

WSR 17-07-015**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed March 6, 2017, 2:43 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-444-0055 What are the penalties if I refuse or fail to meet basic food work requirements? and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 7 C.F.R. 273.7.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend WAC 388-444-0055 and other related rules as may be required to remove basic food disqualifications for comparable programs. This is an option given to Washington by the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS). The department is required to change the state basic food plan by amending associated WAC sections.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USDA, FNS enforces the provisions of the federal Supplemental Nutrition Assistance Program (SNAP) as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will amend rules to be consistent with the act, federal regulations, and FNS administrative notices and formal guidance.

The state legislature authorizes the department to administer SNAP and the food assistance program for legal immigrants under RCW 74.04.500, 74.04.510, and 74.08A.120.

DSHS incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington basic food program.

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 Ezra Paskus, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4611, fax (360) 725-4905, email paskuet@dshs.wa.gov.

March 6, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-07-016**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE**

[Filed March 6, 2017, 3:41 p.m.]

Subject of Possible Rule Making: Changes to Washington state department of fish and wildlife's (WDFW) recreational rules regarding possession and delivery of Canadian-based food fish and shellfish.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department needs to clarify the process for anglers who catch Canadian-based food fish and shellfish and land their catch in Washington state ports. The proposed change to the rule will make it easier for anglers to obtain a valid Canadian custom clearance number.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Bird, WDFW Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2403, fax (360) 902-2155, email Rules.Coordinator@dfw.wa.gov. Contact by April 20, 2017. Expected proposal filing on or after May 5, 2017.

March 5, 2017
Scott Bird
Rules Coordinator

WSR 17-07-026**PREPROPOSAL STATEMENT OF INQUIRY
LAKE WASHINGTON
INSTITUTE OF TECHNOLOGY**

[Filed March 7, 2017, 3:39 p.m.]

Subject of Possible Rule Making: Creating new chapter 495D-142 WAC, First amendment activities for Lake Washington Institute of Technology and amending chapter 495D-276 WAC, Access to public records.

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: Updating the public records request to include newer technologies such as scanning, CDs and DVDs. Adding a new section dealing [with] first amendment activities on campus by noncollege groups. Establishing procedures and reasonable controls for the use of college facilities by both noncollege and college groups.

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

Process for Developing New Rule: College process includes review by the policies and procedures committee,

college council, the executive cabinet and approval by the board of trustees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mr. William Thomas, Vice President of Administrative Services, Lake Washington Institute of Technology, 11605 132nd Avenue N.E., Kirkland, WA 98034, (425) 739-8201, bill.thomas@lwtech.edu.

March 3, 2017
Terry Byington
Executive Director
Government and External Relations

WSR 17-07-032
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
(Washington Apple Health)
[Filed March 8, 2017, 9:29 a.m.]

Subject of Possible Rule Making: WAC 182-501-0160 Exception to rule—Request for a noncovered health care service and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending WAC 182-501-0160 to clarify that if another rule conflicts with this rule, this rule prevails.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Katie Pounds, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, email katherine.pounds@hca.wa.gov.

March 8, 2017
Wendy Barcus
Rules Coordinator

WSR 17-07-034
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Children's Administration)
[Filed March 8, 2017, 10:28 a.m.]

Subject of Possible Rule Making: The department is proposing to amend chapter 388-60 WAC, Domestic violence perpetrator treatment program standards and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 26.50.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend chapter 388-60 WAC in order to update rules to raise the standards for domestic violence perpetrator treatment, thereby increasing the effectiveness of this treatment throughout Washington state.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department will consult with the domestic violence perpetrator treatment advisory committee, as well as other stakeholders and individuals who have experience and knowledge of the treatment of domestic violence and the elements that contribute to its effectiveness.

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 Amie Roberts, Domestic Violence Perpetrator Treatment Program Manager, DSHS/Children's Administration, P.O. Box 45710, Olympia, WA 98504-5710, phone (360) 902-7962, fax (360) 902-7903, email amie.roberts@dshs.wa.gov.

March 8, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-07-035
PREPROPOSAL STATEMENT OF INQUIRY
THE EVERGREEN STATE COLLEGE
[Filed March 8, 2017, 10:52 a.m.]

