

WSR 10-19-002
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed September 1, 2010, 2:42 p.m.]

Subject of Possible Rule Making: Administrative hearings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To specify by agency rule the procedure for requesting reconsideration of an initial order issued by an administrative law judge (ALJ) to the ALJ regarding clarification, technical changes and patent errors, without the need for a motion for review to the commission.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] October 14 or 15, 2010, at the Red Lion Hotel at the Park, 303 West North River Drive, Spokane, WA 99201, (509) 326-8000; and on November 18 or 19, 2010, at the Lacey Community Center, 6729 Pacific Avenue S.E., Lacey, WA 98503, (360) 491-0857.

September 1, 2010
 Susan Arland
 Rules Coordinator

WSR 10-19-004
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed September 1, 2010, 4:36 p.m.]

The Washington horse racing commission would like to withdraw from publication our preproposal statement of inquiry (CR-101), WSR 09-19-066, filed on September 14, 2009.

Contact Douglas L. Moore if you have any questions.

Douglas L. Moore
 Deputy Secretary

WSR 10-19-005
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed September 2, 2010, 10:39 a.m.]

Subject of Possible Rule Making: Administrative hearings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To specify by agency rule the procedure for requesting a motion for clarification of an initial order issued by an administrative law judge (ALJ) to the ALJ regarding clarification, technical changes and patent errors, without the need for a motion for review to the commission.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] October 14 or 15, 2010, at the Red Lion Hotel at the Park, 303 West North River Drive, Spokane, WA 99201, (509) 326-8000; and on November 18 or 19, 2010, at the Lacey Community Center, 6729 Pacific Avenue S.E., Lacey, WA 98503, (360) 491-0857.

September 2, 2010
 Susan Arland
 Rules Coordinator

WSR 10-19-015
PREPROPOSAL STATEMENT OF INQUIRY
YAKIMA VALLEY
COMMUNITY COLLEGE

[Filed September 7, 2010, 9:23 a.m.]

Subject of Possible Rule Making: Changes to parking and traffic regulations on the college's campuses, chapter 132P-116 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Parking and traffic rules were last updated in 1997. Parking conditions on the college's campuses have changed in the intervening years and the rules need to be updated to reflect current practice.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The other agencies that regulate this subject are Washington state department of licensing (disabled parking privileges) and city of Yakima (traffic code).

The college reviews these regulations to ensure the college's parking and traffic rules are in compliance.

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 Michael Lane, Campus Security Sergeant, Yakima Valley Community College, P.O. Box 22520, Yakima, WA 98908, (509) 574-4610, mlane@yvcc.edu, fax (509) 574-6820. A public meeting will be advertised and

held. In addition, written comments will be accepted for an advertised period.

September 7, 2010
Suzanne M. West
Rules Coordinator
Assistant to the President

WSR 10-19-027
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed September 9, 2010, 12:16 p.m.]

Subject of Possible Rule Making: School districts' responsibility to disseminate antibullying policy and procedure to families, students, employees, and volunteers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.300.285.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A revision to RCW 28A.300.285 in the 2010 session requires the office of superintendent of public instruction (OSPI) to adopt rules regarding school districts' communication of the antibullying policy and procedure to families, students, employees, and volunteers.

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

Process for Developing New Rule: A 2010 revision to RCW 28A.300.285 requires OSPI to write rules regarding the dissemination of antiharassment policy and procedure.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeff Soder, PhD, Supervisor, Office of Superintendent of Public Instruction, Jeff.soder@k12.wa.us, (360) 725-6044.

September 9, 2010
Randy Dorn
Superintendent of
Public Instruction

WSR 10-19-035
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed September 9, 2010, 4:16 p.m.]

Subject of Possible Rule Making: Chapter 246-926 WAC, amending and adding new sections for licensure requirements for cardiovascular invasive specialists.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.84 RCW as amended by SHB 2430 (chapter 92, Laws of 2010).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SHB 2430 created an additional category of radiologic technologists known as cardiovascular invasive specialists. The law requires the depart-

ment to create rules for the profession, which are needed to establish minimum education, examination, and licensure requirements for cardiovascular invasive specialists, as well as establish fees. Existing rules may also be updated to reflect this new profession.

