

WSR 17-04-004
PREPROPOSAL STATEMENT OF INQUIRY
PARKS AND RECREATION
COMMISSION

[Filed January 19, 2017, 8:04 a.m.]

Subject of Possible Rule Making: Washington state parks staff will review WAC 352-32-130, 352-32-125, 352-32-056, and 352-37-250.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 79A.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Washington state parks and recreation commission will conduct a review of administrative rules relating to aircraft, fires and campfires, peace and quiet and standard fees charged to clarify or modify rules. The review may result in minor terminology changes to reflect current practice.

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 Nadine Selene-Hait, Operations Division, 1111 Israel Road S.W., Olympia, WA 98501, (360) 902-8507, Nadine.Selene-Hait@parks.wa.gov.

January 12, 2017
 Valeria Evans
 Management Analyst

WSR 17-04-018
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed January 23, 2017, 9:00 a.m.]

Subject of Possible Rule Making: The department plans to update all necessary sections to implement annual adjustments to standards for the Washington basic food program and Washington combined application project (WASHCAP). These amendments may include updates to the following rules for federal fiscal year 2018: WAC 388-412-0015 General information about your food assistance allotments, 388-450-0185 What income deductions does the department allow when determining if I am eligible for food benefits and the amount of my monthly benefits?, 388-450-0190 How does the department figure my shelter cost income deduction for basic food?, 388-450-0195 Does the department use my utility costs when calculating my basic food or WASHCAP benefits?, 388-478-0060 What are the income limits and maximum benefit amounts for basic food?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These standard adjustments are required by federal regulations and approved department waivers. Under federal regulations, these standards must be adjusted annually in order to determine a client's eligibility and benefit level for the Washington basic food program or WASHCAP.

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) adjusts income and payment standards, the standard deduction, and maximum shelter deductions annually for the upcoming federal fiscal year. FNS also requires that the department adjust the SNAP utility allowance and WASHCAP standards on an annual basis. DSHS adopts the new FNS standards into administrative rule. The department adjusts WASHCAP standards as required under the department's approved waiver based on changes to the consumer price index.

The department will update the current standard utility allowance (SUA) for basic food, adjusting for inflation for the various utilities included in the SUA deduction and submitting proposed standards to FNS for approval. The standards approved by FNS will be adopted by the department for use in determining monthly benefits for basic food and WASHCAP.

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, Policy Analyst, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4895, fax (360) 725-4904, email stjohhc@dshs.wa.gov.

January 19, 2017
 Katherine I. Vasquez
 Rules Coordinator

WSR 17-04-031
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Developmental Disabilities Administration)

[Filed January 24, 2017, 2:00 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-828-1520 Where is the DDA assessment and reassessment administered?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 42 C.F.R. 441.540.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabili-

ties administration (DDA) must ask permission to view the living quarters of any individual receiving a DDA paid service in their home or place of residence during the DDA assessment and any follow-up visit.

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

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 Chantelle Diaz, Developmental Disabilities Administration, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 407-1581, fax (360) 407-0955, TTY 1-800-833-6388, email Chantelle.Diaz@dshs.wa.gov.

January 23, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-04-032
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed January 24, 2017, 2:19 p.m.]

Subject of Possible Rule Making: WAC 182-500-0070 Medical assistance definitions—M, 182-502-0100 General conditions of payment, 182-503-0070 Washington apple health—When coverage begins, 182-503-0505 Washington apple health—General eligibility requirements, 182-503-0525 Washington apple health—Residency requirements for an institutionalized person, 182-504-0015 Washington apple health—Certification periods for categorically needy programs, 182-504-0120 Washington apple health—Effective dates of changes, 182-505-0210 Washington apple health—Eligibility for children, 182-505-0211 Washington apple health—Foster care, 182-506-0015 Medical assistance units for non-MAGI-based Washington apple health programs, 182-514-0260 Program for children under age nineteen, 182-523-0100 Washington apple health—Medical extension, and other related 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 these rules to comply with SSB 6430, which requires the agency to suspend, rather than terminate, medical assistance benefits for people who are incarcerated or committed to a state hospital. 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: The department of social and health services.

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, email Melinda.froud@hca.wa.gov.

