

WSR 14-02-008**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed December 19, 2013, 10:10 a.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(7).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Staff is entering into rule making to ensure WAC is consistent with RCW 9.46.070(7) by requiring persons holding an "interest" in a building used for a gambling activity to undergo a background check.

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] January 16 or 17, 2014, at the Comfort Inn, 1620 74th Ave S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on January 1 to confirm meeting location and start time; on February 13 or 14, 2014, at the Comfort Inn, 1620 74th Ave S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on February 1 to confirm meeting location and start time; and on March 20 and 21, 2014, at the Comfort Inn, 1620 74th Ave S.E., Tumwater, WA 98501, visit www.wsgc.wa.gov on March 1 to confirm meeting location and start time.

December 19, 2013
Susan Arland
Rules Coordinator

WSR 14-02-017**PREPROPOSAL STATEMENT OF INQUIRY
TRANSPORTATION COMMISSION**

[Filed December 20, 2013, 8:05 a.m.]

Subject of Possible Rule Making: I-405 express toll lane toll rate and policy setting.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.56.850 and 47.56.880.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: State statute requires tolls for the express toll lanes generate sufficient revenue to pay for operating costs and effectively maintain travel time, speed, and reliability on the highway facilities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of transportation will review and coordinate with the transportation commission on this rule-making process.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication. The transportation commission will hold public input meetings in the regional area surrounding the I-405 express toll lanes project in the spring of 2014. More details will be issued in coming months. Public comment will be taken at the public input meetings as well as at the final hearing. Comments may also be submitted in writing to the Transportation Commission, P.O. Box 47308, Olympia, WA 98504-7308, phone (360) 705-7070, fax (360) 705-6802, or e-mail transc@wsdot.wa.gov.

December 20, 2013

Reema Griffith
Executive Director

WSR 14-02-021**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed December 20, 2013, 1:23 p.m.]

Subject of Possible Rule Making: In response to a petition for rule making, the Washington state department of agriculture (WSDA) is seeking public comment on whether changes should be made to WAC 16-06-210(29), the WSDA public disclosure rule which releases information for animal numbers, acreage, nutrients generated and exported and crop yields in numeric ranges.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.610 and 90.64.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WSDA received a petition to revise the numeric ranges in WAC 16-06-210(29) for animal numbers, acreage, nutrients generated and exported and crop yields. WSDA is soliciting comment from interested parties related to their experiences with the rule and suggestions for how the rule might be improved.

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

Process for Developing New Rule: Amendments will be distributed to stakeholders for comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Virginia Prest, Dairy Nutrient Management Program (DNMP), P.O. Box 42560, Olympia, WA 98504-2560, DNMPAdmin@agr.wa.gov or WSDARuleComments@agr.wa.gov, office (360) 902-2894, fax (360) 902-2000. To be notified of activities regarding this CR-101 or be added to DNMP's e-mail stakeholder list please send e-mail to DNMPAdmin@agr.wa.gov, please reference "WAC 16-06-210(29) Stakeholder input" in the subject line.

December 20, 2013

Ted Maxwell
Assistant Director
Pesticide Management Division

WSR 14-02-024
PREPROPOSAL STATEMENT OF INQUIRY
PENINSULA COLLEGE

[Filed December 20, 2013, 1:59 p.m.]

Subject of Possible Rule Making: Delete chapter 132A-120 WAC, Student rights and responsibilities, replace with new chapter 132A-125 WAC, Student rights and responsibilities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current student rights and responsibilities rule is out-of-date; last agency filing 2001. The new rule is needed to update misconduct and incorporate Title IX and Violence Against Women Act procedural elements. The new rule contains substantial reorganization of existing and new material. For clarity, it is easier to delete the old rule and create a new rule.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Education, Office for Civil Rights has provided colleges with recent specific guidance on Title IX requirements: Dear Colleague Letter, April 4, 2011, and Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students or Third Parties, January 2011; May 9, 2013, University of Montana-Missoula OCR compliance review and settlement agreement. See also 2013 amendment to Violence Against Women Act.

Process for Developing New Rule: Agency study; and review by student affairs committee, APPR, college council, president's cabinet, and board of trustees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jack Huls, Vice-President for Student Service, (36) [(360)] 417-6225, or jhuls@pencol.edu to provide comments on this rule, or Patricia Fischer, executive assistant to the president and rules coordinator, (360) 417-6201 or pfischer@pencol.edu.

