

WSR 11-13-021**PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed June 6, 2011, 10:43 a.m.]

Subject of Possible Rule Making: WAC 392-140-900 through 392-140-913, Finance—Special allocations—K-4 staff enhancement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Repeal rules because they no longer apply, effective September 1, 2011, due to the revisions to the distribution formula for K-12 basic education funding in RCW 28A.150.260, pursuant to HB 2776 in 2010.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ross Bunda, (360) 725-6308.

June 2, 2011

Randy Dorn
State Superintendent**WSR 11-13-037****WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION**

[Docket UE-100849—Filed June 8, 2011, 10:04 a.m.]

The Washington utilities and transportation commission (commission) filed a preproposal statement of inquiry (CR-101) regarding renewable energy resources on May 19, 2010, at WSR 10-11-122. The commission has decided not to proceed with this rule-making proceeding and requests that the CR-101 published in WSR 10-11-122 be withdrawn.

On January 3, 2011, the commission issued, to all interested persons in the rule-making docket, a report and policy statement concerning acquisition of renewable resources by investor-owned utilities. On January 5, 2011, the commission filed, for publication in the state register, a notice regarding the policy statement.

David W. Danner
Executive Director
and Secretary**WSR 11-13-067****PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)**

[Filed June 15, 2011, 9:24 a.m.]

Subject of Possible Rule Making: The department may propose amendments to WAC 388-310-0200 WorkFirst—Activities, and possible other related rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.320, 74.08A.330, 74.08A.340, and chapters 74.08A and 74.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department may propose amendments to modify WorkFirst participation requirements. The department is proposing to suspend participation requirements for a WorkFirst recipient who is a parent or other relative personally providing care for one child under the age of two years, or two or more children under the age of six years.

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 Leslie Kozak, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4589, fax (360) 725-4905, e-mail Leslie.kozak@dshs.wa.gov.

June 14, 2011

Katherine I. Vasquez
Rules Coordinator**WSR 11-13-069****PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed June 15, 2011, 10:39 a.m.]

Subject of Possible Rule Making: Chapter 392-115 WAC, Finance—Audit resolution process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.300.175 (for state funds) and OMB Circular A-133 (for federal funds).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This WAC has not been updated since 1997 and is in need of clarification on what is required to be resolved as well as making some other minor housekeeping changes to make the process more clearly understood. Also, there is a need to establish a threshold for

recovery of state funds, due to budget cuts and staff reductions.

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 Jennifer Carrougher, (360) 725-6288.

June 15, 2011

Randy Dorn

State Superintendent

WSR 11-13-072

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed June 15, 2011, 4:01 p.m.]

Subject of Possible Rule Making: Title 390 WAC, amending WAC 390-05-400 as prescribed in RCW 42.17-690 and amending WAC 390-16-050 as prescribed in RCW 42.17.093. Any amendments will also reflect the recodification of chapter 42.17 RCW to chapter 42.17A RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.370, 42.17.093, 42.17.645, 42.17.690, and chapter 204, Laws of 2010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The public disclosure commission will consider amending WAC 390-05-400 to adjust contribution limits for inflation in accordance with RCW 42.17.645 and 42.17.690. Possible amendments to WAC 390-16-050 to modify the reporting threshold of contributions disclosed by out-of-state political committees will be considered in accordance with RCW 42.17.093.

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 commission is expected to discuss and possibly approve draft language on the above referenced rule topics at its August 25, 2011, meeting. A formal public hearing is expected in October 2011.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting comments to Lori Anderson, Washington State Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, phone (360) 664-2737 or toll-free 1-877-601-2828, e-mail lori.anderson@pdc.wa.gov.

June 9, 2011

Lori Anderson
Communications and
Training Officer

WSR 11-13-073

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed June 15, 2011, 4:02 p.m.]

