

WSR 12-19-003**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF COMMERCE**

[Filed September 5, 2012, 3:58 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, and to consider rule amendments to address stakeholder concerns regarding depictions of smoking in motion picture productions.

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.

September 5, 2012
Nick Demerice
Director of
Government Affairs

WSR 12-19-007**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE**

[Filed September 6, 2012, 10:28 a.m.]

Subject of Possible Rule Making: The department is considering rule making for the following: Deer and elk seasons and permits; cougar seasons and regulations; black bear seasons and regulations; mountain goat, bighorn sheep, and moose seasons, permits, and regulations; game bird regulations; small game seasons; landowner hunting permit program; deer and elk area boundaries; game management units, special closures and firearm restriction areas; unlawful methods for hunting; hunting equipment rules; special hunting season permits, and other hunting regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047, 77.12.150, 77.12.240, 77.32.007, 77.32.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Provides clarification, recreational opportunity, and mitigation of wildlife conflicts, consistent with maintaining sustainable game populations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Migratory birds are also regulated by the United States Fish and Wildlife Service (USFWS) and coordination is man-

aged through the Pacific Flyway. State regulations are designed to fit within the parameters of the USFWS regulation guidelines.

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 98501-1091, phone (360) 902-2515, fax (360) 902-2162, e-mail Wildthing@dfw.wa.gov. Contact by October 18, 2012. Expected proposal filing on or after January 22, 2012.

September 6, 2012
Lori Preuss
Rules Coordinator

WSR 12-19-034**PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD**

[Filed September 12, 2012, 10:54 a.m.]

Subject of Possible Rule Making: WAC 314-23-030
What does a spirits certificate of approval license allow?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.24.640, 66.08.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is due to a stakeholder request to amend the current rule regarding what the holder of a spirits certificate of approval license is allowed to do.

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.

September 12, 2012
Sharon Foster
Chairman

WSR 12-19-041**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed September 12, 2012, 2:37 p.m.]

Subject of Possible Rule Making: Conducting background checks on applicants for a gambling license.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule change would no longer require spouses of officers of charitable or nonprofit organizations (C/NP), or board members of publicly-traded entities to meet licensing qualifications.

Staff has recognized that spouses of board members of publicly-traded licensees and C/NP officers pose little to no regulatory risk. The board members themselves have little to no day-to-day decision-making power and typically only attend four meetings per year. Spouses of C/NP officers have no actual or potential influence over the decision making of the organization. We are not aware of other jurisdictions in the United States that require spouses of board members or C/NP officers to undergo background checks.

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] 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; on November 15 or 16, 2012, Olympia area, to be determined, visit www.wsgc.wa.gov on November 1 to confirm meeting location and start time; and on January 10 or 11, 2013, at the Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on January 1 to confirm meeting location and start time.

September 12, 2012
Susan Arland
Rules Coordinator

WSR 12-19-042

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed September 12, 2012, 2:41 p.m.]

Subject of Possible Rule Making: Conducting background checks on landlords of gambling licenses.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Staff is looking into creating a new rule to require that landlords of house-banked card rooms undergo background checks.

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] 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; on November 15 or 16, 2012, Olympia area, to be determined, visit www.wsgc.wa.gov on November 1 to con-

firm meeting location and start time; and on January 10 or 11, 2013, at the Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on January 1 to confirm meeting location and start time.

September 12, 2012
Susan Arland
Rules Coordinator

WSR 12-19-043

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF THE STATE TREASURER

[Filed September 12, 2012, 2:50 p.m.]

Subject of Possible Rule Making: Amending chapter 210-01 WAC, Operation guidelines for the local government investment pool (LGIP).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.250.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: While statutes authorize the state treasurer to offer a LGIP to governmental entities, the rules of how the LGIP operates are critical to the proper administration of an investment pool.

