

WSR 08-01-075**EXPEDITED RULES****OFFICE OF****INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2007-16—Filed December 17, 2007, 7:25 a.m.]

Title of Rule and Other Identifying Information: Amendment of WAC 284-17-220 and 284-17-222, these amendments will eliminate the continuing education requirement for agents and solicitors licensed to sell "vehicle insurance" only by repealing the second paragraph of WAC 284-17-220 and add "vehicle insurance" to the list of exemptions to the continuing education requirements in WAC 284-17-222.

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 Kacy Scott, Insurance Commissioner, P.O. Box 40258-0258, Olympia, WA 98504-0258, e-mail kacys@oic.wa.gov, AND RECEIVED BY February 20, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Eliminates the continuing education requirement for agents and solicitors licensed to "sell vehicle insurance" by amending WAC 284-17-220 to delete the second paragraph and add "vehicle insurance" to the list of exemptions to the continuing education requirements in WAC 284-17-222.

Reasons Supporting Proposal: On July 1, 2009, chapter 117, Laws of 2007 (codified at chapter 48.17 RCW) the "vehicle insurance" line of authority for producers will no longer be permitted as a producer license category. Since the OIC computer system is in the midst of being replaced (and changes must be made prior to that date) and because only a few licensees have been issued this type of license, the continuing education requirement for holders of "vehicle insurance" will no longer be required effective January 1, 2008.

Statutory Authority for Adoption: RCW 48.02.060, 48.17.150.

Statute Being Implemented: RCW 48.17.150.

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

Name of Proponent: Mike Kreidler, Insurance Commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Georgia Cooper, P.O. Box 40255 [40258], Olympia, WA 98504-0258, (360) 725-7064; Implementation: John Hamje, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-

7262; and Enforcement: Carol Sureau, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7050.

December 17, 2007

Mike Kreidler

Insurance Commissioner

AMENDATORY SECTION (Amending Matter No. R 2006-07, filed 11/16/06, effective 12/17/06)

WAC 284-17-220 Who is required to meet continuing education (CE) requirements? All individual resident agents, brokers and solicitors licensed to sell life, disability, property and casualty lines of insurance must meet the continuing education requirement.

~~((Individual agents and solicitors licensed to sell vehicle insurance must meet the continuing education requirement beginning with January 1, 2008, renewals.))~~

AMENDATORY SECTION (Amending Matter No. R 2004-04, filed 3/17/05, effective 4/17/05)

WAC 284-17-222 Who is exempt from the continuing education requirements? All individual resident agents licensed under chapter 48.17 RCW to sell credit life and disability, credit casualty, travel, ~~((and))~~ surety lines of insurance, and vehicle insurance are exempt from the continuing education requirement. Resident adjusters are exempt from the continuing education requirement.

WSR 08-01-099**EXPEDITED RULES****COMMISSION ON****HISPANIC AFFAIRS**

[Filed December 18, 2007, 10:12 a.m.]

Title of Rule and Other Identifying Information: WAC 322-12-010, 322-12-020, 322-12-030, 322-12-040, 322-12-060, 322-12-070, 322-12-090, 322-12-110, 322-12-150, and 322-12-160, amending commission name, physical location, meeting dates, and references to chapter 1, Laws of 1973 in the above WAC sections.

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 Alicia Luna, Commission on Hispanic Affairs Washington State, 210 11th Avenue S.W., Suite 301A, Olympia, WA 98504-0924, AND RECEIVED BY February 19, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this proposal is to update its rules relating to commission

name, physical location, meeting dates, and update the references to chapter 1, Laws of 1973 to chapter 42.56 RCW (legislature recodified the public record law as chapter 42.56 RCW).

We don't anticipate any effects.

Statutory Authority for Adoption: RCW 43.115.040.

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

Name of Proponent: Commission on hispanic affairs Washington state, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Alicia Luna, 210 11th Avenue S.W., Suite 301A, Olympia, WA, (360) 725-5661.