Subject of Possible Rule Making: Title 390 WAC, rules implementing chapter 145, Laws of 2011 (ESSB 5021 Campaign disclosure requirements), including Forms—Registration statement for political committees (WAC 390-16-011), Political committees—Qualifications to contribute (WAC 390-17-315), Electronic filing—Reporting threshold (WAC 390-19-030), Commission options following receipt of a staff report on alleged violations (WAC 390-37-103), and other related rules in Title 390 WAC. Any amendments will also reflect the recodification of chapter 42.17 RCW to chapter 42.17A RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 145, Laws of 2011, RCW 42.17.370, and chapter 204, Laws of 2010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The public disclosure commission will consider possible rule amendments to Title 390 WAC, including WAC 390-16-011, 390-17-315, 390-19-030, and 390-37-103, and possible new rules to reflect legislative changes found in ESSB 5021 Campaign disclosure requirements. The rules are designed to provide guidance and clarification to the general public and persons subject to the disclosure law.

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

Process for Developing New Rule: At its meeting on August 25, 2011, the commission is expected to discuss and possibly approve draft language on the above referenced rule topics. Public comment will be welcome at these meetings. Interested persons are invited to submit written comments by August 17, 2011, to Lori Anderson, Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908. Written comments received by Wednesday, August 17, will be provided to commissioners in advance of the August meeting. A formal public hearing is expected to occur in conjunction with the commission's October 27, 2011, meeting.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may participate in a July 13, 2011, stakeholder meeting scheduled for 1:30 p.m. at the commission's office, 711 Capitol Way, Room 206, Olympia, WA. Comments may also be submitted to Lori Anderson, Washington State Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504, phone (360) 664-2737, 1-877-601-2828, e-mail lori.anderson@pdc.wa.gov.

June 9, 2011

Lori Anderson
Communications and
Training Officer

WSR 11-13-091
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services)

[Filed June 20, 2011, 1:26 p.m.]

Subject of Possible Rule Making: The department is considering amending or repealing the following sections and possibly adding new sections in chapter 388-76 WAC, Adult family home minimum licensing requirements: WAC 388-76-1000 Definitions, 388-76-10020 License—Ability to provide care and services, 388-76-10025 License annual fee, 388-76-10035 License requirements—Multiple family home providers, 388-76-10036 License requirements—Multiple adult family home management, 388-76-10070 Application—Fees required, 388-76-10073 Application—Processing fees required, 388-76-10080 Application—Coprovider, 388-76-10105 Application—Change of ownership, 388-76-10106 Change of ownership—Notice to department and residents, 388-76-10115 Granting or denying a license—Generally, 388-76-10120 License—Must be denied, 388-76-10125 License—May be denied, 388-76-10130 Qualifications—Provider, entity representative and resident manager, 388-76-10135 Qualifications—Caregiver, 388-76-10146 Qualifications—Training and home care aide certification, 388-76-10160 Background check—General, 388-76-10162 Background checks—National fingerprint checks—Who is required to have, 388-76-10174 Background check—Disclosure of information—Sharing of background information by health care facilities, 388-76-10200 Adult family home—Staff—Availability—Contact information, 388-76-10395 Emergency admissions, 388-76-10215 Resident funds—Protection, liquidation or transfer, 388-76-10540 Resident rights—Disclosure of fees, 388-76-10555 Resident rights—Financial affairs, 388-76-10560 Resident rights—Adult family home management of financial affairs, 388-76-10565 Resident rights—Adult family home system for management of residential financial affairs, 388-76-10570 Resident rights—Financial affairs related to resident death, 388-76-10685 Bedrooms, 388-76-10705 Common use area, 388-76-10750 Safety and maintenance, 388-76-10940 Remedies—Generally, 388-76-10945 Remedies—Serious risk—Recurring violations—Uncorrected violations, 388-76-10950 Remedies—History and actions by individuals, 388-76-10975 Civil penalties, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.128.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to comply with and be consistent with ESHB 1277, ESHB 1548, 2ESHB 1738 and SSB 5042.

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. 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 Mike Tornquist, Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3204, fax (360) 438-7903, e-mail tornqmj@dshs.wa.gov. Draft section language will be posted on the aging and disability services administration professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

June 17, 2011
 Katherine I. Vasquez
 Rules Coordinator

WSR 11-13-092
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services)

[Filed June 20, 2011, 1:28 p.m.]

Subject of Possible Rule Making: To comply with changes in law made by SSB 5042, the department is considering amending the following sections in chapter 388-101 WAC, Certified community residential services and supports: WAC 388-101-3000 Definitions, and other related rules as appropriate.

