

**WSR 18-08-001****PREPROPOSAL STATEMENT OF INQUIRY  
PARAEDUCATOR BOARD**

[Filed March 21, 2018, 12:15 p.m.]

Subject of Possible Rule Making: Chapter 179-13 WAC, Authority, introductions to the policy and roles of the paraeducator board as determined in statute.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: English language learner certificate.

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 David Brenna, 600 Washington Street, Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

March 21, 2018  
David Brenna  
Senior Policy Analyst

**WSR 18-08-004****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed March 22, 2018, 8:50 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-446-0015 What is an intentional program violation (IPV) and administrative disqualification hearings (ADH) for food assistance; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, RCW 74.04.055, 74.04.57 [74.04.-057], 74.04.510, 74.08.090, and 7 C.F.R. 271.2.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes proposed under this filing will amend WAC 388-446-0015 and other related rules as may be required in order to align with federal regulations specifying the jurisdiction of administrative law judges over administrative disqualification hearings for intentional program violations of the basic food and food assistance programs.

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 amend rules that are consistent with the act, federal regulations, and FNS administrative notices and formal guidance.

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

The department of social and health services (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 Ezra Paskus, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4611, fax 360-725-4905, email paskuet@dshs.wa.gov.

March 21, 2018  
Katherine I. Vasquez  
Rules Coordinator

**WSR 18-08-005****PREPROPOSAL STATEMENT OF INQUIRY  
PARAEDUCATOR BOARD**

[Filed March 22, 2018, 9:25 a.m.]

Subject of Possible Rule Making: Chapter 179-17 WAC, Authority, introductions to the policy and roles of the paraeducator board as determined in statute.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Advanced paraeducator certificate.

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 David Brenna, 600 Washington Street, Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

March 22, 2018  
David Brenna  
Senior Policy Analyst

**WSR 18-08-006****PREPROPOSAL STATEMENT OF INQUIRY  
PARAEDUCATOR BOARD**

[Filed March 22, 2018, 9:31 a.m.]

Subject of Possible Rule Making: Chapter 179-19 WAC, Authority, introductions to the policy and roles of the paraeducator board as determined in statute.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891.

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

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 David Brenna, 600 Washington Street, Olympia, WA 98504, phone 360-725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

March 22, 2018

David Brenna

Senior Policy Analyst

**WSR 18-08-008****PREPROPOSAL STATEMENT OF INQUIRY  
EASTERN WASHINGTON UNIVERSITY**

[Filed March 22, 2018, 11:14 a.m.]

Subject of Possible Rule Making: Revising chapter 172-121 WAC, Student conduct code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revisions may be needed to update definitions and procedures related [to] the student conduct code.

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 Joseph Fuxa, Eastern Washington University, 314 Showalter Hall, Cheney, WA 99004, phone 509-359-7496, fax 509-359-2874, email jfuxa@ewu.edu, web site <https://sites.ewu.edu/policies/>.

March 22, 2018

Joseph Fuxa

Labor Relations Manager

**WSR 18-08-018****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH**

(Nursing Care Quality Assurance Commission)

[Filed March 23, 2018, 1:02 p.m.]

Subject of Possible Rule Making: WAC 246-840-533 Preceptors, interdisciplinary mentors, and proctors in clinical or practice settings for nursing education programs located in Washington state, and other related sections in chapter 246-840 WAC. The Washington state nursing care quality assurance commission (commission) is considering amending the rule to address concerns regarding preceptor qualifications, in response to a stakeholder petition received on January 11, 2018.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.79.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission received a petition on January 11, 2018, from ARNPs United of Washington State to defer decision making on draft Advisory Opinion Preceptor Experience in Nursing Education Programs (ED.01.01) and to repeal WAC 246-840-533. In response to the petition, the commission voted to open the rule to discuss concerns raised regarding preceptor qualifications. While advisory opinions offer the commission's interpretation of rule, they are not enforceable, and therefore are not subject to rule making. Opening the rule will provide the opportunity for stakeholder engagement, rule clarification, or possible amendments to address the identified concerns. The commission seeks to work collaboratively with nursing education and health care provider stakeholders to enhance student learning opportunities.

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 Amber Zawislak, P.O. Box 47864, Olympia, WA 98504, phone 360-236-4785, fax 360-236-4738, TTY 360-833-6388 or 711, email [amber.zawislak@doh.wa.gov](mailto:amber.zawislak@doh.wa.gov), web site <https://www.doh.wa.gov/LicensesPermitsandCertificates/NursingCommission>.

Additional comments: Interested stakeholders may sign up to receive nursing care quality assurance commission rule-making notices at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

March 22, 2018

Paula R. Meyer, MSN, RN, FRE

Executive Director

Nursing Care Quality Assurance Commission

**WSR 18-08-031****PREPROPOSAL STATEMENT OF INQUIRY  
SHORELINE COMMUNITY COLLEGE**

[Filed March 27, 2018, 10:51 a.m.]

