

WSR 12-24-016
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed November 27, 2012, 3:15 p.m.]

Subject of Possible Rule Making: Gambling service suppliers and punchboard/pull-tab service businesses.

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 proposing a rule change that would require gambling service suppliers and punchboard/pull-tab service businesses to submit activity reports to us twice a year for sales and services related to gambling activities. Currently, these licensees do not report their activity to us.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting Susan Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Newer@wsgc.wa.gov, fax (360) 486-3625.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. [Meetings on] January 10 or 11, 2013 (tentative), 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; on February 14 or 15, 2013 (tentative), at the Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on February 1 to confirm meeting location and start time; and on March 14 or 15, 2013 (tentative), Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on March 1 to confirm meeting location and start time.

November 27, 2012

Susan Newer

Rules Coordinator

WSR 12-24-025
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed November 28, 2012, 9:32 a.m.]

Subject of Possible Rule Making: Licensed organizations.

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 proposing a rule change to clarify that licensees must report certain new and updated information to us within thirty days, such as changes in their articles of incorporation or bylaws, contracts that [are] related to gambling activities, and cash contributions. The thirty day requirement was previously in our rules and was inadvertently removed during a rules simplification project that was completed in 2008 to rewrite our rules in plain talk.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by

attending a commission meeting, or contacting Susan Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Newer@wsgc.wa.gov, fax (360) 486-3625.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. [Meetings on] January 10 or 11, 2013 (tentative), 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; on February 14 or 15, 2013 (tentative), Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on February 1 to confirm meeting location and start time; and on March 14 or 15, 2013 (tentative), Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on March 1 to confirm meeting location and start time.

November 28, 2012

Susan Newer

Rules Coordinator

WSR 12-24-026
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed November 28, 2012, 9:40 a.m.]

Subject of Possible Rule Making: Manufacturers.

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 repealing the rule that allows "special sales permits" for manufacturers.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting Susan Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susan.Newer@wsgc.wa.gov, fax (360) 486-3625.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. [Meetings on] January 10 or 11, 2013 (tentative), 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; on February 14 or 15, 2013 (tentative), Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on February 1 to confirm meeting location and start time; and on March 14 or 15, 2013 (tentative), Comfort Inn, 1620 74th Avenue S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on March 1 to confirm meeting location and start time.

November 28, 2012

Susan Newer

Rules Coordinator

WSR 12-24-028**PREPROPOSAL STATEMENT OF INQUIRY****LIQUOR CONTROL BOARD**

[Filed November 28, 2012, 12:41 p.m.]

Subject of Possible Rule Making: Amending WAC 314-28-030 and 314-28-050 to allow internet sales and delivery of spirits of their own production for distilleries and craft distilleries.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.24.145 and 66.08.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules need to be written to reflect internet sales and delivery of spirits, formalize associated public safety regulations, and to provide clear direction to distilleries and craft distilleries in these areas.

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.

November 28, 2012

Sharon Foster

Chairman

WSR 12-24-030**PREPROPOSAL STATEMENT OF INQUIRY****LIQUOR CONTROL BOARD**

[Filed November 28, 2012, 1:12 p.m.]

Subject of Possible Rule Making: WAC 314-02-109 What are the quarterly reporting and payment requirements for a spirits retailer license?, 314-23-022 What if a distributor licensee fails to report or pay, or reports or pays late?, and 314-28-080 What if a distillery or craft distillery licensee fails to report or pay, or reports or pays late?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.24.630, 66.24.055, 66.24.145.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As part of implementing I-1183, the board adopted these rules in June 2012. Language needs to be added to these rules to allow the board to suspend or revoke the license of a licensee that fails to report and/or pay these fees.

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.

November 28, 2012

Sharon Foster

Chairman

WSR 12-24-036**PREPROPOSAL STATEMENT OF INQUIRY****STATE BOARD OF HEALTH**

[Filed November 29, 2012, 10:06 a.m.]