Subject of Possible Rule Making: Student conduct code, chapter 174-123 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.40.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule articulates standards for student conduct and procedures for adjudicating allegations of student misconduct. This proposed rule is intended to communicate expectations for student conduct and processes for responding to misconduct in order to preserve teaching and learning and health and safety for students, employees and visitors to The Evergreen State College.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending comments to Andrea Seabert-Olsen, Office of the Vice President for Student Affairs, Library 3009, The Evergreen State College, 2700 Evergreen Parkway

N.W., Olympia, WA 98505, phone (360) 867-6296, fax (360) 867-6886, TTY (360) 867-6834, email seaberta@evergreen.edu.

March 8, 2017
John Carmichael
Rules Coordinator

WSR 17-07-036
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD

[Filed March 8, 2017, 11:31 a.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (WSLCB) is considering rule changes related to the tier structure for licensed marijuana producers and the number of producer licenses a person or business entity may have an interest in.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.342 and 69.50.345.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WSLCB has heard concerns from smaller producers that they are unable to grow their business due to being limited to no more than two thousand square feet of marijuana, and an interest for licensees to hold an interest in more than one producer license. Initially, WSLCB rules stated that a person or business entity may hold interest in up to three producer licenses, which was later limited to interest in only one license due to the high volume of producer license applications received. WSLCB is considering adjustments to the tier structure of producer licenses and potentially allowing interests in more than one producer license as part of this rule making. Other changes related to producer license rules may be considered as part of this rule making.

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanna Eide, Policy and Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, rules@lcb.wa.gov, (360) 664-1622, fax (360) 664-9689.

March 8, 2017
Jane Rushford
Chair

WSR 17-07-045
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Veterinary Board of Governors)

[Filed March 8, 2017, 3:18 p.m.]

Subject of Possible Rule Making: WAC 246-933-401 to 246-933-480, Veterinarians—Continuing education, the vet-

erinary board of governors (board) will consider amending sections of continuing education rules to possibly include total hours required, minimum and maximum hours required by CE category, and other CE considerations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.92.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 18.92.030 mandates the board to set minimum standards of continuing education. The board is considering amending the rules to make sure they reflect current standard of practice, and that requirements are streamlined. The board may reconsider setting a limit on the allowance of complementary alternative veterinary medicine and increasing the number of continuing education hours.

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 by contacting Lorelei Walker, Program Manager, Department of Health, Veterinary Board of Governors, P.O. Box 47852, Olympia, WA 98504-7852, email Lorelei.Walker@doh.wa.gov, phone (360) 236-4947, or fax (360) 236-2901. Stakeholders will be notified and invited to participate in an open public rules workshop and may submit written comments for consideration. Stakeholders will be notified via listserv and posting to the web site.

March 8, 2017
Kathy J. Schmitt, Deputy Director
Office of Health Professions and Facilities

WSR 17-07-046
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Veterinary Board of Governors)

[Filed March 8, 2017, 3:20 p.m.]

Subject of Possible Rule Making: WAC 246-935-270 to 246-935-310, Veterinary technicians—Continuing education, the veterinary board of governors (board) will consider amending sections of continuing education (CE) rules for veterinary technicians. Updates may include categories of study and approved CE providers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.92.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 18.92.030 mandates the board to set minimum standards of continuing education for veterinary professions. The board is considering amending the rules to update existing rules and consider changes to streamline requirements.

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 by contacting Lorelei Walker, Program Manager, Department of Health, Veterinary Board of Governors, P.O. Box 47852, Olympia, WA 98504-7852, email Lorelei.Walker@doh.wa.gov, phone (360) 236-4947, or fax (360) 236-2901. Stakeholders will be notified and invited to participate in an open public rules workshop and may submit written comments for consideration. Stakeholders will be notified via listserv and posting to the web site.

March 8, 2017

Kathy J. Schmitt, Deputy Director
Office of Health Professions and Facilities

WSR 17-07-047

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Board of Optometry)

[Filed March 8, 2017, 3:21 p.m.]

Subject of Possible Rule Making: WAC 246-851-550 Sexual misconduct, the board of optometry (board) is considering revising the rule to clarify what forcible or nonconsensual acts are within the definition of sexual misconduct by an optometrist.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.54.070(2), 18.130.062, and Executive Order 06-03.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board is considering updating the sexual misconduct rule to establish clearer standards of conduct for optometrists. The board is considering rule making to update their sexual misconduct rule so that this language is consistent across all health professions. Specifically, the board is considering including acts of sexual misconduct that are forcible or nonconsensual that do not involve a patient, client, or key party. Updating the sexual misconduct rule will establish clearer standards of conduct and will help the board be consistent in its enforcement activities to more fully comply with RCW 18.130.062 and Executive Order 06-03.

