

WSR 12-13-006**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF COMMERCE**

[Filed June 6, 2012, 3:59 p.m.]

Subject of Possible Rule Making: Motion picture competitiveness program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.365.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Commerce intends to update rules pertaining to the motion picture competitiveness program in order to align rules with changes made to the underlying statutes during the 2012 legislative session.

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 Nick Demerice, 1011 Plum Street S.E., Olympia, WA 98504, (360) 725-4010, Nick.demerice@commerce.wa.gov.

June 6, 2012
Nick Demerice
Director of
Government Affairs

WSR 12-13-020**WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD**

[Filed June 11, 2012, 9:08 a.m.]

Please withdraw WSR 11-12-043 [11-21-043] dated October 12, 2011, revising WAC 314-11-070 During what hours can I sell or serve liquor?

If you have any questions please contact Karen McCall, rules coordinator, at (360) 664-1631 or kjm@liq.wa.gov.

Sharon Foster
Board Chairman

WSR 12-13-059**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
EARLY LEARNING**

[Filed June 15, 2012, 11:03 a.m.]

Subject of Possible Rule Making: Chapter 170-290 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.215 RCW, SB 6226, 3ESHB 2127.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To implement certain bills enacted by the 2012 legislature and signed by the governor:

- Regarding raising the cutoff of eligibility for working connections child care subsidies from one hundred seventy-five percent of the federal poverty level, to two hundred percent of the federal poverty level.
- Regarding increasing the authorization period for working connections child care from six months to twelve months.

To make technical corrections and streamline language.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of early learning (DEL) jointly administers the working connections child care and seasonal child care subsidy programs. To the extent possible, DEL plans to coordinate rule development with these state and federal agencies.

Process for Developing New Rule: To the extent practical, DEL intends to seek public input during the rule drafting and development process. At a later date, DEL will file proposed rules (more than one proposed rule-making notice may be filed), hold a public hearing or hearings, and accept written comments before adopting permanent rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Individuals and organizations wishing to receive draft and proposed materials may join a DEL rules mailing list by contacting the DEL rules coordinator at Rules@del.wa.gov, by phone at (360) 725-4421, by fax to (360) 725-4459, or writing to DEL Rules Coordinator, Department of Early Learning, P.O. Box 40972, Olympia, WA 98504-0972.

June 15, 2012
Elizabeth M. Hyde
Director

WSR 12-13-062**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed June 15, 2012, 2:54 p.m.]

Subject of Possible Rule Making: Card rooms.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from ShuffleMaster, a licensed manufacturer, requesting a rule change to allow gambling equipment (for example, card shufflers) to be connected to an external device via a network USB port on the equipment for service, repair and trouble shooting.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Arland@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] August 9 or 10, 2012, at the Vancouver Heathman Lodge, 7801 N.E. Greenwood Drive, Vancouver, WA 98662, visit www.wsgc.wa.gov on August 1 to confirm meeting location and start time; on September 13 or 14, 2012, at the Great Wolf Lodge, 20500 Old Highway 99 S.W., Grand Mound, WA 98531, visit www.wsgc.wa.gov on September 1 to confirm meeting location and start time; and on October 11 or 12, 2012, at the Clarion, 1507 North First Street, Yakima, WA 98901, visit www.wsgc.wa.gov on October 1 to confirm meeting location and start time.

June 15, 2012

Susan Arland

Rules Coordinator

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 2012 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 joanne.attwood@lni.wa.gov.

June 19, 2012

Judy Schurke

Director

WSR 12-13-071

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LABOR AND INDUSTRIES

[Filed June 19, 2012, 9:17 a.m.]

Subject of Possible Rule Making: 2013 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: (1) The lowest necessary to maintain actuarial solvency of the accident and medical aid funds; and (2) 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 the WCAC meetings. A schedule of these meetings is available at www.lni.wa.gov/ClaimsIns/Insurance/Learn/Wcac/Wcac-MtgMin/Default.asp. The public can also participate in discussions of the retrospective rating advisory committee. A schedule of meetings can be found at www.lni.wa.gov/

WSR 12-13-078

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed June 19, 2012, 11:18 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 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.

June 11, 2012

Katherine I. Vasquez

Rules Coordinator

WSR 12-13-079
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed June 19, 2012, 11:27 a.m.]