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. Interested persons can participate in the rule process through meetings and by submitting written comments, and are encouraged to join the listserv at <http://listserv.wa.gov/>. Please address questions and/or comments to Susan Gragg, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4941, fax (360) 236-2406, e-mail susan.gragg@doh.wa.gov.

September 9, 2010
Mary C. Selecky
Secretary

WSR 10-19-061
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed September 14, 2010, 3:29 p.m.]

Subject of Possible Rule Making: WAC 308-104-014 Application for driver's license or identicard—Updating application requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110, 46.20.091.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To reduce opportunities for fraud, the department is proposing to amend WAC 308-104-014 to broaden application requirements to apply to all license, instruction permit, and identification card applications, rather than just original applications, and to require that an applicant provide a Washington state residence address with the application.

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 Clark J. Holloway, Department of Licensing, P.O. Box 9020, Olympia, WA 98507-9020, (360) 902-3846, cholloway@dol.wa.gov.

September 14, 2010
Walt Fahrner
Rules Coordinator

WSR 10-19-067**PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT**

[Filed September 15, 2010, 12:21 p.m.]

Subject of Possible Rule Making: New rules to implement ESSB 5902 Section 3 of the Accessible Communities Act, enacted as chapter 215, Laws of 2010, on the use of funds available from the accessible communities account.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Section 3, chapter 215, Laws of 2010, "(2) The commissioner shall adopt rules to administer this section."

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESSB 5902 was enacted in 2010 establishing the accessible communities account and rules are needed to establish the criteria and procedures applicable to the following: Submission and review of assurances by counties establishing accessible community advisory committees; reimbursement of travel and per diem expenses incurred by accessible community advisory committee members; solicitation, selection, oversight and evaluation of grants for locally initiated projects to improve awareness, inclusion and access for people who have disabilities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The employment security department will communicate and coordinate with the agency council on coordinated transportation, the developmental disabilities council, and the emergency management division, all of which have an interest in the rules governing the Accessible Communities Act.

Process for Developing New Rule: Early public comments and recommendations will be solicited. Draft rules will be circulated among stakeholders to solicit comments and recommendations prior to publication of the rule for the rule-making hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Toby Olson, Executive Secretary, Governor's Committee on Disability Issues and Employment, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, phone (360) 485-5890, or e-mail tolson2@esd.wa.gov. Please include your name, organization (if any), mailing address, e-mail address, and phone number.

September 14, 2010

Paul Trause

Deputy Commissioner

WSR 10-19-082**WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Filed September 17, 2010, 10:57 a.m.]

The department of ecology withdraws the following CR-101 preproposal statement of inquiry: Chapter 173-400 WAC, General regulation for air pollution sources and chapter 173-406 WAC, Acid rain regulation/electric generating unit rule, WSR 07-07-128, filed on March 21, 2007.

The department of ecology does not currently plan to file another CR-101 that references requirements for mercury emissions from coal-fired power plants into chapter 173-406 WAC, WAC 173-400-112 and 173-400-113.

However, the department of ecology is still developing changes to chapter 173-400 WAC, General regulation for air pollution sources for WSR 10-15-077 filed on July 19, 2010. This rule making has three focal points:

- Development of nonattainment area new source review (NSR) rules.
- Correcting state implementation plan deficiencies.
- General housekeeping issues.

You can find more information regarding the ongoing rule making at <http://www.ecy.wa.gov/laws-rules/wac/173400/0901.html>.

Stuart A. Clark

Air Quality Program Manager

WSR 10-19-101**WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS**

[Filed September 20, 2010, 11:06 a.m.]

Pursuant to RCW 34.05.335 and WAC 1-21-060, the department of retirement systems requests to withdraw its preproposal statement of inquiry (CR-101) filed on February 23, 2010, as WSR 10-06-031.

Ken Goolsby

Rules and

Contracts Coordinator

WSR 10-19-103**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed September 20, 2010, 11:13 a.m.]

