

**WSR 18-23-003**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HORSE RACING COMMISSION**

[Filed November 7, 2018, 3:08 p.m.]

The Washington horse racing commission would like to withdraw from publication our preproposal statement of inquiry (CR-101), WSR 17-23-120, filed on November 17, 2017.

Douglas L. Moore  
 Executive Secretary

**WSR 18-23-028**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**EMPLOYMENT SECURITY DEPARTMENT**

[Filed November 13, 2018, 4:53 p.m.]

Subject of Possible Rule Making: Modifying requirements for claimant directives to participate in reemployment services under RCW 50.20.010 (1)(e).

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: As recommended by Unemployment Insurance Program Letter No. 3-17 (Dec. 8, 2016), the department is implementing an automated scheduling service to allow claimants to self-schedule the dates they will receive reemployment services. The rules need to be adjusted to reflect a more flexible scheduling approach.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of 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 Scott E. Michael, P.O. Box 9046, phone 360-902-9587, fax 360-902-9662, TTY relay 711, email rules@esd.wa.gov, web site <https://esd.wa.gov/newsroom/rulemaking/benefits>.

November 13, 2018  
 Daniel L. Zeitlin  
 Employment System  
 Policy Director

**WSR 18-23-030**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed November 14, 2018, 7:54 a.m.]

Subject of Possible Rule Making: The department is considering rule changes for the following topics: Hunting regulations, seasons, permits and area descriptions for big game, small game, and migratory birds; big game and wild turkey auctions, raffles, and permits; importation and retention of dead nonresident wildlife; mandatory hunter reporting; land-owner hunting permits; special closures and firearm restriction areas; and other related rule changes as needed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, 77.12.800, 77.32.007, 77.32.070, 77.32.090, 77.32.370, and 77.32.530.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments are needed to provide clarification to rules, expand recreational opportunity and opportunity for harvest, and mitigate wildlife conflicts, while maintaining sustainable game populations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Migratory birds are also regulated by the United States Fish and Wildlife Service (USFWS) and coordination is managed through the Pacific Flyway. State regulations are designed to fit within the parameters of the USFWS regulation guidelines.

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 Eric Gardner, 600 Capitol Way North, Olympia, WA 98501, phone 360-902-2515, fax 360-902-2162, email [wildthing@dfw.wa.gov](mailto:wildthing@dfw.wa.gov), web site [wdfw.wa.gov](http://wdfw.wa.gov).

November 14, 2018  
 Scott Bird  
 Rules Coordinator

**WSR 18-23-040**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**WASHINGTON STATE LOTTERY**

[Filed November 14, 2018, 2:53 p.m.]

Subject of Possible Rule Making: Washington's lottery is considering revisions to chapter 315-38 WAC, Mega Millions, to align state rules with recent changes to the national Mega Millions guidelines.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.70.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Potential changes to this chapter are for housekeeping purposes to align the rules with the national Mega Millions guidelines. Such changes would eliminate confusion for Mega Millions players.

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 lottery will use a collaborative rule-making process to develop the proposed rules. The lottery will post draft rules on its web site and notify interested parties of the opportunity to provide informal comments. Staff will evaluate informal comments prior to proposing the rule for adoption. Formal comments will be taken in writing during the formal comment period and in person 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 Kristi Weeks, P.O. Box 4300 [43000], Olympia, WA 98504-3000, phone 360-810-2881, fax 360-515-0416, email [KWeeks@walottery.com](mailto:KWeeks@walottery.com), web site [www.walottery.com](http://www.walottery.com).

November 14, 2018  
Kristi Weeks  
Director of Legal Services

### WSR 18-23-055

#### PREPROPOSAL STATEMENT OF INQUIRY ARTS COMMISSION

[Filed November 15, 2018, 2:59 p.m.]

Subject of Possible Rule Making: Amendments to existing rules related to grant management: WAC 30-01-055 Responsibilities, 30-02-010 Definitions, 30-12-015 Grants, and 30-12-030 Panels.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.46.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ArtsWA plans to update grant rules to reflect current processes and ensure the rules are easy to understand and follow.

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 Terry J. West, 711 Capitol Way South, Suite 600, phone 360-586-5350, fax 360-586-5351, email [terry.west@arts.wa.gov](mailto:terry.west@arts.wa.gov), web site [www.arts.wa.gov](http://www.arts.wa.gov).

Additional comments: Rules writing session to be held on January 10, 2019, at 711 Capitol Way South, Suite 600, Olympia, from 11:00 a.m. to noon. Participants may attend in person, send in written comments to address above or attend by conference call. Conference call attendees must notify the agency the day before to allow time for conference call logistics.

November 15, 2018  
Karen Hanan  
Executive Director

### WSR 18-23-077

#### PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed November 19, 2018, 10:16 a.m.]

Subject of Possible Rule Making: Chapter 181-77 WAC, Career and technical education certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.410 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board is responsible for standards for career and technical education certification, including criteria, eligibility, issuance and renewal.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of the superintendent of public instruction continuing coordination.

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 360-58-4548 [360-586-4548], email [david.brenna@k12.wa.us](mailto:david.brenna@k12.wa.us), web site [www.pesb.wa.gov](http://www.pesb.wa.gov).