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 by contacting Lorelei Walker, Program Manager, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, email Lorelei.Walker@doh.wa.gov, phone (360) 236-4947, or fax (360) 236-2901. Stakeholders will be notified and invited to participate in the official public rules hearing. Stakeholders will be notified via listserv and posting to the web site.

March 8, 2017

Kathy J. Schmitt, Deputy Director
Office of Health Professions and Facilities

WSR 17-07-049

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed March 9, 2017, 1:24 p.m.]

Subject of Possible Rule Making: WAC 182-502-0006 Enrollment for nonbilling individual providers and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 42 C.F.R. 438.602(b).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending rules to provide additional options for the provider networks of managed care organizations to enroll with the health care authority in order to comply with 42 C.F.R. 438.602(b). 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 agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Katie Pounds, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, email katherine.pounds@hca.wa.gov.

March 9, 2017

Wendy Barcus
Rules Coordinator

WSR 17-07-058

WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed March 13, 2017, 9:07 a.m.]

The health care authority requests withdrawal of the pre-proposal statement of inquiry filed as WSR 16-17-095, distributed in the 16-17 State Register, regarding WAC 182-533-0315, 182-533-0325, 182-533-0327, and 182-533-0345.

Wendy L. Barcus
Rules Coordinator

WSR 17-07-066
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)
 [Filed March 14, 2017, 3:29 p.m.]

The aging and long-term support administration requests the withdrawal of the preproposal statement of inquiry notice filed as WSR 16-07-072 on March 17, 2016 (chapter 388-106 WAC) regarding private duty nursing.

Katherine I. Vasquez
 Rules Coordinator

WSR 17-07-068
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed March 15, 2017, 9:27 a.m.]

Subject of Possible Rule Making: Chapter 246-490 WAC, Vital statistics, the department of health is considering allowing only the electronic submission of death records which may require adding a new section to the chapter to require the use of the electronic death registration system (EDRS).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.58.061.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2011, the department deployed an EDRS to replace the paper process of registering deaths in Washington state. The system is now in use statewide and eighty-five percent of the state's death records are now registered electronically. However, to maximize the efficiencies created through electronic registration, our goal is to have all deaths registered through EDRS. To achieve this goal, rule making is necessary to require the use of EDRS to register deaths.

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 by contacting Daniel O'Neill, Daniel.oneill@doh.wa.gov, (360) 236-4311, fax (360) 753-4135, P.O. Box 47814, Olympia, WA 98504-7814. Interested parties, including individuals, boards, commissions and associations that support and represent the certifiers of death records will be invited to comment during the public comment period and public hearing. Deputy registrars will also be invited to participate through regular statewide monthly teleconferences. Comments will be accepted in writing and via testimony.

March 15, 2017
 John Wiesman, DrPH, MPH
 Secretary

WSR 17-07-079
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed March 17, 2017, 3:21 p.m.]

The health care authority requests withdrawal of the preproposal statement of inquiry filed as WSR 15-24-036, distributed in the 15-24 State Register, regarding WAC 182-551-3000.

Wendy L. Barcus
 Rules Coordinator

WSR 17-07-091
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Developmental Disabilities Administration)

[Filed March 20, 2017, 2:54 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-825-083 Is there a comprehensive list of waiver and state-only DDA services?, 388-825-084 What are the limitations of state-only funded services or programs?, 388-828-9300 What is the DDD community access acuity scale?, 388-828-9310 How does DDD determine the number of hours you may receive each month for community access services?, 388-828-9330 How does DDD determine your employment status?, 388-828-9350 Are there conditions when DDD will authorize additional hours to your monthly employment service hours?, 388-845-0600 What are community access services?, 388-845-0605 Who are qualified providers of community access services?, 388-845-0610 Are there limits to community access services I can receive?, 388-845-1030 What are individual technical assistance services?, 388-845-1040 Are there limits to the individualized technical assistance services you can receive?, 388-845-1410 Are there limits to the prevocational services you can receive?, 388-845-2100 What are supported employment services?, 388-845-2110 Are there limits to the supported employment services I can receive?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is amending these rules to simplify language and update policy related to employment services, and [amendments] are necessary to protect public health, safety, and welfare.

