

WSR 06-14-001**NOTICE OF PUBLIC MEETINGS****ARTS COMMISSION**

[Memorandum—June 21, 2006]

Schedule of Quarterly Meetings of the
Washington State Arts Commission

Convenes 12:30 p.m., Monday, August 1, 2006,
adjourns 5:00 p.m.

Reconvenes 8:30 a.m., Tuesday, August 1, 2006,
adjourns 12:30 p.m.

Location: Central Washington University, Student
Union Room 301, Ellensburg, Washington.

Convenes 10:00 a.m., Thursday, November 2, 2006,
adjourns 4:00 p.m.

Location: Bellevue Arts Museum Auditorium, 510
Bellevue Way N.E., Bellevue, WA.

WSR 06-14-002**DEPARTMENT OF AGRICULTURE**

[Filed June 21, 2006, 2:47 p.m.]

PUBLIC NOTICE FOR SPARTINA TREATMENT IN WESTERN
WASHINGTON

LEGAL NOTICE: The Washington state department of agriculture (WSDA) laboratory services division is hereby notifying the affected public that the herbicides glyphosate (Aquamaster®, Aquaneat®, or Rodeo®) and imazapyr (Habitat®, surfactants (R-11™, Agri-Dex™, Class Act Next Generation™, Competitor™, Dyne-Amic™, Kinetic™, or LI-700™) and marker dyes may be used to control invasive *Spartina* grass species between June 1, 2006, and October 31, 2006. Properly licensed pesticide applicators who have obtained coverage under the WSDA National Pollutant Discharge Elimination System Waste Discharge General Permit may apply glyphosate or imazapyr to control the noxious weed *Spartina* on the saltwater tideflats of Grays Harbor, Hood Canal, Willapa Bay, Puget Sound, and the north and west sides of the Olympic Peninsula.

Use of herbicides is one of the options used to control *Spartina*. These infestations may also be treated by mowing, digging, crushing, or covering.

For more information, including locations of possible application sites or information on *Spartina*, contact the WSDA *Spartina* Control Program at (360) 902-1923, or write WSDA *Spartina* Program, P.O. Box 42560, Olympia, WA 98504-2560. To contact the WSDA NPDES permit coordinator, call Brad White at (360) 902-2071. The Washington state department of ecology twenty-four-hour emergency/spill response hotline is (425) 649-7000 (northwest region) or (360) 407-6300 (southwest region).

WSR 06-14-005**NOTICE OF PUBLIC MEETINGS****SKAGIT VALLEY COLLEGE**

[Memorandum—June 20, 2006]

Revised Schedule of Meetings for 2006

Pursuant to RCW 42.30.075, please be advised the board of trustees for Community College District 4, Skagit Valley College, has cancelled the meeting scheduled for July 11, 2006.

Should you have questions regarding this memo, please contact Lisa Radeleff, at (360) 416-7995, lisa.radeleff@skagit.edu.

WSR 06-14-006**NOTICE OF PUBLIC MEETINGS****CENTRAL WASHINGTON UNIVERSITY**

[Memorandum—June 21, 2006]

Board of Trustees Meeting Dates for 2006-07

Regular meetings of the Central Washington University board of trustees will be held in Barge Hall, Room 412, on the Central Washington University Ellensburg campus, except where noted, at 1:00 p.m. on the following dates:

October 6, 2006

December 8, 2006

February 2, 2007

March 2, 2007 (*CWU-Wenatchee Center*)

May 4, 2007

June 8, 2007

August 2-3, 2007 (*Board Retreat*)**WSR 06-14-007****AGENDA****DEPARTMENT OF
RETIREMENT SYSTEMS**

[Filed June 22, 2006, 9:00 a.m.]

SEMI-ANNUAL
RULE DEVELOPMENT AGENDA
(RCW 34.05.314)

JULY 1, 2006 - DECEMBER 31, 2006

This agenda shows anticipated rule-making activity by the department of retirement systems (DRS) for July 1, 2006, through December 31, 2006. Rules may be added or deleted from the work schedule as a result of legislative action, court decisions, and employer, member, and agency requests.

If you have questions about this rule-making agenda or the DRS rule-making process, please contact Leslie L. Saege, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Tumwater, WA 98504-8380, phone (360) 664-7291, TTY (360) 586-5450, LeslieS@drs.wa.gov.