December 20, 2013
P. A. Fischer
Rules Coordinator

WSR 14-02-027
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed December 20, 2013, 2:38 p.m.]

Subject of Possible Rule Making: Title 246 WAC, adding a new chapter for healthcare associated infections (HAI) reporting.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.056 (amended in 2013 by HB 1471).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering establishing rules for HAI reporting and requiring reporting of Clostridium (C.) difficile. RCW 43.70.056 allows the department to adopt rules to require statewide reporting in

alignment with reporting categories of the Centers for Medicare and Medicaid Services (CMS). CMS introduced reporting of C. difficile through the National Healthcare Safety Network (NHSN) starting January 2013. This disease is a widespread and growing problem in hospitals across the nation and in Washington state. The number of fatalities associated with this disease has been steadily increasing. Requiring reporting will provide the department information about frequency and severity trends.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: CMS includes C. difficile in its list of pay-for-reporting incentive program categories; the department monitors and influences that CMS list through participation in a Council of State and Territorial Epidemiologists subcommittee, and the Centers for Disease Control and Prevention (CDC) NHSN program. CDC administers the NHSN system and associated conditions of participation through which hospitals report. Since 2008, the department administers the Washington state hospital reporting group in NHSN and works directly with CDC. The rule will align with the CMS and CDC specifications for C. difficile.

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. The department intends to hold a C. difficile information meeting prior to a public hearing. Comments may be submitted by phone or e-mail as indicated on the HAI public information web site (<http://www.doh.wa.gov/YouandYourFamily/IllnessandDisease/HealthcareAssociatedInfections.aspx>). Contact Jason Lempp at (360) 236-4249 or e-mail Jason.Lempp@doh.wa.gov.

December 17, 2013
Jessica Todorovich
Deputy Secretary
for John Wiesman, DrPH, MPH
Secretary

WSR 14-02-065
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

(Medicaid Program)

[Filed December 27, 2013, 10:49 a.m.]

Subject of Possible Rule Making: WAC 182-527-2742 and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are necessary to remove a financial barrier to applying for health care coverage under the Affordable Care Act. For the Affordable Care Act to be implemented successfully, it is important to get as many people as possible to apply for health care coverage through the health benefit exchange.

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

Process for Developing New Rule: The health care authority (HCA) welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Mick Pettersen, P.O. Box 42716, Olympia, WA 98504-2716, phone (360) 725-1842, fax (360) 586-9727, TTY 1-800-848-5429, e-mail mick.pettersen@hca.wa.gov.

December 27, 2013
Kevin M. Sullivan
Rules Coordinator

WSR 14-02-066

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed December 27, 2013, 10:49 a.m.]

Subject of Possible Rule Making: WAC 308-93-087 Disclosure of names and addresses of individual vessel owners, 308-93-088 Disclosure violations, penalties, and 308-93-089 Lists of registered and legal owners of vessels—Furnished for certain purposes—Penalty for unauthorized use.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We are proposing the repeal of these rules for improved administrative efficiency while enhancing access to public records of vessel ownership.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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 Ben Shomshor, Department of Licensing, Central Operations and Resources Division, P.O. Box 2957, Olympia, WA 98507-2957, e-mail (preferred) bshomshor@dol.wa.gov, phone (360) 902-3928.

December 27, 2013
Damon Monroe
Rules Coordinator

WSR 14-02-069

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)

[Filed December 27, 2013, 2:16 p.m.]

Subject of Possible Rule Making: WAC 246-817-160 Graduates of nonaccredited schools, the dental quality assur-

ance commission is considering amendments to education requirements for graduates of nonaccredited dental schools to update the rule with current standards and credentialing process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.32.002, 18.32.0365, 18.32.040, and 18.32.-222.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current rule contains obsolete references and requirements. The rule amendment is needed to update education requirements for graduates of nonaccredited schools, which categorically include foreign schools. The amendment is necessary to provide clear requirements for licensure candidates who have graduated from nonaccredited schools.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Department of Health, Dental Quality Assurance Commission, Jennifer Santiago, P.O. Box 47852, Olympia, WA 98504, (360) 236-4893, jennifer.santiago@doh.wa.gov. Interested stakeholders may sign up for the commission's listserv at <http://listserv.wa.gov/cgi-bin/wa?SUBED1=dental-qac&A=1>. All rule-making notices will be e-mailed to the commission's interested parties list (listserv) and appropriate state associations. Rule drafting will take place in open public meetings where comments will be accepted verbally and in writing.

