

WSR 17-16-007
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Docket TR-170780—Filed July 20, 2017, 9:11 a.m.]

Subject of Possible Rule Making: The purpose of this rule making is to implement ESHB 1105, chapter 333, Laws of 2017, which was passed by the legislature and subsequently signed by Governor Inslee. The effective date of the legislation is January 1, 2018. This potential rule making is recorded as Docket TR-170780 at the commission.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESHB 1105, Section 2, Paragraph (2), which states, "The commission must adopt rules under chapter 34.05 [RCW] as necessary to carry out this chapter regarding the operation of contract crew transportation vehicles."

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Railroad companies transport employees from one location to another to perform their duties. Railroad companies either provide transportation directly or, quite often, contract with private companies to transport employees. The commission currently regulates companies that provide passenger transportation if the vehicle used for transportation has a seating capacity for eight or more passengers, including the driver. The commission regulates and enforces safety requirements for these vehicles, including insurance coverage requirements, purchasing and maintaining vehicles, drivers' hours of service, controlled substance and alcohol testing requirements, and provisions for emergency equipment, among other requirements. Under the current statutes and rules, however, if a railroad contracts with a company that operates vehicles with a seating capacity of seven or fewer passengers, none of these safety requirements apply. This legislation eliminates the seating capacity threshold and requires all vehicles transporting railroad employees, regardless of size, to meet commission safety standards.

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 will ask for initial written comments on the CR-101 by August 28, 2017, and plans to host a stakeholders' workshop on October 5, 2017.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may contact the utilities and transportation commission (UTC) by phone (360) 664-1174, fax (360) 586-1150, or in writing to Executive Director and Secretary, UTC, P.O. Box 47250, 1300 South Evergreen Park Drive S.W., Olympia, WA 09504-7250 [98504-7250].

Interested persons may file written comments on the CR-101 by fax, by mail or via web at <http://www.utc.wa.gov/TR-170780>, by August 28, 2017.

WRITTEN COMMENTS AND STAKEHOLDER WORKSHOP:

Written comments must be filed with the commission no later than 5 p.m., August 28, 2017, for consideration at the October 5, 2017, stakeholder workshop. Comments must be provided in electronic format. You may submit comments via the commission's web portal at www.utc.wa.gov/e-filing or

by electronic mail to the commission's records center at records@utc.wa.gov. Please include:

- The docket numbers of this proceeding (TR-170780).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments is mailing or delivering an electronic copy to the commission's records center on a thumb drive, CD, or DVD in .pdf format (created using Adobe Acrobat or comparable software) or in Microsoft Word. Include all of the information requested above. The commission will post all comments on its web site. The web site is located at <http://www.utc.wa.gov/TR-170780>.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's web site as it becomes available. If you wish to receive further information on this rule making you may (1) call the commission's records center at (360) 664-1234, or (2) email the commission at records@utc.wa.gov. When contacting the commission, please refer to Docket TR-170780 to ensure that you are placed on the appropriate service list. Questions may be addressed to Mathew Perkinson, (360) 664-1236, or email mperkinson@utc.wa.gov.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING - the commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rule making, please advise the records center by sending an email with your name, address, telephone and fax numbers, referencing Docket TR-170780, and the words "Please keep me on the mailing list" to records@utc.wa.gov. Please note that all information in the mailings will be accessible through the commission's internet web site at <http://www.utc.wa.gov/TR-170780>. **THOSE INTERESTED PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

July 20, 2017
 Steven V. King
 Executive Director
 and Secretary

WSR 17-16-010
PREPROPOSAL STATEMENT OF INQUIRY
BELLINGHAM TECHNICAL COLLEGE

[Filed July 20, 2017, 9:41 a.m.]

Subject of Possible Rule Making: In response to recent legislation relating to costs associated with responding to public records requests, sections of chapter 495B-276 WAC will need to be amended to be in compliance of state mandates.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 26B.50.130 [28B.50.130].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Agencies are authorized to charge for providing copies of electronically produced public records and authorized to set a default fee schedule for such records as allowed in RCW 42.56.120 (2)(b).

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 Ronda Laughlin, Rules Coordinator, or Camille Gatza, Executive Director of Human Resources, Bellingham Technical College, 3028 Lindbergh Avenue, Bellingham, WA 98225, (360) 752-8334, or (360) 752-8549, rlaughlin@btc.edu or cgatza@btc.edu.

July 20, 2017
Kimberly Perry
President

WSR 17-16-012
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed July 20, 2017, 12:04 p.m.]

The department of labor and industries is withdrawing the preproposal statement of inquiry for rule making to develop permanent rules for the issuance of temporary electrical permits in lieu of certificates of competency for electricians coming from another state under chapter 296-46B WAC, WSR 16-23-128, which was filed on November 21, 2016.

If you have any questions, please contact Maggie Leland, rules coordinator at (360) 902-4504.