Subject	Description	Anticipated Rule-Making Actions by December 31, 2006
Chapter 415-02 WAC	Amend various sections to incorporate provisions for the public safety employee retirement system and update.	CR-102, Hearing
Chapter 415-08 WAC, Appeals	Revise rules governing the department's appeal process.	Public Hearing, Adoption
Chapter 415-110 WAC, School employees' retirement system (SERS)	Amend the SERS chapter in response to comments received during the department's four-year regulatory review.	CR-102, Public Hearing
Chapter 415-112 WAC, Teachers' retirement system (TRS)	TRS chapter. Most of the TRS rules were amended during the January - June 2005 agenda period. This phase addresses rules that require extensive revisions and new rules needed to implement statute.	Public Hearing, Adoption
Chapter 415-113 WAC, Portability of public employment benefits	Amend and expand upon rules for people who are members of more than one retirement system.	CR-102, Public Hearing
Disability benefits	<ol style="list-style-type: none"> 1. A new rule to implement HB 2932 pertaining to LEOFF¹ Plan 2 catastrophic disability benefits. 2. An amended rule pertaining to LEOFF 2 duty disability benefits. 3. A new rule for PERS² Plan 1 duty and nonduty disability benefits. 	CR-102, Public Hearing, Adoption
Public safety employees' retirement system (PSERS)	New chapter to implement PSERS, a new retirement system created by 2004 legislation.	CR-102, Public Hearing
Other	Implement legislation enacted during the 2006 legislative session.	CR-101s, Possible CR-102s

¹ Law enforcement officers and fire fighters' retirement system.

² Public employees' retirement system.

Leslie Saeger
Rules Coordinator

WSR 06-14-008
ATTORNEY GENERAL'S OFFICE
[Filed June 22, 2006, 1:15 p.m.]

June 20, 2006

K. Kyle Thiessen
Code Reviser
PO Box 40551
Olympia, WA 98504-0551

Re: Request for Consent to Decodify Title 289 of the Washington Administrative Code

Dear Mr. Thiessen:

This is in response to your letter of April 27, 2006, expressing your conclusion that Title 289 of the Washington Administrative Code, relating to standards for the operation of county and city correctional facilities, should be decodified, and requesting the consent of the Attorney General to take that action. As your letter explains, RCW 34.05.210(6) provides in part:

With the consent of the attorney general, the code reviser may remove obsolete rules or parts of rules from the Washington Administrative Code when:

...

(b) The adopting agency ceases to exist and the rules are not transferred to a successor agency.

Our review of the history of Title 289 WAC and related statutes confirms your understanding that rules relating to local jail standards initially were promulgated under the authority of the Jail Commission. Laws of 1977, 1st Ex. Sess., ch. 316, § 5. The duties of that agency with respect to such rules subsequently were transferred to the Corrections Standards Board. Laws of 1986, ch. 118, § 2. The Corrections Standards Board, in turn, ceased to exist on January 1, 1988. Laws of 1987, ch. 462, § 21. We have located no provision transferring responsibility for the rules in Title 289 WAC to a successor agency. Rather, since 1988, RCW 70.48.071 has required counties and cities to adopt standards for their own correctional facilities. Laws of 1987, ch. 462, §§ 17, 24.

For these reasons, the Attorney General concludes that the requirements of RCW 34.05.210(6) are satisfied, and thus, consents to decodification of Title 289 of the Washington Administrative Code.

Thank you for your consideration.
Sincerely,

Maureen A. Hart
Solicitor General

WSR 06-14-009
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed June 22, 2006, 1:33 p.m.]

During the 2006 legislative session, E2SSB 3098 transferred a number of responsibilities from the state board of education to the office of the superintendent of public instruction. Please recodify the following sections and chapter as follows:

- Chapter 180-22 WAC, Educational service districts, recodified as chapter 392-107 WAC.
- Chapter 180-39 WAC, Pupils uniform entry qualifications, recodified as chapter 392-335 WAC.
- Chapter 180-40 WAC, Pupils, recodified as chapter 392-400 WAC.
- Chapter 180-46 WAC, Library media centers, recodified as chapter 392-204 WAC.
- Chapter 180-50 WAC, Courses of study and equivalencies, recodified as chapter 392-410 WAC.

The following sections in chapter 180-51 WAC are recodified as follows:

- WAC 180-51-085 Physical education requirement—Excuse, recodified as WAC 392-410-136.
- WAC 180-51-100 Temporary exemption from course and credit requirement, recodified as WAC 392-410-117.
- WAC 180-51-105 Exceptions to graduation requirements for former education center students, recodified as WAC 392-410-330.
- WAC 180-51-110 Equivalency credit for alternative learning experiences, nonhigh school courses, electronically mediated courses, work experience, and challenges, recodified as WAC 392-410-340.
- WAC 180-51-120 Washington National Guard youth challenge program—Course content—Credits, recodified as WAC 392-410-327.