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 agency will consult with stakeholders in the development of these rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Doug Extine, Deputy Treasurer, P.O. Box 40200, Olympia, WA 98504-0200, phone (360) 902-9012, e-mail doug.extine@tre.wa.gov. Interested parties can participate in this rule-making process by contacting the person identified below, providing written comments, or by providing oral testimony at the public hearing. In addition, the LGIP advisory committee contains representatives of several associations, e.g., WFOA, WMTA, WSACT, WPPA, and AWC, that represent nearly all LGIP participants. Through their contacts with their associations and our notification to individual participants all LGIP participants will be informed of the rule-making process and have the opportunity for review and input, should they desire to do so.

September 12, 2012
Wolfgang Opitz
Assistant Treasurer

WSR 12-19-054

WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF ECOLOGY

[Filed September 13, 2012, 4:15 p.m.]

The department of ecology withdraws the following CR-101 filing: WSR 11-22-025 (filed October 25, 2011).

In October 2011, ecology started a rule-making effort to amend implementation-related portions of the surface water quality standards (chapter 173-201A WAC). Ecology is withdrawing that notice and is filing a new notice to clarify the focus of this rule making. We will continue to focus on sections of the rule regarding implementation, with the goal of providing more predictable regulatory tools that help entities subject to national pollutant discharge elimination system (NPDES) permits comply with new, more protective standards.

To clarify this, immediately after filing this notice of withdrawal, ecology is filing a CR-101 for a rule making to update the implementation tools portions of the surface water quality standards.

Donald A. Seeberger
for Kelly Susewind, Manager
Water Quality Program

WSR 12-19-055

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF ECOLOGY

[Order 11-08—Filed September 13, 2012, 4:17 p.m.]

Subject of Possible Rule Making: Water quality standards for surface waters of the state of Washington, chapter 173-201A WAC, the surface water quality standards rule making will amend the following areas of the rule related to implementation tools:

- Clarify and modify existing regulatory tools.
- Evaluate and potentially add other new tools identified during the rule-development process.
- Evaluate and potentially add other amendments related to updates listed above.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 90.48.035 provides clear and direct authority for ecology to revise the water quality standards. Additionally, 40 C.F.R. 131.20 requires states or tribes (with primacy for Clean Water Act actions) to review and update the water quality standards.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In October 2011, ecology started a rule-making effort to amend implementation-related portions of the surface water quality standards (chapter 173-201A WAC). Ecology has withdrawn that notice and is filing a new notice to clarify the focus of the amendments. We will continue to focus on sections of the rule regarding implementation, with the goal of providing more predictable regulatory tools that help entities subject to national pollutant discharge elimination system (NPDES) permits comply with new, more protective standards.

The rule making to amend implementation tools will also directly address legislation passed (RCW 90.48.605) that obligates ecology to amend water quality standards to allow compliance schedules in excess of ten years under certain circumstances for permitted discharges.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Developing and administering surface water quality

standards to protect water quality and meet objectives of the federal Clean Water Act is a unique responsibility assigned to the department of ecology in chapter 90.48 RCW. Ecology will work with tribes to discuss rule activities and seek input. Other coordinating federal and state agencies include Washington department of fish and wildlife, Washington state department of health, and United States Environmental Protection Agency.

Process for Developing New Rule: This is an amendment to chapter 173-201A WAC, Water quality standards for surface waters of the state of Washington. The process includes public hearings held around the state of Washington. Ecology plans to involve interest groups and notify the public throughout the process through open forums and use of media. Ecology will use these public activities to seek input from interested parties and provide a structured dialogue for those groups to understand issues, offer advice, and provide prospective to the agency. Additionally, the agency's goal is to educate the public on surface water quality standards and why the rule needs to be amended.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Becca Conklin, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6413, fax (360) 407-6426, e-mail swqs@ecy.wa.gov or by accessing the water quality program surface water quality standards activities web site www.ecy.wa.gov/programs/wq/swqs/RuleRev2011.html.

Ecology will also share information on the agency web site and through a listserv. Join our listserv at <http://listserv.wa.gov/cgi-bin/wa?A0=ECOLOGY-WATER-QUALITY-INFO>.

September 11, 2012

Donald A. Seeberger
for Kelly Susewind
Water Quality Program Manager

WSR 12-19-056

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF ECOLOGY

[Order 12-03—Filed September 13, 2012, 4:17 p.m.]

