

WSR 11-19-004**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

[Filed September 7, 2011, 1:36 p.m.]

Subject of Possible Rule Making: Chapter 182-526 WAC, Administrative hearings rules for medical services programs, WAC 182-526-112 Hearing process for enrollee appeals of managed care organization (MCO) actions, and possibly other related chapters and sections as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Section 53, chapter 15, Laws of 2011 (2E2SHB 1738); chapters 74.09, 34.05 RCW, 10-08 WAC.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To establish and consolidate most of the hearing rules related to medicaid funded services into a single chapter within the health care authority (HCA). This need is based on the change of the single state medicaid agency from the department of social and health services to the health care authority.

Process for Developing New Rule: The 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 proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1306, fax (360) 586-9727, TTY (800) 848-5429, e-mail wendy.boedigheimer@hca.wa.gov.

September 7, 2011
Kevin M. Sullivan
Rules Coordinator

WSR 11-19-005**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

[Filed September 7, 2011, 1:37 p.m.]

Subject of Possible Rule Making: Amends WAC 182-531-0050 Physician related services definitions and 182-530-7000 Reimbursement; and new WAC 182-531-1625 Outpatient hospital treatment requirements—COE.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Establishes rules for payment of outpatient hemophilia related products and supplies. These proposed rules require treatment of hemophilia disorders to be provided by a comprehensive hemophilia treatment center before the agency will pay for products and supplies.

Process for Developing New Rule: The agency welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, the agency will file a proposal with the office of the code reviser with a notice of proposed rule making. A

copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, Health Care Authority, Division of Legal Services, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1306, fax (360) 586-9727, TTY (800) 848-5429, e-mail wendy.boedigheimer@hca.wa.gov.

September 7, 2011
Kevin M. Sullivan
Rules Coordinator

WSR 11-19-008**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

[Filed September 7, 2011, 2:02 p.m.]

Subject of Possible Rule Making: New section in chapter 182-502 WAC and possible other related WAC sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.500, and Patient Protection and Affordable Care Act of 2010 (Public Law 111-148).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Incorporate into rule reporting requirements and prohibition of payment for provider preventable conditions (PPCs).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The agency will coordinate the rule development with the Centers for Medicare and Medicaid Services (CMS) and Washington state department of health.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1306, fax (360) 586-9727, TTY (800) 848-5429, e-mail boediwl@dshs.wa.gov.

September 7, 2011
Kevin M. Sullivan
Rules Coordinator

WSR 11-19-012
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

(Board of Nursing Home Administrators)

[Filed September 7, 2011, 5:03 p.m.]

Subject of Possible Rule Making: WAC 246-843-010 and 246-843-205, amending the rule to include a definition of the parameters for on-site full-time administrators in nursing homes with small resident populations when the nursing home has converted some of its licensed nursing facility bed capacity for use as assisted living or enhanced assisted living services under chapter 74.39A RCW and to tie this definition to the standards of practice.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 366, Laws of 2011 (ESSB 5708), amending RCW 18.52.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESSB 5708 amended RCW 18.52.030 to require the board of nursing home administrators to define by rule the parameters for on-site full-time administrators in nursing homes with small resident populations when the nursing home has converted some of its licensed nursing facility bed capacity for use as assisted living or enhanced assisted living services under chapter 74.39A RCW. This rule is to comply with that requirement.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of social and health services (DSHS) regulates both nursing homes and boarding homes. DSHS will be notified of all rule-making activities.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. A workshop will take place by video-conference in four different locations throughout the state. For information about the workshops, or for those unable to attend who would like to submit comments, contact Kendra Pitzler, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4723, fax (360) 236-2901, e-mail kendra.pitzler@doh.wa.gov.

September 7, 2011
 Blake T. Maresh
 Executive Director
 Board of Nursing
 Home Administrators

WSR 11-19-035
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services Administration)

[Filed September 12, 2011, 8:55 a.m.]

The aging and disability services administration requests the withdrawal of the preproposal statement of inquiry filed

as WSR 10-15-062 (WAC 388-865-0536 and 388-865-0547) filed on July 15, 2010.

Katherine I. Vasquez
 Rules Coordinator

WSR 11-19-037
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed September 12, 2011, 3:01 p.m.]

Subject of Possible Rule Making: Title 260 WAC, Horse racing commission.

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: To address the authority of the commission, executive secretary, and board of stewards.

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.