December 18, 2007

Alicia Luna

Executive Assistant

AMENDATORY SECTION (Amending Order 4, filed 2/2/87)

WAC 322-12-010 Establishing regular meetings. Pursuant to section 7, chapter 250, Laws of 1971 ex. sess., and RCW 42.30.070, regular meetings of the commission on ~~((Mexican-American))~~ Hispanic affairs shall be ~~((held on the second Saturday of every other month, beginning at 10:00 a.m.))~~ six public meetings, provided there are sufficient funds in the commission's budget. Such meetings shall be held at a place designated by the chairman of the commission.

AMENDATORY SECTION (Amending Order 1, filed 12/9/74)

WAC 322-12-020 Purpose. The purpose of this chapter shall be to ensure compliance by the commission on ~~((Mexican-American))~~ Hispanic affairs with the provisions of chapter ~~((1, Laws of 1973 (Initiative 276, Disclosure Campaign finances Lobbying Records); and in particular, with sections 25 through 32 of that act, dealing with public records))~~ 42.56 RCW.

AMENDATORY SECTION (Amending Order 1, filed 12/9/74)

WAC 322-12-030 Definitions. (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

(3) The commission on ~~((Mexican-American))~~ Hispanic affairs is an eleven member commission appointed by the governor with the consent of the senate. The commission on ~~((Mexican-American))~~ Hispanic affairs shall hereinafter be

referred to as the commission. When appropriate, the term commission also refers to the staff and employees of the commission.

AMENDATORY SECTION (Amending Order 1, filed 12/9/74)

WAC 322-12-040 Description of central and field organization of the commission. The administrative office of the commission and its staff ~~((are))~~ is located at: Commission on ~~((Mexican-American))~~ Hispanic Affairs, ~~((1522 South Cherry))~~ 210 11th Avenue S.W., Suite 301A, Olympia, Washington 98504-0924.

AMENDATORY SECTION (Amending Order 1, filed 12/9/74)

WAC 322-12-060 Public records available. All public records of the commission, as defined in WAC 322-12-030 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by ~~((section 31, chapter 1, Laws of 1973))~~ chapter 42.56 RCW and WAC 322-12-110.

AMENDATORY SECTION (Amending Order 1, filed 12/9/74)

WAC 322-12-070 Public records officer. The commission's public records shall be in the charge of the public records officer designated by the commission. The person so designated shall be located in the administrative office of the commission. The public records officer shall be responsible for the following: The implementation of the commission's rules and regulations regarding release of public records, coordinating the staff of the commission in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter ~~((1, Laws of 1973))~~ 42.56 RCW.

AMENDATORY SECTION (Amending Order 1, filed 12/9/74)

WAC 322-12-090 Requests for public records. In accordance with requirements of chapter ~~((1, Laws of 1973))~~ 42.56 RCW, that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the commission which shall be available at its administrative office. The form shall be presented to the public records officer or to any member of the commission's staff, if the public records officer is not available, at the administrative office of the commission during customary office hours. The request shall include the following information:

(a) The name of the person requesting the record;

(b) The time of day and calendar date on which the request was made;

(c) The nature of the request;

(d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested records as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the commission's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public records requested.

AMENDATORY SECTION (Amending Order 1, filed 12/9/74)

WAC 322-12-110 Exemptions. (1) The commission reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 322-12-090 is exempt under the provisions of ~~((section 31, chapter 1, Laws of 1973))~~ chapter 42.56 RCW.

(2) In addition, pursuant to ~~((section 26, chapter 1, Laws of 1973))~~ chapter 42.56 RCW, the commission reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter ~~((1, Laws of 1973))~~ 42.56 RCW. The public records office will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reasons for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

AMENDATORY SECTION (Amending Order 1, filed 12/9/74)

WAC 322-12-150 Communications. All communications with the commission including but not limited to the submission of materials pertaining to its operations and/or the administration enforcement of chapter ~~((1, Laws of 1973, and these rules))~~ 42.56 RCW; requests for copies of the commission's decisions and other matters, shall be addressed as follows: c/o Public Records Officer, Commission on ~~((Mexican-American))~~ Hispanic Affairs, ((1522 South Cherry)) 210 11th Avenue S.W., Suite 301A, Olympia, WA 98504-0924.

