m.]

Subject of Possible Rule Making: Amend chapter 132Q-108 WAC, Rules of practice.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Housekeeping to update titles, addresses, and internal references. Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: Community Colleges of Spokane (CCS) welcomes students, employees, and the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, CCS will file with the office of the code reviser a notice of proposed rule making with the formal text. A copy of the proposal will be posted on the CCS internet site [www.ccs.spokane.edu/about-ccs/rulemaking](http://www.ccs.spokane.edu/about-ccs/rulemaking).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne Tucker, Public Information Officer, Mailstop 1009, P.O. Box 6000, Spokane, WA 99217-6000, e-mail [atucker@ccs.spokane.edu](mailto:atucker@ccs.spokane.edu).

May 13, 2011

Anne Tucker

Public Information Office  
and Rules Coordinator

### WSR 11-11-055

#### PREPROPOSAL STATEMENT OF INQUIRY COMMUNITY COLLEGES OF SPOKANE

[Filed May 13, 2011, 1:39 p.m.]

Subject of Possible Rule Making: Amend chapter 132Q-113 WAC, Legislative liaisons.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Housekeeping to update titles, addresses, and internal references. Other policy changes that arise during this rule making may be incorpo-

rated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: Community Colleges of Spokane (CCS) welcomes students, employees, and the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, CCS will file with the office of the code reviser a notice of proposed rule making with the formal text. A copy of the proposal will be posted on the CCS internet site [www.ccs.spokane.edu/about-ccs/rulemaking](http://www.ccs.spokane.edu/about-ccs/rulemaking).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne Tucker, Public Information Officer, Mailstop 1009, P.O. Box 6000, Spokane, WA 99217-6000, e-mail [atucker@ccs.spokane.edu](mailto:atucker@ccs.spokane.edu).

May 13, 2011

Anne Tucker  
Public Information Office  
and Rules Coordinator

#### WSR 11-11-056

#### PREPROPOSAL STATEMENT OF INQUIRY COMMUNITY COLLEGES OF SPOKANE

[Filed May 13, 2011, 1:40 p.m.]

Subject of Possible Rule Making: Amend chapter 132Q-135 WAC, Environmental policy.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Housekeeping to update titles, addresses, and internal references. Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: Community Colleges of Spokane (CCS) welcomes students, employees, and the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, CCS will file with the office of the code reviser a notice of proposed rule making with the formal text. A copy of the proposal will be posted on the CCS internet site [www.ccs.spokane.edu/about-ccs/rulemaking](http://www.ccs.spokane.edu/about-ccs/rulemaking).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne Tucker, Public Information Officer, Mailstop 1009, P.O. Box 6000, Spokane, WA 99217-6000, e-mail [atucker@ccs.spokane.edu](mailto:atucker@ccs.spokane.edu).

May 13, 2011

Anne Tucker  
Public Information Office  
and Rules Coordinator

#### WSR 11-11-060

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed May 16, 2011, 7:30 a.m.]

Subject of Possible Rule Making: Chapter 308-330 WAC, updating the model traffic ordinance, legislation passed during the 2010 and 2011 sessions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.90.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Updating model traffic ordinance to reflect legislation passed during the 2010 and 2011 legislative sessions.

Process for Developing New Rule: Internal review and consultation with 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](mailto:cholloway@dol.wa.gov).

May 16, 2011

Walt Fahrer  
Rules Coordinator

#### WSR 11-11-061

#### PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2011-10—Filed May 16, 2011, 8:50 a.m.]

Subject of Possible Rule Making: Unauthorized (surplus line) insurers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.15.040(4), and 48.15.090(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 31, Laws of 2011 (HB 1694) amended the statutes. The commissioner no longer requires an affidavit of due diligence to be filed by surplus line brokers, and instead receives a certification. Unauthorized insurers must meet the minimum financial requirements before business can be placed with the insurer. The proposed rules will amend the existing rules to conform to these statutory 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: Submit written comments by July 1, 2011, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail [jimt@oic.wa.gov](mailto:jimt@oic.wa.gov), fax (360) 586-3109.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jim Tompkins, P.O. Box 40258, Olym-

pia, WA 98504-0258, e-mail jimt@oic.wa.gov, fax (360) 586-3109.