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 contacting Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 407-1581, fax (360) 407-0955, TTY 1-800-833-6388, email DiazCM1@dshs.wa.gov.

March 20, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-07-093
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed March 20, 2017, 3:01 p.m.]

Subject of Possible Rule Making: WAC 308-408A-110(2) Continuing education clock hour requirements, 308-408A-010 Application for a license—Fingerprinting, and 308-408B-130 Fundamentals supplemental course.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.280.050 and chapter 18.280 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Change existing rule language to reflect the correct program in which it enforces; change the existing language to remove a fingerprint requirement for which the program does not have legal authority; and remove a rule that is no longer in effect.

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 proposed rules may contact the person listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ryan Grimes, Real Estate/Home Inspector Program, Department of Licensing, P.O. Box 48053, Olympia, WA 98502-48053 [98504-8053], phone (360) 664-6623, fax (360) 902-3802, email Rgrimes@dol.wa.gov.

March 20, 2017
Damon Monroe
Rules Coordinator

WSR 17-07-094
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)

[Filed March 20, 2017, 3:12 p.m.]

The developmental disabilities administration requests the withdrawal of the preproposal statement of inquiry notice

filed as WSR 16-07-057 on March 15, 2016 (chapter 388-829C WAC) regarding companion homes.

Katherine I. Vasquez
Rules Coordinator

WSR 17-07-095
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)

[Filed March 20, 2017, 3:16 p.m.]

The developmental disabilities administration requests the withdrawal of the preproposal statement of inquiry notice filed as WSR 16-07-040 on March 11, 2016 (chapter 388-829A WAC) regarding alternative living.

Katherine I. Vasquez
Rules Coordinator

WSR 17-07-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION

[Filed March 21, 2017, 7:56 a.m.]

Subject of Possible Rule Making: WAC 468-70-050 Business eligibility.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.36.30 [47.36.030] Traffic control devices—Specifications to counties and cities—Signs, banners over highway, 47.36.310 Motorist information signs—Interstate highways—Contents, placement, fees, and 47.36.320 Motorist information signs, tourist-oriented directional signs—Primary and scenic roads—Contents, placement, fees.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule will edit existing eligibility requirements for hours of operation involving a gas activity and to promote more participation by gas businesses in the motorist information sign program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Highway Administration (FHWA) publishes the Manual on Uniform Traffic Control Devices (MUTCD). Washington state department of transportation (WSDOT) coordinated the adoption and modification of MUTCD for use in the state of Washington in conjunction with FHWA.

Process for Developing New Rule: The editorial change will reduce the number of continuous hours operation to be consistent with the national practice found in MUTCD. FHWA supports the editorial changes incorporated into this rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Mowlds, State Sign Specialist, WSDOT, Headquarters Traffic Operations Office, P.O. Box 47344, Olympia, WA 98504-7344, phone (360) 705-7988, fax (360) 705-6826, or email mowldsr@wsdot.wa.gov.

March 21, 2017
 Karen Larsen, Director
 Risk Management and Legal Services

WSR 17-07-100
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION

[Filed March 21, 2017, 7:57 a.m.]

Subject of Possible Rule Making: WAC 468-95-302
 Flagger stations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.36.30 [47.36.030] Traffic control devices—Specifications to counties and cities—Signs, banners over highway.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current rule prohibits flaggers from flagging within an intersection and the rule edit will clarify the language to allow flaggers within the intersection as long there is a flagger for each intersection leg.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Highway Administration (FHWA) publishes the Manual on Uniform Traffic Control Devices (MUTCD). Washington state department of transportation (WSDOT) coordinated the adoption and modification of MUTCD for use in the state of Washington in conjunction with FHWA.

Process for Developing New Rule: Negotiated rule making; and the city of Seattle requested a modification on the existing rule to allow flaggers within an intersection. The editorial changes will allow flaggers within the intersection and creates a safer condition for motorists and pedestrians. The city of Seattle and FHWA support the editorial changes incorporated into this rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Mowlds, State Sign Specialist, WSDOT, Headquarters Traffic Operations Office, P.O. Box 47344, Olympia, WA 98504-7344, phone (360) 705-7988, fax (360) 705-6826, or email mowldsr@wsdot.wa.gov.