September 12, 2011
 Douglas L. Moore
 Deputy Executive Secretary

WSR 11-19-041
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed September 13, 2011, 9:23 a.m.]

Subject of Possible Rule Making: WAC 392-140-600 through 392-140-685, school district eligibility for state special education safety net funding and other WAC chapters as needed.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments are needed to update and align rules pertaining to the state special education safety net program as required by Washington State Biennial Appropriations Act, 2ESHB 1087 passed by the 2011 legislature. Other housekeeping as needed for clarification will be added.

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. For telephone assistance contact Mary Ellen Parrish, (360) 725-6075; or send written comments to Rules Coordinator, Legal Services, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200.

September 13, 2011
Randy Dorn
Superintendent of
Public Instruction

WSR 11-19-052

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed September 14, 2011, 1:53 p.m.]

Subject of Possible Rule Making: Body requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005 and 46.37.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: With the passage of SB 5585, the legislature created a new vehicle classification "custom vehicle." Changes to WAC 204-10-022 include, but may not be limited to adding exemptions outlined under the legislation for custom vehicles.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: National Highway Traffic Safety Administration.

Process for Developing New Rule: The changes are necessary to ensure that the rules correspond with the RCW requirements for vehicles. Stakeholders will have the opportunity to review the proposed changes and provide comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melissa Van Gorkom, Washington State Patrol, Equipment Standards Unit, P.O. Box 42600, Olympia, WA 98504, fax (360) 596-4015, phone (360) 596-4017, WSPRules@wsp.wa.gov.

September 14, 2011
John R. Batiste
Chief

WSR 11-19-053

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed September 14, 2011, 1:56 p.m.]

Subject of Possible Rule Making: School bus lamps.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005 and 46.37.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes are needed to reference current standards regarding lamps so school buses can comply with new technology and save public school districts money when purchasing new buses and replacing lamp bulbs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state office of superintendent of public instruction transportation and the National Highway Traffic Safety Administration - Code of Federal Regulations.

Process for Developing New Rule: Stakeholders have provided suggested language changes to the WAC through e-mail correspondence.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Commercial Vehicle Enforcement Officer 4, Robert Peterson, Washington State Patrol, Commercial Vehicle Division, (360) 664-1825.

September 14, 2011
John R. Batiste
Chief

WSR 11-19-054

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed September 14, 2011, 1:57 p.m.]

Subject of Possible Rule Making: Helmet exemption.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005 and 46.37.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: With the passage of HB 1328, the legislature clarified when helmet requirements are temporarily suspended. Changes to chapter 204-53 WAC may include, but may not be limited to updating the language to mirror the language recently amended in RCW 46.61.613.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: National Highway Traffic Safety Administration.

Process for Developing New Rule: The changes are necessary to ensure that the rules correspond with the RCW requirements for vehicles. Stakeholders will have the opportunity to review the proposed changes and provide comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melissa Van Gorkom, Washington State Patrol, Equipment Standards Unit, P.O. Box 42600, Olympia, WA 98504, fax (360) 596-4015, phone (360) 596-4017, WSPRules@wsp.wa.gov.

September 14, 2011
John R. Batiste
Chief

WSR 11-19-055
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL

[Filed September 14, 2011, 1:57 p.m.]

Subject of Possible Rule Making: Limousine businesses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005 and 46.72A.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the 2011 legislative session new language was added to chapter 46.72A RCW. Updates are necessary to chapter 204-95 WAC to bring the rules in-line with the requirements listed in RCW and provide clean up to the existing language.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of licensing and the City of Seattle.

Process for Developing New Rule: Rule changes will address legislative changes made during the 2011 session. The agency will correspond with stakeholders regarding the proposed changes.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Commercial Vehicle Enforcement Officer 4 William Balcom, Washington State Patrol, 210 11th Avenue S.W., phone (360) 596-3807, fax (360) 596-3829, william.balcom@wsp.wa.gov.

September 14, 2011

John R. Batiste
Chief

WSR 11-19-056
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL

[Filed September 14, 2011, 1:58 p.m.]

Subject of Possible Rule Making: Vehicle impounds.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.55.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: With the passage of SB 5000, the rules regarding vehicle impounds need to be updated. The changes may include but may not be limited to adding a new section to address the twelve hours DUI hold as outlined in the legislation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of licensing, administrator of the courts, Washington traffic safety commission, and the National Highway Traffic Safety Administration.

