

WSR 12-10-001**PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed April 18, 2012, 12:48 p.m.]

Subject of Possible Rule Making: Chapter 181-79A WAC, Standards for teacher, administrator, and educational staff associate certification, certification requirements related to professional certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.410.010, and 28A.150.-220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules for teacher, administrator, education staff associates certification. Addresses requirements for teachers, administrators and education staff associates for obtaining, retaining and renewing their certificate.

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. Professional educator standards board meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site at www.PESB.wa.gov.

April 18, 2012

David Brenna

Senior Policy Analyst

WSR 12-10-002**PREPROPOSAL STATEMENT OF INQUIRY
TACOMA COMMUNITY COLLEGE**

[Filed April 18, 2012, 12:53 p.m.]

Subject of Possible Rule Making: Grievance procedure—Sexual harassment, sex discrimination, and disability discrimination.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To protect the rights and dignity of each individual in the campus community.

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. Revision of the existing WAC is being studied by various groups on campus that include students, faculty, staff and administrators. Inquiries should be addressed to Dolores M. Haugen, Director, K-12 Partnerships and Student Conduct, Tacoma Community College, 6501 South 19th Street,

Tacoma, WA 98466, phone (253) 566-6099, fax (253) 566-6099, dhaugen@tacomacc.edu.

April 18, 2012

Mary A. Chikwinya

Vice-President for

Student Services

WSR 12-10-015**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Medicaid Program)

[Filed April 20, 2012, 11:04 a.m.]

Subject of Possible Rule Making: WAC 182-543-9100 Reimbursement method—Other DME, 182-543-9200 Reimbursement method—Wheelchairs, 182-543-9300 Reimbursement method—Prosthetics and orthotics, 182-543-9400 Reimbursement method—Medical supplies and related services, 182-553-500 Home infusion therapy/parenteral nutrition program—Coverage, services, limitations, prior authorization, and reimbursement, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To achieve targeted durable medical equipment (DME) savings directed by the legislature in the budget for 2011-13, the agency is reducing rates for medical equipment and supplies for DME-medical supplies and equipment, DME-other DME, DME-wheelchairs and accessories, enteral nutrition, home infusion therapy/parenteral nutrition, respiratory care (oxygen), and prosthetics and orthotics. The agency is opening the necessary sections in order for the permanent changes to be made to the reimbursement methodologies. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Process for Developing New Rule: The health care authority (HCA) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, HCA will file a notice of proposed rule making (CR-102) with the office of the code reviser. 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 Wendy L. Boedigheimer, Rule Program Manager, P.O. Box 45504, Olympia, WA 98504-5504, fax (360) 586-9727, TTY 1-800-848-5429, e-mail wendy.boedigheimer@hca.wa.gov.

April 20, 2012

Kevin M. Sullivan

Rules Coordinator

WSR 12-10-018
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL

[Filed April 23, 2012, 11:15 a.m.]

Subject of Possible Rule Making: Traction tire devices. Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.420.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to coincide with recent legislative changes in 2012 with the passage of SSB 6112. The changes include but may not be limited to updating the language to reference an alternative traction device and outline the testing/certification process for such a device to be considered in the state of Washington.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of transportation.

The Washington state patrol (WSP) anticipates providing draft language to impacted stakeholders for review and input as part of the process.

Process for Developing New Rule: The agency plans to develop a draft based on the legislation and provide the language to stakeholders for review and input as part of the process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melissa Van Gorkom, WSP Equipment and Standards Unit, P.O. Box 42600, Olympia, WA 98504-2600, (360) 596-4017, fax (360) 596-4015, wsprules@wsp.wa.gov.

April 19, 2012
 John R. Batiste
 Chief

WSR 12-10-019
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL

[Filed April 23, 2012, 11:16 a.m.]

Subject of Possible Rule Making: Ignition interlock breath alcohol devices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.43.395, 46.37.005, and 46.04.215.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to coincide with recent legislative changes in 2012 with the passage of SHB 2443. The changes include but may not be limited to establishing a fee process and providing other clean up to existing language in the chapter.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of licensing.

