

WSR 14-19-048
EXPEDITED RULES
DEPARTMENT OF AGRICULTURE

[Filed September 10, 2014, 5:10 p.m.]

Title of Rule and Other Identifying Information: Chapter 16-228 WAC, General pesticide rules.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Teresa Norman, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, AND RECEIVED BY November 18, 2014.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Housekeeping changes to correct a rule reference error in WAC 16-228-1546 (1) and (2), created when the soil fumigation RMM category was added to WAC 16-228-1545(3). The reference to these categories was not updated and incorrect categories have been referenced since the soil fumigation RMM category was inserted into WAC 16-228-1545 (3)(g), changing the lettering order of the subsequent, existing categories including changing the agricultural insect and disease category from (h) to (i) and the aquatic category from (t) to (u).

Reasons Supporting Proposal: It is necessary for the Washington Administrative Code to be correct for those regulated under this chapter of the Washington Administrative Code.

Statutory Authority for Adoption: RCW 15.58.040 and 17.21.060, chapter 34.05 RCW.

Statute Being Implemented: Chapters 15.58 and 17.21 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of agriculture, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Margaret Tucker, Olympia, (360) 902-2015.

September 9, 2014
 Ted Maxwell
 Assistant Director

AMENDATORY SECTION (Amending WSR 13-02-024, filed 12/20/12, effective 1/20/13)

WAC 16-228-1546 What are the requirements for a private applicator license? (1) To qualify for a private applicator license, an individual must pass a private applicator examination. The examination shall be written and taken without the aid of any materials that contain information rel-

evant to the exam content. Reading of exams by an individual other than the applicant is not permitted. Individuals holding valid, passing scores on the laws and safety examination, or equivalent, or the dealer manager exam, and one of the classifications in WAC 16-228-1545 (3)(a) or ~~((h))~~ (i) or the now retired statewide classification, are exempt from this examination requirement.

(2) Private applicators making aquatic applications to water that moves off their own or their employer's agricultural land must obtain the aquatic classification described in WAC 16-228-1545 (3)~~((h))~~ (u). Private applicators applying soil fumigants may obtain the soil fumigation classification described in WAC 16-228-1545 (3)(g) as an option to meet label required active ingredient training.

(3) A passing score of seventy percent is established for the examinations required under this section. The department may establish separate passing scores for the examinations if a validated process is used. Passing scores are valid for obtaining a license in the calendar year in which the examination is taken plus the following calendar year.

(4) The department may waive the examination requirements contained in this section for any person holding a valid certification with similar classifications from an EPA or Canadian approved federal, state or provincial certification program with comparable examination and recertification standards.

WSR 14-19-058
EXPEDITED RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed September 12, 2014, 9:31 a.m.]

Title of Rule and Other Identifying Information: Amends WAC 181-86-100, state initiative created Washington charter schools. This amendment adds charter schools to the entities with authority to initiate proceedings for reprimand or certification suspension or revocation.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO David Brenna, Professional Educator Standards Board, 600 Washington Street South, Room 400, Olympia, WA 98504, AND RECEIVED BY November 18, 2014.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Technical changes resulting from creation of charter schools.

Reasons Supporting Proposal: Compliance with state initiative.

Statutory Authority for Adoption: Chapter 28A.410 RCW.

Statute Being Implemented: RCW 28A.410.090.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Professional educator standards board, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David Brenna, 600 Washington Street South, Olympia, WA 98504, (360) 725-6238.

September 12, 2014

David Brenna
Legislative and
Policy Coordinator

AMENDATORY SECTION (Amending WSR 06-14-010, filed 6/22/06, effective 7/23/06)

WAC 181-86-100 Reprimand or certificate suspension or revocation—Initiation of proceedings. The initiation of reprimand, suspension, or revocation proceedings by the superintendent of public instruction shall commence as a result of the following:

(1) Whenever the superintendent of public instruction or the designated administrative officer of the superintendent of public instruction having responsibility for certification becomes aware from whatever source that a certificate holder has had a professional license revoked or suspended by a licensing agency, has voluntarily surrendered a license or has been arrested, charged, or convicted for any felony offense included within WAC 181-86-013(1), the superintendent of public instruction or the designated administrative officer shall cause an investigation.

(2) In all other cases, the initiation of investigative proceedings shall commence only upon receipt of a written complaint from a school district or educational service district superintendent or the chief administrative officer of an approved private school or the chief administrative officer of a charter school. Such written complaint shall state the grounds and summarize the factual basis upon which a determination has been made that an investigation by the superintendent of public instruction is warranted. The superintendent of public instruction shall provide the affected certificate holder with a copy of such written complaint and a copy of WAC 181-86-180.