The following sections in chapter 180-52 WAC are recodified as follows with the chapter renamed **Pupil testing and recordkeeping—Requirements—Parent rights**:

- WAC 180-52-015 Pupil tests and records—Authority, recodified as WAC 392-500-015.
- WAC 180-52-020 Pupil tests and records—Tests—School district policy in writing, recodified as WAC 392-500-020.
- WAC 180-52-025 Pupil tests and records—Pupil personnel records—School district policy in writing, recodified as WAC 392-500-025.
- WAC 180-52-030 Pupil tests and records—Certain tests, questionnaires, etc.—Limitations, recodified as WAC 392-500-030.
- WAC 180-52-035 Pupil tests and records—Diagnostic personality tests—Parental permission required, recodified as WAC 392-500-035.

The following sections in chapter 180-95 WAC are recodified as follows:

- WAC 180-95-005 Purpose, recodified as WAC 392-185-305.

- WAC 180-95-010 Definitions, recodified as WAC 392-185-310.
- WAC 180-95-020 Criteria for certification of education centers, recodified as WAC 392-185-320.
- WAC 180-95-030 Application procedures for certification as an education center, recodified as WAC 392-185-330.
- WAC 180-95-040 Length of certification, recodified as WAC 392-185-340.
- WAC 180-95-050 Withdrawal of certification as an education center, recodified as WAC 392-185-350.
- WAC 180-95-060 Fee revision—Appeal procedure, recodified as WAC 392-185-360.
- WAC 180-95-070 Additional rules, recodified as WAC 392-185-370.

If you have any questions please contact Leslie Goldstein at (360) 725-6022.

WSR 06-14-011
NOTICE OF PUBLIC MEETINGS
PENINSULA COLLEGE

[Memorandum—June 15, 2006]

Board of Trustees Calendar
Open Public Meetings 2006-2007

The board of trustees of Peninsula College has approved their annual calendar for academic year 2006-2007. Meeting dates and times are:

October 10, 2006	2:00 p.m.	Peninsula College Campus	Port Angeles
November 14, 2006	2:00 p.m.	Peninsula College Campus	Port Angeles
December 12, 2006	2:00 p.m.	Peninsula College Campus	Port Angeles
January 2007		No Meeting	
February 13, 2007	2:00 p.m.	Peninsula College Campus	Port Angeles
March 13, 2007	2:00 p.m.	Peninsula College Campus	Port Angeles
April 10, 2007	2:00 p.m.	Forks Campus	Forks
May 8, 2007	2:00 p.m.	Port Townsend Campus	Port Townsend
June 13, 2007	2:00 p.m.	Peninsula College Campus	Port Angeles
July/August/September 2007		No Meeting	

WSR 06-14-019
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE

[Memorandum—June 26, 2006]

The board of trustees of Bellingham Technical College will meet in a special session to discuss the presidential search process on Tuesday, June 27, 2006, 9:30 a.m. to 11 a.m., in the College Services Building Board Room on the

Bellingham Technical College campus. Call 752-8334 for information.

WSR 06-14-020
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY

[Memorandum—June 21, 2006]

The board of trustees of Eastern Washington University will hold meetings at the Cheney campus on Thursday and Friday, June 22 and 23, 2006. At 11:30 a.m. on Friday, June 23, the board will convene an executive session according to RCW 42.30.110 and/or 42.30.140. Immediately following executive session on Friday, June 23, the board will convene in open session to discuss and take action on agenda items as outlined in the attached agenda.

Meeting Schedule
Cheney Campus
June 2006

Thursday, June 22, 2006

4:00 - 6:00 p.m.	Advancement Committee Meeting	PUB 261
------------------	----------------------------------	---------

Friday, June 23, 2006

7:30 - 9:30 a.m.	Academic Affairs Committee Meeting	PUB 206
9:30 - 11:30 a.m.	Business and Finance Committee	PUB 261
11:30 a.m. - 12:45 p.m.	Board Executive Committee	TAW 215 A
12:45 - 3:30 p.m.	Board of Trustees Open Meeting	TAW 215 B & C

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling the president's office, (509) 359-6598.

WSR 06-14-034
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed June 28, 2006, 9:25 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: HRSA Numbered Memorandums.

Subject: 06-30, 06-31, and 06-33.