January 24, 2017
Wendy Barcus
Rules Coordinator

WSR 17-04-036
WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

(Board of Optometry)

[Filed January 25, 2017, 10:12 a.m.]

The board of optometry (board) is withdrawing the pre-proposal notice (CR-101) for WAC 246-851-370, which was filed May 15, 2015, and published in WSR 15-11-054.

The board filed the CR-101 based on a petition asking the board to consider removing the rule that states an optometrist's financial earnings may not be dependent on the number of patients seen or prescriptions filled. The board proposed amending the rule and filed a CR-102 on May 4, 2016 (WSR 16-10-118) to strike the sentence in WAC 246-851-370 that prohibits making an optometrist's earnings dependent on the number of patients seen or prescriptions filled.

However, at the public hearing, the board heard feedback from stakeholders who opposed the rule making, sharing concerns that amending the rule would increase risks to patient safety. After considering this feedback, the board decided that preserving the patient safeguards provided by the rule was the best option and the board voted to withdraw the proposed rule making and this CR-101.

Individuals requiring information on this rule should contact Lorelei Walker, program manager, board of optometry, at (360) 236-4947.

Tami M. Thompson
Regulatory Affairs Manager

WSR 17-04-043
PREPROPOSAL STATEMENT OF INQUIRY
WENATCHEE VALLEY COLLEGE

[Filed January 25, 2017, 2:24 p.m.]

Subject of Possible Rule Making: Grievance procedures—Discrimination (chapter 132W-300 WAC).

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

Process for Developing New Rule: Agency study, the college will involve the college community (in addition to the rule-making hearing(s) by inquiring of the campus community through email.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Reagan Bellamy, executive director of human resources, phone (509) 682-6445, email rbellamy@wvc.edu; or Janet Franz, executive assistant to the president, phone (509) 682-6400, email jfranz@wvc.edu.

January 25, 2017
Jim Richardson
President

WSR 17-04-075

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed January 30, 2017, 1:06 p.m.]

Subject of Possible Rule Making: The department is considering adopting a rule to explain the requirements of a new property tax exemption for nonprofit organizations that develop or redevelop on real property, one or more residences to be sold to low-income households.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.08.010 and 84.36.865.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule is needed to:

- Incorporate new legislation from SSB 6211, 2016 regular session (chapter 217, Laws of 2016);
- Provide guidance to nonprofit organizations on the application and qualification requirements; and
- Explain the actions that could disqualify a nonprofit organization from continuing to receive the exemption.

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 the proposed rule is available via the department's online Rules Agenda.

Written comments may be submitted by mail and should be directed to Leslie Mullin, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, email LeslieMu@dor.wa.gov.

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

Public Meeting Location: Conference Room 114C, 6400 Linderson Way S.W., Tumwater, WA 98501, on March 1,

2017, 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 Julie King, (360) 704-5717 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.

January 30, 2017
Kevin Dixon
Rules Coordinator

WSR 17-04-080

WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH (Medical Quality Assurance Commission)

[Filed January 31, 2017, 8:58 a.m.]

The department of health, medical quality assurance commission (commission) is withdrawing the CR-101 for chapters 246-919 and 246-918 WAC, which was filed on September 6, 2016, and published in WSR 16-18-081.

The commission is withdrawing this CR-101 and intends to file a new CR-101 to clearly articulate that the commission intends to establish a new section(s) of rule in the allopathic physician and physician assistant chapters. Also, the commission will change the name of the proposed program from technical assistance to clinical support to avoid confusion.

Individuals requiring information on this rule should contact Daidria Underwood, medical quality assurance commission program manager at (360) 236-2727.

Tami M. Thompson
Regulatory Affairs Manager

WSR 17-04-081

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed January 31, 2017, 9:29 a.m.]

Subject of Possible Rule Making: Chapter 296-20 WAC, Medical aid rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.04.030, 69.41.110, and 69.41.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Statutes and other state agency rules have recently changed and labor and industries (L&I) rules need to change for consistency.

- Definitions in chapter 296-20 WAC need to be amended to be consistent with recently amended definitions of the Washington state health care authority (HCA) regarding Washington state's prescription drug program (PDP).
- Language in chapter 296-20 WAC also should incorporate by reference HCA's rules for therapeutic alternatives

and the therapeutic interchange. This will allow L&I's rules on this program to be consistent with HCA language now and for future amendments.

