

**WSR 14-14-001**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PUBLIC DISCLOSURE COMMISSION**

[Filed June 18, 2014, 4:36 p.m.]

Subject of Possible Rule Making: On August 7, 2013, the commission filed WSR 13-17-006 as the agency prepared to modernize the personal financial disclosure forms and improve the instructions contained therein. Since then, the commission has engaged in stakeholder work, which shifted the focus of the commission's rule making. Stakeholders have asked the commission to make inflationary adjustments to the personal financial disclosure dollar thresholds and reporting code values.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.125(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission is authorized to make inflationary adjustments at least once every five years, but no more frequently than every two years. The last adjustments were made in 2008. Revisions will reflect changes in economic conditions since the last adjustments were made in 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: The commission's strategic plan includes the goal to increase the effectiveness of educational and compliance efforts. To that end, the commission formed a work group of filers and their representatives to review the personal financial disclosure requirements related to reporting thresholds, investments, and business interests. The work group recommends the commission make inflationary adjustments as described above. Other stakeholder engagement included a public survey and comment offered by individuals at commission meetings.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending comment to Lori Anderson, P.O. Box 40908, Olympia, WA 98504-0908, fax (360) 753-1112, e-mail lori.anderson@pdc.wa.gov. It is expected that the F-1 review and related rule-making topics will be part of the June 26, July 24, and August 21, 2014, commission meetings.

June 18, 2014  
 Lori Anderson  
 Communications and  
 Training Officer

**WSR 14-14-004**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**WASHINGTON STATE PATROL**

[Filed June 19, 2014, 11:05 a.m.]

Subject of Possible Rule Making: Traction devices—Automatic tire chains.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005, 46.55.050, 46.55.115.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Update rules to include an

automatic tire chain formerly approved by the state commission on equipment in the 1980s.

Process for Developing New Rule: Agency review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting CVEO 4 Bill Balcom, Motor Carrier Safety Division, P.O. Box 42614, Olympia, WA 98504-2600, Bill.balcom@wsp.wa.gov, (360) 596-3807.

June 16, 2014  
 John R. Batiste  
 Chief

**WSR 14-14-013**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF AGRICULTURE**

[Filed June 20, 2014, 4:06 p.m.]

Subject of Possible Rule Making: Chapter 16-390 WAC, WSDA fruit and vegetable inspection districts, inspection fees and other charges. The Washington state department of agriculture (WSDA) is reviewing this chapter and proposes to update and amend it to simplify the fruit and vegetable inspection fee structure, as well as to reflect the current cost of providing inspections and other services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.17.040 and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules on this subject will be amended to simplify the existing fee structure for fruit and vegetable inspections to make it easier for both industry and program staff to understand, and to reflect the current cost of providing these inspections and other services.

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

Process for Developing New Rule: WSDA staff will develop the rule proposal and will communicate with stakeholders and other interested parties for their review and comment. Interested parties can also participate in the public hearing/public comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeff Larsen, 1111 Washington Street S.E., P.O. Box 42560, Olympia, WA 98504-2560, (360) 902-1960, fax (360) 902-2085, jlarsen@agr.wa.gov.

June 20, 2014  
 Brad J. Avy  
 Assistant Director

**WSR 14-14-043**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**EMPLOYMENT SECURITY DEPARTMENT**

[Filed June 25, 2014, 9:20 a.m.]

Subject of Possible Rule Making: Chapter 192-180 WAC, Job search requirements and WAC 192-110-015 Applications by standby workers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The amendments to chapter 192-180 WAC will clarify the process by which the department monitors unemployment claimants' job search activities. The amendment to WAC 192-110-015 will modify some conditions under which requests for standby may be approved. The changes will provide more clarity to all parties and assist the department by modifying processes in view of dramatically reduced funding levels.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: The proposed rules will be shared with stakeholders identified in the rule-making process. We will solicit input from stakeholders and consider all comments in the development of the final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Juanita Myers, Unemployment Insurance Rules Manager, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, fax (360) 902-9200, e-mail [jmyers@esd.wa.gov](mailto:jmyers@esd.wa.gov). Please include your name, organization (if any), mailing address, e-mail address and phone number.

June 20, 2014  
 Lisa Marsh  
 Deputy Commissioner

**WSR 14-14-060**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**WASHINGTON STATE LOTTERY**

[Filed June 26, 2014, 3:03 p.m.]