December 27, 2013
Blake T. Maresh
Executive Director

WSR 14-02-074

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2013-29—Filed December 30, 2013, 11:58 a.m.]

Subject of Possible Rule Making: Long-term care policy unintentional lapse notices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.83.170, and 48.84.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Under this rule making the commissioner will consider amendments to existing rules to require issuers of long-term care policies to provide notification to insureds and their designees about important details of the unintentional lapse protections of their long-term care policies.

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 February 14, 2014, to Kacy Scott, 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 Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, rulescoordinator@oic.wa.gov.

December 30, 2013
Mike Kreidler
Insurance Commissioner

WSR 14-02-088
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
(Medicaid Program)

[Filed December 30, 2013, 6:19 p.m.]

Subject of Possible Rule Making: Chapter 182-532 WAC, Reproductive health/family planning only/TAKE CHARGE, WAC 182-532-720, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Patient Protection and Affordable Care Act (Public Law 111-148); RCW 41.05.021; and section 213(29), chapter 4, Laws of 2013.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The health care authority (HCA) must implement federal requirements under the Affordable Care Act, and the changes under the legislative session of 2013 concerning eligibility for TAKE CHARGE in accordance with the federal waiver amendments. During the course of this review, the HCA may identify additional changes that are required in order to improve clarity or update policy.

Process for Developing New Rule: HCA welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Mick Pettersen, P.O. Box 42716, Olympia, WA 98504-2716, phone (360) 725-1842, fax (360) 586-9727, TTY 1-800-848-5429, e-mail mick.pettersen@hca.wa.gov.

December 30, 2013
Kevin M. Sullivan
Rules Coordinator

WSR 14-02-089
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
(Medicaid Program)

[Filed December 30, 2013, 6:22 p.m.]

Subject of Possible Rule Making: WAC 182-545-400, 182-545-900, 182-551-2110, chapter 182-500 WAC, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are necessary to comply with service requirements in the Patient Protection and Affordable Care Act.

Process for Developing New Rule: The health care authority (HCA) welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, HCA will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Mick Pettersen, P.O. Box 42716, Olympia, WA 98504-2716, phone (360) 725-1842, fax (360) 586-9727, TTY 1-800-848-5429, e-mail mick.pettersen@hca.wa.gov.

December 30, 2013
Kevin M. Sullivan
Rules Coordinator

WSR 14-02-107
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed December 31, 2013, 3:13 p.m.]

Subject of Possible Rule Making: This new rule will provide brief adjudicative proceedings to those impacted by agency actions of the department of revenue in the administration of chapter 59.30 RCW. These brief adjudicative proceedings are authorized by RCW 34.05.482 through 34.05-494.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.33.096, 82.32.300, and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This will allow an appeal through brief adjudicative proceedings to those impacted by agency actions of the department of revenue in the administration of chapter 59.30 RCW regarding the assessment of the one-time business license fee; assessment of the annual renewal application fee; assessment of the annual registration assessment fee; and assessment of the delinquency fee for manufactured and mobile home communities.

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

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. A preliminary draft of possible rule changes is available via the department's online Rules Agenda.

Written comments may be submitted by mail and should be directed to Mark E. Bohe, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail markbohe@dor.wa.gov.

Written and oral comments will be accepted at the public meeting.

Public Meeting Location: Capital Plaza Building, Fourth Floor Executive Conference Room, 1025 Union Avenue S.E., Olympia, WA, on February 5, 2014, at 10:00 a.m. *Call-in option can be provided upon request.*

Assistance for Persons With Disabilities: Contact Mary Carol LaPalm, (360) 725-7499 or Renee Cosare, (360) 725-7514 no later than ten days before the meeting date. For hearing impaired please contact us via the Washington relay operator at (800) 833-6384.

December 31, 2013
Alan R. Lynn
Assistant Director

WSR 14-02-108

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed December 31, 2013, 3:15 p.m.]

Subject of Possible Rule Making: The rule-making effort is to amend WAC 458-20-245, presently entitled: "Telephone business, telephone service" and to update it to present technology with the new title of: "Taxation of competitive telephone service, telecommunications service, and ancillary service." This updating of the rule will also incorporate the legislative changes from chapter 8, Laws of 2013 2nd sp. sess., 63rd legislature 2013.

