

**WSR 11-16-001****PREPROPOSAL STATEMENT OF INQUIRY  
HORSE RACING COMMISSION**

[Filed July 20, 2011, 1:08 p.m.]

Subject of Possible Rule Making: WAC 260-70-640 Permitted medication and 260-84-120 Penalties relating to permitted medication.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington horse racing commission is contemplating amending the permitted level of phenylbutazone in post race samples in graded stakes races. Maintaining the graded stake status would benefit the industry and small businesses that it affects.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Douglas L. Moore, Deputy Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

July 20, 2011

Douglas L. Moore

Deputy Executive Secretary

**WSR 11-16-018****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF AGRICULTURE**

[Filed July 25, 2011, 11:13 a.m.]

Subject of Possible Rule Making: Chapter 16-29 WAC, Animal disease traceability.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 16.36 and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the 2011 legislative session, the Washington state department of agriculture (WSDA) was given authority to assess a fee of no more than forty cents per head on cattle sold or slaughtered in the state or transported out of state. The generated revenue will be invested to administer animal disease traceability activities for cattle in Washington. WSDA is considering developing a new WAC within Title 16 WAC that would describe the department's process in assessing and collecting the proposed fee.

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

Process for Developing New Rule: WSDA staff will develop the rules proposal with the help of industry input. Interested parties will be given the opportunity to participate during the public hearing and public comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jodi Jones, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504, phone (360) 902-1889, fax (360) 902-2087, e-mail jjones@agr.wa.gov.

July 25, 2011

Leonard E. Eldridge, DVM

Assistant Director

**WSR 11-16-020****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF AGRICULTURE**

[Filed July 25, 2011, 11:14 a.m.]

Subject of Possible Rule Making: Chapter 16-54 WAC, Animal importation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 16.36 and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the 2011 legislative session, Washington state department of agriculture (WSDA) was directed to adopt, by rule, designation of when a certificate of veterinary inspection, permit, and other transportation documents require a physical address for the destination when importing animals into Washington state. The legislation established a violation for transporting or delivering said animals to any other physical address not identified on the certificate of veterinary inspection, permit, or other transportation document. Rule making will be necessary to align the rule with the adopted legislation and to define processes to administer these 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: WSDA staff will develop the rules proposal with the help of industry input. Interested parties will be given the opportunity to participate during the public hearing and public comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jodi Jones, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504, phone (360) 902-1889, fax (360) 902-2087, e-mail jjones@agr.wa.gov.

July 25, 2011

Leonard E. Eldridge, DVM

Assistant Director

**WSR 11-16-021****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF AGRICULTURE**

[Filed July 25, 2011, 11:15 a.m.]

Subject of Possible Rule Making: Chapter 16-610 WAC, Livestock brand inspection.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 16.57 and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the 2011 legislative session, the Washington state department of agriculture (WSDA) was directed to adopt, by rule, designations of when inspection certificates, certificates of permit, or other transportation documents for cattle and horses require a physical address for the destination. WSDA is proposing to amend chapter 16-610 WAC to align with the recently enacted legislation, include the violation and assessed penalty to current penalty schedule, and outline exemptions.

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

Process for Developing New Rule: WSDA staff will develop the rules proposal with the help of industry input. Interested parties will be given the opportunity to participate during the public hearing and public comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jodi Jones, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504, phone (360) 902-1889, fax (360) 902-2087, e-mail jjones@agr.wa.gov.

July 25, 2011

Leonard E. Eldridge, DVM  
Assistant Director

### WSR 11-16-032

#### PREPROPOSAL STATEMENT OF INQUIRY LIQUOR CONTROL BOARD

[Filed July 27, 2011, 10:38 a.m.]

Subject of Possible Rule Making: Chapter 314-02 WAC, Requirements for retail liquor licensees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.24.400, 66.24.590, 66.24.371.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is the result [of] legislation that passed in the 2011 legislative session. SSB 5788, HB 1465, and SSB 5156 made changes to retail liquor licenses, created additional allowances for some retail licenses and created a new VIP Airport Lounge liquor license. Current rules need to be revised to reflect the changes and new rules need to be written to implement the new liquor license type.