March 21, 2017
 Karen Larsen, Director
 Risk Management and Legal Services

WSR 17-07-101
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

(Board of Optometry)

[Filed March 21, 2017, 8:45 a.m.]

Subject of Possible Rule Making: WAC 246-851-XXX
 Temporary practice permit—Military spouse and state-registered domestic partner eligibility and issuance, consider adding a new section to provide for temporary practice permits to be issued to military spouses or state-registered domestic

partners who hold an out-of-state credential as an optometrist.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 1.12.080, 18.54.070(2), and 18.340.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 18.340 RCW provides that military spouses may receive a temporary practice permit while completing any specific additional requirements in Washington that are not related to a profession's training or practice standard. RCW 1.12.080 requires that the term "spouse" be applied equally to state-registered domestic partners. The board of optometry is considering establishing requirements for a military spouse to obtain a temporary practice permit.

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 by contacting Lorelei Walker, Program Manager, Department of Health, Board of Optometry, P.O. Box 47852, Olympia, WA 98504-7852, email Lorelei.Walker@doh.wa.gov, phone (360) 236-4947 or fax (360) 236-2901. Stakeholders will be notified and invited to participate in an open public rules workshop and may submit written comments for consideration. Stakeholders will be notified via list-serv and posting to the web site.

March 21, 2017
 Kathy J. Schmitt, Deputy Director
 Office of Health Professions and Facilities

WSR 17-07-109
PREPROPOSAL STATEMENT OF INQUIRY
FOREST PRACTICES BOARD

[Filed March 21, 2017, 10:34 a.m.]

Subject of Possible Rule Making: Chapter 222-20 WAC,
 Applications and notifications.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 76.09.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The forest practices board has identified a need to amend the rules to allow for electronic signature and electronic payment for forest practices applications and notifications (FPA/N).

The ability to submit electronic signatures and payments will allow applicants to submit an electronic FPA/N in addition to the current acceptable methods for submittal of an FPA/N through certified mail or hand delivery to a department of natural resources region office.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: RCW 19.360.020 provides the authority for agencies to adopt rules pertaining to electronic transactions. The procedures to use and accept electronic signatures and electronic submission will be consistent with the guidance and require-

ments put into place by the office of the chief information office [officer].

Process for Developing New Rule: The board will request input from interested stakeholders in the development of rule language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Mail, fax, or email comments to Patricia Anderson, Forest Practices Board, Rules Coordinator, Department of Natural Resources, Forest Practices Division, 1111 Washington Street S.E., 3rd Floor, P.O. Box 47012, Olympia, WA 98504-7012, fax (360) 902-1428, email forest.practicesboard@dnr.wa.gov.

March 8, 2017
Stephen Bernath
Chair

WSR 17-07-115
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed March 21, 2017, 2:41 p.m.]

Subject of Possible Rule Making: WAC 392-343-515 Modernization or new-in-lieu of modernization priority elements, 392-343-535 Existing building condition—Evaluation, 392-344-085 Construction and other documents—Submittal, and 392-347-023 State funding assistance in post 1993 buildings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.525.020 Duties of superintendent of public instruction.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering amending school construction assistance program rules to replace references to the building condition evaluation form (BCEF) with the building condition assessment (BCA). The BCA was adopted by OSPI in 2009-2010 as the building condition assessment tool for the purposes of completing study and surveys and complying with asset preservation program requirements for school facilities. Historically, the BCEF has been used for the sole purpose of assessing the condition of school facilities as part of the required prioritization for state funding. This amendment would adopt the BCA condition assessment tool as the only tool used whenever a building condition assessment is required to comply with any OSPI requirement such as prioritization.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Black, Program Development Manager, P.O. Box 47200, Olympia, WA 98504-7200, fax (360) 586-3946, email scott.black@k12.wa.us, phone (360) 725-6268.

March 21, 2017
Chris P. S. Reykdal
Superintendent of
Public Instruction

WSR 17-07-118
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed March 21, 2017, 2:54 p.m.]