The Washington state patrol (WSP) anticipates providing draft language to impacted stakeholders for review and input as part of the process.

Process for Developing New Rule: The agency plans to develop a draft based on the legislation and provide the lan-

guage to stakeholders for review and input as part of the process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Trooper Steve Luce, WSP Impaired Driving Section, 811 West Roanoke Street, Seattle, WA 98102, (206) 720-3018 ext. 24106, fax (206) 720-3246, Steve.luce@wsp.wa.gov.

April 19, 2012
 John R. Batiste
 Chief

WSR 12-10-020
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL

[Filed April 23, 2012, 11:17 a.m.]

Subject of Possible Rule Making: Inspection by the subject of their record.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 10.97.080 and [10.97.]090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to coincide with recent legislative changes in 2012 with the passage of ESB 6296. The changes include but may not be limited to updating the language to allow for an individual to obtain a copy of their nonconviction criminal history for a fee.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: State and federal agencies with criminal justice subunits, law enforcement agencies, and department of corrections.

The Washington state patrol (WSP) anticipates providing draft language to impacted stakeholders for review and input as part of the process.

Process for Developing New Rule: The agency plans to develop a draft based on the legislation and provide the language to stakeholders for review and input as part of the process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah Collinsworth, WSP Criminal Records Division, P.O. Box 42619, Olympia, WA 98504-2619, (360) 534-2102, fax (360) 534-2070, Debroah.collinsworth@wsp.wa.gov [Deborah.collinsworth@wsp.wa.gov].

April 19, 2012
 John R. Batiste
 Chief

WSR 12-10-021
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL

[Filed April 23, 2012, 11:17 a.m.]

Subject of Possible Rule Making: Employment—Conviction records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 10.97 and 43.43 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to coincide with recent legislative changes in 2012 with the passage of ESB 6296. The changes include but may not be limited to updating the language to allow for an individual to obtain a copy of their nonconviction criminal history for a fee and providing clean up to existing language.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: State and federal agencies with criminal justice subunits, law enforcement agencies, and department of corrections.

The Washington state patrol (WSP) anticipates providing draft language to impacted stakeholders for review and input as part of the process.

Process for Developing New Rule: The agency plans to develop a draft based on the legislation and provide the language to stakeholders for review and input as part of the process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah Collinsworth, WSP Criminal Records Division, P.O. Box 42619, Olympia, WA 98504-2619, (360) 534-2102, fax (360) 534-2070, Debroah.collinsworth@wsp.wa.gov [Deborah.collinsworth@wsp.wa.gov].

April 19, 2012
 John R. Batiste
 Chief

WSR 12-10-024
PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF
PILOTAGE COMMISSIONERS

[Filed April 23, 2012, 1:56 p.m.]

Subject of Possible Rule Making: WAC 363-116-360 Exempt vessels.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 88.16 RCW, Pilotage Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Modifications to this rule will address recent changes made by the 2012 Washington state legislature through the passage of SB 6171, amending RCW 88.16.070.

The current tonnage limitation on foreign flagged yachts applying for a pilotage exemption is five hundred gross tons (international). On June 7, 2012, new legislation will become effective and will increase the tonnage to a limitation not to exceed seven hundred fifty gross tons (international).

Other provisions in the rule will be reviewed, including but not limited to, the fee structure, the application procedures, housekeeping modifications, etc.

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

Process for Developing New Rule: Modifications to state law necessitate amendments to this rule and discussions will occur at regular session board meetings. Stakeholder comments are welcome. Upon review and consideration of recommended revisions, a public hearing will be scheduled pursuant to formal notice requirements.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Peggy Larson, Executive Director, Board of Pilotage Commissioners, 2901 Third Avenue, Suite 500, Seattle, WA 98121, phone (206) 515-3904, fax (206) 515-3906, LarsonP@wsdot.wa.gov, www.pilotage.wa.gov.

April 23, 2012

Peggy Larson
 Executive Director

WSR 12-10-030
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed April 24, 2012, 2:47 p.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, Vehicle licenses to include but not limited to WAC 308-96A Vehicle brands and comments.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify the comments that will print on the titles and registrations of off-road motorcycles that have been modified for road use, street rods, and custom vehicles.