Effective Date: 06-30 on July 1, 2006; 06-31 on May 26, 2006; and 06-33 on June 30, 2006.

Document Description: Numbered Memorandum 06-30, New Policies for Rural Health Clinics (RHC) Delivery Enhancement Payments for Managed Care Clients; Numbered Memorandum 06-31, Prescription Drug Program: Val-

idation of Prescriber Identification Numbers; and Numbered Memorandum 06-33, Disease Management Program Discontinued - June 30, 2006.

To receive a copy of the interpretive or policy statement, contact Amelia Holl, Office of Rules and Publications, Department of Social and Health Services, Health and Recovery Services Administration, Division of Policy and Analysis, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1349 or go to web site <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memos," "Year 2005 [2006]"), TDD (800) 848-5429, fax (360) 586-9727, e-mail hollag@dshs.wa.gov.

June 23, 2005 [2006]

Amelia Holl

for Ann Myers, Manager
 Rules and Publications Section

WSR 06-14-035
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed June 28, 2006, 9:26 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: PCM 06-008.

Subject: Notice of insurance, DSHS 09-730, on foster care cases.

Effective Date: June 16, 2006.

Document Description: This notice explains to the division of child support (DCS) staff that the division has developed a way to notify foster parents when a child has insurance coverage. Because our foster care cases do not have a custodial parent basic individual record, the support enforcement management system (SEMS) cannot generate the notice of insurance coverage, DSHS 09-730. SEMS has created a new DSHS 09-730 packet for foster care cases.

To receive a copy of the interpretive or policy statement, contact Fran Ferry, Division of Child Support, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5322, TDD (360) 753-9122, fax (360) 586-3274, e-mail FFerry@dshs.wa.gov.

June 20, 2006

Fran Ferry

WSR 06-14-036
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed June 28, 2006, 9:26 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Public Notice.

Subject: State children's health insurance program state plan amendment 8.

Effective Date: Not applicable.

Document Description: The department of social and health services (DSHS) is amending the state children's health insurance program (SCHIP) state plan through SCHIP state plan amendment 8 to clarify children are required, as a condition of eligibility, to furnish a Social Security number. This is not a new requirement; the department is publishing this notice as a reminder and clarification.

To receive a copy of the interpretive or policy statement, contact Kathy Johansen, Department of Social and Health Services, Health and Recovery Services Administration, Division of Customer Support, P.O. Box 45536, Olympia, WA 98504, phone (360) 725-1321, TDD 800-848-5429, fax (360) 664-0910, e-mail JOHANKJ@dshs.wa.gov.

June 27, 2006
Amelia Holl
for Ann Myers

WSR 06-14-053

AGENDA

PUBLIC DISCLOSURE COMMISSION

[Filed June 28, 2006, 2:05 p.m.]

Agenda for Rules Under Development, June - January 2006

Agency Contact: Doug Ellis, Assistant Director, P.O. Box 40908, Olympia, WA 98504-0908, phone (360) 664-2735, toll free 1-877-601-2828, fax (360) 753-1112, e-mail dellis@pdc.wa.gov.

At present, the public disclosure commission has approximately three rules under development:

1. Topic: Limited liability partnerships.

Status: On May 4, 2006, the commission filed the pre-proposal statement with the code reviser giving notice that it is considering a new rule to update provisions of F-1 reporting relating to limited liability partnerships (LLP's), limited liability companies (LLC's), and/or similar entities. A public hearing and possible adoption of the rule may occur on August 24, 2006. If adopted, the new rule will likely go into effect in October of 2006.

Statutory Authority: RCW 42.17.370(1) and 42.17.241 (1)(n).

Statute Being Implemented: RCW 42.17.241.

WAC Cite: New WAC 390-24-201.

2. Topic: Out-of-state political committees.

Status: On May 4, 2006, the commission filed the pre-proposal statement with the code reviser giving notice that it is considering a possible amendment to WAC 390-16-050 to conform to legislative changes (chapter 348, Laws of 2006).

A public hearing and possible adoption of an amended rule may occur on August 24, 2006. If adopted, the amended rule will likely go into effect in October of 2006.

Statutory Authority: RCW 42.17.370(1) and chapter 348, Laws of 2006.

Statute Being Implemented: RCW 42.17.093.

WAC Cite: WAC 390-16-050 Forms for contributions and expenditures of out-of-state political committees.