To comply with changes in law made by ESHB 1548, the department is also considering amending or repealing the following sections in chapter 388-101 WAC: WAC 388-101-3000 Definitions, 388-101-3050 Application for initial certification, 388-101-3220 Administrator responsibilities and training, 388-101-3245 Background check—General, 388-101-3250 Background checks—Washington state, 388-101-3253 National fingerprint-based background checks—Required, 388-101-3255 Background checks—Provisional hire—Pending results, 388-101-3258 Training requirements for staff hired before January 1, 2011, 388-101-3302 Certified community residential services and supports—General training requirements, and other related rules as appropriate. The department is also considering adding new sections to the chapter.

To comply with changes in law made by 2E2SHB 1738, the department is considering amending the following sections in chapter 388-101 WAC: WAC 388-101-3545 Using client funds for health services and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030 and [71A.12].080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to comply with and be consistent with SSB 5042, 2E2SHB 1738, and ESHB 1548.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. 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 pro-

posal 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 Gaskell, Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3210, fax (360) 438-7903, e-mail gaskejw@dshs.wa.gov. Draft section language will be posted on the aging and disability services administration professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

June 17, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-13-093
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Disability Services)
[Filed June 20, 2011, 1:32 p.m.]

Subject of Possible Rule Making: The department is considering adding new sections and amending the following sections in chapter 388-97 WAC, Nursing homes: WAC 388-97-0001 Definitions, 388-97-0140 Transfer and discharge appeals for resident in medicare and medicaid certified facilities, 388-97-0600 Refusal of certain transfers, 388-97-0760 Hearing procedures to dispute preliminary finding, 388-97-0820 Appeal of administrative law judge's initial order or finding, 388-97-1640 Required notification and reporting, 388-97-4160 Initial nursing home license, 388-97-4180 Nursing home license renewal, 388-97-4280 Change of ownership, 388-97-4460 Remedies, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 18.51 and 74.42 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to comply with and be consistent with federal regulations and newly passed state laws: SSB 5042 Vulnerable adults protection, ESHB 1277 Oversight of licensed or certified long-term care settings for vulnerable adults, and 2E2SHB 1738 Changing the designation of medicaid state agency.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicare and Medicaid Services.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. 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 Lisa Yanagida, Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2589, fax (360) 438-7903, e-mail yanagln2@dshs.wa.gov. Draft section language will be posted on the aging and disability services administration professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

June 20, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-13-094
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Disability Services)
[Filed June 20, 2011, 1:33 p.m.]

Subject of Possible Rule Making: The department is considering amending or repealing the following sections, and possibly adding new sections in chapter 388-78A WAC, Boarding home licensing rules: WAC 388-78A-2020 Definitions, 388-78A-2030 Applicability, 388-78A-2463 Background check—National fingerprint checks, 388-78A-2750 Application process, 388-78A-2800 Changes in licensed bed capacity, 388-78A-3230 Fees, 388-78A-2461 Background check—General, 388-78A-2467 Background check—Sharing by health care facilities, 388-78A-2474 Training and home care aide certification, 388-78A-2130 Service agreement planning, 388-78A-2780 Change in license/change of ownership—Notice to department and residents, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.20 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending the boarding home rules to comply with and be consistent with ESSB 5708 Long-term care services, SSB 5042 Vulnerable adults—Protection, ESHB 1277 Oversight of licensed or certified long-term care settings for vulnerable adults, ESHB 1548 Long-term care worker requirements, and 2E2SHB 1738 Changing the designation of the medicaid single state agency.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. 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 Judy Johnson, Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2591, fax (360) 438-7903, e-mail johnsjm1@dshs.wa.gov. Draft section language will be posted on the aging and disability services administration

professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

June 16, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-13-095
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Aging and Disability Services)

[Filed June 20, 2011, 1:37 p.m.]

Subject of Possible Rule Making: To comply with changes in law made by SSB 5042, the department is considering amending the following sections in chapter 388-111 WAC, Residential habilitation centers—Compliance standards: WAC 388-111-0001 Definitions and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 74.34 RCW, RCW 74.08.090 and 71A.12-030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to comply with and be consistent with SSB 5042.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. 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 Gaskell, Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3210, fax (360) 438-7903, e-mail gaskejw@dshs.wa.gov. Draft section language will be posted on the aging and disability services administration professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

June 17, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-13-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 21, 2011, 8:48 a.m.]