Maggie A. Leland
Rules Coordinator

WSR 17-16-015
PREPROPOSAL STATEMENT OF INQUIRY
EASTERN WASHINGTON UNIVERSITY
[Filed July 20, 2017, 2:18 p.m.]

Subject of Possible Rule Making: Eastern Washington University (EWU) plans to amend chapter 172-10 WAC, Costs of providing copies of public records. This rule will allow EWU to charge for copies of records pursuant to the default schedule as outlined in the Public Records Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12) and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: EWU is proposing to amend WAC 172-10-080 for the following reasons:

- To comply with HB [ESHB] 1594 and [EHB] 1595 it is necessary to update this code;

- It is unduly burdensome for EWU to calculate actual costs for copying records to fulfill public records requests; and
- Pursuant to RCW 45.56.120 [42.56.120] (2)(b), these changes will allow EWU to reimburse the university the costs associated with fulfilling its duties under the Public Records Act.

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 Chelsea L. Goss, University Policy Administrator, Office of the President, EWU, 214 Showalter Hall, Cheney, WA 99004, phone (509) 359-6322, fax (509) 359-7036, email clamberson@ewu.edu. A public hearing will be held to permit comment on all proposed rules and revisions.

July 20, 2017
Chelsea L. Goss
University Compliance Officer
Policy Administrator
Title IX Coordinator

WSR 17-16-017
PREPROPOSAL STATEMENT OF INQUIRY
SEATTLE COLLEGES
[Filed July 20, 2017, 2:56 p.m.]

Subject of Possible Rule Making: WAC 132F-168-060 Copying, access to public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.100, 42.56.040 (1)(d), 42.56.120 (as amended by chapter 304, Laws of 2017).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed changes to this rule is to implement the state legislature's new Public Records Act requirement, effective July 23, 2017. Under the new requirements, the district will no longer be authorized to charge fifteen cents per page for public records requests. The updated language will explain procedures for payment.

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 Kurt Buttleman, Vice Chancellor for Finance and Technology, 1500 Harvard Avenue, Seattle, WA 98122-3803, (206) 934-4111, Kurt.Buttleman@seattlecolleges.edu.

July 20, 2017
Shouan Pan
Chancellor

WSR 17-16-024**PREPROPOSAL STATEMENT OF INQUIRY
SHORELINE COMMUNITY COLLEGE**

[Filed July 20, 2017, 5:32 p.m.]

Subject of Possible Rule Making: WAC 132G-276-090 Charges for copies of public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.120, as amended by chapter 304, Laws of 2017 (EHB 1595), and RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: EHB [1595], passed in 2017 and effective July 23, 2017, forward, has modified the authority for state agencies (including higher education) to charge for costs associated with producing records in response to a public records request. Shoreline Community College will be revising the section of our public records rule related to this update.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None identified. The state board for community and technical colleges has general supervision and control over the state system of community and technical colleges but does not regulate each individual college's rule making.

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. Interested parties can participate in the decision to revise WAC 132G-276-090 of the current public records rule for Shoreline Community College before publication by contacting Veronica Zura, Director of Human Resources, 16101 Greenwood Avenue North, Shoreline, WA 98133, phone (206) 546-4769, email scrulemaking@shoreline.edu, fax (206) 546-5850.

July 20, 2017
Veronica Zura
Director of
Human Resources

WSR 17-16-034**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
EARLY LEARNING**

[Filed July 21, 2017, 4:16 p.m.]

Subject of Possible Rule Making: Rules implementing the Public Records Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: EHB 1595 enacts new requirements for charging for records under the Public Records Act. The bill provides charging options, including other amendments to the act. The department of early learning (DEL) intends to update its rules to implement EHB 1595, including clarifying charging information, explaining when fee waivers may be allowed, and better explaining payment requirements.

Process for Developing New Rule: To the extent practicable, DEL intends to seek stakeholder and public input during the rule drafting and development process. At a later date, DEL will file proposed rules, hold a public hearing(s), and accept written comments before adopting permanent rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Individuals and organizations wishing to receive draft and proposed materials may join a DEL rules making list by contacting the DEL rules coordinator at rules@del.wa.gov, fax (360) 725-4925, or by writing to the Rules Coordinator, DEL, P.O. Box 49070, Olympia, WA 98504-0970.

July 21, 2017
Ross Hunter
Director

WSR 17-16-036**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)

[Filed July 23, 2017, 6:39 p.m.]

Subject of Possible Rule Making: WAC 182-557-0100 Health home program—Definitions, 182-557-0200 Health home program—Eligibility, 182-557-0225 Health home services—Methodology for calculating a person's risk score, 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 revising these sections to fix outdated hyperlinks and to establish rules to allow for inactive clients to be unenrolled from the health home program. These revisions align with the agency's state plan relating to the removal of clients from the health home program when clients do not participate in the program for a continuous six month period and the client's risk score is less than 1.0 during the continuous six months. 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 Vance Taylor, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, email vance.taylor@hca.wa.gov.