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, Agency Rules Coordi-

nator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1631, fax (360) 664-9689, e-mail rules@liq.wa.gov.

July 27, 2011

Sharon Foster  
Chairman

### WSR 11-16-033

#### PREPROPOSAL STATEMENT OF INQUIRY LIQUOR CONTROL BOARD

[Filed July 27, 2011, 10:39 a.m.]

Subject of Possible Rule Making: Chapter 314-05 WAC, Special occasion licenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.28.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is the result [of] legislation that passed in the 2011 legislative session. SSB 5788 made exceptions for the special occasion liquor license holders that need to be clarified [by] rule and the current rules need to be revised.

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, Agency Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1631, fax (360) 664-9689, e-mail rules@liq.wa.gov.

July 27, 2011

Sharon Foster  
Chairman

### WSR 11-16-034

#### PREPROPOSAL STATEMENT OF INQUIRY LIQUOR CONTROL BOARD

[Filed July 27, 2011, 10:40 a.m.]

Subject of Possible Rule Making: Chapter 314-40 WAC, Clubs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.24.450.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is the result [of] legislation that passed in the 2011 legislative session. SSB 5788 made changes to the club liquor license that needs to be clarified in the rules.

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, Agency Rules Coordi-

nator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1631, fax (360) 664-9689, e-mail rules@liq.wa.gov.

July 27, 2011  
Sharon Foster  
Chairman

### WSR 11-16-035

#### PREPROPOSAL STATEMENT OF INQUIRY LIQUOR CONTROL BOARD

[Filed July 27, 2011, 10:41 a.m.]

Subject of Possible Rule Making: Chapter 314-44 WAC, Licensed agents.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.24.310.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is the result [of] legislation that passed in the 2011 legislative session. SSB 5788 made changes to the representative's liquor license that needs to be revised in the current rules.

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, Agency Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1631, fax (360) 664-9689, e-mail rules@liq.wa.gov.

July 27, 2011  
Sharon Foster  
Chairman

### WSR 11-16-047

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed July 28, 2011, 10:09 a.m.]

Subject of Possible Rule Making: Title 308 WAC, Licensing, department of, which includes WAC 308-56A-500 Definitions.

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: Rule making is to make the rules clearer and to clarify and correct the definition regarding impossible to affix front license plate.

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 98507-9037, or by phone (360) 902-4094, fax (360) 902-7821, TTY (360) 664-8885, e-mail dthen@dol.wa.gov.

July 28, 2011  
Ben T. Shomshor  
Rules Coordinator

### WSR 11-16-050

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed July 28, 2011, 12:51 p.m.]

Subject of Possible Rule Making: Hydraulic code rules (chapter 220-110 WAC), which regulate construction projects in state waters.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047, 34.05.328, and chapter 77.55 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington department of fish and wildlife has not substantially updated chapter 220-110 WAC since 1994. Our understanding of the impacts of hydraulic projects on fish life and habitat has advanced, yet the department has not modified the rules to properly protect fish life and habitat required by chapter 77.55 RCW. Likewise, current rules do not reflect technological advancements for constructing many hydraulic projects, and the rules are needlessly restrictive in some cases or overly permissive in other cases. In addition, certain administrative aspects of submitting and processing applications need to be improved to reflect improved methods.

New rules will result in clear application and permit-processing procedures for applicants and the department, and will enable the department through the best available science to prevent or mitigate the impacts to fish life and habitat posed by hydraulic projects.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington department of fish and wildlife is the sole authority regulating hydraulic projects under chapter 77.55 RCW. The United States Army Corps of Engineers, Washington department of ecology, Washington department of natural resources, Washington state parks, and local governments also regulate certain aspects of hydraulic projects under their own authorities. Each of these agencies will be invited to comment on draft rules during the rule-making process. Their comments and concerns will be incorporated into the proposed rules as appropriate.

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 Pat Chapman, Regulatory Services Coordinator, Habitat Program, Washington Department of Fish and Wildlife, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2571, fax (360) 902-2946, e-mail Pat.Chapman@dfw.wa.gov.