Subject of Possible Rule Making: The lottery commission is considering updates to Title 315 WAC as it applies to the price of instant tickets.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.70.040(1) and 67.70.050 (1), (8).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The lottery commission is considering changes to the instant ticket rules in order to maintain best practices regarding pricing currently utilized in the lottery industry.

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 Jana Jones, Director of Legal Services, P.O. Box 43000, Olympia, WA 98504-3000, phone (360) 664-4833, or Jennifer McDaniel, legal assistant, phone (360) 664-4834.

June 26, 2014  
 Jana L. Jones  
 Director of Legal Services

**WSR 14-14-064**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

(Board of Hearing and Speech)

[Filed June 26, 2014, 5:54 p.m.]

Subject of Possible Rule Making: Chapter 246-828 WAC, Hearing and speech, the board of hearing and speech (board) will open the chapter to review and possibly update continuing education and examination standards and implement EHB 2108 (chapter 189, Laws of 2014) renaming the "hearing aid fitter/dispenser" credential to "hearing aid specialist," and establishing standards for a nine-month certification pathway for obtaining a hearing aid specialist license.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.35.161 and EHB 2108 (chapter 189, Laws of 2014).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board is considering adding continuing education requirements for speech-language pathology assistants, adding multicultural education as an acceptable continuing education category, and correcting the audiology and speech-language pathology national exam name and scoring standards. In addition, EHB 2108 changed the hearing instrument fitter/dispenser credential to a hearing aid specialist credential, and added a route to licensure for hearing aid specialists that includes a board-approved practical exam and a nine-month certification from a board-approved hearing aid specialist program. Rules are needed to implement these requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: State board for community and technical colleges, the board is coordinating with hearing aid specialist programs to identify nine-month certification programs that may be available.

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. Interested parties can participate in the rule-making process by providing comments on proposed language and/or attending a rules workshop. Notices will be sent to interested

parties through listserv and e-mail. Send written comments to Janette Benham, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4857, fax (360) 236-2901, or e-mail janette.benham@doh.wa.gov.

June 26, 2014  
James E. Deal  
Chair

**WSR 14-14-065**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

[Filed June 26, 2014, 6:11 p.m.]

Subject of Possible Rule Making: Chapter 246-916 WAC, Licensure requirements for athletic trainers, adding a new section to establish continuing education requirements for athletic trainers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.250.020 and SHB 2430 (chapter 194, Laws of 2014).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SHB 2430 gives the secretary authority to establish continuing education requirements for athletic trainers. Rules are needed to create enforceable requirements for continuing education.

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. Interested parties can participate in the rule-making process by providing comments on proposed language and/or attending a rules workshop. Notices will be sent to interested parties through listserv and e-mail. Send written comments to Janette Benham, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4857, fax (360) 236-2901, or e-mail janette.benham@doh.wa.gov.

June 26, 2014  
John Wiesman, DrPH, MPH  
Secretary

**WSR 14-14-068**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed June 27, 2014, 10:55 a.m.]

The Washington department of fish and wildlife is withdrawing WSR 13-23-106, filed on November 20, 2013. The Washington department of fish and wildlife will not pursue rule making on the topic involved in WSR 13-23-106 at this time.

Joanna M. Eide  
Rules Coordinator

**WSR 14-14-094**

**PREPROPOSAL STATEMENT OF INQUIRY**  
**NOXIOUS WEED**  
**CONTROL BOARD**

[Filed June 30, 2014, 11:46 a.m.]

Subject of Possible Rule Making: WAC 16-750-005, 16-750-011, 16-750-015, 16-750-130.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 17.10.070, 17.10.080, 17.10.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington state noxious weed control board (WSNWCB) is charged with updating the state noxious weed list on an annual basis to ensure it accurately reflects the noxious weed control priorities and noxious weed distribution. It will also be amending some of its bylaws contained within chapter 16-750 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state agency regulates this subject. Federal agencies are subject to federal noxious weed laws that require them to coordinate with state regulations. Federal agencies in Washington are invited to participate in all stages of noxious weed rule making.

