

WSR 15-20-012**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed September 24, 2015, 9:17 a.m.]

Subject of Possible Rule Making: WAC 16-301-560 Inspection requirements for trial grounds, as a result of the recent change to the crucifer quarantine to include eastern Washington, the department is considering changing the application due dates for field inspection of trial grounds.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.49.005, 17.24.041, and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To keep black leg out of Washington, the department has adopted an emergency rule adding eastern Washington to the regulated area of the crucifer quarantine, and requiring testing of all crucifer seed lots. The department is also in the process of adopting similar permanent rules regarding the crucifer quarantine. As a result of these changes to the crucifer quarantine, it may be necessary to change the application due dates for trial grounds, as there are now two regulated areas instead of just one.

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 Washington state department of agriculture 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; or Victor Shaul, 21 North 1st Avenue, Suite 203, Yakima, WA 98902, (509) 249-6955, fax (509) 454-4395, vshaul@agr.wa.gov.

September 21, 2015
Brad J. Avy
Assistant Director

WSR 15-20-015**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Developmental Disabilities Administration)

[Filed September 24, 2015, 1:18 p.m.]

Subject of Possible Rule Making: The department intends to make updates to rules in Title 388 WAC related to funding for respite beds.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The 2015-2017 biennium budgets provided funding to develop eight community respite

beds for adults with developmental disabilities for the provision of short-term community-based planned respite services across the state as an alternative to using respite services in an institutional setting. Additionally, the budget funded eight enhanced respite beds across the state for children for the purpose of providing family and caregivers a break and an opportunity for behavioral stabilization for children providing the opportunity for children to remain in his or her family home. These provisions may be found on pages 63 and 64 of ESSB 6052.S.L.

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 Alan McMullen, Developmental Disabilities Administration, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3524, fax (360) 407-0955, TTY 1-800-833-6388, e-mail alan.mcmullen@dshs.wa.gov.

September 23, 2015
Katherine I. Vasquez
Rules Coordinator

WSR 15-20-016**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 24, 2015, 1:47 p.m.]

Subject of Possible Rule Making: WAC 260-28-100 Change of trainer.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To address the issue when a horse is transferred from one trainer to another and to restrict the timeframe when the horse may be transferred back to the original trainer.

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 Douglas L. Moore, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

September 24, 2015
Douglas L. Moore
Executive Secretary

WSR 15-20-017**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 24, 2015, 1:47 p.m.]

Subject of Possible Rule Making: WAC 260-40-065
Multiple entries.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To amend the number of entries that a trainer may enter into an overnight race and any restrictions that may apply.

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 Douglas L. Moore, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

September 24, 2015
Douglas L. Moore
Executive Secretary

WSR 15-20-018**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 24, 2015, 1:47 p.m.]

Subject of Possible Rule Making: WAC 260-52-045 The riding crop.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To amend the current rule to restrict the number of times a jockey may strike a horse before allowing the horse sufficient time to respond.

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 Douglas L. Moore, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

September 24, 2015
Douglas L. Moore
Executive Secretary

WSR 15-20-021**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS**

[Filed September 25, 2015, 11:17 a.m.]

Subject of Possible Rule Making: Washington small business retirement marketplace.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESSB 5826, chapter 296, Laws of 2015.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of financial institutions is planning to propose rules to address requirements to obtain verification from the department of financial institutions that plans to be offered on the Washington small business retirement marketplace meet the requirements set forth in ESSB 5826, chapter 296, Laws of 2015, as required under section 3(6) of that act.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of commerce is responsible for designing and managing the Washington small business retirement marketplace in consultation with the office of insurance commissioner and the department of financial institutions. The plans to be offered are also subject to regulation by the United States Department of Treasury and the United States Department of Labor. The affected Washington regulatory agencies will participate in an interagency working group to develop program rules and protocols. The working group will meet periodically in person at the Department of Commerce, 1011 Plum Street S.E., Olympia, WA. The affected Washington regulatory agencies will seek input from the federal regulatory agencies as the rules are developed and will be invited to participate in meetings as federal issues are identified.

Process for Developing New Rule: The department of financial institutions will develop rules in consultation with the department of commerce, the office of insurance commissioner, private sector financial services firms, and after consideration of comments received from interested persons.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Comments may be directed to Faith Anderson, Chief of Registration and Regulatory Affairs, Department of Financial Institutions, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, phone (360) 725-7825, fax (360) 704-6480, e-mail faith.anderson@dfi.wa.gov.