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 department of licensing (DOL) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DOL 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 Debra K. Then, Research Analyst, Program and System Support, Mailstop 48205, P.O. Box 9037, Olympia, WA 98501-9037.

April 24, 2012

Damon Monroe
 Rules Coordinator

WSR 12-10-035
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed April 25, 2012, 3:45 p.m.]

Subject of Possible Rule Making: Updates, technical changes, and structural improvements to wildlife rules and other WACs in conjunction with the WAC overhaul project. The agency will clarify language where needed, in tandem with other amendments to WACs within this rule making.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes to these rules are needed because many of the rules are disorganized and contain conflicting, outdated language. The Washington department of fish and wildlife (WDFW) will consider consolidating and splitting up rules. The project will also repeal outdated and inapplicable rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Fish and Wildlife Service also regulates fish and wildlife. State regulations may be more restrictive than federal regulations, but not less so. WDFW will coordinate the regulatory landscape of these rule changes, where and if applicable. As these changes are largely structural and technical, it is unlikely that coordination will be necessary.

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 Joanna Eide, Administrative Regulations Analyst, WDFW Enforcement Program, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2403, fax (360) 902-2156, e-mail Joanna.Eide@dfw.wa.gov. Contact by June 11, 2012. Expected proposal filing on or after June 20, 2012.

April 25, 2012
 Joanna M. Eide
 Administrative Regulations Analyst

WSR 12-10-049
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Aging and Disability Services)

[Filed April 30, 2012, 10:40 a.m.]

Subject of Possible Rule Making: WAC 388-105-0005.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.39A.030 (3)(a).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To implement changes to nursing home licensing fees and assisted living facilities medicaid payment rates made in [3]ESHB 2127.

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

Process for Developing New Rule: By publishing in the Washington State Register: CR-101 Preproposal statement of inquiry; CR-102 Proposed rule making; and CR-103 Rule-making order including a concise explanatory statement.

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 Elizabeth Pashley, phone (360) 725-2447, fax (360) 725-2641, e-mail Pashlel@dshs.wa.gov.

April 26, 2012
 Katherine I. Vasquez
 Rules Coordinator

WSR 12-10-055
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed April 30, 2012, 3:18 p.m.]

Subject of Possible Rule Making: Chapter 260-28 WAC, Ownerships, trainers and employees and WAC 260-40-145 Prohibited entry of certain horses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington horse racing commission is contemplating addressing the sale of horses that stipulates in the bill of sale or other agreement that the horse is to be retired and not eligible to race in the future.

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 Douglas L. Moore, Deputy Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

April 30, 2012
 Douglas L. Moore
 Deputy Executive Secretary

WSR 12-10-070
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 (Community Services Division)
 [Filed May 1, 2012, 2:02 p.m.]

Subject of Possible Rule Making: The department plans to amend WAC 388-492-0110 What happens if my WASHCAP food benefits end?, 388-492-0120 What happens to my WASHCAP benefits if I am disqualified?, and other related rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.08.090, 74.08A.903.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend WAC 388-492-0110 and 388-492-0120 to correct references to other rules regarding eligibility for Basic Food and WASHCAP.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) enforces the provisions of the federal supplemental nutrition assistance program as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will develop amendments to WASHCAP rules that are consistent with the act, federal regulations, and our approved WASHCAP demonstration project waiver while ensuring cost neutrality of the program.

Process for Developing New Rule: Negotiated rule making, 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 Holly St. John, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4895, fax (360) 725-4904, e-mail stjohhc@dshs.wa.gov.

May 1, 2012
 Katherine I. Vasquez
 Rules Coordinator

WSR 12-10-072
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed May 1, 2012, 2:05 p.m.]

The economic services administration requests the withdrawal of the following preproposal statement of inquiry filed as WSR 12-07-036 filed on March 14, 2012.

Katherine I. Vasquez
 Rules Coordinator

WSR 12-10-079
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2012-12—Filed May 2, 2012, 7:23 a.m.]