Subject of Possible Rule Making: Chapter 16-230 WAC, Use of chemicals and chemically treated materials in certain counties; chapter 16-231 WAC, Restricted use herbicides; and chapter 16-232 WAC, Use restricted herbicides in certain counties. The department is considering:

1. Amending nozzle and pressure requirements in the three WAC chapters to reflect current standards that applications must be made by creating a droplet spectrum size (e.g., medium, coarse or very coarse) that is in conformance with ASABE (American Society of Agricultural and Biological Engineers) standards;

2. Repealing the 85 degree Fahrenheit cut-off requirement in individual county rules since it is in the statewide rule (redundant);

3. Repealing maximum wind speed restrictions in individual county rules and adding a maximum 15 mph wind speed restriction to the statewide rules;

4. Repealing restriction in statewide rules that limits the addition of oil carriers and adjuvants to one pint per acre;

5. Repealing restrictions in individual county rules that prohibit use of oil type carriers for brush control during certain times of the year;

6. Repealing restriction in statewide rules that prohibits mixing, loading and equipment decontamination (also aircraft takeoff and landing) in a manner that causes damage to susceptible crops;

7. Repealing restrictions in counties and specific "areas" of counties that limit mixing [and/or] loading of aircraft to formulations that can be applied in the area where the airstrip is located;

8. Repealing the prohibition in statewide rules on turning or flying low over cities, towns, residences and other sensitive sites;

9. Repealing the prohibition in the statewide rules for storing use-restricted herbicides in "areas" where their use is prohibited unless they are in a sealed container and the outside of the container is not contaminated; and

10. Repealing the provision in the statewide rules that indicates application of use-restricted herbicides through irrigation is subject to the same requirements as ground applications except for nozzle size and pressure requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.58.040, 17.21.030, and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules covering restricted use pesticides (mostly restricted use herbicides) found in chapters 16-230, 16-231 and 16-232 WAC are extensive, complex and confusing (there are over fifty different estab-

lished areas in eastern Washington, each with their own restrictions). In some cases the rules are redundant, while in other cases they are so outdated that they pose an increased risk to sensitive crops (nozzle/pressure requirements). Rules that are complex and confusing promote inadvertent noncompliance. Some of these rules are over fifty years old and there has been no substantial revisions for over twenty years. Many things have changed in the interim. Remarkable improvements in sprayer and application technology have made some of the requirements obsolete, and pesticide labels now have many restrictions that didn't exist when these rules were first adopted. Many of the requirements found in these three WAC chapters are preventative in nature. In all cases, if there is an incident of crop damage that occurs, the department can take action under various other statutes and rules (e.g., chapter 16-228 WAC, the general pesticide rules). These changes will help to simplify the rules without increasing risk to sensitive crops.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No coordination with a federal or state agency is necessary to adopt these rule changes.

Process for Developing New Rule: The department will provide an extensive explanation of all changes and solicit feedback from 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 Joel Kangiser, Policy Assistant, Pesticide Management Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-2013, fax (360) 902-2093, email jkangiser@agr.wa.gov.

March 21, 2017
Brent Barnes
Assistant Director

WSR 17-07-119
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed March 21, 2017, 3:19 p.m.]

Subject of Possible Rule Making: The department is considering amending the following sections in chapter 388-76 WAC, Adult family home minimum licensing requirements: WAC 388-76-10510, 388-76-10515, 388-76-10520, 388-76-10522, 388-76-10525, 388-76-10530, 388-76-10532, 388-76-10540, 388-76-10545, 388-76-10555, 388-76-10560, 388-76-10561, 388-76-10565, 388-76-10585, 388-76-10600, 388-76-10615, 388-76-10685 Bedrooms, 388-76-10695, 388-76-10700, 388-76-10710, 388-76-10720, 388-76-10735, 388-76-10750, 388-76-10765, 388-76-10770, 388-76-10784, 388-76-10795, 388-76-10800, 388-76-10805, 388-76-10810, 388-76-10830, 388-76-10835, 388-76-10840, 388-76-10850,

388-76-10870, 388-76-10885, 388-76-10890, 388-76-10895, 388-76-10900, 388-76-10905, and other related rules as may be required. The department may also develop new rule sections related to discharge and transfer notice and compliance with 42 C.F.R. 441.302.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.128 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending WAC 388-76-10545, 388-76-10685, 388-76-10735, 388-76-10750, 388-76-10795, 388-76-10800, 388-76-10805, 388-76-10810, 388-76-10850 and 388-76-10895, for the health and safety of residents in the home.