The department of commerce has established a listserv at <https://public.govdelivery.com/accounts/WADOC/subscriber/new?pop=t> and is planning a meeting open to the public to develop and discuss draft rules concerning the Washington small business retirement marketplace prior to its own public hearing on related rules. To be notified of the public meeting, interested persons should subscribe to the listserv established by the department of commerce.

September 25, 2015
Scott Jarvis
Director

WSR 15-20-025
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
 (Washington Apple Health)
 [Filed September 25, 2015, 4:08 p.m.]

Subject of Possible Rule Making: WAC 182-545-200 Outpatient rehabilitation (occupational therapy, physical therapy, and speech therapy) and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending this WAC to add optometrists to the list of providers who can order occupational therapy for a Washington apple health client. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

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

Process for Developing New Rule: The agency 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, the agency 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 Sean Sullivan, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail sean.sullivan@hca.wa.gov.

September 25, 2015
 Wendy Barcus
 Rules Coordinator

WSR 15-20-032
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION

[Filed September 28, 2015, 7:23 a.m.]

Subject of Possible Rule Making: Reduce vertical clearances requirements for overhead power and communication lines.

Statutes Authorizing the Agency to Adopt Rules on this Subject: WAC 468-34-290 and chapter 47.44 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To adopt National Electrical Safety Code (NESC) standards for vertical clearances of overhead utility lines over state highways to be consistent with industry standards.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of labor and industries.

Process for Developing New Rule: Negotiated rule making; and establish new standard.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The Washington state department of transportation

(WSDOT) plans to notify utility industry representatives about any proposed changes through the Washington utility coordinating council and direct outreach to major utility companies and PUDs. WSDOT would schedule stakeholder workshops as needed based on feedback or comments from stakeholders.

September 28, 2015
 Kathryn W. Taylor
 Assistant Secretary
 Strategic, Enterprise
 and Employee Services

WSR 15-20-052
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Filed September 30, 2015, 3:50 p.m.]

I am withdrawing the CR-101 Preproposal statement of intent for R 2012-05 Conversion Regulations, published by the code reviser in WSR 12-07-091. The original intent of this rule filing was to repeal chapter 284-52 WAC, Conversion regulation.

During consideration of rule making there were legal concerns raised that this office does not have the necessary authority to undertake rule making on this topic; no subsequent legislation was passed in the last three legislative sessions to provide such clear authority.

We will contact individuals that provided comments during the CR-101 comment period and make them aware of this withdrawal.

Mike Kreidler
 Insurance Commissioner

WSR 15-20-067
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed October 2, 2015, 8:51 a.m.]

The department of health (department) is requesting to withdraw the CR-101 for WAC 246-926-300, which was filed October 9, 2013, and published in WSR 13-21-034.

The department would like to withdraw this CR-101 as it has been determined that there is insufficient legal authority in statute (chapter 18.84 RCW) to pursue rule amendment in response to the original rule petition. The petitioner has been notified of the withdrawal.

Individuals requiring information on this rule should contact Susan Gragg, radiologic technology program manager at (360) 236-4941.

Tami Thompson
 Regulatory Affairs Manager

WSR 15-20-071
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
 (Occupational Therapy Practice Board)
 [Filed October 2, 2015, 1:01 p.m.]

The department of health (department), occupational therapy [practice] board would like to withdraw the following preproposal notice (CR-101):

WAC Number	WSR Number	Filing Date	Subject
246-847-030 246-847-055 246-847-068 246-847-070 246-847-125 and 246-847-XXX	08-15-088	7/17/08	Occupational therapists acting in a consulting capacity; initial application for individuals who have not practiced within the past four years; expired license; inactive credential; applicants currently licensed in other states or territories; and renewal for those that have not practiced in four years.

The department is withdrawing this CR-101 because the preproposal notice was filed in 2008 and put on hold during the rules moratorium. The CR-101 predates current board members and does not accurately reflect current needs. A new CR-101 will be filed.

If you have any questions, please contact Kathy Weed, program manager, health professions and facilities at (360) 236-4883.

Tami M. Thompson
 Regulatory Affairs Manager

WSR 15-20-072
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
 (Occupational Therapy Practice Board)
 [Filed October 2, 2015, 1:04 p.m.]