Subject of Possible Rule Making: Updates to the use of library, chapter 132G-168 WAC.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Most of the current use of library code is not required to be codified under WAC for Shoreline Community College to complete the operational aspects of using the campus library. Where it is required, the college is providing updated language to reflect best practices.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None identified. The state board for community and technical colleges has general supervision and control over the state system of community and technical colleges but does not regulate each individual college's rule making.

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 Veronica Zura, 16101 Greenwood Avenue North, phone 206-546-4679, fax 206-546-5850, email [secrulemaking@shoreline.edu](mailto:secrulemaking@shoreline.edu).

March 27, 2018  
Veronica Zura  
Director of  
Human Resources

**WSR 18-08-037****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FINANCIAL INSTITUTIONS**

(Securities Division)

[Filed March 27, 2018, 2:42 p.m.]

Subject of Possible Rule Making: The securities division is commencing the rule-making process to adjust the filing fees required for initial and renewal applications for registration as an investment adviser, broker-dealer, investment adviser representative, and securities salesperson, in addition to the initial and renewal notice filing fees for federal [federally] covered advisers, upward by no more than fifteen dollars to defray the costs of administering the Securities Act of Washington, chapter 21.20 RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 21.20.340 and 43.320.110 as amended by SB 6024 (2018).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On March 22, 2018, Governor Jay Inslee signed into law SB 6024, which authorizes the director of the department of financial institutions to increase the fees set forth in RCW 21.20.340 upward by no more than fifteen dollars upon a finding that a fee increase is necessary

to defray the costs of administering the Securities Act of Washington. The securities division's annual expenditures have exceeded its revenues cumulatively by approximately \$14.4 million since fiscal year 2004. The securities division's yearly deficits are projected to continue through fiscal year 2019, resulting in an approximate \$7.5 million deficit in fund balance for the division, far below the recommended minimum fund balance of \$1.6 million. To address this deficit, the securities division plans to increase the fees associated with initial and renewal applications for registration as an investment adviser, broker-dealer, investment adviser representative, and securities salesperson, in addition to the initial and renewal notice filing fees for federal [federally] covered advisers, upward by no more than fifteen dollars. The full amount of any fee increase will be allocated to the securities division.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Investment advisers, investment adviser representatives, broker-dealers, and securities salespersons are regulated federally by the Securities and Exchange Commission as well as by securities regulatory agencies in other states. It is not necessary to coordinate our filing fees with those of other agencies.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Faith L. Anderson, Esq., P.O. Box 9033, Olympia, WA 98507-9033, phone 360-725-7825, fax 360-704-6480, TTY 360-664-8126 or 360-902-8824, email [faith.anderson@dfi.wa.gov](mailto:faith.anderson@dfi.wa.gov), web site <https://dfi.wa.gov/securities/rulemaking>.

March 27, 2018  
William M. Beatty  
Securities Administrator

**WSR 18-08-042****PREPROPOSAL STATEMENT OF INQUIRY  
BIG BEND  
COMMUNITY COLLEGE**

[Filed March 28, 2018, 2:51 p.m.]

Subject of Possible Rule Making: WAC 132R-136-080 Posting of materials.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140 and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes to permissions, updates.

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 Matt Killebrew, 7662 Chanute Street N.E., Moses Lake, WA 98837, phone 509-793-2003, email [melindad@bigbend.edu](mailto:melindad@bigbend.edu), web site [www.bigbend.edu](http://www.bigbend.edu).

March 28, 2018  
Melinda Dourte  
Executive Assistant  
to the President

**WSR 18-08-045**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed March 29, 2018, 9:12 a.m.]

Subject of Possible Rule Making: WAC 182-513-1330 Determining available income for legally married couples for long-term care (LTC) services; and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 20 C.F.R. 416.1204 - Deeming of resources of the sponsor of an alien.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is modifying WAC 182-513-1330 to add WAC references for sponsored immigrants and how to determine if sponsors' income counts in determining benefits. During the course of this review, the agency may identify additional changes that are required to improve clarify [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/aging and long-term support administration.

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 Vance Taylor, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, TTY 1-800-848-5429, email vance.taylor@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

March 29, 2018  
Wendy Barcus  
Rules Coordinator

**WSR 18-08-052**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**EMPLOYMENT SECURITY DEPARTMENT**

[Filed March 30, 2018, 11:19 a.m.]