Subject of Possible Rule Making: This rule making is for the adoption of new human health criteria to chapter 173-201A WAC, the water quality standards for surface waters of the state of Washington. Adoption of new human health criteria into Washington's water quality standards will take into account factors used to calculate each chemical criterion, including risk, duration of exposure, and more accurate data about how much fish and shellfish people eat in Washington. This rule making will amend WAC 173-201A-240 and may include changes to other sections of chapter 173-201A WAC as necessary to support the new human health criteria.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 90.48.035 provides clear and direct authority to ecology to revise the water quality standards. Additionally, 40 C.F.R. 131.20 requires states and tribes (with pri-

macy for clean water actions) to periodically review and update the water quality standards.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Ecology intends to adopt new human health criteria to protect public health, safety, and welfare. Until new human health criteria are adopted by ecology, Washington will continue using outdated federal standards that do not reflect current science on protection from toxic chemicals. With adoption of this new rule, our state will have water quality standards for toxics that more accurately reflect the amount of fish and shellfish people eat in Washington.

Adopting new human health criteria, including the need for a more accurate fish consumption rate number to be factored into the equation for determining chemical criterion, was identified as a high priority when ecology conducted a triennial review of the water quality standards. The triennial review is required by the Clean Water Act to ensure that states update standards as needed to reflect new and emerging science and information.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Developing and administering surface water quality standards to protect water quality and meet objectives of the federal Clean Water Act is a unique responsibility assigned to the department of ecology in chapter 90.48 RCW.

Process for Developing New Rule: This is an amendment to chapter 173-201A WAC, Water quality standards for surface waters of the state of Washington. The process includes public hearings held around the state of Washington. Ecology plans to involve interest groups and notify the public throughout the process through open forums and use of media. Ecology will use these public activities to seek input from interest groups and provide a structured dialogue for those groups to understand issues, offer advice, and provide prospective to the agency. Additionally, the agency's goal is to educate the public on surface water quality standards and why the rule needs to be amended.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Becca Conklin, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6413, fax (360) 407-6426, e-mail swqs@ecy.wa.gov. Interested parties can access more information on this rule making by contacting the department of ecology staff member listed above or by accessing the water quality program surface water quality standards activities web site www.ecy.wa.gov/programs/wq/swqs/RuleRev2011.html.

Ecology will share information on the agency web site and through a listserv. Join our listserv at <http://listserv.wa.gov/cgi-bin/wa?A0=ECOLOGY-WATER-QUALITY-INFO>.

September 11, 2012

Donald A. Seeberger

for Kelly Susewind

Water Quality Program Manager

WSR 12-19-057

PREPROPOSAL STATEMENT OF INQUIRY BOARD OF ACCOUNTANCY

[Filed September 14, 2012, 8:46 a.m.]

Subject of Possible Rule Making: WAC 4-30-022 What is the board's meeting schedule and how are officers elected?, 4-30-050 What are the requirements concerning records and clients confidential information?, and 4-30-134 What are the CPE requirements for individuals?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055, 42.30.070, 18.04.390 (4)(b), 18.04.405(1), 18.04.215(5).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 4-30-022, to increase the number of terms a board officer may serve.

WAC 4-30-050, to clarify that licensees who prepare federal income tax returns in accordance with IRS rules do not violate the client confidentiality.

WAC 4-30-134, to allow licensees the option of taking an AICPA based ethics course or the current Washington rules ethics course on subsequent license renewals.

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 Richard C. Sweeney, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, phone (360) 586-0163, fax (360) 664-9190, e-mail info@cpaboard.wa.gov.

September 14, 2012

Richard C. Sweeney, CPA

Executive Director

WSR 12-19-074

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed September 18, 2012, 8:42 a.m.]