Process for Developing New Rule: The WSNWCB annually solicits proposed changes to the noxious weed list from county weed boards, weed districts, state agencies, federal agencies, interest groups, and the general public. The noxious weed committee of the board (which includes representation from the Washington Native Plant Society, county weed boards, the nursery industry and several scientific advisors) meets at least twice to review and research these suggestions. A public hearing is scheduled, and a press release and information regarding the proposed changes are widely distributed to newspapers, stakeholders, and the general public. The board makes its final decisions after considering comments received at the hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties can:

- Submit suggested changes to the noxious weed list and/or other sections of chapter 16-750 WAC between January 1 and April 30 each year.
- Attend noxious weed committee meetings and/or WSNWCB meetings.
- Testify at the public hearing and/or submit written testimony.

Information on participating in the decision-making process can be obtained from Alison Halpern, WSNWCB, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-2053, fax (360) 902-2094, e-mail ahalpern@agr.wa.gov.

June 30, 2014  
Alison Halpern  
Executive Secretary

**WSR 14-14-099**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BELLINGHAM TECHNICAL COLLEGE**

[Filed June 30, 2014, 2:33 p.m.]

Subject of Possible Rule Making: 1. Repeal chapter 495B-300 WAC, Grievance rules—Title IX and codify and adopt new chapter 495B-300 WAC, Title IX Policies to be in compliance with federal law;

2. Repeal chapter 495B-120 WAC, Campus code of conduct and adopt new chapter 495B-120 WAC to be in compliance with new model conduct code recommended from assistant attorney general.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 1. Colleges receiving federal funds are required by federal law to adopt and publish Title IX complaint procedures, as well as codify any procedure which establishes, alters, or revokes any procedure, practice, or requirement relating to the enjoyment of benefits or privileges conferred by law. Title IX complaint procedures do just this, the college is required to codify these procedures in the Washington Administrative Code.

2. Proposed revision to the campus code of conduct are a result of the recommendation from the attorney general's office, as a result of new processes required by the Violence Against Women Act. Because the code was being updated it was decided to also update the college campus code and rename it the student campus code to be consistent with other colleges in the WA system.

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 Ronda Laughlin, Rules Coordinator, Bellingham Technical College, 3028 Lindbergh Avenue, Bellingham, WA 98225, (360) 752-8334, rlaughlin@btc.ctc.edu.

June 30, 2014  
 Patricia L. McKeown  
 President

**WSR 14-14-100**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
 (Dental Quality Assurance Commission)

[Filed July 1, 2014, 6:54 a.m.]

Subject of Possible Rule Making: WAC 246-817-XXX Dentist retired active status, the dental quality assurance commission (commission) is considering adding a new section to create a retired active status dentist license, including continuing education requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.32.065 and 18.130.250.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 18.130.250 allows the commission to establish a retired active status license at a reduced fee, and to set continuing education requirements for

renewal. A retired active license would allow a dentist to provide dental services in emergent or intermittent circumstances. The commission will consider retired active status rules adopted by the department and other boards and commissions. The goal is to increase public safety and ensure that qualified retired dental professionals who wish to provide limited dental services are properly licensed to provide care.

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.

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.

July 1, 2014  
 Trina Castle  
 Executive Director

**WSR 14-14-101**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF TRANSPORTATION**

[Filed July 1, 2014, 7:12 a.m.]

Subject of Possible Rule Making: WAC 468-300-700 Preferential loading.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.56.030 Powers and duties regarding toll facilities—Purchasing and 47.60.140 System as self-liquidating undertaking—Powers of department—Concessions.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Review of the preferential loading rules for Washington state ferries' (WSF) vessels in order to update the rules to reflect modifications to WSF's vehicle reservations program. Proposed amendments to such rules are in anticipation of implementing Phase II of the WSF's vehicle reservation program in the San Juan Islands in late 2014.

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 Mr. Ray Deardorf, Planning Director, WSDOT Ferries Division, 2901 Third Avenue, Suite 500, Seattle, WA 98121-3014, phone (206) 515-3491, fax (206) 515-3499.

July 1, 2014  
Kathryn W. Taylor  
Assistant Secretary

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jilene Siegel, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail Rules@drs.wa.gov, phone (360) 664-7291.

**WSR 14-14-105**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STUDENT ACHIEVEMENT COUNCIL**

[Filed July 1, 2014, 12:26 p.m.]

Subject of Possible Rule Making:

- Resident tuition eligibility.
- Implement and amend rules of Washington state residency requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.15.015.

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

- Defines and clarifies new legislation from SB 5318, an act removing the one-year waiting period for veterans for purposes of resident tuition eligibility.
- Revise state residency WACs to include new sections of RCW 28B.15.012.