Subject of Possible Rule Making: Clarifying requirements for educational employees to qualify for unemployment benefits, specifically addressing modifications to the analysis of whether an education employee has a contract or reasonable assurance of continued employment, as well as clarifying eligibility requirements for educational employees with multiple employers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040 provide general rule-making authority to the employment security department (ESD).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The federal Department of Labor (USDOL) issued new binding guidance to states regarding reasonable assurances between academic terms. In order to bring ESD into conformity with DOL [USDOL] rules, the legislature passed SHB 2703 and new rules will be necessary to insure full proper implantation and to provide more detailed guidance to employers and claimants.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: 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 the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: The proposed rule will be shared with stakeholders as identified through the standard rule-making process. ESD will solicit input 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 Christina Streuli, P.O. Box 9046, phone 360-902-9647, fax 360-902-9605, TTY Teresa Eckstein, State EO Officer, 711, 360-902-9354, email Cstreuli@esd.wa.gov, web site ESD.wa.gov.

March 30, 2018  
Dale Peinecke  
Commissioner

**WSR 18-08-055**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed March 30, 2018, 2:29 p.m.]

Subject of Possible Rule Making: Amend aquaculture regulations in chapter 220-370 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.090, 77.04.130, 77.32.430.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Because of passage of EHB 2957 in the 2018 legislative session, the department needs to amend regulations in chapter 220-370 WAC and make additional changes to these rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington department of ecology and Washington department of natural resources.

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, P.O. Box 43153, phone

360-902-2403, fax 360-902-2155, email Rules.Coordinator@dfw.wa.gov.

March 30, 2018  
Scott Bird  
Rules Coordinator

**WSR 18-08-071**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed April 3, 2018, 11:09 a.m.]

Subject of Possible Rule Making: WAC 182-560-100 Achieving a Better Life Experience (ABLE) Act; and other related rules, as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.06.160; 26 U.S.C. Sec. 529A Qualified ABLE programs.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending WAC 182-560-100 Achieving a Better Life Experience (ABLE) Act, to comply with amendments to federal rules under 26 U.S.C. Sec. 529A, Qualified ABLE programs, and to clarify how contributions to ABLE accounts count towards countable income in determining eligibility for apple health programs. 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: Washington state department of social and health services; Washington state department of commerce.

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, phone 360-725-1346, fax 360-586-9727, TTY 1-800-848-5429, email katherine.pounds@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

April 3, 2018  
Wendy Barcus  
Rules Coordinator

**WSR 18-08-073**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PARKS AND RECREATION**  
**COMMISSION**

[Filed April 3, 2018, 11:52 a.m.]

Subject of Possible Rule Making: This is to update miscellaneous sections of WAC regarding public record requests made to parks. Specifically, housekeeping updates to WAC

352-40-030 Where can I access state parks' public records?, 352-40-040 How is the agency organized and how is it operated?, 352-40-060 Who do I contact to request state parks' public records?, 352-40-080 How do I request state parks' public records?, and 352-40-090 Will I have to pay to view or get copies of state parks' public records?

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: It has been some years since the aforementioned sections of WAC have been updated and there have been changes that need to be made to reflect the most information in terms of contact information, the agency structure, and a new statutory fee schedule (from EHB 1594/RCW 42.56.120 Charges for copying).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Public records exemptions accountability committee (a.k.a. sunshine committee).

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 Brian Thrasher, 1111 Israel Road S.W., phone 360-902-8514, email brian.thrasher@parks.wa.gov, web site www.parks.wa.us.

Monday [Tuesday], April 3, 2018  
Valeria Evans  
Management Analyst

**WSR 18-08-076**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Aging and Long-Term Support Administration)

[Filed April 3, 2018, 2:54 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-105-0005 The daily medicaid payment rates for clients who have been assessed using the CARE tool and reside at an AFH or assisted living facility contracted to provide assisted living, adult residential care, or enhanced adult residential care services, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.39A.030 (3)(a).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is planning to amend WAC 388-105-0005 in order to update rates in the table for all settings to reflect new rates that will be paid effective July 1, 2018.

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 department of social and health services (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 Elizabeth Pashley, P.O. Box 45600, Olympia, WA 98504, phone 360-725-2447, fax 360-725-2641, TTY 1-877-905-0454, email Elizabeth.Pashley@dshs.wa.gov, web site <https://www.dshs.wa.gov/altsa/management-services-division/office-rates-management>.

April 3, 2018  
Katherine I. Vasquez  
Rules Coordinator

### WSR 18-08-079

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed April 4, 2018, 8:10 a.m.]