Subject of Possible Rule Making: WAC 246-847-010 Definitions, 246-847-030 Consulting capacity, 246-847-055 Initial application for individuals who have not practiced, 246-847-065 Continued competency, 246-847-068 Expired license, 246-847-070 Inactive credential, 246-847-100 Examination dates, 246-847-125 Applicants licensed in other states, 246-847-140 Supervised fieldwork, 246-847-170 Code of ethics, 246-847-210 Sexual misconduct, amending existing rules and creating WAC 246-847-XXX Military equivalence and 246-847-XXX Telehealth.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.59.090, 18.59.130, 43.70.442, and 18.130-062.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Existing requirements make it difficult for the occupational therapy practice board (board) to quickly and consistently verify education and clinical qual-

ifications of reentry applicants. Amending rules may help eliminate the need for board members to evaluate individual portfolios and expedite the application process. Also, the board would like to consider updating the sexual misconduct rules to include suggestions from the department, adding military equivalence standards for occupational therapy assistants, creating telehealth standards, updating sections on definitions, code of ethics, continued competency and consulting capacity; and updating these sections for clarity and general housekeeping.

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. The board will notify and invite interested parties, via listserv, to participate in drafting the proposed language in rule writing workshops and also to the public hearing. To join listserv or to submit written comments for consideration of proposed language, interested [parties] may contact Kathy Weed, Department of Health, Program Manager, P.O. Box 478852 [47852], Olympia, WA 98504-7852, (360) 236-4883, fax (360) 236-2901, kathy.weed@doh.wa.gov.

October 2, 2015
 Trina Castle
 Executive Director

WSR 15-20-075
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
 (Washington Apple Health)
 [Filed October 2, 2015, 2:19 p.m.]

Subject of Possible Rule Making: WAC 182-500-0015, 182-500-0095, 182-531-1400, 182-546-5500, 182-550-1050, 182-550-1100, 182-550-2600, 182-550-2650, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 2SSB 6312.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments to rules on the subject of regional support networks and behavioral health organizations are necessary to comply with 2SSB 6312, chapter 225, Laws of 2014. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services also regulates this subject and will be included in the rule-making workgroup.

Process for Developing New Rule: The agency 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, the agency 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 Chantelle Diaz, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail Chantelle.Diaz@hca.wa.gov.

October 2, 2015
Wendy Barcus
Rules Coordinator

WSR 15-20-081

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed October 5, 2015, 9:04 a.m.]

Subject of Possible Rule Making: Chapter 246-70 WAC, the department of health (department) is considering creating a new chapter of rules required by state law to establish marijuana product regulations regarding products beneficial for medical use by qualifying patients, quality assurance testing (pesticide, mycotoxin, heavy metal, terpenes), product labeling, and safe handling standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: 2SSB 5052 (chapter 70, Laws of 2015, regular session) and section 207 of 2E2SHB 2136 (chapter 4, Laws of 2015, 2nd sp. sess.).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: State law mandates that the department establish marijuana product regulations regarding products beneficial for medical use by qualifying patients, quality assurance testing (pesticide, mycotoxin, heavy metal, terpenes), product labeling, and safe handling standards. Such rules would be key to the process needed to produce, process, and make available to qualifying patients an adequate supply of marijuana products by July 1, 2016.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The liquor and cannabis board (LCB) has authority to license the medically endorsed marijuana retail stores along with the producers and processors [processors] for these products. The department of revenue is responsible for the taxation of such marijuana products. The department of agriculture is the state authority and content experts regarding pesticides. The department of health will closely coordinate the development and implementation of these rules with each agency through regularly scheduled meetings and other communications.

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. Several stakeholder workgroups will be held prior to publication of the proposal. Persons interested in participating or receiving updates can join the Washington state medical marijuana program listserv at www.doh.wa.gov/medicalmarijuana. Questions and comments may be sent by fax (360) 236-2901, or mail Medical Marijuana Program, P.O. Box

47852, Olympia, WA 98504-7852, or e-mail medicalmarijuana@doh.wa.gov, or phone (360) 236-4819.

October 5, 2015
John Wiesman, DrPH, MPH
Secretary

WSR 15-20-087

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed October 5, 2015, 3:43 p.m.]

