

WSR 13-18-015
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed August 23, 2013, 3:55 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 www.PESB.wa.gov.

August 23, 2013
 David Brenna
 Senior Policy Analyst

WSR 13-18-018
PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC DISCLOSURE COMMISSION

[Filed August 25, 2013, 7:39 a.m.]

Subject of Possible Rule Making: WAC 390-20-0101 Forms for lobbyist registration and 390-20-020 Forms for lobbyist report of expenditures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.110(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission intends to better clarify on its forms lobbyists' and lobbyist employers' statutory requirements, including (1) when a lobbyist employer's funders must be disclosed on the lobbyist registration pursuant to RCW 42.17A.600 (1)(i) and (2) how to properly disclose entertainment expenses on the monthly form for lobbyist report of expenditures pursuant to RCW 42.17A.615 (2)(a).

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 commission is expected to discuss and possibly approve draft language at its September 26, 2013, meeting.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting comments to Lori Anderson, Washington State Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, phone (360) 664-2737 or toll-free 1-877-601-2828, e-mail lori.anderson@pdc.wa.gov.

August 25, 2013
 Lori Anderson
 Communications and
 Training Officer

WSR 13-18-020
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE LOTTERY

[Filed August 26, 2013, 11:05 a.m.]

Subject of Possible Rule Making: The lottery commission is considering technical and correctional updates to Title 315 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.70.040 (1), (3).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To accomplish technical and correctional updates necessary for operational procedures. The lottery wishes to update WAC 315-30-010 to include language referencing the Mega Millions multi-state agreement.

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 Jana Jones, Director of Legal Services, P.O. Box 43000, Olympia, WA 98504-3000, phone (360) 664-4833; or Jennifer McDaniel, legal assistant, phone (360) 664-4834.

August 26, 2013
 Jana L. Jones
 Director of Legal Services

WSR 13-18-022
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Developmental Disabilities Administration)

[Filed August 26, 2013, 11:28 a.m.]

Subject of Possible Rule Making: WAC 388-823-1010, 388-832-0085, 388-832-0130, 388-827-0115, 388-827-0145, 388-828-9140, and possible other sections of WAC as may be necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030 General authority of secretary—Rule adoption.

September 3, 2013
John R. Batiste
Chief

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature has directed the department to establish rules that change the maximum award amounts in the individual and family services (IFS) program and state supplementary payment (SSP) program in order to increase the number of individuals who may receive those services. These changes will enable more families to continue caring for their family members in their own homes and help stabilize families and individuals who are experiencing increased caregiving stress and crisis by providing respite from their caregiving duties.

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 Alan McMullen, Program Manager, Developmental Disabilities Administration, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3422, fax (360) 407-0955, TTY 11-800-833-6388 [1-800-833-6388], e-mail alan.mcmullen@dshs.wa.gov.

August 12, 2013
Katherine I. Vasquez
Rules Coordinator

WSR 13-18-057

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed September 3, 2013, 8:52 a.m.]

Subject of Possible Rule Making: Practice and procedure.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.43 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current rules are thirty-five plus years old and need to be updated to better define timeline for requesting a trial board and the scope of information to be considered by a hearing officer or board.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Attorney general's office, office of financial management.

Process for Developing New Rule: Agency review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Captain Travis Matheson, WSP Office of Professional Standards, P.O. Box 42600, Olympia, WA 98504-2600, (360) 704-2333, Travis.matheson@wsp.wa.gov.

WSR 13-18-058

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed September 3, 2013, 8:52 a.m.]

Subject of Possible Rule Making: Fire sprinkler system contractors.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.270.900 and 18.160.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The WAC as currently written is confusing, hard to understand, and lacks defined violations of the rule.

The proposed changes will allow the WAC to be reorganized, cleaning up unnecessary definitions, identify rule violations and penalties, and most importantly putting it into the plain language format. The additions will keep this rule current with industry practices.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Labor and industries, attorney general's office.