July 23, 2017
Wendy Barcus
Rules Coordinator

WSR 17-16-044
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed July 24, 2017, 9:54 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-310-1000 WorkFirst—Vocational education. Chapter 156, Laws of 2017 (2SSB 5347) revised RCW 74.08A.250, which allows the department to extend vocational education as an approvable WorkFirst work activity from twelve to twenty-four months subject to funding.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current language in WAC 388-310-1000 WorkFirst—Vocational education, reflects vocational education as an approvable WorkFirst activity for up to twelve months. The department may extend vocational education to twenty-four months effective July 23, 2017, subject to appropriated funding. Adoption of this rule is necessary to improve the general welfare and public health of families receiving temporary assistance for needy families by increasing their opportunity to escape poverty through economic advancement.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: State board for community and technical colleges.

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 Angela Aikins, Community Services Division, Economic Services Administration, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4784, fax (360) 725-4905, email angela.aikins@dshs.wa.gov.

July 24, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-16-047
PREPROPOSAL STATEMENT OF INQUIRY
STUDENT ACHIEVEMENT COUNCIL

[Filed July 24, 2017, 11:11 a.m.]

Subject of Possible Rule Making: Fees for public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule is necessary to

implement changes to the Public Records Act relating to charging fees for public records and contained in RCW 42.56.120(2), as amended by section 3, chapter 304, Laws of 2017. Without this change to its public records rules (chapter 250-82 WAC), the agency will be unable to charge requesters for the cost of producing requested public records.

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 the agency's public records officer, Donald G. Alexander, Director of Financial and Business Services, Washington Student Achievement Council, 917 Lakeridge Way S.W., Olympia, WA 98504-3430, or dona@wsac.wa.gov.

July 24, 2017
Michael P. Meotti
Executive Director

WSR 17-16-049
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed July 24, 2017, 12:24 p.m.]

Subject of Possible Rule Making: Chapter 182-04 WAC, Public records, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, chapter 42.56 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending its rules relating to public records to conform with EHB 1595 (65th legislature, 2017 regular session) and to make other updates. 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: None.

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.

July 24, 2017
Wendy Barcus
Rules Coordinator

WSR 17-16-061**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Order 16-10—Filed July 25, 2017, 1:56 p.m.]

Subject of Possible Rule Making: The department of ecology is beginning a rule making for a new rule, chapter 173-323 WAC, Grants and loans. This rule will apply to grants and loans issued by ecology that are funded under chapter 70.105D RCW, Hazardous waste cleanup—Model Toxics Control Act (MTCA). If an ecology grant or loan program has a rule specific to that program, this chapter will not apply.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.105D.070(8) Toxics control accounts.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We are proposing this chapter to establish ecology's guiding standards and expectations for grant and loan issuance and performance where public MTCA funds are involved, as required by RCW 70.105D.070 (8). We are also doing this rule making to be more clear and consistent in how we manage public funds. Ecology intends to adopt this rule and remain consistent with current grant and loan practices.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Where there are federal requirements that apply to one of the grant or loan programs regulated by this new chapter, ecology intends for the rule language to be consistent with the federal requirements. For some of the grant or loan programs covered by this rule, federal funding is also received through the Environmental Protection Agency (EPA) and National Oceanic and Atmospheric Administration (NOAA). Ecology is developing these rules to be consistent with chapter 43.88 RCW and any office of financial management (OFM) rules or guidance on the issuance and performance of grants or loans. We will consult with OFM as necessary throughout the rule making.

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication: 1. **Providing feedback on preliminary draft rule language - due Monday, August 14 (11:59 p.m.)**. We have a preliminary draft of the rule language available now. This draft is based on existing best practices for grants and loans. Download at <http://www.ecy.wa.gov/laws-rules/wac173323/d1610a.pdf>.

We would like your feedback:

- Would you need to change how you meet grant or loan requirements?
 - If yes, how?
 - If yes, are there costs related to this change? Are there benefits?
- Provide us suggestions, edits, concerns or other feedback on the draft language.

Submit feedback by:

- Mail to Bari Schreiner at the address below.

- Submitting online at <http://wt.ecology.commentinput.com/?id=kRg5Y>.

Attend a webinar about the rule making and preliminary draft language: On August 7, 2017, at 1:30 p.m. Join the webinar <https://wadismetings.webex.com/wadismetings/j.php?MTID=m9be3b010e2a00c3ba1c9a235b2f735ca>.

2. Visiting the ecology web site at <http://www.ecy.wa.gov/laws-rules/wac173323/1610timedocs.html>.

3. Signing up to receive email updates - please email rulemaking@ecy.wa.gov to sign up.

4. Contacting the rule-making lead Bari Schreiner, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6998, email rulemaking@ecy.wa.gov.

Ecology will extend an offer for government-to-government consultation to tribal governments during each phase of rule development.

July 25, 2017

Erik Fairchild

Chief Financial Officer

WSR 17-16-062**PREPROPOSAL STATEMENT OF INQUIRY
SECRETARY OF STATE**

[Filed July 25, 2017, 2:00 p.m.]