- Further, existing rules will be amended to include new content regarding "interchangeable biologics" that is explicitly and specifically dictated by statute (RCW 69.41.110).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: HCA oversees Washington state's PDP for HCA and L&I. HCA has recently amended definitions for PDP and has updated its language regarding therapeutic alternatives and therapeutic interchange. L&I will coordinate with HCA by adopting the new definitions for PDP without material change and incorporate by reference the rules that HCA uses regarding therapeutic alternatives and therapeutic interchange.

Process for Developing New Rule: L&I will propose amended definitions that have already been adopted by HCA. Further, existing rules will be amended to include new content regarding "interchangeable biologics" that is explicitly and specifically dictated by statute (RCW 69.41.110). Rule changes will be developed in consultation with L&I's major stakeholders and other interested parties. Major stakeholders include, but are not limited to the industrial insurance medical advisory committee.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jami Lifka, L&I, Office of the Medical Director, P.O. Box 44321, Olympia, WA 98504-4321, fax (360) 902-6315, phone (360) 902-4941, or email Jami.Lifka@Lni.wa.gov.

January 31, 2017
Joel Sacks
Director

WSR 17-04-083

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Developmental Disabilities Administration)

[Filed January 31, 2017, 10:43 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-845-0603 Who is eligible to receive community access services?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is proposing to amend WAC 388-845-0603 to clarify eligibility requirements and the nine-month supported employment exceptions for community access services.

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 Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 407-1581, fax (360) 407-0955, TTY 1-800-833-6388, email DiazCM1@dshs.wa.gov.

January 26, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-04-085

PREPROPOSAL STATEMENT OF INQUIRY UTILITIES AND TRANSPORTATION COMMISSION

[Docket UT-170031—Filed January 31, 2017, 11:36 a.m.]

Subject of Possible Rule Making: The Washington utilities and transportation commission (commission) initiates this rule making to consider a rule to address standards for restoral of telecommunications service following an outage, excluding major outages. The new rule would also address notice requirements related to planned outages.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040 and 80.04.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In General Order R-587 in a previous rule making, filed under Docket No. UT-160196, the commission committed to opening another rule making to consider the appropriate standards for restoring regulated telecommunications services following outages and how and when companies must notify customers of planned service interruptions.

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 will ask for initial written comments, and will provide the opportunity for stakeholders to submit additional written comments on proposed CR-102 rules prior to adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may file comments with the executive director and secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 South Evergreen Park Drive, Olympia, WA 98504-7250, phone (360) 664-1234, fax (360) 586-1150, email records@utc.wa.gov, or through the commission's web portal at www.utc.wa.gov/e-filing by 5:00 p.m., March 6, 2017.

WRITTEN COMMENTS: Written comments may be submitted to the commission at the address given above and should be filed with the commission no later than **Monday, March 6, 2017**.

Electronic copies. The commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted via the commission's web portal at www.utc.wa.gov/e-filing or by electronic mail to the commission's records center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (UT-170031).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a flash drive, DVD, or compact disk including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Include all of the information requested above. The commission will post on the commission's web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/170031>. If you are unable to file your comments electronically or to submit them on a disk, the commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's web site as it becomes available. If you wish to receive further information on this rule making you may (1) call the commission's records center at (360) 664-1234, (2) email the commission at records@utc.wa.gov, or (3) mail written comments to the address above to the attention of Steven V. King, executive director and secretary. When contacting the commission, please refer to Docket UT-170031 to ensure that you are placed on the appropriate service list. Questions may be addressed to John Cupp, (360) 664-1113 or email jcupp@utc.wa.gov.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING — The commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rule making, please advise the records center by any one of the following methods: (1) Send a note with your name, address (or a copy of your mailing label), and telephone number referencing Docket UT-170031, and the words "Please keep me on the mailing list"; or (2) email your name, address, and telephone number, referencing Docket UT-170031, and the words "Please keep me on the mailing list" to records@utc.wa.gov. Please note that all information in the mailings will be accessible through the commission's internet web site at <http://www.utc.wa.gov/170031>. **THOSE INTERESTED PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

January 31, 2017
Steven V. King
Executive Director
and Secretary

WSR 17-04-091 PREPROPOSAL STATEMENT OF INQUIRY EMPLOYMENT SECURITY DEPARTMENT

[Filed January 31, 2017, 2:46 p.m.]