Subject of Possible Rule Making: Chapter 296-30 WAC, Rules for the administration of the crime victims compensation program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 7.68.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This will update four rules under chapter 296-30 WAC and will add one rule to be consistent with SSB 5691 (chapter 346, Laws of 2011). The updates include removal of references to Title 51 RCW, addition or clarification of some definitions, an explanation of new medical cap, fee schedule changes, and fee schedule change notification methods.

Process for Developing New Rule: Interested parties 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. A public hearing 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 Cletus Nnanabu, Department of Labor and Industries, Crime Victims Compensation Program, phone (360) 902-5340, fax (360) 902-5333, Cletus.Nnanabu@lni.wa.gov, P.O. Box 44520, Olympia, WA 98504-4520.

June 21, 2011

Judy Schurke
Director

WSR 11-13-100
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 21, 2011, 8:50 a.m.]

Subject of Possible Rule Making: 2012 industrial insurance premium rates, chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance and chapter 296-17B WAC, Retrospective rating for workers' compensation insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035, 51.04.020(1), and 51.18.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Labor and industries is required by law to establish and maintain a workers' compensation classification plan and to set premium rates that are the lowest necessary to maintain actuarial solvency of the accident and medical aid funds and are designed to attempt to limit fluctuations in premium rates. The plan must be consistent with recognized principles of insurance. Labor and industries is also required by law to offer retrospective rating

plans to employers as a further incentive to encourage workplace safety and prevent employee injury.

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 subject.

Process for Developing New Rule: Premium rates for each classification are developed in part from the past loss experience of employers subject to the classification, changes in benefit levels mandated by law or court decisions, medical inflation, economic and business trends and financial markets. Labor and industries will work with the workers' compensation advisory committee (WCAC) and retrospective rating advisory committee as changes are developed. The public can participate in these discussions by attending WCAC meetings. A schedule of these meetings is available at <http://www.lni.wa.gov/ClaimsIns/Insurance/Learn/Wcac/Default.asp>. The public can participate in discussions of the retrospective rating advisory committee. A schedule of meetings can be found at www.lni.wa.gov/ClaimsIns/Insurance/Reduce/Qualify/AdvComm/default.asp.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Labor and industries is planning to hold formal public hearings in October 2011 in Tumwater, Tukwila, Bellingham, Vancouver, Kennewick, and Spokane. Public hearings are anticipated to last until all public comments are received. Inquiries can be directed to Jo Anne Attwood, Classification Services, P.O. Box 44148, Olympia, WA 98504-4148, phone (360) 902-4777, fax (360) 902-4988, e-mail smij235@lni.wa.gov.

June 21, 2011

Judy Schurke
Director

WSR 11-13-102

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed June 21, 2011, 9:01 a.m.]

Subject of Possible Rule Making: WAC 392-140-970 through 392-140-975, Finance—Special allocations—Salary bonus for teachers and other certificated staff who hold current certification by the national board.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290(1) and 28A.405.415.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Pursuant to section 513(5) of the 2011-13 State Operating Appropriations Act, E2SHB 1087, these revisions to the national board bonus program:

- Reduce a school's eligibility to be designated a challenging, high poverty school, and thus making that school's national board teachers eligible for the challenging, high poverty school bonus, from the current two years to one year only;
- Pay all bonuses for the 2011-12 school year in July 2012, and similarly for subsequent school years;

- Reduce all bonuses by a factor of forty percent for first year national board certified teachers, to reflect the portion of the instructional school year they are certified.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ross Bunda, (360) 725-6308.

June 21, 2011

Randy Dorn
State Superintendent of
Public Instruction

WSR 11-13-116

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed June 21, 2011, 2:24 p.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, Vehicle licenses, to include but not limited to WAC 308-96A-161 Fleet registrations.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify the requirements for registering a fleet, and reducing the number of required vehicles in a permanent fleet. Reducing the number of vehicles in a permanent fleet allows more fleet owners the option to register as a fleet owner.