Process for Developing New Rule: The changes are necessary to ensure that the rules correspond with the RCW requirements for the vehicle impounds. Stakeholders will have the opportunity to review the proposed changes and provide comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lieutenant Dale Alexander, Washing-

ton State Patrol, P.O. Box 42600, Olympia, WA 98504, fax (360) 596-4114, phone (360) 596-4114, dale.alexander@wsp.wa.gov.

September 14, 2011

John R. Batiste
Chief

WSR 11-19-057
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL

[Filed September 14, 2011, 1:59 p.m.]

Subject of Possible Rule Making: Commercial motor vehicle regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.32.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: With Federal Motor Carrier Administration's implementation of comprehensive safety analysis, additional parts of Title 49 C.F.R. need to be adopted (which include but may not be limited to adopting C.F.R. 373, 376, 379, and 381) to provide additional statutory authority for conducting compliance reviews and to ensure compatibility with federal regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Motor Carrier Administration and Washington utilities and transportation commission.

Process for Developing New Rule: Audit of Washington state law and Code of Federal Regulations found sections of the federal law that Washington state law did not address. The agency will work with stakeholders to develop the language necessary to ensure compliance with federal regulations in the state of Washington.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Commercial Vehicle Enforcement Officer 4 William Balcom, Washington State Patrol, 210 11th Avenue S.W., phone (360) 596-3807, fax (360) 596-3829, william.balcom@wsp.wa.gov.

September 14, 2011

John R. Batiste
Chief

WSR 11-19-058
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed September 14, 2011, 2:23 p.m.]

Subject of Possible Rule Making: The department is amending WAC 388-444-0005 Am I required to work or look for work in order to be eligible for Basic Food?, 388-444-0055 What are the penalties if I refuse or fail to meet Basic Food work requirements?, 388-444-0065 Am I eligible

for Basic Food if I quit my job?, 388-444-0070 What is good cause for quitting my job?, and 388-444-0075 What are the penalties if I quit a job without good cause?, and any 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.120, 74.08A.903, 74.04.500, and 74.04.515.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The community services division is proposing to amend rules under WAC 388-444-0005, 388-444-0055, 388-444-0065, 388-444-0070, and 388-444-0075 to update Basic Food work requirement rules to be consistent with federal regulations, and Washington approved Basic Food state plan.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) enforces the provisions of the federal supplemental nutrition assistance program (SNAP) as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will develop amendments to Basic Food work requirement rules that are consistent with the act, federal regulations, and our approved Basic Food state plan.

The state legislature authorizes the department to administer the SNAP and food assistance program for legal immigrants under RCW 74.04.500, 74.04.510, and 74.08A.120.

DSHS incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington Basic Food program.

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 Bob Thibodeau, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4634, fax (360) 725-4905, e-mail thiborl@dshs.wa.gov.

September 14, 2011
Katherine I. Vasquez
Rules Coordinator

WSR 11-19-063
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed September 15, 2011, 11:00 a.m.]

Subject of Possible Rule Making: WAC 458-20-183 (Rule 183) Amusement, recreation, and physical fitness services, Rule 183 provides tax reporting information for per-

sons that provide amusement, recreation, and physical fitness services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300 and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering an amendment to WAC 458-20-183 to clarify the tax-reporting responsibilities of persons providing amusement and recreation services. In particular, the department is considering additional guidance on the following:

(1) When charges for sport activities and sporting events are and are not subject to retail sales tax;

(2) How tax applies to charges for the use of facilities and fields;

(3) The conditions under which a charge is considered a nontaxable charge (for sales tax purposes) for "lessons" between nontaxable lessons and taxable amusement and recreation services; and

(4) When an event put on by a nonprofit entity is considered a nontaxable fundraising activity.

The department is at this time asking for written comments and suggestions for these issues and other issues stakeholders believe should be addressed in an updated Rule 183.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies regulate the department of revenue's internal procedures.

Process for Developing New Rule: Parties interested in this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted to the following. Please provide comments by October 21, 2011, to Bridget McBryde, Interpretations and Technical Advice Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail BridgetM@dor.wa.gov.

September 15, 2011

Alan R. Lynn

Rules Coordinator

WSR 11-19-073
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
PARKS AND RECREATION
COMMISSION

[Filed September 16, 2011, 10:31 a.m.]

Pursuant to WAC 1-21-060 Withdrawal of proposal, Washington state parks and recreation commission decided to withdraw proposed rule chapter 352-32 WAC, Public use, CR-101, WSR 11-11-083. State parks plans to revisit opening this chapter to establish rules for the recreation pass,

known as the Discover Pass, after the 63rd legislation session.

