

**WSR 18-24-002****PREPROPOSAL STATEMENT OF INQUIRY  
CENTRAL WASHINGTON UNIVERSITY**

[Filed November 21, 2018, 3:39 p.m.]

Subject of Possible Rule Making: Repeal of chapter 106-160 WAC, Admission and registration procedures; chapter 106-172 WAC, Student records policy; and chapter 106-200 WAC, Career counseling services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120 and the Administrative Procedure Act (APA), chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Central Washington University (CWU) intends to repeal administrative rules that do not meet the definition of a "rule" under RCW 34.05.010(16) and that duplicate policies published in the university policies and procedures manual.

Process for Developing New Rule: Campus review through normal university policy review procedures. APA public notice and comment procedures. Final adoption by board of trustees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kimberly J. Dawson, Office of the President, CWU, 400 East University Way, Ellensburg, WA 98926-7501, phone 509-963-2111, email Kimberly.dawson@cwu.edu.

November 21, 2018  
Kimberly J. Dawson  
Rules Coordinator

**WSR 18-24-005****PREPROPOSAL STATEMENT OF INQUIRY  
PROFESSIONAL EDUCATOR  
STANDARDS BOARD**

[Filed November 26, 2018, 10:58 a.m.]

Subject of Possible Rule Making: Chapter 181-82A WAC, Performance based certificate endorsements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.410.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules for educators earning endorsements.

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

November 26, 2018  
David Brenna  
Senior Policy Analyst

**WSR 18-24-009****PREPROPOSAL STATEMENT OF INQUIRY  
UNIVERSITY OF WASHINGTON**

[Filed November 26, 2018, 1:07 p.m.]

Subject of Possible Rule Making: WAC 478-121-135 (Student conduct code for the University of Washington) Hazing and 478-124-037 (General conduct code for the University of Washington) Conduct on campus code—Hazing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.20.130 and 28B.10.900 through 28B.10.903.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed amendments intend to bring the two WAC sections into alignment with each other to clarify the process by which a person could be held accountable for a violation. Additionally, this will provide an opportunity to update the examples given in each WAC to reflect current best practices around hazing prevention.

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 Barbara Lechtanski, Director of Rules Coordination, University of Washington, Rules Coordination Office, Box 351210, Seattle, WA 98195-1210, email rules@uw.edu.

November 26, 2018  
Barbara Lechtanski  
Director of  
Rules Coordination

**WSR 18-24-016****PREPROPOSAL STATEMENT OF INQUIRY  
STATE BOARD OF HEALTH**

[Filed November 27, 2018, 11:45 a.m.]

Subject of Possible Rule Making: Chapter 246-680 WAC, Prenatal tests—Congenital and heritable disorders.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20.050, 48.21.244, 48.44.344, 48.46.375, and 70.54.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current rule outlines screening and diagnostic tests that are considered to be medically necessary and are required to be included in benefits packages provided by insurers, health care service contractors, and health maintenance organizations. Prenatal screening and diagnostic testing can have a significant impact on pregnancies at risk for a genetic condition by enabling early diagnosis, providing an opportunity for appropriate health care, and empowering women and couples to make informed pregnancy related health decisions. Since the last rule update, national organizations such as the American Congress of Obstetricians and Gynecologists and the American College of Medical Genetics have put forward updated recommenda-

tions for prenatal screening and diagnostic testing. The state board of health (board), in consultation with the department of health, is considering updating chapter 246-680 WAC to bring Washington's rules into alignment with national standards of care and current best practices, as well as improving the clarity and usability of the rule.

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 board will use a collaborative rule-making process in developing the proposed rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cori Tarzwell, P.O. Box 47855, Olympia, WA 98501, phone 360-236-3797, TTY 360-833-6388 or 711, email cori.tarzwell@doh.wa.gov; or Alexandra Montano, P.O. Box 47990, Olympia, WA 98504-7990, phone 360-236-4106, fax 360-236-4088, TTY 360-833-6388 or 711, email alexandra.montano@sboh.wa.gov.

Additional comments: If you would like to be added to the listserv for this rule making, email Alexandra.montano@sboh.wa.gov with the subject line "Prenatal Screening - Subscribe."

November 27, 2018  
Michelle A. Davis  
Executive Director

**WSR 18-24-018**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STUDENT ACHIEVEMENT COUNCIL**

[Filed November 27, 2018, 1:37 p.m.]

The Washington student achievement council withdraws the preproposal statement of inquiry filed as WSR 15-16-060 on July 30, 2015.

The earlier filing is superseded by WSR 18-22-082 filed November 2, 2018.

If you have any questions, please contact Kristin Ritter, executive assistant, 360-753-7810, www.wsac.wa.gov.

**WSR 18-24-025**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF LICENSING**

[Filed November 28, 2018, 7:41 a.m.]

The department of licensing, driver training schools program requests the withdrawal of the proposed rule making filed as WSR 18-03-084 for WAC 308-108-020 Definitions. The CR-101 was filed January 16, 2018. This document serves as the official notification of our rule withdrawal.

Damon Monroe  
Rules Coordinator

**WSR 18-24-033**

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

[Filed November 28, 2018, 11:00 a.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (WSLCB) is considering changes to WAC 314-55-086 related to the mandatory signs a marijuana licensee must post on a licensed premise.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.342 and 69.50.345.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Packaging and labeling rules were recently amended, and the new rules will be effective January 1, 2019. The amendments removed specific label warnings concerning use of marijuana during pregnancy. Because this is no longer a labeling requirement, WAC 314-55-086 must be amended to clarify, update and coordinate marijuana signage to assure consistent, coordinated consumer messaging regarding the use of marijuana during pregnancy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WSLCB will coordinate with the Washington state department of health as needed.