Subject of Possible Rule Making: Adding and amending amateur martial arts, chapter 36-14 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.08.017, 43.24.023.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 2301 was passed during the 2012 legislative session, giving the department authority to establish licensing requirements, adopt rules regarding whether or not specific martial arts are mixed martial arts for the purpose of applying licensing provisions, adopt standards of amateur conduct or practice, and set licensing and renewal fees.

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. The department will work closely with interested parties by holding several workshops throughout the state. The public is welcome to attend. Details of workshops and communication with the public will be posted on our web site, distributed through the martial arts and boxing listserv, and direct mailings to licensees and interested parties.

To receive information by e-mail, please sign up on the martial arts and boxing listserv at <http://listserv.wa.gov>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cameron Dalmas, Business and Professions Division, Professional Athletics Program, Department of Licensing, P.O. Box 9026, Olympia, WA 98507, phone (360) 664-6643, e-mail plssunit@dol.wa.gov, fax (360) 664-2550. Additional information will be posted on the martial arts and boxing web site as it becomes available at <http://www.dol.wa.gov/business/athletics/>.

June 19, 2012
 Damon Monroe
 Rules Coordinator

WSR 12-13-094
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed June 19, 2012, 3:55 p.m.]

Subject of Possible Rule Making: Possible amendment of chapter 208-512 WAC to include, but not be limited to: (1) Clarifying the definition of "extensions of credit" to include "derivatives transactions" as that term is intended in Section 611 of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act"); (2) amending or adding language in "lending limits" and/or "investment limits" provisions to require that Washington state-chartered banks take into consideration credit exposure to "derivative transactions"; (3) removing references or requirements of reliance on credit ratings and to substitute an

alternative standard of creditworthiness; and (4) other technical amendments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.320.040, 30.04.030, 30.04.111, and 32.08.157.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Pursuant to Section 611 of the Dodd-Frank Act, a Washington state-chartered bank under Title 30 or 32 RCW will no longer be able to engage in "derivatives transactions" on or after January 21, 2013, unless the state "lending limits" laws or rules applicable to them contain provisions addressing "credit exposure" to "derivatives transactions." Washington state-chartered banks regularly invest in derivatives as part of their overall investment portfolio and for purposes of liquidity and risk management instrumental in safety and soundness. It is important that Washington state-chartered banks be permitted to continue engaging in "derivatives transactions" after January 21, 2013. Section 939A of the Dodd-Frank Act requires federal agencies to remove references or requirements of reliance on credit ratings and to substitute an alternative standard of creditworthiness. To be consistent with the rule making of federal agencies, the department may possibly further amend chapter 208-512 WAC to remove references or requirements of reliance on credit ratings and to substitute an alternative standard of creditworthiness.

Complies with OFM Guideline 3 (a) and (e), published October 12, 2011.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Board of Governors of the Federal Reserve System (fed) and the Federal Deposit Insurance Corporation (FDIC) regulate this subject at the federal level in regard to state-chartered fed member banks and all FDIC-insured state banks. The Office of the Comptroller of the Currency (OCC) is in the process of publishing interim final rules on this subject as it applies, under Section 610 of the Dodd-Frank Act, to national banks. RCW 30.04.111(5) provides that OCC rule making concerning "lending limits" applies to Washington state-chartered banks if the department has not adopted its own rules on the subject. If the OCC adopts rules that are in the best interest of Washington state-chartered banks, the department may suspend this rule-making process. The department coordinates with the fed and the FDIC (and monitors the rule-making activities of the OCC for parity under RCW 30.04.111(5)) in order to achieve state "lending limits" requirements that are optimum for the Washington state banking charter.

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 Joseph M. Vincent, General Counsel, Department of Financial Institutions, P.O. Box 41200, Olympia, WA 98504-1200, fax (360) 586-5068, e-mail joseph.vincent@dfi.wa.gov, phone (360) 902-0516. There will be pre-CR-102 stakeholder meetings with industry government-

tal relations representatives and banking attorneys prior to filing CR-102 (which will be announced).

June 19, 2012
Richard M. Riccobono
Director, Division of Banks

WSR 12-13-099
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed June 20, 2012, 10:11 a.m.]

Subject of Possible Rule Making: Card games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from the Recreational Gaming Association, an industry group that represents some licensed card rooms, requesting that wager limits for the game of Texas Hold'em be increased from \$40 to \$100.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Arland@wsgc.wa.gov, fax (360) 486-3625.

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June 20, 2012
Susan Arland
Rules Coordinator