July 28, 2011  
Lori Preuss  
Rules Coordinator

### WSR 11-16-062

#### PREPROPOSAL STATEMENT OF INQUIRY HIGHER EDUCATION COORDINATING BOARD

[Filed July 29, 2011, 10:34 a.m.]

Subject of Possible Rule Making: Chapter 250-61 WAC, Regulations for the Degree-Granting Institutions Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28B.85 RCW, Degree-granting institutions.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The higher education coordinating board (HECB) intends to increase or establish fees for initial degree authorization, degree authorization renewal, degree authorization reapplication, new program applications, and new site applications as previously authorized by the Washington state legislature in the 2011-2013 operating budget (2ESHB 1087).

Add definitions related to the establishment of new fees.

Create an exemption category for nonpublic degree-granting institutions recognized as Washington institutions by the Washington state legislature.

Add clarifying language to existing rules.

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

Process for Developing New Rule: Agency study; through individual and group meetings over a number of months, HECB staff has worked to develop the proposed rule changes.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michael J. Ball, Associate Director, Degree Authorization, HECB, 917 Lakeridge Way S.W., P.O. Box 43430, Olympia, WA 98504-3430, phone (360) 753-7866, fax (360) 704-6203, e-mail michaelb@hecb.wa.gov.

July 27, 2011  
Michael J. Ball  
Associate Director

### WSR 11-16-069

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

[Insurance Commissioner Matter No. R 2011-15—Filed August 1, 2011, 8:30 a.m.]

Subject of Possible Rule Making: Chapter 284-03 WAC, Public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 42.17.250, 42.17.300, 70.02.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The insurance commissioner performs an annual review of Title 284 WAC. Chapter 284-03 WAC has been identified as needing amendment.

The commissioner will consider changes for both technical correctness and to improve clarity.

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 September 13, 2011.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, kacys@oic.wa.gov.

August 1, 2011  
Mike Kreidler  
Insurance Commissioner

### WSR 11-16-071

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

[Insurance Commissioner Matter No. R 2011-17—Filed August 1, 2011, 8:35 a.m.]

Subject of Possible Rule Making: The commissioner is considering adopting rules concerning property and casualty insurance rate cap rules, transition rating rules, rate stability formulas, and other rating methods. The rules may:

1. Specify situations in which these rules, formulas and other rating methods would or would not result in rates that are unfairly discriminatory;

2. Clarify the meaning of RCW 48.19.040 as it applies to these rules, formulas and other rating methods and the rate manuals which they involve; and

3. Establish processes and procedures that insurers must use when implementing rate cap rules, transition rating rules, rate stability formulas, and other rating methods.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Using advanced information technology and predictive modeling methods, property and casualty insurers are implementing increasingly sophisticated systems for calculating insurance premiums. When new rating factors are inserted into premium formulas and then applied to an existing book of business, many policyholders

may see significant premium changes. To mitigate this effect, insurers often propose rating rules or formulas that reduce the magnitude of the premium changes for certain policyholders. These rating rules or formulas, however, may result in different premiums being charged to similarly situated policyholders, which may be contrary to RCW 48.18.480. A regulation could specify the situations in which these rating rules or formulas would or would not result in rates that are unfairly discriminatory. The regulation could also clarify how the requirements of RCW 48.19.040 apply to these situations. If such a regulation were adopted, the commissioner would have objective standards by which to evaluate and approve or disapprove insurers' proposed rating rules or formulas, and consumers would be better protected from unfairly discriminatory rates.

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

Process for Developing New Rule: Other, submit written comments by September 16, 2011, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail 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 Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail jimt@oic.wa.gov, fax (360) 586-3109.

August 1, 2011

Mike Kreidler  
Insurance Commissioner

### WSR 11-16-076

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed August 1, 2011, 1:03 p.m.]