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 Debra K. Then, Research Analyst, Program and System Support, Mailstop 48205, P.O. Box 9037, Olympia, WA 98501-9037, or by phone (360) 902-4094, fax (360) 902-3706, TTY (360) 664-0116, e-mail dthen@dol.wa.gov.

June 21, 2011

Ben T. Shomshor
Rules Coordinator

WSR 11-13-123
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Docket US-111021—Filed June 22, 2011, 8:12 a.m.]

Subject of Possible Rule Making: The utilities and transportation commission (UTC) commences this inquiry to implement SSB 5034, chapter 214, Laws of 2011, which requires that wastewater companies that provide "systems of sewerage" to one hundred or more customers, or at a volume of 27,000 to 100,000 gallons per day, for compensation, first obtain a certificate of public convenience and necessity and be regulated as a private utility by the UTC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Sections 3, 4, 8 and 29, chapter 214, Laws of 2011, Executive Order 10-06 directs agencies to suspend "noncritical" rule making. The UTC believes the executive order and the office of financial management instructions allow this rule making because it is required by recent legislation, which was requested by the industry.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The law establishes basic requirements for a certificate, provides authority to require the sale of unfit companies, provides authority to request receivership of failed wastewater companies and incorporates the wastewater company program into the general provisions of Title 80 RCW. Rules may be necessary to implement the law to provide additional details consistent with those requirements and authorities; and establish procedures, methodologies and standards. Rules may also be necessary to govern the sale and transfer of wastewater companies, their operations, financial records and reporting, affiliated transactions, rates, consumer protection provisions and allow the agency to establish regulatory fees charged to companies.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of health and the department of ecology issue permits for systems of sewerage. They will participate in educational and rule-making workshops and the review of draft regulations.

Process for Developing New Rule: Agency study; and the UTC will sponsor a workshop for the purpose of educating UTC staff about the industry to be regulated and the current health, safety and environmental regulations governing the collection and treatment of wastewater. The workshop will also educate the industry and affected state and local agencies about private utility regulation. The UTC will subsequently hold rule-making workshops and circulate for comment one or more drafts of regulations before issuing a CR-102 and holding a hearing for consideration of a proposed set of rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may submit their contact information to the Executive Director and Secretary, Utilities and Transportation Commission, P.O. Box 47250, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, phone (360) 664-1174, fax (360) 586-1150. For specific information regarding opportunities for written comments

and to ensure receipt of further information concerning the rule making, please see below.

NOTICE OF FINANCIAL PARTICIPATION TO FUND RULE-MAKING PROJECT: Under section 29, chapter 214, Laws of 2011, the UTC may adopt rules to implement the law prior to the July 1, 2012, effective date to ensure that rules are in place when the law becomes effective. To ensure that the UTC can pay for the cost of the rule making, under section 29(2) of the law, the UTC is authorized to collect payments from wastewater companies and other private entities that have notified the commission of their willingness to cover the costs of this rule making. The UTC is not required to pursue the rule making unless it receives sufficient payments to cover the projected costs of the rule making. To ensure that it receives sufficient payments, **the UTC is requesting companies or other private entities to send a letter of intent to participate financially to the UTC no later than July 20, 2011.** Upon receipt of statements of intent, the UTC will proportionately divide the anticipated cost of the rule making among those stating their intent to participate, and will send an invoice to those companies, persons or organizations. The UTC will not begin the rule-making process until it has received sufficient funds to pay for the rule making.

Persons interested are asked to send the letter of intent to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, (360) 664-1174, fax (360) 586-1150.

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING: The UTC wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. Financial participation in the rule making is not required to receive mailings, participate in workshops or comment on the draft or proposed regulations. If you wish to continue to receive notices and information about the rule making, including an opportunity to participate in or attend workshops, or to comment on drafts or proposed rules, please advise the UTC Records Center by any one of the following methods:

1. Send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket US-111021, and the words "Please keep me on the mailing list;" or

2. E-mail your name, address, telephone and fax numbers, referencing Docket US-111021, and the words "Please keep me on the mailing list" to records@utc.wa.gov.

Please note that all information in the mailings will be accessible through the commission's internet web site at <http://www.utc.wa.gov/111021>.

THOSE PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.

June 22, 2011
 David W. Danner
 Executive Director
 and Secretary