The department is amending or repealing WAC 388-76-10510, 388-76-10515, 388-76-10520, 388-76-10522, 388-76-10525, 388-76-10530, 388-76-10532, 388-76-10540, 388-76-10555, 388-76-10560, 388-76-10561, 388-76-10565, 388-76-10585, 388-76-10600, 388-76-10615, 388-76-10695, 388-76-10700, 388-76-10710, 388-76-10720, 388-76-10765, 388-76-10770, 388-76-10784 Water hazards—Fences, gates and alarms, 388-76-10830, 388-76-10835, 388-76-10840, 388-76-10870, 388-76-10885, 388-76-10890, 388-76-10900 and 388-76-10905, on behalf of adult family home and/or prospective adult family home providers, as the changes are beneficial to adult family home business owners.

Also, the department is amending rules and adding a new section to comply with Center for Medicare and Medicaid Services (CMS) new requirements for home and community-based services regulations (42 C.F.R. 441.302). As a part of the state's transition plan to comply with the new rules, CMS has requested rules be changed for the protection of resident rights.

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

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 Sherise Baltazar, Adult Family Home Policy Program Manager, P.O. Box 45600, Olympia, WA 98513, phone (360) 725-3204, fax (360) 438-7903, email Sherise.Baltazar@dshs.wa.gov. Draft section language will be posted on ALISA 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, email or fax.

March 21, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-07-122
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Financial Services Administration)

[Filed March 21, 2017, 3:58 p.m.]

Subject of Possible Rule Making: Background checks processes relating to treatment of certificates of restoration of opportunity (CROP) as mandated by RCW 9.97.020 (4)(a); amending WAC 388-06-0700, adding new sections to chapter 388-06 WAC. The department is also considering adding new sections to chapter 388-06A WAC, and/or other related rules as may be appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.97.020 Certificate of restoration of opportunity—Qualified applicants—States, counties, municipal departments, boards, officers, or agencies authorized may not disqualify—Exceptions—Immunity—Qualified courts have jurisdiction to issue certificates—Employers, housing providers—Department of social and health services—Washington state patrol—Court records—Judicial proceedings—Department of health—Notice by applicant—Certain superior courts may decline to consider applications—Certificate transmittal—Duties of administrative office of the courts.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 9.97.020 mandates that the department promulgate rules relating to CROP certificates.

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 Teva Weissman, Rule and Policy Analyst, Background Check Central Unit, P.O. Box 45025, Olympia, WA 98504-5025, phone (360) 902-0237, email weisst@dshs.wa.gov.

March 21, 2017
 Katherine I. Vasquez
 Rules Coordinator

WSR 17-07-124
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
 (Washington Apple Health)

[Filed March 22, 2017, 8:47 a.m.]

Subject of Possible Rule Making: WAC 182-513-1330 Determining available income for legally married couples for

long-term care (LTC) services and other relevant rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, and 74.09.565.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising this rule to conform with Section 1924 of the Social Security Act, which does not allow medicaid agencies to deem income from an institutional spouse to an institutional spouse when determining eligibility for long-term services and supports. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of social and health services.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Melinda Froud, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, email Melinda.Froud@hca.wa.gov.

March 22, 2017
 Wendy Barcus
 Rules Coordinator

WSR 17-07-125
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed March 22, 2017, 8:55 a.m.]

Subject of Possible Rule Making: Chapter 182-60 WAC, Patient decision aids and other relevant rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 7.70.060(4), 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising the rules governing the certification process for patient decision aids to add more guidance and specificity. During the course of this review, the agency may identify additional related changes that are required in order to improve clarity or update policy.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Melinda Froud, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, email Melinda.froud@hca.wa.gov.

March 22, 2017
Wendy Barcus
Rules Coordinator

WSR 17-07-126
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed March 22, 2017, 9:27 a.m.]

Subject of Possible Rule Making: WAC 458-40-660
Timber excise tax—Stumpage value tables.

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 84.33.091 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 second half of 2017.

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 coordinated 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 Danitza M. Casselman, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, email danitzac@dor.wa.gov.

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

Public Meeting Location: Conference Room 114A, 6400 Linderson Way S.W., Tumwater, WA, on April 17, 2017, at 10:00 a.m. *Call-in option can be provided upon request no later than three days before the meeting date.*

Assistance for Persons with Disabilities: Contact Julie King, (360) 704-5717, 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.