Subject of Possible Rule Making: Marking requirements for commercial fishing nets, reporting requirements for lost or abandoned commercial nets, and penalties for failing to report lost or abandoned nets.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047, 77.12.870, and 77.15.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Northwest Straits Initiative (NWSI) has removed three thousand eight hundred twenty-nine derelict fishing nets and two thousand forty-five derelict crab pots since it began operations in 2002. More than 2.4 million animals were estimated to be entangled by the gear every year, including mammals, birds, fish, and invertebrates. Removing the gear restored five hundred twenty-five acres of marine habitat. NWSI estimates total gillnet loss since the 1970s to be approximately five thousand six hundred nets. Changing commercial net-marking requirements, requiring commercial fishermen to report lost and abandoned nets, and penalizing a failure to report will allow the department to identify the quantity and location of lost commercial net gear. This will assist derelict gear removal efforts, which in turn will reduce the number of ani-

mals lost to derelict gear and will help preserve marine habitat.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: NWSI and the Washington department of natural resources.

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 Lori Preuss, WDFW Enforcement Program, 600 Capitol Way, North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155, or e-mail Lori.preuss@dfw.wa.gov. Contact by September 10, 2011. Expected proposal filing on or after September 21, 2011.

August 1, 2011

Lori Preuss  
Rules Coordinator

### WSR 11-16-083

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed August 2, 2011, 8:34 a.m.]

Subject of Possible Rule Making: Recreational fishing rules and seaweed gathering rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047 and 79.135.410.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department must amend recreational fishing rules on an annual basis to respond to population changes, fish and wildlife commission assignments, housekeeping needs, and conservation issues. This year the department also needs to amend seaweed gathering rules because seaweed, and specifically eelgrass, is important habitat for fish life. All of the planned amendments are designed to perpetuate fish, shellfish and seaweed resources while maximizing recreational fishing/gathering opportunity.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of natural resources (DNR) also regulates seaweed. The Washington department of fish and wildlife (WDFW) will work with DNR on that part of this project.

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 Lori Preuss, WDFW Enforcement, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155, e-mail Lori.Preuss@dfw.wa.gov. Contact by September 19, 2011. Expected filing date on or after September 21, 2011.

August 2, 2011

Lori Preuss  
Rules Coordinator

**WSR 11-16-085**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed August 2, 2011, 8:36 a.m.]

Subject of Possible Rule Making: 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, and 51.18.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes to the retrospective rating rules are necessary based on the adoption of 2011 legislation, ESHB 1725 and EHB 2123. Specifically, rules will:

- Clarify that neither premiums paid nor reimbursements to employers for the Washington stay at work program will be included in calculations for retro adjustments.
- Make changes and identify any information needed when retro employers pay for direct care services for their workers who have industrial injury or occupational disease claims.
- Modify the definition and conditions of prohibited conduct by retro participants.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agency will regulate this subject.

Process for Developing New Rule: The retro community and the public will have the opportunity to provide input for these rule changes. A public hearing will be held for the proposed rules as filed. Interested parties will be invited to provide comments prior to and at the hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Comments may be provided to Tim Smolen, P.O. Box 44180, Olympia, WA 98504-4180, e-mail Tim.Smolen@lni.wa.gov, phone (360) 902-4835, fax (360) 902-4258.

August 2, 2011

Judy Schurke  
Director

**WSR 11-16-096**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STATE BOARD OF EDUCATION**

[Filed August 2, 2011, 4:14 p.m.]

Subject of Possible Rule Making: Proposed amendments to WAC 180-51-066 Minimum requirements for high school graduation—Students entering the ninth grade on or after July 1, 2009.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.230.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state board of education is considering amendments to the existing high school graduation requirements that include: Increasing the total number of English credits from 3 to 4; increasing the number of social

studies credits from 2.5 to 3; reducing the number of electives from 5.5 credits to 4 credits; changing Washington state history to a noncredit requirement; and permitting career and technical education equivalent classes to satisfy two graduation requirements while earning one credit. The proposed amendments are intended to meet the legislative intent that a high school diploma should declare that a student is ready for success in postsecondary education, gainful employment, citizenship, and equipped with the skills to be a lifelong learner. Additionally, the board will be considering an amendment to the existing rule to require one credit of biology. The biology requirement is intended to insure compliance with the Elementary and Secondary Reauthorization Act (also known as the No Child Left Behind Act or NCLB). Additional or other changes to the existing high school graduation requirements may occur as a result of the board's review and consideration of public input on the proposed amendments.