Subject of Possible Rule Making: WAC 192-320-036, regarding determining tax rates for employers who are delinquent on taxes or reports.

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: RCW 50.29.010 gives the commissioner the authority to waive the delinquent tax rate when an otherwise qualified employer acts in good faith and application of the delinquent tax rate would be inequitable. This rule-making process will replace the current rule defining good faith and inequity with a more flexible, totality of the factors approach. This rule-making process will also clarify the department's authority to retroactively apply the delinquent tax rate.

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 with federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulation will be shared with USDOL prior to adoption.

Process for Developing New Rule: The proposed rule 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 rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Juanita Myers, Agency Rules Coordinator, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, fax (360) 902-9605, email jmyers@esd.wa.gov. Please include your name, organization (if any), mailing and/or email address, and telephone number.

January 31, 2017
Dale Peinecke
Commissioner

WSR 17-04-099**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)

[Filed February 1, 2017, 9:24 a.m.]

Subject of Possible Rule Making: Chapter 182-535 WAC, Dental-related services; chapter 182-535A WAC, Orthodontic services; and other related 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 chapter 182-535 WAC, Dental-related services, and chapter 182-535A WAC, Orthodontic services, to clarify or change coverage limits and to remove some prior authorization requirements. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

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 Katie Pounds, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, email Katherine.pounds@hca.wa.gov.

February 1, 2017
Wendy Barcus
Rules Coordinator

WSR 17-04-100**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION**

[Filed February 1, 2017, 9:26 a.m.]

Subject of Possible Rule Making: To create chapter 468-17 WAC for the small and veteran-owned business enforceable goals program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 39.04.155, 39.04.162, 39.26.240, 43.19.725, 43.19.727, 43.60A.010, 43.60A.190, 43.60A.195, 43.60A.-200, 43.60A.907, 47.01.101, 47.01.435, 47.28.030, 47.98.-070, and 47.98.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Governor Inslee has published results Washington goals to increase contracting opportunities for small, minority, women, and veteran-owned businesses to contract with Washington state government. The Washington state department of transportation (WSDOT) is seeking to create a small and veteran-owned business enforceable goals program to increase small, minority, women and veteran-owned business participation through race-neutral measures.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agen-

cies: The Washington state office of minority and women's business enterprise[s], Washington state department of veteran's affairs, and the Washington state department of enterprise services. WSDOT will coordinate this effort through the governor's subcabinet on business diversity in which the aforementioned state agencies are members.

Process for Developing New Rule: Pilot rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. WSDOT welcomes the public to take part in developing the rules. Anyone interested should contact Jackie Bayne, Policy and Reporting Liaison, 310 Maple Park Avenue S.E., Olympia, WA 98504-7314, phone (360) 705-7084, fax (360) 705-6801, email BayneJ@wsdot.wa.gov. At a later date, WSDOT 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.

February 1, 2017
Kara Larsen, Director
Risk Management and Legal Services

WSR 17-04-102**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE**

[Filed February 1, 2017, 10:36 a.m.]

Subject of Possible Rule Making: The department seeks to clarify the types of records that must be maintained by commercial fish and shellfish license holders and commercial wildlife vendors.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, 77.12.020, and 77.12.-047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The fish and wildlife code (Title 77 RCW) provides authority for the department to define the records required of certain commercial fish, shellfish, and wildlife businesses. Department rules are currently insufficient. The department needs to better clarify the records requirements in rule pursuant to RCW 77.15.096.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of health (DOH). The Washington department of fish and wildlife (WDFW) police enforce DOH's criminal provisions related to the regulation of sanitary shellfish. Washington department of agriculture (WDA): WDFW police enforce WDA's criminal provisions related to the branding and labeling of seafood. WDA also inspects meat cutters regulated by WDFW where game animals are involved.

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 Scott Bird, WDFW Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2403, fax (360) 902-2155, email Rules.

Coordinator@dfw.wa.gov. Contact by March 8, 2017,
expected proposal filing on or after March 15, 2017.

January 31, 2017
Scott Bird
Rules Coordinator