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 Katherine Hoffman, P.O. Box 43080, Olympia, WA 98504, phone 360-664-1622, fax 360-664-9689, email Rules@lcb.wa.gov, web site lcb.wa.gov.

November 28, 2018  
Jane Rushford  
Chair

**WSR 18-24-045**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HORSE RACING COMMISSION**

[Filed November 28, 2018, 11:22 a.m.]

The Washington horse racing commission would like to withdraw preproposal statement of inquiry (CR-101), WSR 18-20-082, filed on October 1, 2018.

Douglas L. Moore  
Executive Secretary

**WSR 18-24-080**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed December 3, 2018, 10:31 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, web site www.pesb.wa.gov.

December 3, 2018  
 David Brenna  
 Senior Policy Analyst

**WSR 18-24-083**  
**WITHDRAWL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PARAEDUCATOR BOARD**

[Filed December 3, 2018, 12:02 p.m.]

Please withdraw CR-101, WSR 18-17-121, filed on August 17, 2018. Typo in the filing makes the chapter number incorrect.

David Brenna  
 Senior Policy Analyst

**WSR 18-24-085**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PARAEDUCATOR BOARD**

[Filed December 3, 2018, 2:35 p.m.]

Subject of Possible Rule Making: Chapter 179-01 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: Authority.

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.

December 3, 2018  
 David Brenna  
 Senior Policy Analyst

**WSR 18-24-088**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PARAEDUCATOR BOARD**

[Filed December 3, 2018, 2:49 p.m.]

Subject of Possible Rule Making: Chapter 179-07 WAC, Standards of practice, paraeducators standards of practice as required by 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: Describing standards of practice.

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.

December 3, 2018  
 David Brenna  
 Senior Policy Analyst

**WSR 18-24-093**  
**WITHDRAWL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed December 4, 2018, 10:49 a.m.]

The Washington department of fish and wildlife seeks to withdraw the withdrawal [preproposal statement of inquiry] filed under WSR 18-21-163 on October 22, 2018.

Scott Bird

**WSR 18-24-094****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed December 4, 2018, 10:50 a.m.]

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

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amendments to recreational fishing rules to provide fishing opportunity and to address conservation objectives.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: These rules are coordinated with Oregon department of fish and wildlife.

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

November 30, 2018

Scott Bird

Rules Coordinator

**WSR 18-24-100****PREPROPOSAL STATEMENT OF INQUIRY  
SEATTLE COLLEGES**

[Filed December 4, 2018, 12:30 p.m.]

Subject of Possible Rule Making: Chapter 132F-121 WAC, Student activities, rights, and discipline.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140, 28B.50.090(3).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This proposed rule addresses a need of the colleges to issue medical withdrawals to students who exhibit self-harm that cannot otherwise be accommodated through the interactive process while attending college.

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 Kurt Buttlesman, 1500 Harvard Avenue N.E., Seattle, WA 98122, phone 206-934-4111, email kurt.buttlesman@seattlecolleges.edu, web site seattlecolleges.edu.

December 3, 2018

Kurt R. Buttlesman

Interim Vice Chancellor  
Academic and Student Success**WSR 18-24-127****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF ECOLOGY**

[Order 18-04—Filed December 5, 2018, 11:51 a.m.]

Subject of Possible Rule Making: Ecology plans to amend chapter 173-186 WAC, Oil spill contingency plan—Railroad. This chapter requires railroads carrying oil as cargo to plan for oil spills to include how to make notifications, have the appropriate equipment and trained personnel to respond to spills that may occur. This rule making will:

- Establish three tiers for railroad contingency planning and streamline requirements according to RCW 90.56-.210.
- Establish requirements for citing spill management teams including entities providing wildlife rehabilitation and recovery services.
- Enhance requirements for readiness for spills of oils that may weather and sink.
- Update drill requirements to reflect legislative direction.
- Make other edits to address inconsistent or unclear direction in the rule.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 90.56 RCW, Oil and substance spill prevention and response.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We were in the beginning stages of implementing this chapter when in 2017 the legislature passed ESHB 1136 (RCW 90.56.210) changing oil spill contingency planning requirements for smaller railroads. The purpose of this rule making is to streamline the plan requirements for the smaller railroads who move refined oil products and not crude oil. In addition, this rule update will comply with the passage of E2SSB 6269 in 2018 (RCW 90.56.210) directing ecology to update rules to account for nonfloating oils and to require spill management teams to apply and be approved by ecology in order to be cited in contingency plans.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: We will share information and coordinate rule-making activities to the following agencies: United States Coast Guard, Environmental Protection Agency, Washington state utilities and transportation commission, Pipeline and Hazardous Materials Safety Administration and Federal Railroad Administration.

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nhi Irwin, Department of Ecology, Spills Prevention, Preparedness and Response Program, P.O. Box 47600, Lacey, WA 98504, phone 360-407-7039, TTY people with speech disability may call TTY 877-833-6341 and people with impaired hearing may call Washington relay service 711, web site <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-186>. Sign up to receive email notices [spillsrulemaking@ecy.wa.gov](mailto:spillsrulemaking@ecy.wa.gov). To stay informed about rule making, please sign up

for our ListServ SPILLS-PROGRAM@LISTSERV.  
ECOLOGY.WA.GOV.

Additional comments: Interested parties can stay informed about the rule making and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

December 5, 2018  
Linda Pilkey-Jarvis  
Preparedness Section Manager