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: This rule making will identify what constitutes competitive telephone services, telecommunications services, and ancillary services; how these products are taxed; and the statutes that apply for determining if the sales of these products are subject to taxation in Washington state, including issues of sourcing and apportionment. The rule applies to tax periods commencing on or after July 1, 2008.

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

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. A preliminary draft of possible rule changes is available via the department's online Rules Agenda.

Written comments may be submitted by mail and should be directed to Mark E. Bohe, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail markbohe@dor.wa.gov.

Written and oral comments will be accepted at the public meeting.

Public Meeting Location: Capital Plaza Building, Fourth Floor Executive Conference Room, 1025 Union Avenue S.E., Olympia, WA, on February 6, 2014, at 10:00 a.m. *Call-in option can be provided upon request.*

Assistance for Persons With Disabilities: Contact Mary Carol LaPalm, (360) 725-7499 or Renee Cosare, (360) 725-7514 no later than ten days before the meeting date. For hearing impaired please contact us via the Washington relay operator at (800) 833-6384.

December 31, 2013
Alan R. Lynn
Assistant Director

WSR 14-02-109

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed December 31, 2013, 3:16 p.m.]

Subject of Possible Rule Making: This rule-making effort will be to amend WAC 458-20-263, presently entitled: "Fuel cell, wind, landfill gas, and solar energy electric generating facilities" and update the rule to include recent legislation and technology under the new title: "Sales and use tax exemptions for qualifying electrical generating and heat producing systems using renewable energy sources."

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: RCW 82.08.962, 82.08.963, 82.12.962, and 82.12.963 provide retail sales and use tax exemptions for machinery and equipment used directly in generating electricity or producing heat using qualified renewable energy sources. This rule amendment explains how these exemptions apply to present technologies and updates legislative changes, including the most recent at chapter 13, Laws of 2013 2nd sp. sess.

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

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. A preliminary draft of possible rule changes is available via the department's online Rules Agenda.

Written comments may be submitted by mail and should be directed to Mark E. Bohe, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail markbohe@dor.wa.gov.

Written and oral comments will be accepted at the public meeting.

Public Meeting Location: Capital Plaza Building, Fourth Floor Executive Conference Room, 1025 Union Avenue S.E., Olympia, WA, on February 10, 2014, at 10:00 a.m. *Call-in option can be provided upon request.*

Assistance for Persons With Disabilities: Contact Mary Carol LaPalm, (360) 725-7499 or Renee Cosare, (360) 725-7514 no later than ten days before the meeting date. For hearing impaired please contact us via the Washington relay operator at (800) 833-6384.

December 31, 2013

Alan R. Lynn
Assistant Director

WSR 14-02-113

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed December 31, 2013, 4:17 p.m.]

Subject of Possible Rule Making: Changes to the Washington department of fish and wildlife's (WDFW) recreational salmon rules, coastal commercial salmon fishing rules, and Puget Sound commercial salmon fishing rules, resulting from North of Falcon recommendations.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules based on North of Falcon recommendations change from year to year to reflect resource availability and achieve conservation goals.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: NOAA Fisheries and the National Marine Fisheries Service. These agencies, as well as WDFW, the Pacific Fisheries Management Council, and the Pacific Salmon Commission, all provide input and/or take part in the North of Falcon meetings and recommendations.

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 John Long, WDFW Fish Program, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2733, fax (360) 902-2158, e-mail John.Long@dfw.wa.gov. Contact by February 15, 2014. Expected proposal filing on or after February 19, 2014.

December 31, 2013

Joanna M. Eide
Rules Coordinator

WSR 14-02-114

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed December 31, 2013, 4:19 p.m.]

Subject of Possible Rule Making: Amendments to rules regarding commercial and recreational fishing for smelt in Puget Sound.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.04.130, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering changes to commercial and recreational Puget Sound smelt fishing rules to address conservation and orderly fisheries issues.

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 Joanna Eide, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2403, e-mail Joanna.Eide@dfw.wa.gov. Contact by February 12, 2014. Expected proposal filing on or after February 19, 2014.

December 31, 2013

Joanna M. Eide
Rules Coordinator

WSR 14-02-115

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF EARLY LEARNING

[Filed January 2, 2014, 8:22 a.m.]