Subject of Possible Rule Making: WAC 246-282-006 Washington state *Vibrio parahaemolyticus* (Vp) control plan.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.30.030 Rules and regulations—Duties of state board of health.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state board of health (board) adopted revisions to WAC 246-282-006 in March 2009 to better protect shellfish consumers from Vp-related illnesses. Even with the latest revisions to the control plan, the number of illnesses has steadily increased. The board is considering revisions to the Vp control plan to include more proactive measures to prevent illness and protect public health. This could include a combination of requirements based on environmental factors to determine the safety of shellfish prior to harvest and consumption. In addition, the board will consider revisions for clarity and consistency with the National Shellfish Sanitation Program Model Ordinance.

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 this subject.

Process for Developing New Rule: The board will use collaborative rule making with a stakeholder committee process to develop the proposed rule. The committee will be made up of representatives from tribal and nontribal industry, the United States Food and Drug Administration, the department of health, and other interested stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Porso, Department of Health, Office of Shellfish and Water Protection, P.O. Box 7824, Olympia, WA 98504-7824.

November 28, 2012

Michelle A. Davis

Executive Director

WSR 12-24-053**PREPROPOSAL STATEMENT OF INQUIRY****STATE BOARD OF EDUCATION**

[Filed November 30, 2012, 1:14 p.m.]

Subject of Possible Rule Making: Section 209 of Initiative Measure No. 1240 (An Act Relating to Public Charter Schools) filed May 31, 2012.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Initiative Measure No. 1240, as codified, if approved by the voters during the Washington state general election on November 6, 2012.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Initiative Measure No. 1240 assigns specific responsibilities to the state board of education (SBE) for administration and oversight of the operation of the law. The section of the initiative requiring action first by SBE is section 209. This section provides that SBE "shall establish an annual application and approval process and timelines for entities seeking approval to be charter school authorizers." It further provides that the initial process and timelines must be established no later than ninety days after the effective date of the section. These provisions are required to be implemented through rules adopted by the SBE.

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

Process for Developing New Rule: SBE will solicit comment on rules to implement this section from the office of the superintendent of public instruction, education organizations, and other interested parties. Provision will be made for public comment on the CR-101 at the board's November meeting. Information about the SBE's duties under this section will be posted on the agency's public web site. The CR-101 is prepared on a contingent basis in order that the SBE can take the action required by the deadline specified in this section. If Initiative No. 1240 is not approved, no action will be taken on the CR-101.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jack Archer, Senior Policy Analyst, SBE, Old Capitol Building, Room 253, P.O. Box 47206, Olympia, WA. All parties are encouraged to submit comments in writing to jack.archer@k12.wa.us.

November 30, 2012
Ben Rarick
Executive Director

WSR 12-24-061

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed December 3, 2012, 11:40 a.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Teacher preparation programs—Higher education programs standards, criteria, infrastructure and timelines for approval.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is responsible for teacher certifica-

tion and preparation programs. The legislature continually directs the activities of teacher preparation and qualifications. Rule-making authority is granted to the PESB for Title 181 WAC.

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. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

December 3, 2012

David Brenna
Senior Policy Analyst

WSR 12-24-068

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

(Board of Boiler Rules)

[Filed December 4, 2012, 10:06 a.m.]

Subject of Possible Rule Making: Board of boiler rules—Substantive (chapter 296-104 WAC).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.79 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule making is to make clarification and technical changes to the Board of boiler rules—Substantive (chapter 296-104 WAC) based on actions and requests of the board of boiler rules. The boiler program reviews their rules for additions and revisions on a regular basis to ensure the rules are consistent with the national consensus standards and industry practice. Due to the rule making moratorium the program did not adopt rules in 2011 and 2012 and did not update any of the national boiler safety standards used to regulate the boiler industry.

The board of boiler rules will proceed with rule making:

- Review the current edition of the national safety standards for boiler and pressure vessels.
- Consider amendments that are beneficial to or requested and supported by the regulated entities or small businesses they affect.