Subject of Possible Rule Making: To update the fee schedule found in WAC pursuant to EHB 1595, chapter 304, Laws of 2017.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.07.120, chapter 42.56 RCW, chapter 304, Laws of 2017.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Statutory changes and streamlining.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The attorney general's office is participating in the formulation of these rules.

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 Brenda Galarza, Records/Public Disclosure Officer, Office of the Secretary of State, P.O. Box 40224, Olympia, WA 98504-0224, (360) 704-5220, brenda.galarza@sos.wa.gov.

July 25, 2017

Mark Neary

Assistant Secretary of State

WSR 17-16-064**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed July 25, 2017, 2:16 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-14A-4505, 388-14A-4510, and other related rules as may be required in order to implement ESHB 1814 (chapter 269, Laws of 2017), which takes effect on July 23, 2017.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 26.23.030, 34.05.220 (1)(a), 34.05.322, 34.05.350 (1)(a) and (b), 74.04.055, 74.08.090, 74.20.040(9), 74.20A.310, 74.20A.328.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 1814 (chapter 269, Laws of 2017), which takes effect on July 23, 2017, amended RCW 74.20A.320 to change the requirements for service of the notice of noncompliance and intent to suspend licenses, which is the first step in the process to suspend one or more licenses of a noncustodial parent who is not in compliance with a court order. In order to implement ESHB 1814, the division of child support (DCS) must amend WAC 388-14A-4505 and must correct a cross-reference in WAC 388-14A-4510.

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

Process for Developing New Rule: DCS engages in modified collaborative rule making. Those persons wishing to participate in developing the new rules are encouraged to contact Nancy Koptur at DSHS/DCS headquarters as soon as possible. DCS will post information regarding this rule development project and others on its web site, which can be found at <http://dcs.esa.dshs.wa.lcl/Pages/default.aspx>, or on the DSHS economic services administration's policy review web site, which can be found at <https://fortress.wa.gov/dshs/f2ws03esaapps/extpolicy/>. DSHS/DCS encourages the public to take part in developing the rules. After the rules are drafted, DSHS will file a copy with the office of the code reviser with a notice of proposed rule making, and will send a copy to everyone currently on the mailing list and to anyone else 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 Nancy Koptur, DCS Rules Coordinator, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone (360) 664-5065 or toll-free 1-800-457-6202, fax (360) 664-5342, TTY/TDD (360) 664-5011, email nkoptur@dshs.wa.gov or nancy.koptur@dshs.wa.gov.

July 25, 2017

Katherine I. Vasquez
Rules Coordinator**WSR 17-16-068****PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed July 25, 2017, 4:06 p.m.]

Subject of Possible Rule Making: To increase the maximum value of a raffle ticket sold as part of a members-only raffle from \$25 to \$100.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070 and 9.46.0277.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The petitioner, Ducks Unlimited Washington, submitted a petition for rule change to increase the maximum value of a raffle ticket sold as part of a members-only raffle from \$25 to \$100 for raffle packages containing multiple components.

Rule will apply to members-only raffles. The petitioner states these rule changes will likely address:

- Increase predictability for licensees that a member-only (raffle) will result in a net profit for the licensee.
- Increase member-only raffle limit to entice sponsors to step up to the next level.
- Balance the increase in the sponsor package with the cost of the items offered on the sponsor board as prizes.

Process for Developing New Rule: Negotiated rule making; and interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency staff at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments can be directed to Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, fax (360) 486-3630, phone (360) 486-3447, or email rules.coordinator@wsgc.wa.gov.

To discuss these rule proposals in person with commissioners and staff, please attend an upcoming commission meeting.

Check our web site at www.wsgc.wa.gov under "Public Meetings" for agendas, meeting dates, locations and start times.

July 25, 2017

Michelle Rancour
Acting Rules Coordinator**WSR 17-16-070****PREPROPOSAL STATEMENT OF INQUIRY
CLARK COLLEGE**

[Filed July 26, 2017, 10:11 a.m.]

Subject of Possible Rule Making: Revise WAC 132N-276-090 Copying, public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: HB 1595, RCW 42.56.120, RCW 42.56.040, 42.56.070, 42.56.100, 42.56.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Enforcement of new public records copying rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state secretary of state office.

Process for Developing New Rule: In response to changes of RCW 42.56.120.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bob Williamson, Vice President of Administrative Services, Clark College, 1933 Fort Vancouver Way, Vancouver, WA 98663, bwilliamson@clark.edu, phone (360) 992-2123.

July 26, 2017
Bob Williamson
Vice President
Administrative Services

WSR 17-16-071
PREPROPOSAL STATEMENT OF INQUIRY
CLARK COLLEGE

[Filed July 26, 2017, 10:12 a.m.]

Subject of Possible Rule Making: Revise WAC 132N-156-550 Illegal parking, parking and traffic rules and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28B.50 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revision is necessary to enforce parking in a metered parking spot without paying the appropriate fee as a parking violation.