Process for Developing New Rule: The state board of education will hold a public hearing as required by chapter 34.05 RCW soliciting input from stakeholders and other members of the public regarding any proposed amendments to the existing rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Loy McColm, Washington State Board of Education, Old Capitol Building, P.O. Box 47206, Olympia, WA 98504, e-mail loy.mccolm@k12.wa.us, phone (360) 725-6027, fax (360) 586-2357.

August 2, 2011

Kathe Taylor  
Interim Executive Director

**WSR 11-16-097**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STATE BOARD OF EDUCATION**

[Filed August 2, 2011, 4:14 p.m.]

Subject of Possible Rule Making: Proposed amendments to WAC 180-51-050 High school credit—Definition.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.230.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state board of education will be considering amendments to the definition of "high school credit" in WAC 180-51-050 that include, but are not necessarily limited to, removing from the definition the requirement for a high school credit to include one hundred fifty hours of planned instructional activities and instead providing for successful completion of the state learning standards as determined by written school district policy. Additional or other amendments to the high school credit definition may be enacted as a result of the board's review of this rule.

Process for Developing New Rule: The state board of education will hold a public hearing as required by chapter 34.05 RCW soliciting input from stakeholders and other members of the public regarding any amendments to the existing rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Loy McColm, Washington State Board of Education, Old Capitol Building, P.O. Box 47206, Olympia, WA 98504, e-mail [loy.mccolm@k12.wa.us](mailto:loy.mccolm@k12.wa.us), phone (360) 725-6027, fax (360) 586-2357.

August 2, 2011

Kathe Taylor  
Interim Executive Director

### WSR 11-16-102

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed August 3, 2011, 9:42 a.m.]

Subject of Possible Rule Making: Importation of dead wildlife.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047, 77.12.620.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: For the purpose of disease control, updates and provides clarification of regulations affecting the interstate transport of dead wildlife.

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 Nate Pamplin, Wildlife Program Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2515, fax (360) 902-2162, e-mail [Wildthing@dfw.wa.gov](mailto:Wildthing@dfw.wa.gov). Contact by September 12, 2011. Expected proposal filing on or after September 21, 2011.

August 3, 2011

Lori Preuss  
Rules Coordinator

### WSR 11-16-104

#### PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed August 3, 2011, 10:43 a.m.]

Subject of Possible Rule Making: Chapter 182-508 WAC, Adult medical and incapacity (new).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 36, Laws of 2011 (E2SHB 2082), RCW 74.09.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: E2SHB 2082 eliminates the disability lifeline program effective October 31, 2011, and requires the health care authority (HCA) to establish an incapacity-based medical care services program for adults effective November 1, 2011.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Economic services administration (ESA) of the department of social and health services. HCA will coordinate with ESA the public review of rule drafts, WAC hearing, and final adoption of rules.

Process for Developing New Rule: HCA welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, HCA will file a notice of proposed rule making (CR-102) with the office of the code reviser. 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, HCA 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 [kevin.sullivan@hca.wa.gov](mailto:kevin.sullivan@hca.wa.gov).

August 3, 2011

Kevin M. Sullivan  
Rules Coordinator

### WSR 11-16-105

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

(Economic Services Administration)

[Filed August 3, 2011, 11:27 a.m.]

Subject of Possible Rule Making: The community services division is proposing to amend WAC 388-478-0015 Need standards for cash assistance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.770, and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend WAC 388-478-0015 Need standards for cash assistance, in order to revise the basic need standards for cash assistance. The department is required by RCW 74.04.770 to establish standards of need for cash assistance programs on an annual basis.

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 Aurea Figueroa-Rogers, Program Manager, Community Services Division, P.O. Box 45470,

Olympia, WA 98504-5470, phone (360) 725-4623, fax (360) 725-4905, e-mail Aurea.Figueroa-Rogers@dshs.wa.gov.

August 3, 2011  
Katherine I. Vasquez  
Rules Coordinator