Process for Developing New Rule: Negotiated rule making; and agency review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Chief Deputy State Fire Marshal Dan Johnson, Fire Protection Bureau, P.O. Box 42600, Olympia, WA 98504-2600, Daniel.johnson@wsp.wa.gov, (360) 596-3913.

September 3, 2013
John R. Batiste
Chief

WSR 13-18-059

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed September 3, 2013, 8:52 a.m.]

Subject of Possible Rule Making: Standards for brake systems.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.32.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Proposed changes include but may not be limited to adding two sections addressing new braking systems and providing cleanup to existing language.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Motor Carrier Administration, Washington utilities and transportation commission.

Process for Developing New Rule: Agency study; and criteria for brake systems have been included in the Commer-

cial Vehicle Safety Alliance (CVSA) North American inspection procedures and out-of-service criteria.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting CVEO 4 William Balcom, Washington State Patrol Motor Carrier Safety Division, P.O. Box 42614, Olympia, WA 98504-2614, (360) 596-3807, William.balcom@wsp.wa.gov.

September 3, 2013
John R. Batiste
Chief

WSR 13-18-060

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed September 3, 2013, 8:52 a.m.]

Subject of Possible Rule Making: Regulations for private carrier buses—Definitions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005 and 46.37.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Proposed changes include but may not be limited to amending the definition for a private carrier bus to coincide with the federal definition under 49 C.F.R. 390.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Motor Carrier Administration, Washington utilities and transportation commission.

Process for Developing New Rule: Agency review.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting CVEO 4 William Balcom, Washington State Patrol Motor Carrier Safety Division, P.O. Box 42614, Olympia, WA 98504-2614, (360) 596-3807, William.balcom@wsp.wa.gov.

September 3, 2013
John R. Batiste
Chief

WSR 13-18-061

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed September 3, 2013, 10:10 a.m.]

Subject of Possible Rule Making: Chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Labor and industries (L&I) is required by law to establish and maintain a workers' compensation plan that classifies all occupations or industries within

the state and to set basic rates of premium for these classifications (RCW 51.16.035). Research indicates a need for clarity in rules for applying multiple classifications. Revisions are being considered for WAC 296-17-31017 and 296-17-310171. The WAC currently states that employers must keep work records for each employee working in each basic classification to qualify for more than one basic classification. The WAC later states that "different employees must work in each basic classification." The proposed change will clarify the inconsistency and make it easier for staff and the public to understand the rule requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local, or federal agency regulates this subject.

Process for Developing New Rule: Field audit and employer services are working together to ensure consistency among relevant sections of the WAC. L&I will invite input from the business community by way of direct mailings, the internet, informal public meetings, or more than one of these. L&I will use this input to formulate proposed changes to the existing rules and advise customers of future rule making by direct mailing, the internet, or both.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Employer[s] will be encouraged to participate in the process to share ideas and attend meetings. They can submit comments electronically to colleen.nelson@lni.wa.gov or calling (360) 902-4773, fax (360) 902-4729 or mail to Colleen Nelson, Department of Labor and Industries, P.O. Box 44148, Olympia, WA 98504.

September 3, 2013
Joel Sacks
Director

WSR 13-18-071

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed September 3, 2013, 1:37 p.m.]

Subject of Possible Rule Making: Chapter 16-497 WAC, Hop disease quarantine, the agency is considering amending the hop disease quarantine by modifying the quarantine boundaries to include some or all of the neighboring states as a result of a petition submitted by the Washington hop commission.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 17.24.011, 17.24.041, and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Quarantines are established that prohibit or regulate the movement of plants or plant products from designated areas within or outside the state in order to prevent the spread of diseases, plant pathogens, or pests. The hop disease quarantine was established in 1980 in order to prevent the introduction of dangerous diseases of hops in the state of Washington and potential subsequent economic impact to the hop industry. Although the quarantine

has been in place for decades, the pressure from diseases is constantly changing. The affected industry has requested changes to the existing quarantine in order to adequately protect growers and bring the quarantine more into harmony with adjoining states.

