

WSR 21-02-044
EXPEDITED RULES
GAMBLING COMMISSION

[Filed December 30, 2020, 2:42 p.m.]

December 30, 2020
 Ashlie Laydon
 Rules Coordinator

Title of Rule and Other Identifying Information: WAC 230-06-155 Defining "gross sales," 230-06-160 Defining "net gambling receipts," 230-06-165 Defining "net gambling income," and 230-06-175 Defining "cost."

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The definitions of "gross sales," "net gambling receipts," "net gambling income," and "cost" strictly pertain to rules related to activity reporting. The gambling commission has completed its transition from activity reporting to quarterly licensing reporting and all other rules related to activity reporting have been repealed, therefore these definitions are no longer relevant.

Reasons Supporting Proposal: The repeal of these definitions will reduce confusion as they do not pertain to current rules.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: RCW 9.46.070.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Brian Considine, Attorney, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3469; Implementation: David Trujillo, Director, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3512; and Enforcement: Tina Griffin, Assistant Director, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3546.

This notice meets the following criteria to use the expedited repeal process for these rules:

The rule is no longer necessary because of changed circumstances.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The gambling commission transitioned from activity reporting to quarterly license reporting in 2017-18, and as a result, all rules related to activity reporting were repealed once this transition was complete. These definitions relate to rules that have already been repealed and therefore are no longer necessary.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Ashlie Laydon, Washington State Gambling Commission, P.O. Box 42400, Olympia, WA 98504-2400, phone 360-486-3473, fax 360-486-3632, email rules.coordinator@wsgc.wa.gov, AND RECEIVED BY March 9, 2021.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 230-06-155 Defining "gross sales."

WAC 230-06-160 Defining "net gambling receipts."

WAC 230-06-165 Defining "net gambling income."

WAC 230-06-175 Defining "cost."

WSR 21-02-052

EXPEDITED RULES

DEPARTMENT OF HEALTH

(Board of Nursing Home Administrators)

[Filed January 4, 2021, 10:55 a.m.]

Title of Rule and Other Identifying Information: WAC 246-843-162 AIDS prevention and information education requirements for nursing home administrators, the board of nursing home administrators (board) is considering the repeal of WAC 246-843-162 in response to ESHB 1551 (chapter 76, Laws of 2020).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: ESHB 1551 repealed statutes concerning AIDS education and training for emergency medical personnel, health professionals, and health care facility employees. The list of repealed statutes included RCW 70.24.270 Health professionals—Rules for AIDS education and training, which involves licensees governed under the board. The board is repealing its rule as the requirements for AIDS education and training is no longer required in statute.

Reasons Supporting Proposal: The intent of ESHB 1551 is to reduce stigma towards people living with HIV/AIDS. This includes not isolating AIDS as an exceptional disease that requires specific training and education separate from other health conditions. Repealing the AIDS education and training requirement in WAC 246-828-370 could remove barriers from becoming licensed or renewing licensure for nursing home administrators.

Statutory Authority for Adoption: RCW 18.52.061.

Statute Being Implemented: ESHB 1551 (chapter 76, Laws of 2020).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Board of nursing home administrators, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Kendra Pitzler, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4723.

This notice meets the following criteria to use the expedited repeal process for these rules:

The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: ESHB 1551 repealed RCW 70.240.270. The board is repealing its rule as the statute in which the rule is based has been repealed.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kendra Pitzler, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4723, fax 360-236-2901, email <https://fortress.wa.gov/doh/policyreview>, AND RECEIVED BY March 8, 2021.

January 4, 2021
Ann Zell, Chair
Board of Nursing
Home Administrators

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-843-162 AIDS prevention and information education requirements.

WSR 21-02-090

EXPEDITED RULES

UTILITIES AND TRANSPORTATION

COMMISSION

[Filed January 6, 2021, 10:29 a.m.]

Title of Rule and Other Identifying Information: Expedited repeal of WAC 480-100-238.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Rule making to permanently repeal WAC 480-100-238, which was superseded by rules adopted under WSR 21-02-022 and repealed by emergency rule making under WSR 21-02-025, effective January 1, 2021.

Reasons Supporting Proposal: The commission contemplated repeal of WAC 480-100-238 during the rule-making process that culminated in WSR 21-02-022, but inadvertently did not include that repeal in the CR-102 adopting the new rules. The new rules (WAC 480-100-600 through 480-100-665) adopted under WSR 21-02-022 went into effect on January 1, 2021, and replace WAC 480-100-238. The commission repealed that rule in an emergency rule making also

effective on January 1, 2021. Should the repeal expire, it would create duplicative and conflicting standards for utilities. The commission adopted the new rules to replace and expand upon WAC 480-100-238, and thus permanently repealing WAC 480-100-238 would fulfill the expected outcome of the rule-making process carried out in Dockets UE-191023 and UE-190698 to implement the Clean Energy Transformation Act (CETA) as it relates to integrated resource planning.

Statutory Authority for Adoption: RCW 80.01.040, 80.04.160; chapters 80.28, 19.280, and 19.405 RCW.

Statute Being Implemented: Chapters 19.405, 80.28, and 19.280 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington utilities and transportation commission (UTC), governmental.

Name of Agency Personnel Responsible for Drafting: Bradley Cebulko, P.O. Box 47250, Olympia, WA 98504-7250, 360-259-5315; Implementation and Enforcement: Mark L. Johnson, P.O. Box 47250, Olympia, WA 98504-7250, 360-664-1115.

This notice meets the following criteria to use the expedited repeal process for these rules:

Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The commission consistently contemplated repealing WAC 480-100-238 in conjunction with adopting new rules to implement CETA, and that rule-making process involving significant stakeholder input and ample opportunity for interested persons to comment. The commission adopted the new rules but through administrative oversight did not repeal the conflicting WAC 480-100-238 as part of that adoption. The commission thus repealed the rule by emergency rule making and now proposes to complete the repeal process.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Mark L. Johnson, Washington UTC, P.O. Box 47250, Olympia, WA 98504-7250, phone 360-664-1160, email records@utc.wa.gov, AND RECEIVED BY March 9, 2021.

January 6, 2021
Mark L. Johnson
Executive Director
and Secretary

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 480-100-238 Integrated resource planning.