Valeria Evans
Management Analyst

WSR 11-19-100

**PREPROPOSAL STATEMENT OF INQUIRY
TRANSPORTATION IMPROVEMENT BOARD**

[Filed September 20, 2011, 4:12 p.m.]

Subject of Possible Rule Making: Amending chapters 479-01, 479-05, 479-10, 479-12, and 479-14 WAC to:

1. Reflect transfer of the urban arterial trust account (UATA) into the transportation improvement account (TIA) per chapter 120, Laws of 2011.
2. Amend delayed projects process.
3. Determine population thresholds for programs in the small city pavement and sidewalk account per chapter 14, Laws of 2011.
4. Develop new WAC to implement RCW 47.26.185 establishing qualifications for cities and counties administering design and construction of projects financed, in part, by the transportation improvement board (TIB).

Statutes Authorizing the Agency to Adopt Rules on this Subject: 1 and 2. RCW 47.26.080, 47.26.084, 47.26.086; 3. RCW 47.26.345; 4. RCW 47.26.185.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 1 and 2. These amendments are needed to comply with chapter 120, Laws of 2011, which eliminated the UATA and transferred that funding into the TIA. Combining the two funds allows a simpler cash management process for TIB and offers more flexibility within the programs for our customers. In addition, this change eliminated the delayed projects process under the UATA, which had different stipulations than the delayed projects process under the TIA. This amendment restores and modifies the delayed projects process.

3. These amendments are needed to comply with chapter 14, Laws of 2011, which gives cities the option of including or excluding population of any state correctional facility located within the city when applying for funds.

4. Some small cities and towns do not have the resources or staff to administer the design and construction of an approved project. This would allow TIB the option to offer the necessary services, providing these affected cities or towns the ability to successfully complete a transportation 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 Eileen Bushman, Executive Assistant, Washington State Transportation Improvement Board, P.O. Box 40901, Olympia, WA 98504-0901, (360) 586-1146, eileenb@tib.wa.gov.

September 20, 2011
Stevan Gorcester
Executive Director

WSR 11-19-102

**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2011-22—Filed September 21, 2011, 7:43 a.m.]

Subject of Possible Rule Making: Amending WAC 284-30-500 (1)(b).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.30.010, 48.44.050, 48.46.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Court rulings have found the provision contained within WAC 284-30-500 (1)(b) reducing coverage for family and household members to be in direct conflict with Washington public policy. Under this rule making, the commissioner will consider amendment to WAC 284-30-500 (1)(b) to eliminate this conflict.

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 comment by October 25, 2011, to Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, kacys@oic.wa.gov.

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 40255, Olympia, WA 98504-0255, kacys@oic.wa.gov.

September 21, 2011

Mike Kreidler
Insurance Commissioner

WSR 11-19-104

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

[Filed September 21, 2011, 8:58 a.m.]

Subject of Possible Rule Making: WAC 220-69-240 Duties of commercial purchasers and receivers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.020, 77.12.045, 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department wants to amend WAC 220-69-240 to ensure that the rules for commercial fish and shellfish purchasers and receivers are consistent with resource conservation and fishery sustainability.

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 at Lori.Preuss@dfw.wa.gov. Contact by November 15, 2011. Expected proposal filing on or after November 23, 2011.

September 21, 2011

Lori Preuss
Rules Coordinator

WSR 11-19-105
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed September 21, 2011, 8:58 a.m.]

Subject of Possible Rule Making: Use of the federal electronic fish receiving ticket system in lieu of the state's paper fish ticket system by trawl fishermen.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.020 and 77.12.045.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To compliment the electronic fish accounting system mandated for the Washington groundfish trawl fishery, Washington department of fish and wildlife (WDFW) is reviewing state rules to complement federal regulations. The object is to streamline the state process so that participants are not using duplicative approaches.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Pacific Fisheries Management Council, National Marine Fisheries Service (NMFS), is the entity whose electronic fish receiving ticket system WDFW will be adopting. NMFS is reviewing the proposed rules for accuracy.

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 9850-1091 [98501-1091], phone (360) 902-2930, fax (360) 902-2155, e-mail Lori.Preuss@dfw.wa.gov. Contact by November 15, 2011. Expected proposal filing on or after November 23, 2011.

September 21, 2011

Lori Preuss
Rules Coordinator