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 James West, Associate Director, Academic Affairs and Policy, Washington Student Achievement Council, P.O. Box 43430, 917 Lakeridge Way, Olympia, WA 98504-3430, jimw@wsac.wa.gov, (360) 753-7890.

July 1, 2014  
James B. West  
Associate Director  
Academic Affairs and Policy

**WSR 14-14-107**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**

[Filed July 1, 2014, 1:48 p.m.]

Subject of Possible Rule Making: Removing the provision that allows members of the Teachers' Retirement System Plan 3 to select a new contribution rate option each year, and revising the rule to align with employers' current practices related to payroll processing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Elimination of the annual rate flexibility is necessary to meet plan qualification requirements in the Internal Revenue Code. This rule action will also incorporate additional changes necessary for employer payroll processing.

Process for Developing New Rule: Agency study.

**WSR 14-14-110**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**EDMONDS COMMUNITY COLLEGE**

[Filed July 1, 2014, 2:45 p.m.]

Subject of Possible Rule Making: Chapter 132Y-108 WAC, Practice and procedure; chapter 132Y-125 WAC, Student discipline; chapter 132Y-300 WAC, Grievance procedure for sex discrimination; chapter 132Y-310 WAC, Grievance procedure for discrimination based on handicap; WAC 132Y-136-501 Library materials and audio-visual equipment—Loans and WAC 132Y-136-540 Library materials and audio-visual equipment—Fines.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.19.020, 28B.50.140(7).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 132Y-108 WAC, clarifies and updates practice and procedure; WAC 132Y-108-005, brief adjudicative proceedings authorized for student conduct appeals involving disciplinary action (new section); WAC 132Y-108-010, brief adjudicative proceedings agency record (new section); WAC 132Y-108-050, updates reference to student conduct proceedings; WAC 132Y-125-004, repeal existing disciplinary procedures and administrative appeal process; WAC 132Y-125-005, statement of jurisdiction (new section); WAC 132Y-125-010, definitions (new section); WAC 132Y-125-015, initiation of disciplinary action (new section); WAC 132Y-125-020, appeal from disciplinary action; WAC 132-125-025, brief adjudicative proceedings – initial hearing (new section); WAC 132Y-125-030, review of an initial order (new section); WAC 132Y-125-030 [132Y-125-035], student conduct committee (new section); WAC 1320125-040 [132Y-125-040], appeal student conduct committee (new section); WAC 132Y-125-045, student conduct committee hearings - presentation of evidence (new section); WAC 132Y-125-055, appeal from student conduct committee initial order (new section); WAC 132Y-124-060 [132Y-125-060], summary suspension (new section); WAC 132Y-125-100, supplemental sexual misconduct procedures (new section); WAC 132Y-125-105, supplemental definitions (new section); WAC 132Y-125-110, supplemental complaint process (new section); WAC 132Y-125-115, supplemental appeal rights (new section); WAC 132Y-300-001, updates prohibition against sex discrimination in education; WAC 132Y-300-002, updates informal procedure for employees; WAC 132Y-300-003, updates formal procedure for employees; WAC 132Y-300-040 [132Y-300-004], updates other remedies for employees and students; WAC

July 1, 2014  
Jilene A. Siegel  
Rules Coordinator

132Y-310-010, preamble updates preamble for employees; WAC 132Y-310-020, updates informal procedure for employees; WAC 132Y-310-030, updates formal procedure for employees; WAC 132Y-310-040, updates other remedies for employees and students; WAC 132Y-136-501, clarifies updating current technology and practice; and WAC 132Y-136-540, clarifies and updates current practice and location for reconciliation of accounts.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of Civil Rights; Equal Employment Opportunity Commission; or Washington state human rights commission.

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 Mark R. Cassidy, Vice-President Human Resources and Rules Officer, Edmonds Community College, 20000 68th Avenue West, Lynnwood, WA 98036-599, e-mail mark.cassidy@email.edcc.edu, phone (425) 640-1647, fax (425) 640-1359. Board of trustee meetings, during which public comment is received, occur each second Thursday of the month, 4:30 p.m. at Gateway Hall, Board Room, 6600 196th Street S.W., Lynnwood, WA 98036.