3. Topic: Defining place of business.

Status: On May 4, 2006, the commission filed the pre-proposal statement with the code reviser giving notice that it is considering a possible new rule defining place of business for the purposes of RCW 42.17.093. The possible amendment would define "a place of business in the state of Washington" for the purposes of the \$25 threshold at RCW 42.17.093 (1)(f) to be corporations that are headquartered, or have a primary place of business in Washington. A public hearing and possible adoption of an amended rule may occur on August 24, 2006. If adopted, the amended rule will likely go into effect in October of 2006.

Statutory Authority: RCW 42.17.370(1) and chapter 348, Laws of 2006.

Statute Being Implemented: RCW 42.17.093.

WAC Cite: WAC 390-05-522 Place of business—Definition.

A complete listing of rule-making activity from 1999 to present can be found on the public disclosure commission web site at www.pdc.wa.gov under rule-making activity.

June 28, 2006

Douglas J. Ellis
Assistant Director

WSR 06-14-067

DEPARTMENT OF EARLY LEARNING

[Filed June 30, 2006, 11:40 a.m.]

I am writing to request that the code reviser's office decodify the department of social and health services (DSHS) and community, trade and economic development (CTED) rules listed below and recodify them as department of early learning (DEL) rules under the chapters/sections listed in Title 170 WAC, as listed below. The affected WAC chapters or sections are the following:

<u>Decodify Current DSHS Chapter/Section</u>	<u>Recodify as DEL Chapter/Section</u>
388-151	170-26
388-155-080	170-24-0315
388-292	170-15
388-295	170-22
388-296	170-24

<u>Decodify Current CTED Chapter</u>	<u>Recodify as DEL Chapter</u>
365-40	170-12

DEL intends for the recodification to be effective immediately.

Joyce Turner
Acting Director

WSR 06-14-068
AGENDA
OFFICE OF THE
CODE REVISER

[Filed June 30, 2006, 1:14 p.m.]

Semi-Annual Rule-Making Agenda
July 1, 2006 through December 31, 2006

Following is the office of the code reviser's semiannual rule-making agenda for publication in the Washington state register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

If you have questions about this rule-making agenda, please contact Kerry S. Radcliff, Rules Coordinator, P.O. Box 40551, Olympia, WA 98504-0551, phone (360) 786-6697, fax (360) 786-1529, e-mail Radcliff.Kerry@leg.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
Chapter 1-21 WAC	Establish a process that will allow state agencies to submit electronically rule-making documents and clarify current language.	WSR 06-01-003 filed December 7, 2005	Expected to file CR-102 by October 18, 2006, with a hearing in November 2006	Expected to file CR-103 by December 1, 2006, with an effective date of January 1, 2007
WAC 1-06-090	Clarifying copying fees and policies associated with public records.	WSR 06-10-023 filed April 25, 2006	WSR 06-13-090, hearing on July 28, 2006	Expected to file CR-103 on August 4, 2006, with an effective date of September 4, 2006
Chapters 1-06 and 1-21 WAC	Correct internal references and make the language more consistent and clearer to understand.	N/A	Expedited Rule WSR 06-10-047, comments through July 3, 2006	Expected to file CR-103 after July 5, 2006, with an effective day thirty-one days later

Kerry S. Radcliff
 Rules Coordinator

WSR 06-14-071
RULES COORDINATOR
HEALTH CARE AUTHORITY

[Filed June 30, 2006, 4:29 p.m.]

As of July 1, 2006, and until further notice, Beth Dupre is designated as rules coordinator for the health care authority. Cyndi Presnell is designated as the assistant rules coordinator.

Ms. Dupre and Ms. Presnell's contact information is as follows: Beth Dupre, P.O. Box 42700, Olympia, WA 98504-2700, phone (360) 412-4307, fax (360) 923-2606, e-mail beth.dupre@hca.wa.gov; and Cyndi Presnell, P.O. Box 42702, Olympia, WA 98504-2702, phone (360) 923-2802, fax (360) 923-2614, e-mail cyndi.presnell@hca.wa.gov.

Steve Hill
 Administrator

WSR 06-14-072
NOTICE OF PUBLIC MEETINGS
WASHINGTON COUNCIL FOR
PREVENTION OF CHILD ABUSE AND NEGLECT

[Memorandum—June 27, 2006]

The next council meeting of the Washington council for prevention of child abuse and neglect will be August 11, 2006, from 9:30 a.m. to 3 p.m. at Costco Headquarters, Building 3, 845 Lake Drive, Issaquah, WA 98027.

WSR 06-14-096
AGENDA
DEPARTMENT OF HEALTH
STATE BOARD OF HEALTH

[Filed July 5, 2006, 11:27 a.m.]

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 06-15 issue of the Register.