Subject of Possible Rule Making: Revising early childhood education and assistance program (ECEAP) eligibility, enrollment, and staff qualifications rules, including but not limited to WAC 170-100-080 Eligibility for services and 170-100-090 Staff qualifications.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.215 RCW and in particular RCW 43.215.020 and 43.215.425.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The ECEAP Performance Standards Section B: Enrollment and eligibility have been clarified. The related ECEAP rules need to be brought into alignment with the standards. The ECEAP Performance Standards Section C: Human resources are being revised. The related ECEAP rules need to be brought into alignment with the standards.

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

Process for Developing New Rule: To the extent practicable, the department of early learning (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 fax (360) 586-0533, or by writing to the DEL Rules Coordinator, Department of Early Learning, P.O. Box 40972, Olympia, WA 98504-0972.

January 2, 2014
Matt Judge
Rules Coordinator

WSR 14-02-117

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE UNIVERSITY

[Filed January 2, 2014, 8:53 a.m.]

Subject of Possible Rule Making: Chapter 504-15 WAC, Campus parking and traffic regulations.

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 updating the campus parking and traffic rules and expanding rules regarding bicycles.

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, 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.

January 2, 2014
Ralph T. Jenks, Director
Procedures, Records, and Forms
and University Rules Coordinator

WSR 14-02-119

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed January 2, 2014, 9:12 a.m.]

Subject of Possible Rule Making: The department plans to amend rules under chapter 388-492 WAC as well as other rules in Title 388 WAC related to eligibility and benefit level for food assistance under the Washington combined application program (WASHCAP).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.08.090, 74.08A.903.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend rules under chapter 388-492 WAC as well as other rules in Title 388 WAC related to eligibility and benefit level for food assistance under WASHCAP.

The state of Washington operates WASHCAP under an approved demonstration project with the United States Department of Agriculture, Food and Nutrition Service (FNS). The demonstration project sets in place certain alternative procedures for WASHCAP from the supplemental nutrition assistance program (SNAP) administered in Washington state as Basic Food. In accordance with the approved demonstration project plan and the Food and Nutrition Act of 2008, all elements of the SNAP program not specifically waived as a part of the demonstration project apply to WASHCAP households.

The amendments proposed under this filing will clarify the differences and similarities in definitions, eligibility requirements, reporting requirements, and benefit calculation for the WASHCAP demonstration project and Basic Food.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, FNS enforces the provisions of the federal SNAP as enacted in the Food and Nutrition Act of 2008, as amended and codified in the Code of Federal Regulations. The department develops WASHCAP to be consistent with the act, federal regulations, and the approved WASHCAP demonstration project waiver while ensuring cost neutrality of the program.

Process for Developing New Rule: DSHS welcomes the public to take part in developing these 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 Holly St. John, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4895, fax (360) 725-4904, e-mail stjohhc@dshs.wa.gov.

January 2, 2014
Katherine I. Vasquez
Rules Coordinator

WSR 14-02-126
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS
(Securities Division)
[Filed January 2, 2014, 11:31 a.m.]

Subject of Possible Rule Making: The [securities] division (division) is considering amending chapter 460-44A WAC to make ministerial updates to account for changes to Rule 506(b) and the adoption of Rule 506(c). The impacted WAC sections are WAC 460-44A-050, 460-44A-500, 460-44A-501, 460-44A-502, 460-44A-503, and 460-44A-506.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 21.20.450.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On July 10, 2013, the Securities and Exchange Commission adopted two final rules through SEC Release Nos. 33-9414 and 33-9415. These rules impact the existing exemption under Federal Rule 506(b) and create a new exemption in Federal Rule 506(c). Further, the text of the rules in WAC 460-44A-500 through 460-44A-508 is largely based upon the text of Federal Regulation D, which has been the subject of a number of minor revisions that are not yet reflected in our rules. We are considering amending these rules to reflect the recent amendments to Federal Rule 506 and to more closely align our rules with Federal Regulation D. By engaging in this rule making, the government and the public would be benefited through more uniform and accurate regulation and communication.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The amendments that the division is considering affect the regulation of securities and exempt securities transactions. Securities are subject to regulation by the Securities and Exchange Commission under federal law. The amendments under consideration would better coordinate our rules with other federal and state agencies.

Process for Developing New Rule: The division is soliciting comments from interested persons and will adopt rules only after the consideration of public comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dan Matthews, Department of Financial Institutions, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, phone (360) 902-8785, fax (360) 704-6496, e-mail dmatthews@dfi.wa.gov.

January 2, 2014
William M. Beatty, Director
Securities Division