Subject of Possible Rule Making: The department is considering creating a new chapter called "intermediate care facilities for persons with mental retardation (ICF/MR) reporting, investigation and findings" under Title 388 WAC, Department of social and health services. The subject of the rule making will be due process rights for individuals working in ICF/MR state residential habilitation centers alleged to have abused, neglected, financially exploited, and/or abandoned a resident.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 74.34 RCW, RCW 74.34.068, 74.08.090, and 71A.12.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Vulnerable adult abuse reporting requirements and due process rights are codified in

chapters 388-78A and 388-97 WAC, and chapter 74.34 RCW for individuals working in ICF/MR that are licensed boarding homes or nursing homes.

All staff working in ICF/MR, including state residential habilitation centers (RHCs) are subject to the requirements in chapter 74.34 RCW.

These rules will formalize the due process rights and abuse reporting requirements for individuals working in state RHCs that are also ICF/MR.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) and the Washington state patrol (WSP). CMS and WSP will have the opportunity to review and comment on these WACs before they are finalized.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to 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 Lisa N.H. Yanagida, Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2589, fax (360) 438-7903, e-mail yanagln2@dshs.wa.gov. Draft WAC chapter language will be posted on the ADSA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail, or fax. Interested parties and stakeholders can participate by accessing and commenting on the draft proposed rule language at <http://www.adsa.dshs.wa.gov/professional/icfmr.htm> through e-mail, fax or direct contact with the program manager.

September 10, 2010
Katherine I. Vasquez
Rules Coordinator

WSR 10-19-105

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed September 21, 2010, 7:40 a.m.]

Subject of Possible Rule Making: Amusement games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0331, 9.46.0201.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Dave and Busters, a restaurant/amusement business, requesting that wager and prize limits be increased for amusement games.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by

attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] October 14 or 15, 2010, at the Red Lion Hotel at the Park, 303 West North River Drive, Spokane, WA 99201, (509) 326-8000; and on November 18 or 19, 2010, at the Lacey Community Center, 6729 Pacific Avenue S.E., Lacey, WA 98503, (360) 491-0857.

September 21, 2010
Susan Arland
Rules Coordinator

WSR 10-19-108

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF TRANSPORTATION

[Filed September 21, 2010, 10:58 a.m.]

Subject of Possible Rule Making: WAC 468-34-320 Conversion to underground or relocation of overhead lines—Responsibility.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.24.020, 47.52.210, 36.75.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The need to remove language in the WAC that is in direct conflict with the Washington State Constitution (18th amendment) that currently allows for the expenditure of motor vehicle funds (MVF) for nonhighway purposes, specifically visual quality. To eliminate the possibility of misuse of MVF or the interpretation that the department of transportation [transportation] has the authority to spend MVF in this manner.

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 Rhonda Wiest, P.O. Box 47329, Olympia, WA 98504-7329, (360) 705-7318.

September 21, 2010
Stephen T. Reinmuth
Chief of Staff

WSR 10-19-110

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed September 21, 2010, 11:21 a.m.]

Subject of Possible Rule Making: Recreational fishing closure of Elwha River and tributaries downstream of Olym-

pic National Park, including Lake Sutherland, Clallam County.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.020, 77.12.045, 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department seeks to close portions of the Elwha River and its tributaries to angling for all fish species as early as November 1, 2011. The closure is in conjunction with the removal of dams on the Elwha River beginning in 2011. The protection of fish stocks is needed during the time when sediment accumulations from behind the dams are washed downstream.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The National Park Service—Olympic National Park and the Lower Elwha Klallam Tribe will implement closures of Elwha River fisheries under their jurisdiction. Coordination is occurring through meetings and discussions of an Elwha Fisheries Technical Committee.

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 Lori Preuss, WDFW Enforcement, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155, e-mail Lori.Preuss@dfw.wa.gov. Contact by November 10, 2010. Expected proposal filing will be on or after November 17, 2010.

September 21, 2010

Lori Preuss

Rules Coordinator

WSR 10-19-112

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LABOR AND INDUSTRIES

[Filed September 21, 2010, 1:22 p.m.]