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 Bob Williamson, Vice President of Administrative Services, Clark College, 1933 Fort Vancouver Way, Vancouver, WA 98663, bwilliamson@clark.edu, phone (360) 992-2123.

July 18, 2017
Bob Williamson
Vice President
Administrative Services

WSR 17-16-078
PREPROPOSAL STATEMENT OF INQUIRY
ENERGY FACILITY SITE
EVALUATION COUNCIL

[Filed July 26, 2017, 2:32 p.m.]

Subject of Possible Rule Making: The Washington energy facility site evaluation council (EFSEC) proposes to amend three subsections of chapter 463-76 WAC. Two of the proposed rule amendments will streamline the process to make minor revisions to national pollutant discharge elimination system (NPDES) permits. Both amendments are based on existing provisions in Washington department of ecology (ecology) NPDES rules, chapter 173-220 WAC. The third

proposed rule amendment will assure consistency between EFSEC rules and federal regulations concerning the termination of NPDES permits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 90.48 and 80.50 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 463-76-054 Schedules of compliance, the purpose of this rule amendment is [to] make EFSEC rules consistent with existing state and federal rules concerning interim compliance dates within a schedule of compliance. EFSEC's existing rules require interim compliance dates be no more than nine months apart. Ecology and federal rules require interim compliance dates to be no more than one year apart. WAC 173-220-140(2) and 40 C.F.R. 122.47 (a)(3), respectively. EFSEC proposes to amend existing rules to allow interim compliance dates of up to one year apart.

WAC 463-76-062 Modification of NPDES permit:

WAC 463-76-062(1), the purpose of this rule amendment is to make EFSEC rules consistent with federal regulations concerning the termination of NPDES permits. Federal regulations do not provide for the suspension of NPDES permits, but do recognize that they can be terminated. 40 C.F.R. 122 Subpart D, Subsections 122.61-64. This proposed rule amendment will delete suspension of a permit and will add termination of a permit to EFSEC's options to make rules consistent with federal regulations.

WAC 463-76-062(3), the purpose of this rule amendment is to make EFSEC rules consistent with ecology rules to streamline and simplify EFSEC's process to make minor revisions to an NPDES permit. Existing EFSEC rules require implementation of the full permit revision process, with formal public notice and council approval processes. Ecology rules differentiate between major and minor permit modifications and allow the use of an abbreviated public process for the minor modification of an NPDES, provided the revision does not result in less stringent effluent limits. WAC 173-220-190(3). EFSEC's proposal to adopt ecology's approach to minor permit revisions will simplify and streamline the permittees' requests for permit modifications and allow more expedited action by EFSEC to implement such requests.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Environmental Protection Agency (EPA) delegates permitting authority to EFSEC. EFSEC rules are required to be consistent with EPA regulations.

EFSEC contracts with ecology to write EFSEC's NPDES permits and assist with compliance and enforcement issues. Chapter 90.48 RCW requires EFSEC and ecology to work together to maximize coordination and minimize duplication in implementing their respective NPDES programs. Consistency between EFSEC and ecology rules is required by state law, when possible, and facilitates consistency between the programs.

Process for Developing New Rule: EFSEC will use standard rule-making procedures described in chapter 34.05 RCW, e.g., CR-101, CR-102, CR-103.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments can be submitted by email to

EFSEC at efsec@utc.wa.gov, or Attn: Jim La Spina, P.O. Box 43172, Olympia, WA 98504-3172.

More information:

- Updates will be posted on EFSEC's web site <http://www.efsec.wa.gov/default.shtm>.
- Subscribers to EFSEC's Interested Parties and Rulemaking lists will be mailed updates.
- Contact Jim La Spina, jlaspina@utc.wa.gov, (360) 664-1362.

Public comments to EFSEC on the proposed rule amendments are due by September 15, 2017, at 5 p.m.

July 26, 2017
Stephen Posner
Manager

copies), the agency must have a rule declaring the reason it is not calculating actual costs is because to do so would be unduly burdensome. The college is not calculating actual costs for copying records because to do so would be unduly burdensome.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lisa Radeleff, Executive Assistant to the President, Rules Coordinator, Skagit Valley College, 2405 East College Way, Mount Vernon, WA 98273, (360) 416-7995, lisa.radeleff@skagit.edu.

July 27, 2017
Lisa Radeleff
Executive Assistant
to the President
Rules Coordinator

WSR 17-16-085

PREPROPOSAL STATEMENT OF INQUIRY SKAGIT VALLEY COLLEGE

[Filed July 27, 2017, 10:48 a.m.]