Subject of Possible Rule Making: Establishing Washington state's risk adjustment program for the health benefit coverage marketplace.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Section 15, chapter 87, Laws of 2012 (E2SHB 2319); Sections 132, 1341 - 1343, Pub. L. 111-148 (2010) and implementing regulations.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Beginning January 1, 2014, a permanent risk adjustment program with the goal of limiting adverse selection becomes effective, pursuant to the requirements of Pub. L. 111-148 (2010). Chapter 87, Laws of 2012, requires the commissioner to adopt rules establishing the state's risk adjustment program pursuant to the Affordable Care Act.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Health and Human Services (HHS) regulates this subject. The commissioner continues to monitor official HHS publications related to the risk adjustment program under the Affordable Care Act, contacts the HHS with implementation questions, and participates in work groups and conference calls with HHS related to the risk adjustment program.

The state health care exchange is part of the group of stakeholders with whom the commissioner consults during the development of these rules.

Process for Developing New Rule: Submit written comments by June 6, 2012.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Meg L. Jones, P.O. Box 40258, Olympia, WA 98504, (360) 725-7170, fax (360) 725-7170, e-mail megj@oic.wa.gov.

May 2, 2012
 Mike Kreidler
 Insurance Commissioner

WSR 12-10-080
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2012-13—Filed May 2, 2012, 7:42 a.m.]

Subject of Possible Rule Making: Office of the insurance commissioner (OIC) contact information in notices regarding policy changes for personal injury protection (PIP) and the FAIR plan.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 and 48.22.105.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Carriers are required to provide notification to their insureds for policy changes related to PIP and the FAIR plan. The commissioner will consider rules that would require inclusion of OIC contact information in those notifications. Consumers would have access to written information regarding their rights when they have questions regarding their property and casualty insurance coverage.

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

Process for Developing New Rule: Submit written comments by June 4, 2012.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, kacys@oic.wa.gov, fax (360) 586-3109.

May 2, 2012
 Mike Kreidler
 Insurance Commissioner

WSR 12-10-081
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2012-14—Filed May 2, 2012, 7:46 a.m.]

Subject of Possible Rule Making: Amending chapter 284-04 WAC, Privacy of consumer financial and health information, by adding security breach notification requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.43.505, the Gramm-Leach Bliley Act, (Pub. L. 02-106 (1999), Sections 501(b), 505 (B)(2) and the Health Information Technology for Economic and Clinical Health (HITECH) Act, (Pub. L. 111-5 (2009), Section 13402).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commissioner will consider rules defining a security breach, specifying who receives security breach notifications and what information is required in the notification.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:

Other than ensuring the rules are aligned with the federal standards, coordination with Health and Human Services (HHS) is not a requisite part of the proposed rule making.

Process for Developing New Rule: Submit written comments by June 5, 2012.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Donna Dorris, P.O. Box 40255, Olympia, WA 98504-0255, donnad@oic.wa.gov, fax (360) 586-3109.

May 2, 2012
 Mike Kreidler
 Insurance Commissioner

WSR 12-10-083
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed May 2, 2012, 9:20 a.m.]

Subject of Possible Rule Making: Migratory waterfowl seasons and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, and 77.32.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Provides recreational opportunity and resource conservation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USFWS, per C.F.R. Title 50, Part 20, the Migratory Bird Treaty Act.

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 Nate Pamplin, Wildlife Program Assistant Director, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2515. Contact by June 11, 2012. Expected proposal filing on or after June 20, 2012.

May 2, 2012
 Lori Preuss
 Rules Coordinator

WSR 12-10-084
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed May 2, 2012, 9:23 a.m.]