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

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dr. Brad White, Acting Assistant Director, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094, e-mail bwhite@agr.wa.gov; or Tom Wessels, Plant Services Program Manager, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1984, fax (360) 902-2094, e-mail twessels@agr.wa.gov.

September 3, 2013

Brad White
Acting Assistant Director

nated with these agencies to avoid conflict, but there should be no need to involve them in the valuation revisions provided in this rule.

Process for Developing New Rule: Parties interested in this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. A preliminary draft of possible rule changes will be available upon request shortly before the public meeting.

Written comments may be submitted by mail and should be directed to Mark E. Bohe, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail markbohe@dor.wa.gov.

Written and oral comments will be accepted at the public meeting.

Public Meeting Location: Capital Plaza Building, Fourth Floor Large Executive Conference Room, 1025 Union Avenue S.E., Olympia, WA, on October 15, 2013, at 10:00 a.m. Call-in option can be provided upon request.

Assistance For Persons With Disabilities: Contact Mary Carol LaPalm, (360) 725-7499 or Renee Cosare, (360) 725-7514, no later than ten days before the meeting date. For hearing impaired please contact us via the Washington relay operator at (800) 833-6384.

September 3, 2013

Alan R. Lynn
Rules Coordinator

WSR 13-18-072

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed September 3, 2013, 2:05 p.m.]

Subject of Possible Rule Making: WAC 458-40-540 Forest land values—2014 and 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.33.096, 82.32.300, and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 84.33.140 requires that forest land values be adjusted annually by a statutory formula contained in RCW 84.33.140(3). WAC 458-40-540 Forest land values, adjusts the table of forest land values in Washington as required by statute. County assessors will use these published land values for property tax purposes in 2014. RCW 84.33.091 requires the department of revenue to revise the stumpage value tables every six months. The department establishes stumpage value tables to apprise timber harvesters of the timber values used to calculate the timber excise tax. The department anticipates amending WAC 458-40-660 to provide valuations for the first half of 2014.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Although the United States Forest Service and Washington state department of natural resources both regulate forest practices, neither is involved in valuation for taxation purposes. The nontax processes and definitions are coordi-

WSR 13-18-073

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed September 3, 2013, 2:08 p.m.]

Subject of Possible Rule Making: WAC 458-20-255 Carbonated beverage syrup tax.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300 and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule explains the carbonated beverage syrup tax imposed by chapter 82.64 RCW. The syrup tax is an excise tax on the syrup, sold in this state, for use in making carbonated beverages. The department is considering revisions to the rule to remove language that has caused confusion as to the taxability of syrup when sold at retail, and for general updating.

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 this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication. A preliminary draft of possible rule changes is available via the department's online Rules Agenda.

Written comments may be submitted by mail and should be directed to Gayle Carlson, e-mail GayleC@dor.wa.gov, or mailing ITA Division, P.O. Box 47453, Olympia, WA 98504-7453.

Written and oral comments will be accepted at the public meeting.

Public Meeting Location: Capital Plaza Building, 4th Floor Executive Conference Room, 1025 Union Avenue S.E., Olympia, WA, on October 8, 2013, at 10:00 a.m. Call-in option can be provided upon request.

Assistance For Persons With Disabilities: Contact Mary Carol LaPalm, (360) 725-7499 or Renee Cosare, (360) 725-7514, no later than ten days before the meeting date. For hearing impaired please contact us via the Washington relay operator at (800) 833-6384.

September 3, 2013
Alan R. Lynn
Assistant Director

WSR 13-18-079

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed September 4, 2013, 8:20 a.m.]