May 16, 2011  
Mike Kreidler  
Insurance Commissioner

**WSR 11-11-071**

**PREPROPOSAL STATEMENT OF INQUIRY**

**DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed May 17, 2011, 9:00 a.m.]

Subject of Possible Rule Making: Chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance and chapter 296-17A WAC, Classifications for Washington workers' compensation insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035 and 51.16.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making coordinates rules pertaining to workers' compensation rates with the Washington horse racing commission's (WHRC) emergency rule adoption that creates a mechanism by which they may allow licenses on a temporary basis and collect industrial insurance premiums for those temporary licenses. This rule making begins the permanent rule-making process to establish classifications and fees for horseracing temporary licenses.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local or federal agency regulates this issue.

Process for Developing New Rule: Labor and industries will solicit input from the affected business community by way of direct mailings, the internet, and/or informal public meetings. Labor and industries will use this input to formulate proposed changes to the existing rules and advise customers of future rule making by direct mailing and/or the internet.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Labor and industries will mail letters with ideas on possible rule changes to affected employers. Employers will be encouraged to participate in the process to share ideas and/or attend meetings. Employers can obtain information on our rule-making process at <http://www.lni.wa.gov/Law-Rule/ruleProcess.asp> and can submit comments electronically to [moom235@lni.wa.gov](mailto:moom235@lni.wa.gov) or by calling (360) 902-4774 or by fax at (360) 902-4988.

May 17, 2011  
Judy Schurke  
Director

**WSR 11-11-074**

**PREPROPOSAL STATEMENT OF INQUIRY  
ENVIRONMENTAL AND  
LAND USE HEARINGS OFFICE**

[Filed May 17, 2011, 10:06 a.m.]

Subject of Possible Rule Making: The environmental and land use hearings office (ELUHO) is the successor agency created by the administrative consolidation of the environmental hearings office (EHO) and the growth management hearings boards (GMHB) effective July 1, 2011. As a result of the legislatively directed consolidation, the ELUHO is required to adopt public records rules for the new agency. The agency anticipates modeling these rules closely after the model public records rules from the office of the attorney general.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Each agency is required by law to adopt rules pertaining to its public records procedures. Although the EHO and GMHB each currently have separate rules related to public records procedures, they are not identical, and there are no rules specifically applicable to ELUHO. These rules will provide guidance to the public on how to access public records of the ELUHO, including the three boards that are administered by the ELUHO (pollution control hearings board, shorelines hearings board and GMHB).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Rules on public records are governed by chapter 42.56 RCW, the Public Records Act.

Process for Developing New Rule: ELUHO welcomes and will consider all public comments on the subject of the development of public records rules. Comments should be made by e-mail or letter to Kay Brown, P.O. Box 40903, Olympia, WA 98504-0903, [kayb@eho.wa.gov](mailto:kayb@eho.wa.gov). There will be an additional comment period provided when the text of the proposed rules is published.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. ELUHO welcomes written comments. Comments should be addressed to Kay Brown, P.O. Box 40903, Olympia, WA 98504-0903, [kayb@eho.wa.gov](mailto:kayb@eho.wa.gov).

May 13, 2011  
Andrea McNamara Doyle, Director  
Environmental Hearings Office  
Kathleen D. Mix, Director Designee  
Environmental and Land Use Hearings Office

**WSR 11-11-083**

**PREPROPOSAL STATEMENT OF INQUIRY  
PARKS AND RECREATION  
COMMISSION**

[Filed May 18, 2011, 7:16 a.m.]

Subject of Possible Rule Making: The Washington state parks commission, joint 2011 legislation with department of natural resources and fish and wildlife, requires state parks to

revise and add chapters to Title 352 WAC, Parks and recreation commission, to address the creation of the discover pass.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 79A.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 2SSB 5622 establishes a recreational access pass for Washington state parks and other recreational land administered by fish and wildlife and department of natural resources. The Washington state parks commission will revise and add a new chapter to Title 352 WAC, chapter 352-32 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of natural resources, fish and wildlife and state parks will work closely on rule making that relates to all three agencies.

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 Brian Hovis, Intergovernmental Relations Direction, Washington State Parks and Recreation Commission, P.O. Box 42650, Olympia, WA 98504-2650, Brian.hovis@parks.wa.gov, (360) 902-8504.

May 18, 2011  
Valeria Evans  
Management Analyst