Subject of Possible Rule Making: Remove Steller sea lion from the state's endangered species list. The species is currently listed as threatened (WAC 232-12-011). Delisting criteria are described in WAC 232-12-297 (4.1) and (4.2). The agency is initiating the delisting process in accordance with WAC 232-12-297(6.1.1), based on a federal determina-

tion that the species is no longer in danger of failing, declining, or vulnerable.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The National Marine Fisheries Service (NMFS) published a proposed rule on April 18, 2012, to remove the eastern distinct population segment (DPS) of Steller sea lion from the list of threatened species under the federal Endangered Species Act (ESA). The eastern DPS includes all Steller sea lion in Washington state. In response to petitions from Washington, Oregon, and Alaska, NMFS reviewed the current status of the eastern DPS and determined that the species has recovered and no longer meets the definition of a threatened species under the federal ESA.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The eastern DPS of Steller sea lion are listed as threatened under the federal ESA, but NMFS is now proposing to delist this population. Because state delisting action follows federal delisting decisions, and all of Washington's Steller sea lion are included in the eastern DPS, the Washington department of fish and wildlife concurs that the eastern DPS of Steller sea lion has met recovery objectives and should be delisted.

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 Bill Tweit, WDFW Director's Office, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2723, e-mail William.Tweit@dfw.wa.gov. Contact by June 5, 2012. Expected proposal filing will be on or after June 20, 2012.

May 2, 2012

Lori Preuss
Rules Coordinator

WSR 12-10-086

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed May 2, 2012, 9:55 a.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, Vehicle licensees, to include but not limited to WAC 308-96A-530 Veteran remembrance license plate emblems.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To adopt fees to be charged for military service award emblems to offset the costs of production and administration of the program.

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 department of licensing (DOL) welcomes the public to take part in developing the rules. Anyone interested should contact the staff per-

son identified below. At a later date, DOL 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 Debra K. Then, Research Analyst, Program and System Support, Mailstop 48205, P.O. Box 9037, Olympia, WA 98501-9037.

May 2, 2012

Damon Monroe
Rules Coordinator

WSR 12-10-087

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed May 2, 2012, 10:14 a.m.]

Subject of Possible Rule Making: Chapter 308-107 WAC, Ignition interlock device revolving account.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 and 46.20.385(7).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To incorporate statutory changes made by 2SHB 2443 which passed the 2012 legislature. The legislation amends RCW 46.20.720 to impose a \$20 monthly fee that is deposited into the ignition interlock device revolving account, and will require conforming amendments to chapter 308-107 WAC.

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 consultation with stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Clark Holloway, Department of Licensing, P.O. Box 9020, Olympia, WA, (360) 902-3846, cholloway@dol.wa.gov.

May 2, 2012

Damon Monroe
Rules Coordinator

WSR 12-10-089

WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed May 2, 2012, 10:20 a.m.]

The aging and disability services administration requests the withdrawal of the preproposal statement of inquiry filed

as WSR 12-10-049 (chapter 388-105 WAC) filed on April 30, 2012.

Katherine I. Vasquez
Rules Coordinator

WSR 12-10-090
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Aging and Disability Services)

[Filed May 2, 2012, 10:22 a.m.]

Subject of Possible Rule Making: WAC 388-105-0005.

Statutes Authorizing the Agency to Adopt Rules on this

Subject: RCW 74.39A.030 (3)(a).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To comply with the budgetary directives put forth by the legislature in ESHB 2127 (2012 supplementary budget), changes will be made to WAC 388-105-0005 including:

May 1: Adult family homes and assisted living facilities contracted to provide assisted living, adult residential care, and enhanced adult residential care will have their rates adjusted to include funding for training costs.

July 1: Adult family homes will have their rates adjusted to include adjusted funding for training costs and a vendor rate increase corresponding to a higher license fee.

Assisted living facilities contracted to provide assisted living, adult residential care, and enhanced adult residential care will have their rates adjusted to include adjusted funding for training costs and a two percent reduction in rates.

Other related sections may be amended as needed.

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

Process for Developing New Rule: By publishing in the Washington State Register: CR-101 Preproposal statement of inquiry; CR-102 Proposed rule making; and CR-103 Rule-making order including a concise explanatory statement. 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 Elizabeth Pashley, phone (360) 725-2447, fax (360) 725-2641, e-mail Pashlel@dshs.wa.gov.

May 2, 2012

Katherine I. Vasquez
Rules Coordinator