Subject of Possible Rule Making: WAC 132D-276-090 Copying.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Skagit Valley College finds good cause that a revised rule WAC 132D-276-090 is necessary for the following reasons. The Public Records Act is chapter 42.56 RCW. The 2017 legislature amended RCW 42.56.120, section 3, chapter 304, Laws of 2017, to require that effective July 23, 2017, if an agency uses the new law's amended statutory default copy fee schedule (rather than determining actual costs of copies), the agency must have a rule declaring the reason it is not calculating actual costs is because to do so would be unduly burdensome. The college is not calculating actual costs for copying records because to do so would be unduly burdensome.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state legislature. The 2017 legislature amended RCW 42.56.120 at section 3, chapter 304, Laws of 2017, to require that effective July 23, 2017, if an agency uses the new law's amended statutory default copy fee schedule (rather than determining actual costs of copies), the agency must have a rule declaring the reason it is not calculating actual costs is because to do so would be unduly burdensome. The college is not calculating actual costs for copying records because to do so would be unduly burdensome. On July 24, 2017, the college adopted an emergency rule in order to preserve and update fees in accordance with the legislatively adopted schedule, allow for fee waivers, and provide payment procedures.

Process for Developing New Rule: The Washington state legislature amended RCW 42.56.120 at section 3, chapter 304, Laws of 2017, to require that effective July 23, 2017, if an agency uses the new law's amended statutory default copy fee schedule (rather than determining actual costs of

WSR 17-16-113

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed July 31, 2017, 7:16 a.m.]

Subject of Possible Rule Making: WAC 458-20-19402 Single factor receipts apportionment—Generally (Rule 19402).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300, 82.01.060(2), 82.04.067, 82.04.-460, and 82.04.462.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Since amending Rule 19402 in 2015 to recognize Section 305 of SSB 6333 (chapter 97, Laws of 2014), the department has continued to receive public comments requesting additional guidance on Part 3 - "How to Attribute Receipts." Most comments are with regard to subsection (303)(c), on services relating to the customer's business activities. The department is considering updating this rule to clarify subsection (303)(c) specifically, and possibly other parts of the rule based on any comments received.

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 publication. No preliminary draft of possible rule changes is available at this time.

Written comments may be submitted by email or post mail directed to Wan Chen, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, email WanC@dor.wa.gov.

Written or oral comments may also be submitted at the public meeting.

Public Meeting Location: Conference Room 252, 6400 Linderson Way S.W., Tumwater, WA 98501, on September

11, 2017, at 1:00 p.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.

July 31, 2017
Kevin Dixon
Rules Coordinator

WSR 17-16-119
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
EARLY LEARNING

[Filed July 31, 2017, 12:53 p.m.]

Subject of Possible Rule Making: Revisions to chapter 170-290 WAC to ensure child care subsidy programs comply with state and federal requirements, remove barriers to program participation, and promote program integrity. Changes may include, but are not limited to, revising documentation requirements and submission deadlines for program eligibility and income verification, revising priority groups, and standardizing authorization amounts for all participants.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.215.060 and 43.215.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes to rules are necessary to implement SSB 5883 and to strengthen internal controls for administering Washington state's working connections child care program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The state department of social and health services jointly administers the working connections child care and seasonal child care subsidy programs. The department of early learning (DEL) must follow United States Administration for Children and Families, childcare and development funds (CCDF) regulations consistent with the state's CCDF plan. DEL plans to coordinate rule development with these state and federal agencies.

Process for Developing New Rule: To the extent practicable, DEL intends to seek stakeholder and public input during the rule drafting and development process. At a later date, DEL will file proposed rules, hold a public hearing(s), and accept written comments before adopting permanent rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Individuals and organizations wishing to receive draft and proposed materials may join a DEL rules mailing list by contacting the DEL rules coordinator at rules@del.wa.gov, fax (360) 725-4925, or by writing to the DEL Rules Coordinator, Department of Early Learning, P. O. Box 49070 [40970], Olympia, WA 98504-0970.

July 31, 2017
Ross Hunter
Director

WSR 17-16-121
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Board of Denture Technology)
[Filed July 31, 2017, 1:11 p.m.]

Subject of Possible Rule Making: Chapter 246-812 WAC, the board of denturists is considering a possible new rule on the use of initials following the name of a licensed denturist that can be used to designate their professional title.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.30.065(3).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The possible new rule will provide clarity on the initials that can be used after a licensed denturist's name to designate their professional title. This will create the standard to be used within the denturist profession. There is confusion among consumers regarding what initials indicate a licensed denturist. A rule would clarify this for consumers and standardize the way denturists use initials in advertising. In addition, with a rule you could discipline a denturist for misleading advertising if they are using different initials. An interpretive statement would also provide clarity and standardization, but without a rule you do not have anything legally enforceable.

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. The board will be holding at least one public workshop before developing the proposed rule. The board will email notices of its rule-making activities to those on its stakeholder list and to the affected state association. To sign up for the denturist interested parties list go to <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. The board contact is Vicki Brown, Program Manager, Board of Denturists, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4865, vicki.brown@doh.wa.gov.

July 31, 2017
Trina Crawford
Executive Director

WSR 17-16-125
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
 (Board of Hearing and Speech)
 [Filed July 31, 2017, 2:00 p.m.]