March 22, 2017
Kevin Dixon
Rules Coordinator

WSR 17-07-128
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed March 22, 2017, 11:20 a.m.]

Subject of Possible Rule Making: Chapter 16-501 WAC, WSDA procedural rules—Commodity boards or commissions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.23.025, 15.24.215, 15.26.265, 15.28.320, 15.44.19 [15.44.190], 15.65.670, 15.66.263, 15.88.180, 15.89.150, 15.115.240, 16.67.195, and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The director has established, by rule, a method to fund administrative staff support given by the department to all commodity boards and commodity commissions. The board or commission's annual contribution to the department for administrative support is formulated based on the previous year's assessments received by those boards or commissions. In order to distribute administrative support costs fairly, the department is considering including revenue collected by the beer commission from beer festivals to the base formula to determine a board or commission's contribution.

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 Teresa Norman, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504, (360) 902-2043, tnorman@agr.wa.gov.

March 22, 2017
Kirk Robinson
Deputy Director

WSR 17-07-132
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD

[Filed March 22, 2017, 11:20 a.m.]

Subject of Possible Rule Making: WAC 314-40-040
Guest and courtesy cards—Visitors.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.24.450, 66.08.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is the result of a stakeholder petition for rule making to increase the number of club membership drives allowed in a calendar year.

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

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504, (360) 664-1631, (360) 664-9689, Karen.mccall@lcb.wa.gov.

March 22, 2017
Jane Rushford
Chairman

WSR 17-07-137
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
ENTERPRISE SERVICES

[Filed March 22, 2017, 11:48 a.m.]

Subject of Possible Rule Making: Debarment fines.

Statutes Authorizing the Agency to Adopt Rules on this Subject: SHB 1447 chapter 24 [44], Laws of 2015, amends RCW 36.26.200. This change directs the department to establish a civil fining process by rule.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SHB 1447 amends and authorizes the department of enterprise services, in debarment actions, to impose fines as an alternative to debarment. The legislation requires the department to establish the fine process by rule.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state and federal agencies regulate this subject.

Process for Developing New Rule: Agency staff will hold a series of workshops in order to develop a proposed rule with anyone interested. An opportunity will also be provided for anyone to submit written comments on the proposed rules during the public comment period and present oral testimony at the public hearings. The public is encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jack Zeigler, policy and rules manager, phone (360) 407-9209, email jack.zeigler@des.wa.gov. Anyone interested can participate in the development of the proposed rule before publication. Information about the rule making will be posted on the agency rule-making web site <http://www.des.wa.gov/about/LawsRules/Pages/RuleMaking.aspx>. In addition, you can identify yourself as an interested party by sending an email to rules@des.wa.gov with your contact information and typing "Interested party - debarment finesrulemaking" in the subject line.

March 22, 2017
Jack Zeigler
Policy and Rules Manager

WSR 17-07-138
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
ENTERPRISE SERVICES

[Filed March 22, 2017, 11:48 a.m.]

Subject of Possible Rule Making: Update chapter 200-110 WAC, Local government self-insurance health and welfare program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.62.061 Rule making by state risk manager—Standards.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Statutory changes require amending current rules and creating new rules in order to resolve incorrect references, align with recent amendments to other self-insurance rules, and align with the transfer of state risk management from office of financial management to department of enterprise services (DES).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DES will communicate and coordinate with the office of insurance commissioner, which has an interest in the rules governing joint self-insurance programs, as necessary. DES will also communicate with the state auditor's office, which is currently responsible for financial and accountability audits of local government and nonprofit risk pools.

Process for Developing New Rule: DES staff will hold a series of workshops in order to develop a proposed rule with anyone interested. An opportunity will also be provided for anyone to submit written comments on the proposed rules during the public comment period and present oral testimony at the public hearings. The public is encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jack Zeigler, policy and rules manager, phone (360) 407-9209, email jack.zeigler@des.wa.gov. Anyone interested can participate in the development of the proposed rule before publication. Information about the rule making will be posted on the agency rule-making web site <http://www.des.wa.gov/about/LawsRules/Pages/RuleMaking.aspx>. In addition, you can identify yourself as an interested party by sending an email to rules@des.wa.gov with your contact information and typing "Interested party - self-insurance rulemaking" in the subject line.

March 22, 2017
Jack Zeigler
Policy and Rules Manager