Subject of Possible Rule Making: Chapter 296-46B WAC, Electrical safety standards, administration, and installation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 19.28 RCW, Electricians and electrical installations.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department plans to review the electrical rules for technical and administrative additions or revisions. The electrical rules are reviewed on a regular basis to ensure the rules are consistent with the national consensus standards and industry practice, to clarify the rules, and for possible housekeeping changes.

The rule making will:

- Adopt the 2011 National Electrical Code and other recently upgraded codes;
- Make technical code changes to align Washington electrical installation requirements with the National Electrical Code;

- Amend administrative language for electrical trainee classroom experience to incorporate 2010 legislation;
- Incorporate technical and administrative proposals from internal and external stakeholders; and
- Make technical reference corrections.

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

Process for Developing New Rule: Parties interested in these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. Public hearings will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sally Elliott, Department of Labor and Industries, Specialty Compliance Services Division, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6411, fax (360) 902-5292, e-mail yous235@lni.wa.gov.

September 21, 2010

Judy Schurke

Director

WSR 10-19-121

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF FINANCIAL INSTITUTIONS

(Division of Credit Unions)

[Filed September 21, 2010, 4:42 p.m.]

Subject of Possible Rule Making: Creating rules for assessing credit union civil money fines under chapter 31.12 RCW, the Washington State Credit Union Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 31.12.516, 31.12.853.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of financial institutions wants to create rules implementing its civil fining authority over credit unions in order to ensure that such fines are applied consistently and fairly, and that fines are predictable.

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 attending any public hearings on the proposed rule or by contacting the division of credit unions in writing at P.O. Box 41200, Olympia, WA 98504-1200, via phone at (360) 902-8701, or via e-mail at dcu@dfi.wa.gov.

September 21, 2010

Linda Jekel

Division Director

Division of Credit Unions

WSR 10-19-125
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Docket A-101474—Filed September 22, 2010, 8:05 a.m.]

Subject of Possible Rule Making: The subject of this inquiry is to consider whether the utilities and transportation commission (UTC) should develop new rules and/or modify existing rules in chapter 480-04 WAC, Public access to information and records, to reflect recodification of the Public Records Act into chapter 42.56 RCW, address additional legislative changes to the Public Records Act, and to improve and clarify the agency's internal processes regarding public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040 and 80.04.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The UTC is responsible for managing and maintaining public records and responding to requests for access to public records. The current rules in chapter 480-04 WAC require updating to better reflect changes to the governing law and current internal processes.

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; and the commission will ask for initial written comments and conduct such other process as necessary to gather the information necessary to determine whether the existing rules in chapter 480-04 WAC should be supplemented and/or modified.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may file comments with the Executive Director, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, phone (360) 664-1174, fax (360) 586-1150, web portal at www.utc.wa.gov/e-filing, or through e-mail at records@utc.wa.gov, by 5:00 p.m., Monday, October 25, 2010.

WRITTEN COMMENTS: Written comments may be submitted to the commission at the address given above and should be filed with the commission no later than Monday, October 25, 2010.

Electronic copies. The commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted via the commission's web portal at www.utc.wa.gov/e-filing or by electronic mail to the commission's records center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (A-101474).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 1/2 inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information

requested above. The commission will post on the commission's web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/101474>. If you are unable to file your comments electronically or to submit them on a disk, the commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's web site as it becomes available. If you wish to receive further information on this rule making you may (1) call the commission's records center at (360) 664-1234, (2) e-mail the commission at records@utc.wa.gov, or (3) mail written comments to the address above to the attention of David W. Danner, executive director and secretary. When contacting the commission, please refer to Docket A-101474 to ensure that you are placed on the appropriate service list. Questions may be addressed to Adam Torem, (360) 664-1138 or e-mail at atorem@utc.wa.gov.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING—The commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rule making, please advise the records center by any one of the following methods: (1) Send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket A-101474, and the words "Please keep me on the mailing list"; or (2) e-mail your name, address, telephone and fax numbers, referencing Docket A-101474, and the words "Please keep me on the mailing list" to records@utc.wa.gov. Please note that all information in the mailings will be accessible through the commission's internet web site at <http://www.utc.wa.gov/101474>. **THOSE INTERESTED PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

September 22, 2010

David W. Danner

Executive Director

and Secretary

WSR 10-19-134
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Office of the Deaf and Hard of Hearing)

[Filed September 22, 2010, 8:46 a.m.]