Subject of Possible Rule Making: WAC 246-828-020, 246-828-025, 246-828-040, 246-828-045, 246-828-04503, 246-828-04505, 246-828-112 and 246-828-600, the board of hearing and speech is considering amending these rule sections to update examination standards and approval of educational programs for hearing aid specialists, clarify educational requirements for speech-language pathology assistants, and clarify supervision requirements of interim permit holders and speech-language pathology assistants.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.35.161.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board is considering updating these rule sections to update examination standards and approval of educational programs for hearing aid specialists. The board is also considering approval of out-of-country educational programs for speech-language pathology assistants, and clarifying methods of supervision of speech-language pathology assistants. In addition, the board is considering revising supervision requirements of interim permit holders to clarify the amount of hours needed during the postgraduate supervision period and accept supervised hours completed under speech-language pathologists who are certified as educational staff associates. Rules are needed to implement these changes.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties can participate in the rule-making process by providing comments on proposed language and/or attending a rules workshop. Notices will be sent to interested parties through listserv and email. Send written comments to Janette Benham, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, (360) 236-4857, fax (360) 236-2901, or email Janette.benham@doh.wa.gov.

July 31, 2017
 Hal Hunsaker
 Chair

WSR 17-16-134
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
 (Board of Boiler Rules)
 [Filed August 1, 2017, 9:28 a.m.]

Subject of Possible Rule Making: Amendments to sections of chapter 296-104 WAC, Board of boiler rules—Substantive, for clarification and technical changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.79 RCW, Boilers and unfired pressure vessels.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board of boiler rules and the department of labor and industries (L&I) boiler program are considering amendments to chapter 296-104 WAC, Board of boiler rules—Substantive, to clarify the rules and make technical changes. The boiler rules are reviewed on a regular basis to ensure the rules are consistent with national boiler and unfired pressure vessel safety standards and industry practice, for rule clarity, housekeeping, etc.

Amendments for consideration will:

- Automatically adopt the current edition of the National Board Inspection Code (NBIC) for in-service inspection and nonnuclear repairs and alterations of boilers and unfired pressure vessels in the rules;
- Modify the rules to make the installer of boilers and pressure vessels responsible for permit requirements, permit fees and civil penalties;
- Eliminate the permit exemption for owner/user inspection agencies and Washington state specials to require permit, filing, permit fees and civil penalties;
- Outline procedures for removing "condemned boilers or unfired pressure vessels" from service;
- Create new definitions to define the usage status of a vessel, such as active, inactive, out-of-service, and scrapped;
- Create a new definition for "installer"; and
- Modify the board of boiler rules meeting schedule to quarterly, as opposed to specified months.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other federal and/or state agencies regulating this subject that require coordination of the rules.

Process for Developing New Rule: Interested parties can participate in the adoption process for the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate, after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process.

For more information on this rule making, visit the L&I web site at <http://www.lni.wa.gov/TradesLicensing/Boilers/> Board or interested parties can sign up for email updates at <http://www.lni.wa.gov/Main/Listservs/Boilers>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Alicia Curry, Management Analyst, L&I, P.O. Box 44400, Olympia, WA 98504-4400, phone

(360) 902-6244, fax (360) 902-5292, email Alicia.Curry@Lni.wa.gov.

August 1, 2017
Terry Chapin, Chair
Board of Boiler Rules

WSR 17-16-135

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed August 1, 2017, 9:29 a.m.]

Subject of Possible Rule Making: Chapter 296-05 WAC, Apprenticeship rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 49.04 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The apprenticeship system in Washington state is authorized under the federal system of apprenticeship, specifically 29 C.F.R. Part[s] 29 and 30. The purpose of this rule making is to review the apprenticeship rules for changes in order to further clarify and reorganize the rules for ease of use by regulated parties.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor, Office of Apprenticeship, Employer and Labor Services, which has federal apprenticeship oversight responsibility, will be provided a copy of the proposed rules.

Process for Developing New Rule: The Washington state apprenticeship and training council will be utilized to develop these rules. Other interested parties may participate in the decision to adopt the new rules and formulation of the rules before publication by contacting the individual below. The public may also participate, after amendments are proposed by providing written comments and/or testimony during the public hearing and comment period.

For more information on this rule making, visit the department of labor and industries (L&I) laws and rules web site at <http://www.lni.wa.gov/LawRule/> or contact the individual below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Beverly Clark, L&I, Fraud Prevention and Labor Standards Division, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6272, fax (360) 902-5292, email Beverly.Clark@Lni.wa.gov.

August 1, 2017
Joel Sacks
Director

WSR 17-16-144

PREPROPOSAL STATEMENT OF INQUIRY POLLUTION LIABILITY INSURANCE AGENCY

[Filed August 1, 2017, 12:37 p.m.]

Subject of Possible Rule Making: The pollution liability insurance agency (PLIA) proposes to amend chapter 374-80 WAC to expand the program for providing technical assistance to the owners and operators of petroleum storage tanks.