AMENDATORY SECTION (Amending Order 1, filed 12/9/74)

WAC 322-12-160 Adoption of form. The commission on ~~((Mexican-American))~~ Hispanic affairs hereby adopts for use by all persons requesting inspection and/or copies of records the form set out below, entitled "Request for public records."

We have received your request for copies of our public records. Please complete the form on the right and return it

with the amount required. We will forward the requested copies to you as soon as we receive this form.

Thank you.

Return to:

Commission on ~~((Mexican-American))~~ Hispanic Affairs
~~((1522 South Cherry))~~
210 11th Avenue S.W., Suite 301A
Olympia, WA 98504-0924

Commission on
~~((Mexican-American))~~ Hispanic Affairs

REQUEST FOR PUBLIC RECORDS

Date Time

Name

Address

.....

Description of Records (see index):

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I certify that the information obtained through this request for public records will not be used for commercial purposes.

.....

Signature

Number of copies

Number of pages

Per page charge

Total charge \$

WSR 08-01-129
EXPEDITED RULES
PARKS AND RECREATION
COMMISSION

[Filed December 19, 2007, 9:51 a.m.]

Title of Rule and Other Identifying Information: Chapter 352-80 WAC, No child left inside, rules to implement a new grant program authorized by RCW 79A.05.351.

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 Frank A. Galloway, Washington State Parks and Recreation Commission, P.O.

Box 42650, 7150 Cleanwater Drive S.W., Olympia, WA 98504-2650, AND RECEIVED BY February 19, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of the proposed rules is to provide the mechanism by which state parks will evaluate proposals, distribute funds and review for compliance grants and contracts issued from the education and recreation account held by the Washington state treasurer.

There are currently no rules in effect that will provide for the distribution of these funds.

Reasons Supporting Proposal: These rules have been composed and reviewed by an advisory committee composed of twenty three citizen volunteers with an interest and background in outdoor education and recreation, as well as agency staff.

Statutory Authority for Adoption: RCW 79A.05.030 and 79A.05.070.

Statute Being Implemented: RCW 79A.05.351.

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

Name of Proponent: Washington state parks and recreation commission, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Frank Galloway, 7150 Cleanwater Avenue S.W., Tumwater, WA, (360) 586-6602.

December 18, 2007

Jim French

Administrator of Statewide
Recreation Programs

Chapter 352-80 WAC

NO CHILD LEFT INSIDE

NEW SECTION

WAC 352-80-010 Purpose and authority. The purpose of the outdoor education and recreation grant program is to provide funds for outdoor environmental, ecological, agricultural, or other natural resource based education and recreation programs serving youth. The purpose of this chapter is to establish administrative procedures and set forth eligibility criteria and funding requirements by which the Washington state parks and recreation commission will award outdoor education and recreation grant funds and set conditions related to the use of grant funds. This grant program is governed by this chapter and by RCW 79A.05.351.

NEW SECTION

WAC 352-80-020 Definitions. (1) "Outdoor education and recreation" means an approach to education and recreation via connectivity and direct experiences in the outdoors; to teach, inspire wonder and creativity while learning from our natural resources and recreational experiences in conjunction with what students are taught in traditional classroom settings.

(2) "Commission" means the Washington state parks and recreation commission.

(3) "Director" means the director of the Washington state parks and recreation commission or the director's designee.

(4) "Education" means to improve students' overall academic performance, life skills, self-esteem, personal responsibility, community involvement, personal health and understanding of nature.

(5) "Recreation" means experiences that take place within natural outdoor environments which foster well-being through a sense of place and interdependence within the natural world.

(6) "State parks" means the operating arm of the Washington state parks and recreation commission, that is responsible for implementation of commission programs established pursuant to statute or policy.

NEW SECTION

WAC 352-80-030 Eligibility. Public agencies, private nonprofit organizations, formal school programs, informal after school programs, and community based programs within Washington state are eligible to apply for grants under this chapter. Programs that provide outdoor education opportunities to schools must be fully aligned with the state's essential academic learning requirements.

NEW SECTION

WAC 352-80-040 Eligible program activities. The director will select activities eligible for funding. Some of these might include, but are not limited to, the following types of activities:

- (1) Outdoor recreation;
- (2) Outdoor environmental studies;
- (3) Agricultural;
- (4) Natural resource based;
- (5) Conservation;
- (6) Ecological;
- (7) Stewardship or restoration.