Subject of Possible Rule Making: Changes to Columbia River commercial salmon fishing rules, including possible new rules relating to emerging commercial fisheries using alternative fishing gear types.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, 77.12.045, 77.12.047, 77.65.400, and 77.70.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to implement guidance provided in Fish and Wildlife Commission Policy C-3620, Columbia River Basin Salmon Management, in the Lower Columbia River. The department may propose new rules relating to emerging commercial fisheries as part of this project.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Oregon department of fish and wildlife and NOAA fisheries coordinate with Washington department of fish and wildlife (WDFW) through the Columbia River compact process to regulate commercial salmon fisheries in the Lower Columbia River.

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 Ronald Roler, WDFW, 2108 Grand Boulevard, Vancouver, WA 98661, phone (360) 906-6737, fax (360) 906-6776, e-mail Ronald.Roler@dfw.wa.gov.

Contact by October 16, 2013. Expected proposal filing on or after October 23, 2013.

September 4, 2013

Joanna M. Eide
Administrative Regulations Analyst

WSR 13-18-080

PREPROPOSAL STATEMENT OF INQUIRY STATE BOARD OF HEALTH

[Filed September 4, 2013, 9:06 a.m.]

Subject of Possible Rule Making: Chapter 246-105 WAC, Immunization of child care and school children against certain vaccine-preventable diseases, updating the chapter to reflect changes in law and the updated advisory committee on immunization practices (ACIP) recommended immunization schedule.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules may need to be updated to reflect the changes in RCW 28A.210.090 which changed immunization exemptions procedures required for entry into schools and child care centers. Definitions may be updated for clarity and to ensure the rule language is consistent with the statute. The reference to the national immunization standard set by the ACIP may also be updated to reflect the most current version to maintain consistency between Washington's school and child care age and interval immunization requirements and national immunization standards.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The superintendent of public instruction: Under RCW 28A.210.150 and chapter 392-182 WAC, provides procedures for schools to verify immunization status of transferring students; under RCW 28A.210.160 and chapter 392-380 WAC, governs the exclusion of children from public schools. The state board of education: Under RCW 28A.210.160 and chapter 180-38 WAC, governs the exclusion of children from private schools. The department of early learning: Under chapters 43.215 RCW and 170-297 and 170-295 WAC, governs the exclusion of children from licensed child care centers. These agencies will have the opportunity to review and comment on proposed changes.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeff Wise, Washington State Department of Health, P.O. Box 47843, Olympia, WA 98504, phone (360) 236-3483, e-mail jeff.wise@doh.wa.gov or Tara Wolff, SBOH, P.O. Box 47990, Olympia, WA 98504, phone (360) 236-4101, e-mail tara.wolff@doh.wa.gov.

Public notice of rule making and opportunities to submit written comments will be available on the department of health web site www.doh.wa.gov.htm. Interested parties will be notified of rule making and opportunities to provide input through various listservs. Testimony will be taken at a scheduled state board of health public hearing.

September 4, 2013
Michelle A. Davis
Executive Director

WSR 13-18-084
WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF HEALTH

[Filed September 4, 2013, 11:05 a.m.]

This serves as notice that the Washington state board of health is withdrawing the CR-101 for chapter 246-360 WAC, Transient accommodations. The notice was filed as WSR 07-14-148 on July 5, 2007. The preproposal statement of inquiry was intended to open discussions with stakeholders on a rule revision to determine what part of these regulations, if any, should apply to shelters for the homeless.

After initial discussions with stakeholders, this rule making was placed on hold, first because of diminished support resources and then because of Governor Gregoire's rule-making moratorium. On July 1, 2013, the regulatory program for transient accommodations transferred between divisions of the department of health. New program management wants to take time to evaluate the need for broader changes to the rules before proceeding with any rule making. The CR-101 and previous stakeholder work will have become outdated before rule making would continue.

The board has decided the best approach is to withdraw the CR-101 from 2007 and reconsider the scope of possible needed rule making for regulating transient accommodations and how shelters for the homeless should, or should not, fit into the policy.

Michelle Davis
Executive Director