July 1, 2014  
Mark R. Cassidy  
Vice-President  
Human Resources Rules Officer

**WSR 14-14-112**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed July 1, 2014, 3:34 p.m.]

Subject of Possible Rule Making: The department is considering changes to rules involving wildlife rehabilitation as required by section 25, chapter 48, Laws of 2014.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055 and 77.12.047, and section 25, chapter 48, Laws of 2014.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature passed ESSB 6041 during the 2014 legislative session directing the department to adopt rules for permissible temporary actions that include, at a minimum, the conditions under which a person may capture or transport wildlife to a primary permittee, sub-permittee, or rehabilitation facility.

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 (USFWS) also regulates the possession of wildlife. The department will consult with USFWS as 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, WDFW Enforcement, 600 Capitol Way North, Olympia, WA 98501-1091, phone

(360) 902-2403, fax (360) 902-2155, e-mail Rules.Coordinator@dfw.wa.gov. Contact by August 13, 2014. Expected proposal filing on or after August 20, 2014.

July 1, 2014  
Joanna M. Eide  
Rules Coordinator

**WSR 14-14-113**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**  
(Washington Apple Health)  
[Filed July 1, 2014, 5:14 p.m.]

Subject of Possible Rule Making: WAC 182-504-0130 Washington apple health—Continued coverage pending an appeal.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 42 C.F.R. § 431.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency plans to amend the rule to make it consistent with the wording in WAC 182-504-0135.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services (DSHS), the health care authority (HCA) will share rule drafts with DSHS staff and seek their input.

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 Kevin Sullivan, HCA Rules Coordinator, P.O. Box 42716, Olympia, WA 98504-2716, phone (360) 725-1344, fax (360) 586-9727, TTY 1-800-848-5429, e-mail kevin.sullivan@hca.wa.gov.

July 1, 2014  
Kevin M. Sullivan  
Rules Coordinator

**WSR 14-14-118**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed July 2, 2014, 7:46 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-420-0010 Alcohol and drug treatment centers and 388-408-0040 How does living in an institution affect my eligibility for Basic Food?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.04.500, 74.08A.120, 7 C.F.R. 273.11.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend rules to update information concerning the division that licenses behavioral health agencies and certifies the services the agencies provide. References to the division of alcohol and substance abuse (DASA) should be removed.

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

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

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bob Thibodeau, Lead Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4634, fax (360) 725-4905, e-mail thiborl@dshs.wa.gov.

July 2, 2014  
Katherine I. Vasquez  
Rules Coordinator

**WSR 14-14-119**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Children's Administration)  
[Filed July 2, 2014, 7:50 a.m.]

Subject of Possible Rule Making: WAC 388-15-089 What happens if the alleged perpetrator does not request CPS to review the founded CPS finding within thirty days? and 388-15-069 How does CPS notify the alleged perpetrator of the finding?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.13.131, 74.04.050, and chapter 26.44 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In WAC 388-15-089, children's administration (CA) needs to replace "twenty days" with "thirty days" to accurately reflect the new thirty day appeal deadline for CAPTA internal review requests. This change will better align with the federal requirements. WAC 388-15-085 and 388-15-093 were already changed to reflect the correct timeframe.

In WAC 388-15-069, CA needs to remove the language stated in subsection (2) "In cases where certified mailing may not be either possible or advisable, the CPS social worker may personally deliver or have service the CPS finding notice to the alleged perpetrator.["] This is being deleted as it is not required per RCW 26.44.100.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: CA will continue to coordinate with office of attorney general.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Keli Drake, P.O. Box 45710, Olympia, WA 98504, phone (360) 902-7871, fax (360) 902-7903, e-mail keli.drake@dshs.wa.gov.

June 25, 2014  
Katherine I. Vasquez  
Rules Coordinator

**WSR 14-14-120**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed July 2, 2014, 7:51 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-410-0025 Am I responsible for an overpayment in my assistance unit?, 388-410-0033 How and when does the department collect a Basic Food or WASHCAP overpayment?, and any other related rules to clarify the establishment and recovery of Basic Food overpayments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510 and Title 7 C.F.R. §273.18.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed changes will clarify when claims may be corrected by administrative law judges, indicate that the secretary has designated the office of

financial recovery (OFR) as the organization that may dismiss claims based on hardship, and to incorporate the process OFR uses to evaluate hardship claims by reference.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Changes proposed under this filing will be consistent with federal regulations regarding claims against households under Title 7 C.F.R. §273.18, RCW 43.20B.030, 43.20A.110, and DSHS Administrative Policy 4.13.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Holly St. John, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4895, fax (360) 725-4904, e-mail [stjohhc@dshs.wa.gov](mailto:stjohhc@dshs.wa.gov).