NEW SECTION

WAC 352-80-050 Ineligible program activities. The following activities are ineligible:

- (1) Activities that may be perceived to lobby or advocate for political purposes.
- (2) Activities that are not in compliance with local, state and federal laws.
- (3) Organized youth sports such as a community league or school team.

NEW SECTION

WAC 352-80-060 Limitations on the availability and use of funds. (1) The director may establish limitations on the availability and use of program funds. Any limitations shall be defined in the current application package. The director shall establish such limitations only after considering the following:

- (a) Consistency with the legislative intent of RCW 79A.05.351;
- (b) Availability of funds.

(2) The director may determine that applicants be required to make a matching contribution to be eligible for funding.

(3) The director may limit the amount of funding available for any element(s) of a program.

NEW SECTION

WAC 352-80-070 Applying for funding. In order to be considered for receipt of a grant under this chapter, an eligible applicant must complete and submit an application form provided by state parks that follows the instructions provided in the form.

NEW SECTION

WAC 352-80-080 Evaluation criteria. The following criteria are used to evaluate applications:

(1) Proposals that provide for public/private partnerships;

(2) Proposals that provide for innovative ways to increase the availability and use of outdoor recreation facilities;

(3) Proposals which show consideration for the economics of installation or implementation to provide greatest cost benefit ratio, for example, where private parties contribute more than the minimum amount;

(4) Proposals which contribute to the statewide network of facilities or programs;

(5) Proposals which demonstrate their compatibility with the legislative intent of RCW 79A.05.351;

(6) Programs that contribute to the reduction of academic failure and drop out rates;

(7) Programs that make use of research-based, effective environmental, ecological, agricultural, or other natural resource-based educational curriculum;

(8) Proposals which encourage sound environmental practices through changing education or recreational behavior;

(9) Proposals which target geographic areas as defined in RCW 79A.05.351;

(10) Proposals which encourage community involvement;

(11) Proposals which demonstrate innovative approaches to education or information;

(12) Programs that will commit matching and in-kind resources;

(13) Proposals that contribute to healthy lifestyles through outdoor recreation and sound nutrition;

(14) Proposals that use state park and other natural resource venues and personnel as a resource;

(15) Proposals that maximize the number of participants that can be served;

(16) Proposals that provide an opportunity to experience the out-of-doors directly and understand nature and the natural world; and

(17) Proposals that include ongoing program evaluation, assessment and reporting of their effectiveness.

NEW SECTION

WAC 352-80-090 Program selection. (1) Completed applications will be reviewed by state parks staff to determine eligibility and will be evaluated in accordance with the purposes, eligibility requirements, limitations, and evaluation criteria in this chapter.

(2) Staff will consult with and consider the recommendations of the advisory committee and will present final recommendations to the director.

(3) The director will make the final decision on funding a project.

NEW SECTION

WAC 352-80-100 Use of funds. The following conditions apply to the use of the funds:

(1) Project contract. For every funded project, a contract must be executed on behalf of the commission and by the funding recipient. Generally, the funding recipient will not be reimbursed for costs incurred prior to the execution of the contract by both parties at the sole discretion of state parks.

(2) Technical standards. The funding recipient for grants under this chapter shall ensure that all programs are in accordance with the technical standards provided by state parks.

(3) Reporting requirements. The funding recipient shall submit the reports required by state parks as directed in the funding contract.

(4) Compliance with state and federal laws, regulations, and policies. In accepting project funding, the funding recipient agrees to and certifies compliance with all applicable federal and state laws, regulations and policies.

(5) Accountability. Funding recipients will maintain accurate accounting records on the expenditure of project funds, provide state parks with these records consistent with the agreement or upon request, and will permit state parks to audit the use of funds in accordance with generally accepted audit practices and standards. State parks reserves the right to terminate its participation in any project which fails to perform according to the requirements of this chapter.

(6) Program evaluation should include participants, family members and teachers who can comment on academic grades or increased interest of the participant to remain in or return to school.

(7) Fees charged. Fees for program services may be assessed for program participants with the approval of state parks.