Subject of Possible Rule Making: Title 390 WAC, rules regarding political advertising, defining "mass communication," strengthening sponsor identification requirements for political advertising, and updating the rule that defines "volunteer services" (what is not a contribution).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Clarify what constitutes "mass communication" to reduce confusion as to which communications qualify as political advertising and are subject to sponsor identification and disclosure requirements. Additionally, as the commission is in the process of reviewing its campaign activities on the internet interpretative statement it may find that it needs to update its volunteer services rule.

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 may, during the October 25 and/or December 6, 2012, commission meetings, discuss whether to move forward with amending WAC 390-17-405 and 390-18-010 and possibly adopting a new rule to define "mass communication." Public comment will be welcome at these meetings. Interested persons are invited to submit written [comments by] October 24 to Lori Anderson, PDC, P.O. Box [40908], Olympia, WA 98504-0908.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lori Anderson, P.O. Box 40908, Olympia, WA 98504-0908, e-mail lori.anderson@pdc.wa.gov, phone (360) 664-2737 or toll-free 1-877-601-2828, fax (360) 753-1112.

September 14, 2012
Lori Anderson
Communications and
Training Officer

WSR 12-19-075
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed September 18, 2012, 9:18 a.m.]

Subject of Possible Rule Making: Chapter 296-36 WAC, Safety standards—Compressed air work and chapter 296-155 WAC, Part Q, Underground construction.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17-060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is to address the requirements that employers must follow with regard to compressed air work and underground construction. In addition, internal references will also be updated.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than the Occupational Safety and Health Administration) are known to regulate worker safety and health for this subject.

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cindy Ireland, Administrative Regulatory Analyst, Department of Labor and Industries, Division of Occupational Safety and Health (DOSH), P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-5522, fax (360) 902-5619, e-mail cynthia.ireland@lni.wa.gov.

September 18, 2012
Judy Schurke
Director

WSR 12-19-082
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2012-24—Filed September 18, 2012, 2:31 p.m.]

Subject of Possible Rule Making: Amending WAC 284-43-330 Participating provider contracts.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.44.050, 48.44.070, 48.46.030, 48.46.200, 48.46.243.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, RCW 48.44.070, 48.46.030, and 48.46.243 require carriers to file participating provider agreements with the commissioner. The commissioner proposes to amend WAC 284-43-330(1) to make it consistent with these underlying statutory requirements by requiring carriers to submit information about provider or facility compensation. In addition to reconciling the rule to the underlying law, this change will help the commissioner determine if reimbursement methods incentivize health homes, chronic care management, or care coordination for enrollees with complex, high-cost, or multiple chronic conditions, which is a component of certification as a qualified health plan (QHP) eligible to participate in the exchange.

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 October 23, 2012, to Donna Dorris, rulescoordinator@oic.wa.gov, fax (360) 586-3109.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Donna Dorris, rulescoordinator@oic.wa.gov, P.O. Box 40254, Olympia, WA 98504, fax (360) 586-3109.

September 18, 2012
Mike Kreidler
Insurance Commissioner

WSR 12-19-084
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed September 18, 2012, 2:42 p.m.]

This is a memo asking for withdrawal of the CR-101 proposing amending chapter 246-873 WAC, filed May 10, 2010, and published in WSR 10-11-023. The board of pharmacy (board) voted to withdraw this CR-101 at the August 16, 2012, meeting. The original intent of the preproposal was to update the hospital standards rule. The rule is outdated and has not been amended since 1992.

The board is currently doing a project to scan all rules to evaluate for regulatory barriers to patient safety and contemporary practice. They may open this chapter at a later date as part of this project. This will allow for consistent and collaborative rule making among those rules being updated.

Individuals requiring information on this rule should contact Kitty Slater-Einert, rules coordinator for the Washington state board of pharmacy at (360) 236-4861.

Mary C. Selecky
Secretary

WSR 12-19-089

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE UNIVERSITY

[Filed September 19, 2012, 8:32 a.m.]

Subject of Possible Rule Making: Chapter 504-31 WAC, Conduct on campus code.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The university is adopting a code of conduct for members of the university community.

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 Ralph T. Jenks, Director, Office of Procedures, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone (509) 335-2005, fax (509) 335-3969, and e-mail prf.forms@wsu.edu.