Subject of Possible Rule Making: WAC 246-247-035 National standards adopted by reference for sources of radionuclide emissions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.98.050 and 70.98.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is necessary to update the federal rules (40 C.F.R. 61) adopted by reference in WAC 246-247-035. As the radiation control agency for Washington state under RCW 70.98.050, the department of health (department) must implement and enforce the National Emission Standards for Hazardous Air Pollutants when an air emissions license is part of an air operating permit issued by the department of ecology. To retain oversight and full delegation for regulation of radionuclide air emissions from the United States Environmental Protection Agency (EPA), the department rules must be at least as stringent as the federal rules. The department does this by adopting the most current federal rules by reference.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: This rule revision will allow the department to retain full delegation of the National Emissions Standards for Hazardous Air Pollutants for radionuclide air emissions from EPA and will eliminate duplication with EPA licensing requirements. This rule revision will also provide consistency between department of health and department of ecology rules related to air operating permits. Department of health staff will inform partners at EPA and the department of ecology about the rule revision to adopt the most recent federal rules.

Process for Developing New Rule: The department will use a collaborative approach to involve stakeholders and interested parties by providing information via letters, the office of radiation protection's web site, e-mail lists, and the department's rule-making web site. The department will also hold a public hearing to gather comments on the proposed rule prior to rule adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michelle K. Austin, Rules Coordinator, Office of Radiation Protection, P.O. Box 47827, Olympia, WA 98504-7827, phone (360) 236-3250, e-mail michelle.austin@doh.wa.gov. Stakeholders can review and provide comments on the draft rule during the formal comment period or at the public hearing.

October 5, 2015
John Wiesman, DrPH, MPH
Secretary

WSR 15-20-092
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed October 6, 2015, 9:07 a.m.]

Subject of Possible Rule Making: Chapter 296-15 WAC, Workers' compensation self-insurance rules and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.04.030, chapter 137, Laws of 2015 (SHB 1496).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is needed to modify an existing rule to conform to the provisions of chapter 137, Laws of 2015 (SHB 1496). The proposed rule making will allow a longer period of time for workers who are eligible for vocational retraining to decline further vocational services and instead select vocational Option 2 benefits.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local, or federal agency regulates this subject.

Process for Developing New Rule: Labor and industries will begin the rule amendment process and will share the draft proposal with stakeholders and other interested parties. A public hearing will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting James Nylander, Self-Insurance Program Manager, P.O. Box 44890, Olympia, WA 98504-4890, phone (360) 902-6907, fax (360) 902-6977, e-mail James.Nylander@lni.wa.gov.

October 6, 2015
Joel Sacks
Director

WSR 15-20-102
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed October 6, 2015, 10:56 a.m.]

The health care authority requests withdrawal of the pre-proposal statement of inquiry filed as WSR 15-17-127 on August 19, 2015, regarding WAC 182-500-0015.

Wendy Barcus
Rules Coordinator

WSR 15-20-103
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

(Washington Apple Health)
[Filed October 6, 2015, 10:59 a.m.]

Subject of Possible Rule Making: WAC 182-500-0010 Medical definitions—A, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending the Washington apple health definition for "agency designee" to include any state agency selected to act on behalf of the health care authority. The agency is also amending the definition of "agency" to include the term "medicaid agency." During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

The agency filed a similar CR-101 (WSR 15-17-127) on August 19, 2015; however, the notice cited an incorrect WAC number.

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

Process for Developing New Rule: The agency 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, the agency 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 Melinda Froud, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail Melinda.froud@hca.wa.gov.

October 6, 2015
Wendy Barcus
Rules Coordinator

WSR 15-20-108
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed October 6, 2015, 2:03 p.m.]

Subject of Possible Rule Making: Chapter 246-815 WAC, Dental hygiene, the department of health is opening the chapter to consider clarifying, updating, streamlining and modernizing the rules.

This is a five-year rule review required under RCW 43.70.041.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.041, 43.70.280, and chapter 18.29 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This is a five-year rule review required under RCW 43.70.041. Rule making is necessary to revise the rules so they are clear, concise, and mod-

ernized to meet industry standards. The rules have not been updated since 1994.

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 Vicki Brown, Program Manager, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4865, fax (360) 236-2901, e-mail vicki.brown@doh.wa.gov. All notices will be sent to the dental hygiene listserv. Interested parties can join the listserv at <http://listserv.wa.gov/cgi-bin/wa?SUBED1=dental-hygiene&A=1>.