November 19, 2018  
David Brenna  
Senior Policy Analyst

### WSR 18-23-081

#### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed November 19, 2018, 2:24 p.m.]

Subject of Possible Rule Making: Chapter 308-61 WAC, Unauthorized and abandoned vehicles.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.55.190, 46.53.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making will create and implement new rules that will outline procedures for receiving and processing abandoned recreational vehicle reimbursements as required by SSB 6437 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: Internal review and stakeholder input.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting George Price, Department of Licensing, P.O. Box 9020, Olympia, WA 98507-9020, phone 360-902-0120, email [gprice@dol.wa.gov](mailto:gprice@dol.wa.gov).

November 19, 2018  
Damon Monroe  
Rules Coordinator

**WSR 18-23-082**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed November 19, 2018, 2:35 p.m.]

Subject of Possible Rule Making: WAC 182-502-0016 Continuing requirements; and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 42 U.S.C. Sec. 1396(a)(68).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is updating this section to provide notice to providers and support enforcement of compliance with state and federal requirements related to the operations of entities receiving more than \$5 million in medicaid payments annually, including but not limited to such entities providing information about the False Claims Act and establishing written policies for employees. 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: Centers for Medicare and Medicaid 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 Michael Williams, 686 8th Avenue S.E., Olympia, WA 98504-2716, phone 360-725-1346, fax 360-586-9727, telecommunication relay services 711, email michael.williams@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

November 19, 2018  
 Wendy Barcus  
 Rules Coordinator

**WSR 18-23-095**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed November 20, 2018, 10:39 a.m.]

Subject of Possible Rule Making: The department is considering amendments to recreational fishing rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.15.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The illegal introduction of warmwater species (yellow perch) into Pass Lake (Skagit County) is having a detrimental effect on a popular fly fishing only trout fishery. Allowing retention of these warmwater fish would help control the populations which compete with

trout for food and space. Pass Lake (Skagit County) is managed for the trout fishery by planting small young fish that over winter in the lake and grow to be fished on the next year.

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 Scott Bird, P.O. Box 43153, Olympia, WA 98501, phone 360-902-2403, fax 360-902-2155, email Rules.Coordinator@dfw.wa.gov.

November 20, 2018  
 Scott Bird  
 Rules Coordinator

**WSR 18-23-109**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed November 21, 2018, 8:47 a.m.]

Subject of Possible Rule Making: WAC 392-121-266 through 392-121-295, Finance—General apportionment—Certificated instructional staff.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering rule making that would: (1) Repeal rules that are no longer needed after the Washington state legislature discontinued "staff mix" in state funding and compensation for teachers and other certificated instructional staff after the 2017-18 school year; and (2) amend rules to discontinue outdated language, such as "staff mix" and LEAP salary allocation documents, while continuing to collect education and experience data during the 2018-19 transitional year.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ross Bunda, OSPI, P.O. Box 47200, Olympia, WA 98504-7200, phone 360-725-6308, fax 360-753-4201, TTY 360-664-3631, email ross.bunda@k12.wa.us, web site k12.wa.us.

November 21, 2018  
 Chris P. S. Reykdal  
 State Superintendent  
 of Public Instruction

**WSR 18-23-113****PREPROPOSAL STATEMENT OF INQUIRY  
WASHINGTON STATE UNIVERSITY**

[Filed November 21, 2018, 9:06 a.m.]

Subject of Possible Rule Making: Chapter 504-15 WAC, Campus parking and traffic regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The university is updating the campus parking and traffic regulations including, but not limited to, the rules regarding permit display.

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

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah L. Bartlett, Director, Office of Procedures, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, fax 509-335-3969, email [prf.forms@wsu.edu](mailto:prf.forms@wsu.edu), web site <http://public.wsu.edu/~forms/ProposedWAC.html>.

Additional comments: A public hearing will be held to permit comment to all proposed rules and revisions. There will be an opportunity to provide written comments to the proposed rules.

November 21, 2018  
Deborah L. Bartlett, Director  
Procedures, Records, and Forms  
and University Rules Coordinator

Procedures, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, fax 509-335-3969, email [prf.forms@wsu.edu](mailto:prf.forms@wsu.edu), web site <http://public.wsu.edu/~forms/ProposedWAC.html>.

Additional comments: A public hearing will be held to permit comment to all proposed rules and revisions. There will be an opportunity to provide written comments to the proposed rules.

November 21, 2018  
Deborah L. Bartlett, Director  
Procedures, Records, and Forms  
and University Rules Coordinator

**WSR 18-23-114****PREPROPOSAL STATEMENT OF INQUIRY  
WASHINGTON STATE UNIVERSITY**

[Filed November 21, 2018, 9:07 a.m.]

Subject of Possible Rule Making: Chapter 504-14 WAC, Campus parking and traffic regulations for Washington State University (WSU) health sciences Spokane.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The university is updating the WSU health sciences Spokane campus parking and traffic regulations. The campus name and the title of the chapter are also updated to reflect current university naming conventions.

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

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah L. Bartlett, Director, Office of