A public hearing will be held to permit comment to all proposed rules and revisions. There will be an opportunity to provide written comments to the proposed rules.

September 19, 2012

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

WSR 12-19-090

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed September 19, 2012, 9:01 a.m.]

Subject of Possible Rule Making: Updates, technical changes, and structural improvements to commercial fishing rules, reporting rules, and other WACs in conjunction with the WAC overhaul project. The agency will clarify language where needed, in tandem with other amendments to WACs within this rule making.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes to these rules are needed because many of the rules are disorganized and contain conflicting, outdated, or unclear language. Washington

department of fish and wildlife (WDFW) will consider consolidating and splitting up rules. The project will also repeal any outdated, unnecessary, or inapplicable rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Fish and Wildlife Service also regulates fish and wildlife. State regulations may be more restrictive than federal regulations, but not less so. WDFW will coordinate the regulatory landscape of these rule changes, where and if applicable. As these changes are largely technical, it is unlikely that coordination will be necessary.

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 Joanna Eide, Administrative Regulations Analyst, WDFW Enforcement Program, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2403, fax (360) 902-2156, e-mail Joanna.Eide@dfw.wa.gov. Contact by November 1, 2012. Expected proposal filing on or after November 7, 2012.

September 19, 2012

Joanna M. Eide
Administrative Regulations Analyst

WSR 12-19-092

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

(Medicaid Program)

[Filed September 19, 2012, 9:30 a.m.]

Subject of Possible Rule Making: Eligibility rules for medical assistance programs, including chapters 182-500, 182-503, 182-504, 182-505, 182-506, 182-507, 182-508, 182-509, 182-510, 182-511, 182-512, 182-514, 182-523, 182-556 WAC, and possibly other related rules, along with the creation of new regulations to support the implementation of the Patient Protection and Affordable Care Act (PPACA).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021; Patient Protection and Affordable Care Act established under Public Law 111-148; and Code of Federal Regulations at 42 C.F.R. § 431, 435, and 457, and at 45 C.F.R. § 155.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Health care authority (HCA) needs to promulgate new rules, craft amendments to some existing rules, and repeal some rules in order to implement new federal regulations under PPACA. This includes the establishment of standalone rules for medical assistance programs, including new rules for the streamlined application process envisaged through the Washington health benefit exchange; creation of a new medical assistance program for single adults and parents/caretaker relatives with income below one hundred thirty-eight percent federal poverty level; changes to income methodologies for medical assistance programs for families, children, pregnant women and single adults; and other associated rule changes to update references or remove references to programs that will no longer be available.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services, economic services administration and aging and disability services administration.

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.

September 19, 2012
Kevin M. Sullivan
Rules Coordinator

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Direct comments and/or recommendations to Executive Director, EWSHS, 2316 West First Avenue, Spokane, WA 99201, e-mail linda.queen@northwestmuseum.org, fax (509) 363-5303.

September 17, 2012
Forrest B. Rodgers
Executive Director

WSR 12-19-093
PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON
STATE HISTORICAL SOCIETY

[Filed September 19, 2012, 10:01 a.m.]

Subject of Possible Rule Making: Bylaws, public records request procedures, procedural rules; repealing WAC 256-01-001 Office, 256-01-010 Members, 256-01-020 Meeting of members, 256-01-030 Fees and dues, 256-01-040 Board of trustees, 256-01-050 Officers, 256-01-060 Committees, 256-01-070 Contracts, checks, deposits and funds, 256-01-080 Order of business, 256-01-090 Fiscal year, and 256-01-100 Amendment of bylaws.

Statutes Authorizing the Agency to Adopt Rules on this Subject: The Eastern Washington State Historical Society (EWSHS) is authorized by chapter 27.34 RCW to adopt rules under the provisions of the Administrative Procedure Act, chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The bylaws of EWSHS on file were created, approved and published in 1968, and must be updated for compliance with American Alliance of Museum (AAM) accreditation standards. In addition, the agency is required to add a section addressing public records request procedures, and a section on general procedures.

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

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