October 6, 2015
John Wiesman, DrPH, MPH
Secretary

WSR 15-20-110
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed October 6, 2015, 2:35 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-444-0030 What additional work requirements and time limits is an able-bodied adult without dependents (ABAWD) subject to in order to be eligible for Basic Food? and other related rules as may be required.

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, and 7 U.S.C. § 2015(o).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend WAC 388-444-0030 to provide the annual update to Washington's supplemental nutrition assistance program (SNAP) state plan concerning ABAWD time limits, work requirements, and possible waivers for certain geographic areas. The current ABAWD waiver is due to expire December 31, 2015. This rule filing is needed to reflect any new waivers. Proposed rules will also be amended to add clarification and remove unnecessary information.

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 SNAP as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will develop amendments to ABAWD 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, 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.

October 6, 2015
Katherine I. Vasquez
Rules Coordinator

WSR 15-20-111
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed October 6, 2015, 2:40 p.m.]

Subject of Possible Rule Making: The definitions of "supervisory firefighter" and "fully compensated" in the law enforcement officer and firefighter (LEOFF) retirement system.

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: To provide further clarity to the department's interpretation of the terms "supervisory firefighter" and "fully compensated" within LEOFF.

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 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.

October 6, 2015
Jilene A. Siegel
Rules Coordinator

WSR 15-20-115
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed October 7, 2015, 8:09 a.m.]

The Washington department of fish and wildlife is withdrawing WSR 13-06-065, filed on March 6, 2013. The department will be filing a new CR-101 to expand the scope of the rule making initially identified in WSR 13-06-065.

Joanna M. Eide
 Rules Coordinator

WSR 15-20-116
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed October 7, 2015, 8:15 a.m.]

Subject of Possible Rule Making: The department is considering amendments to rules regarding charter stamps and other rules related to charter boat operators.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.055, and 77.15.-047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department needs a rule to prohibit fishing guides and charter-boat operators from reusing charter stamps rather than issuing a new stamp to each customer who needs a fishing license. The legislature passed a bill on the subject during the 2015 legislative session, and this rule project will compliment this legislation to ensure the charter stamp program is not abused. The proposed rule project will: (1) Lay out the process for validating charter stamps so the stamps cannot be reused; and (2) ensure that charter-stamp-validation violations and the reuse of stamps are penalized appropriately. Rules related to the responsibilities of charter operators, catch record cards and recording of catch, and definitions will be considered. Amendments to existing permanent rules may be included to achieve the goals of this rule-making project.

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, Washington Department of Fish and Wildlife, Rules Coordinator, 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 November 25, 2015. Expected preproposal [proposal] filing on or after December 1, 2015.

October 7, 2015
 Joanna M. Eide
 Rules Coordinator

WSR 15-20-122
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD

[Filed October 7, 2015, 11:08 a.m.]

Subject of Possible Rule Making: Beer/wine (b/w) gift delivery licenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030 and 66.24.550.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed to clarify the requirements for internet sales and delivery by b/w gift delivery licensees.

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

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.

October 7, 2015
 Jane Rushford
 Chairman

WSR 15-20-123
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION

[Filed October 7, 2015, 11:18 a.m.]

Subject of Possible Rule Making: Electric vehicle infrastructure bank.

Statutes Authorizing the Agency to Adopt Rules on this Subject: 2ESSB 5987, section 403, adds a new section to chapter 47.04 RCW directing the Washington state department of transportation (WSDOT) to adopt rules for a new electric vehicle infrastructure bank.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 47.04 RCW directs the department's public-private partnership office to develop a pilot program to support the deployment of electric vehicle charging infrastructure that is supported by private financing.

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) 705-7439, or partnerships@wsdot.wa.gov.

October 7, 2015
 Kathryn W. Taylor
 Assistant Secretary
 Strategic, Enterprise
 and Employee Services

WSR 15-20-126
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed October 7, 2015, 11:40 a.m.]

Subject of Possible Rule Making: The computation of retirement allowance for members of multiple retirement plans who separate with at least twenty years' service credit.

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: When a member in certain retirement plans (LEOFF 2, PERS 3, SERS 3, TRS 3) has at least twenty years of service credit, and leaves employment, their defined benefit increases by approximately three percent for each year they delay receiving it. Additional rules will clarify how the department applies this benefit when the member retires from more than one retirement plan.

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 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.

October 7, 2015
Jilene A. Siegel
Rules Coordinator