June 26, 2014  
Katherine I. Vasquez  
Rules Coordinator

#### WSR 14-14-129

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed July 2, 2014, 10:09 a.m.]

Subject of Possible Rule Making: WAC 458-20-177 (Rule 177) Sales of motor vehicles, campers, and trailers to nonresident consumers.

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: Rule 177 explains the tax exemption from retail sales tax for sales of motor vehicles, campers, and trailers to bona fide nonresidents of Washington. The department is considering revisions to the rule to remove the requirement for sellers to obtain a corporate non-resident permit number and the obligation that buyers obtain such a permit. Some updating and removal of outdated language will also be done.

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 Gayle Carlson at e-mail [GayleC@dor.wa.gov](mailto:GayleC@dor.wa.gov),

or ITA Division, P.O. Box 47453, Olympia, WA 98504-7453.

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

Public Meeting Location: Capital Plaza Building, 4th Floor Large Executive Conference Room, 1025 Union Avenue S.E., Olympia, WA, on August 21, 2014, at 10:00 a.m. *Call-in option can be provided upon request no later than three days before the meeting date.*

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.

July 2, 2014  
Dylan Waits  
Rules Coordinator

#### WSR 14-14-130

##### PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2014-05—Filed July 2, 2014, 10:22 a.m.]

Subject of Possible Rule Making: To establish rules for investment in hedging and income generation derivative transactions by insurers and approval by the commissioner of derivative use plans of insurers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 and 48.13.171.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 48.13.091 provides little guidance on derivative investments other than prohibiting the use of derivatives instruments for any purpose other than hedging or income generation purposes. This lack of guidance increases the risk of domestic insurer insolvency and complicates the protection of Washington state policyholders.

The commissioner will consider rules that conform with his mission to protect consumers, the public interest, and the state's economy by establishing standards for the prudent use of derivative instruments under RCW 48.13.091.

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 August 15, 2014, to Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail [rulescoordinator@oic.wa.gov](mailto: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 Jim Tompkins, P.O. Box 40258, Olympia, WA 98504-0258, e-mail [rulescoordinator@oic.wa.gov](mailto:rulescoordinator@oic.wa.gov), fax (360) 586-3109.

July 2, 2014  
Mike Kreidler  
Insurance Commissioner



**WSR 14-14-131**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF**  
**INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2014-06—Filed July 2, 2014, 10:23 a.m.]

Subject of Possible Rule Making: FAIR plan.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Alliance of American Insurers (AAI) and the National Association of Independent Insurers [Insurers] (NAII) merged into the Property Casualty Insurers Association of America (PCI) in 2004. The AAI and the NAII will be discontinued after 2014. The commissioner will consider amendment of WAC 284-19-140 to recognize the current organizational structure of the insurance industry association.

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 August 15, 2014, to Jim Keogh, P.O. Box 40258, Olympia, WA 98504-0258, 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 Jim Keogh, P.O. Box 40258, Olympia, WA 98504-0258, rulescoordinator@oic.wa.gov, fax (360) 586-3109.

July 2, 2014  
Mike Kreidler  
Insurance Commissioner

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 August 15, 2014, to Jim Keogh, P.O. Box 40258, Olympia, WA 98504-0258, 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 Jim Keogh, P.O. Box 40258, Olympia, WA 98504-0258, rulescoordinator@oic.wa.gov, fax (360) 586-3109.

July 2, 2014  
Mike Kreidler  
Insurance Commissioner

**WSR 14-14-132**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OFFICE OF**  
**INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2014-07—Filed July 2, 2014, 10:37 a.m.]

Subject of Possible Rule Making: Designation of a designated responsible licensed person (DRLP) by a business entity.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 and 48.17.005.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Producer licensing and oversight has encountered incidents where the person named as the DRLP was not in a position of authority to influence compliance issues, had not been given sufficient access to information relevant to compliance, or had not been notified by the business entity that they had been named the DRLP. Under this rule making the commissioner will consider regulations to ensure that the DRLP is notified of this designation and that they are given the necessary authority and information to act in this capacity.