Subject of Possible Rule Making: Formally establishing standards for sign language interpreters to interpret in legal proceedings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 2.42 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 2.42.130 states that the office of the deaf and hard of hearing (ODHH) shall maintain a list of sign language interpreters for use in legal proceedings. RCW 2.42.170 clarifies that fees for those interpreters shall be in accordance with standards established by ODHH. With these standards clarified as a rule, courts will have more consistent, higher quality sign language interpreting services by interpreters who have met minimum requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The administrative office of the courts (AOC), in collaboration with the board for judicial administration and the court interpreter commission, establishes statewide policies and procedures for interpreter services in Washington courts. ODHH has worked closely with AOC on developing the standards for sign language interpreters and continues to partner with AOC staff in refining both the standards and WAC language.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be posted on the ODHH web site (<http://odhh.dshs.wa.gov>), shared with stakeholders, and sent to 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 Emily Hill, Sign Language Interpreter Management, Program Manager, Office of the Deaf and Hard of Hearing, P.O. Box 45301, Olympia, WA 98504-5301, phone (360) 902-0271, fax (360) 902-0855, TTY (360) 902-0271, e-mail emily.hill@dshs.wa.gov.

September 22, 2010
Katherine I. Vasquez
Rules Coordinator

gibility for state-funded benefits under the Washington Basic Food program?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.500, 74.04.510, 74.08.090, 74.08A.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes to these rules may be needed to reduce general fund expenditures on DSHS programs due to declining state revenue.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DSHS incorporates regulations from federal agencies, exercises state options, and implements approved waivers and demonstration projects by adopting administrative rules for the federal supplemental nutrition assistance program (SNAP) administered as the Washington Basic Food program. For persons who do not meet citizenship or alien status requirements the department may establish a state-funded food assistance program for legal immigrants under RCW 74.08A.120. Department rules related to eligibility for non-citizens who do not meet alien status requirements for SNAP must comply with RCW 74.08A.120.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to 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 John Camp, Administrator, Food Assistance Programs, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4616, fax (360) 725-4904, e-mail Campjx@dshs.wa.gov.

September 22, 2010
Katherine I. Vasquez
Rules Coordinator

WSR 10-19-135

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**
(Economic Services Administration)

[Filed September 22, 2010, 8:49 a.m.]

Subject of Possible Rule Making: The department may amend or repeal rules in Title 388 WAC related to eligibility and benefit level for the state-funded food assistance program for legal immigrants (FAP). This may include amending or repealing any of the following rules as well as other related rules: WAC 388-400-0040 Am I eligible for benefits through the Washington Basic Food program?, 388-400-0015 [388-400-0045] If I am not eligible for federally funded benefits through Washington Basic Food program because of my alien status, can I receive state-funded Basic Food?, 388-424-0020 How does my alien status impact my eligibility for the federally funded Washington Basic Food program benefits?, and 388-424-0025 How does my alien status impact my eli-

WSR 10-19-136

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**
(Economic Services Administration)

[Filed September 22, 2010, 9:00 a.m.]

Subject of Possible Rule Making: The department may propose to amend chapter 388-310 WAC, WorkFirst; chapter 388-450 WAC, Income; chapter 388-478 WAC, Standards for payments; and any other related WACs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.08.090, chapters 74.08A and 74.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed changes to these rules may be needed to:

- Improve program efficiencies,
- Reduce program costs, or

- Address insufficient program funding.

On September 16, 2010, Governor Gregoire [Gregoire] directed agencies to impose across-the-board reductions of 6.3 percent starting October 1, 2010, in response to a projected \$520 million shortfall for this fiscal year, 2010-11. These amendments may be necessary to contain costs and maintain vital programs within budget for the remainder of the current year which will help to prevent deeper cuts later.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to 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 Aurea Figueroa-Rogers, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4623, fax (360) 725-4904, e-mail Aurea.Figueroa-Rogers@dshs.wa.gov.

September 22, 2010
Katherine I. Vasquez
Rules Coordinator