Subject of Possible Rule Making: Chapter 16-301 WAC, General seed regulations, and chapter 16-302 WAC, General rules for seed certification. The department is considering amending these chapters as follows:

- Adding Palmers amaranth to the prohibited noxious weed seed list in WAC 16-301-045 and the seed certification prohibited noxious weed seed list in WAC 16-302-100;
- Changing phytosanitary field inspection and seed certification application due dates for perennials and stecklings or transplants in WAC 16-301-220 and 16-302-050; adding definitions for previously undefined terms in WAC 16-301-005;
- Revising the language to increase clarity and readability and to conform to current industry practices; and
- Correcting errors in seed standards for prairie sand-reed in WAC 16-302-470.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.49.005, [15.49].021, [15.49].310, [15.49].-370, and chapter 34.05 RCW.

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

- Protection of Washington's Palmers amaranth weed-free status: Palmers amaranth, not currently on the prohibited noxious weed lists, could potentially enter Washington state in seed lots originating from outside the state. This would jeopardize Washington state's weed-free status for this herbicide-resistant, difficult-to-control weed, and adding it to the noxious weed lists increases protections against it.
- Due to a shift in crop maturity timing, it is important for applications to be received sooner in the growing season. This allows a longer inspection window at the optimal time. It also allows industry a longer opportunity to correct issues with a field before harvest and to allow for inspections. Since all but new plantings of perennial crops are already in the ground well before the current

deadline of June 1, changing the phytosanitary field inspection and seed certification application due dates for these crops to an earlier date would allow these crops to be inspected earlier. Since stecklings or transplants can be planted at times when planting seed may not be practical, changing the due date so it relates to the planting date would allow them to be inspected at a more appropriate time in their growth cycle.

- Adding definitions and revising outdated language while better comporting to Association of Official Seed Certifying Agencies standards and current industry practices would improve clarity and readability.
- Correcting errors in existing seed standards for prairie sand-reed eliminates confusion.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department will provide notice to the state noxious weed control board of the proposed addition of Palmers amaranth to WAC 16-301-045 and 16-302-100.

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholders, including the Washington State Crop Improvement Association, the Columbia Basin Vegetable Seed Growers Association, and individual seed companies that may be affected. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

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., Olympia, WA 98504, phone 360-902-1960, fax 360-902-2085, TTY 800-833-6388, email [jlarsen@agr.wa.gov](mailto:jlarsen@agr.wa.gov), web site <https://agr.wa.gov/LawsRules/Rulemaking/>; or Victor Shaul, 21 North 1st Avenue, Suite 203, Yakima, WA 98902, phone 509-249-6950, fax 509-454-4395, TTY 800-833-6388, email [vshaul@agr.wa.gov](mailto:vshaul@agr.wa.gov), web site <https://agr.wa.gov/LawsRules/Rulemaking/>.

April 4, 2018  
Jason Ferrante  
Assistant Director

### WSR 18-08-087

#### WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH (Veterinary Board of Governors)

[Filed April 4, 2018, 10:37 a.m.]

The veterinary board of governors (board) is withdrawing the CR-101 for WAC 246-933-340, which was filed August 23, 2017, and published in WSR 17-17-178.

The board is withdrawing this CR-101 because the initial scope of the CR-101 was too narrow 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 Lorelei Walker, program manager for the veterinary board of governors, at 360-236-4947.

Tami M. Thompson  
Regulatory Affairs Manager

**WSR 18-08-089**

**PREPROPOSAL STATEMENT OF INQUIRY  
LIQUOR AND CANNABIS  
BOARD**

[Filed April 4, 2018, 10:45 a.m.]

Subject of Possible Rule Making: Chapter 314-29 WAC, Violations and penalties.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030; chapter 66.24 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed to implement HB 2517, which passed during the 2018 legislative session.

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 Janette Benham, P.O. Box 43080, Olympia, WA 98504, phone 360-664-1760, fax 360-664-9689, email rules@lcb.wa.gov, web site lcb.wa.gov.

April 4, 2018  
Jane Rushford  
Chair

**WSR 18-08-092**

**PREPROPOSAL STATEMENT OF INQUIRY  
LIQUOR AND CANNABIS  
BOARD**

[Filed April 4, 2018, 11:13 a.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (WSLCB) is considering rule changes needed as a result of the passage of ESSHB [E2SHB] 2334 by the legislature during the 2018 legislative session.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESSHB [E2SHB] 2334 (SL 2018 c. 132), RCW 69.50.342, and 69.50.345.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes or new rules to create testing requirements for CBD products are necessary to implement the changes to law in ESSHB [E2SHB] 2334. Other related changes may be considered as part of this rule making.

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

cies: WSLCB will be coordinating with the Washington state department of health as needed on these rule changes.

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, Policy and Rules Coordinator, 3000 Pacific Avenue S.E., Olympia, WA 98504, phone 360-664-1622, fax 360-664-9689, TTY 711 or 1-800-833-6388, email rules@lcb.wa.gov, web site www.lcb.wa.gov.

April 4, 2018  
Jane Rushford  
Chair