Process for Developing New Rule: The board of boiler rules will review and approve all rule changes. Parties interested in these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sally Elliott, Department of Labor and

Industries, P.O. Box 44400, Olympia, WA 98504-4400,
 (360) 902-6411, fax (360) 902-5292, yous235@lni.wa.gov.
 December 4, 2012
 Robert Olson, Chair
 Board of Boiler Rules

WSR 12-24-079

**PREPROPOSAL STATEMENT OF INQUIRY
 DEPARTMENT OF TRANSPORTATION**

[Filed December 5, 2012, 8:11 a.m.]

Subject of Possible Rule Making: Leases with private entities for retail services at park and ride lots.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.04.295 Park and ride lots—Leases with private entities authorized—Rules.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The statute directs the department to adopt and enforce such reasonable rules that are consistent with and necessary to carry out RCW 47.04.-295, including a flexible process to prioritize local business interests when entering into lease agreements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state department of transportation (WSDOT) will coordinate with the Federal Highway Administration and the Federal Transit Administration through the United States Department of Transportation.

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 WSDOT Public-Private Partnership Office, 310 Maple Park Avenue S.E., P.O. Box 47395, Olympia, WA 98504-7395, (360) 705-7023, or partnerships@wsdot.wa.gov.

December 5, 2012
 Stephen T. Reinmuth
 Chief of Staff

WSR 12-24-084

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

[Filed December 5, 2012, 10:03 a.m.]

Subject of Possible Rule Making: The department is considering rule making regarding auctions and raffles.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047, 77.32.050, and 77.32.530.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Provides clarification and recreational opportunity.

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. Contact by January 2, 2012 [2013]. Expected proposal filing on or after January 23, 2012 [2013].

December 5, 2012
 Lori Preuss
 Rules Coordinator

WSR 12-24-085

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

[Filed December 5, 2012, 10:03 a.m.]

Subject of Possible Rule Making: The department is considering rule making to combine license packages and reduce fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047, 77.32.450, and 77.32.470.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Encourages hunters to purchase additional license options and increases participation in hunting activities.

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. Contact by January 2, 2012 [2013]. Expected proposal filing on or after January 23, 2012 [2013].

December 5, 2012
 Lori Preuss
 Rules Coordinator

WSR 12-24-086

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

[Filed December 5, 2012, 10:04 a.m.]

Subject of Possible Rule Making: The department is considering rule making regarding license refunds and transport tag exchanges.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047 and 77.32.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Provides clarification of

when licenses can be refunded and when transport tags can be exchanged.

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. Contact by January 2, 2012 [2013]. Expected proposal filing on or after January 23, 2012 [2013].

December 5, 2012

Lori Preuss
Rules Coordinator

Statutes Authorizing the Agency to Adopt Rules on this Subject: Initiative 502.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Initiative 502 legalizes marijuana for recreational use under certain conditions. I-502 also created three new license types and requirements for each license type. Requirements were also created for the producing, processing, and retail sales of marijuana. This rule making is the first rule making to being [begin] implementation of Initiative 502.

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.

December 5, 2012

Sharon Foster
Chairman

WSR 12-24-089

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR CONTROL BOARD

[Filed December 5, 2012, 10:44 a.m.]

Subject of Possible Rule Making: WAC 314-02-107
What are the requirements for a spirits retail license?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.24.630 and 66.08.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The passage of Initiative 1183 and the privatization of spirits theft and product loss is significant and increasing. This is contributing to increased underage access to alcohol. Rules are needed to clarify reporting requirements of product loss due to theft and internal shrinkage.

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.

December 5, 2012

Sharon Foster
Chairman

WSR 12-24-090

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR CONTROL BOARD

[Filed December 5, 2012, 10:45 a.m.]

Subject of Possible Rule Making: A new chapter in Title 314 WAC, chapter 314-55 WAC, Marijuana licenses and requirements. New sections will be created to implement I-502.