The amendment to chapter 374-80 WAC will expand the scope of advice and technical assistance provided by PLIA to include petroleum storage tanks identified by the department of ecology. The rule amendment will also clarify the process for the owner or operator of a heating oil tank to notify PLIA of suspected or confirmed releases; detail how PLIA will conduct an initial investigation of a heating oil tank release; describe the use of environmental covenants where PLIA is the holder; and identify the process by which PLIA will issue an opinion on whether independent remedial actions to address a release from a heating oil tank or a petroleum storage tank meets the substantive requirements of the Model Toxics Control Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.149.040 (5), (9); section 7, chapter 23, Laws of 2017.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2017, Washington's legislature adopted a bill which revised chapter 70.149 RCW to expand the advice and technical assistance provided by PLIA and add additional responsibilities to the agency's work.

Consistent with the directive from the legislature, PLIA is using its authority to amend its existing rule to expand the scope of advice and technical assistance provided by PLIA to include petroleum storage tanks identified by the department of ecology; clarify the process for the owner or operator of a heating oil tank to notify PLIA of suspected or confirmed releases; detail how PLIA will conduct an initial investigation of a heating oil tank release; describe the use of environmental covenants where PLIA is the holder; and identify the process by which PLIA will issue an opinion on whether independent remedial actions to address a release from a heating oil tank or a petroleum storage tank meets the substantive requirements of the Model Toxics Control Act.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: PLIA will provide advice and technical assistance to owners and operators of petroleum storage tanks identified by the Washington state department of ecology based on the relative risk posed to human health and the environment by the release. The department of ecology also regulates cleanup of hazardous waste sites under the Model Toxics Control Act. Because the department of ecology may be impacted by PLIA's work in these areas, throughout the rule-making process PLIA will communicate with, and seek input from, the department of ecology.

Process for Developing New Rule: PLIA will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by:

1. Accessing a web page where PLIA posts updates.
2. Contacting PLIA staff at rules@plia.wa.gov or 1-800-822-3905.
3. Participating in a public meeting(s) during development of the rule proposal.

August 1, 2017
Cassandra Garcia
Deputy Director

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by:

1. Accessing a web page where PLIA posts updates.
2. Contacting PLIA staff at rules@plia.wa.gov or 1-800-822-3905.
3. Participating in a public meeting(s) during development of the rule proposal.

August 1, 2017
Cassandra Garcia
Deputy Director

WSR 17-16-145

PREPROPOSAL STATEMENT OF INQUIRY POLLUTION LIABILITY INSURANCE AGENCY

[Filed August 1, 2017, 12:51 p.m.]

Subject of Possible Rule Making: The pollution liability insurance agency (PLIA) proposes to adopt a new rule (chapter 374-90 WAC).

The new rule, chapter 374-90 WAC, will establish the petroleum underground storage tank revolving loan and grant program authorized in chapter 70.340 RCW and will detail:

- Eligibility for loans and/or grants under the program;
- Requirements for applications;
- PLIA's process for evaluation of applications;
- The process for funding approved loans and/or grants; and
- Management of funds provided under an approved loan and/or grant.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.340.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2016, Washington's legislature required PLIA to adopt a rule to carry out provisions of chapter 70.340 RCW, which established the petroleum underground storage tank revolving loan and grant program. Consistent with the directive from the legislature, PLIA is using its authority to adopt a rule to implement the program which will assist owners and operators of petroleum underground storage tank systems to remediate past releases; upgrade, replace, or remove petroleum underground storage tank systems to prevent future releases; and install new infrastructure or retrofit existing infrastructure for dispensing renewable or alternative energy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: PLIA implements the revolving loan and grant program with the Washington state department of health, under terms of a memorandum of agreement between the two agencies. Throughout the rule-making process, PLIA will communicate with, and seek input from, the department of health.

Process for Developing New Rule: PLIA will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

WSR 17-16-146

PREPROPOSAL STATEMENT OF INQUIRY POLLUTION LIABILITY INSURANCE AGENCY

[Filed August 1, 2017, 12:53 p.m.]

Subject of Possible Rule Making: The pollution liability insurance agency (PLIA) proposes to amend chapter 374-20 WAC relating to public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.149.040(5).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: PLIA proposes amending chapter 374-20 WAC to better conform such chapter to: (1) Recent changes in the law concerning public records; (2) model rules recommended by the attorney general's office (chapter 44-14 WAC), and (3) current agency practices.

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

Process for Developing New Rule: PLIA will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by:

1. Accessing a web page where PLIA posts updates.
2. Contacting PLIA staff at rules@plia.wa.gov or 1-800-822-3905.
3. Participating in a public meeting(s) during development of the rule proposal.

August 1, 2017
Cassandra Garcia
Deputy Director

WSR 17-16-149
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Developmental Disabilities Administration)

[Filed August 1, 2017, 2:11 p.m.]

Subject of Possible Rule Making: The department is considering amending chapter 388-829C WAC, Companion homes, 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 department is considering amending these rules and other related rules as may be required to clarify and update the monitoring process for companion home providers.

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 Chantelle Diaz, Developmental Disabilities Administration, 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.

July 31, 2017
 Katherine I. Vasquez
 Rules Coordinator

WSR 17-16-150
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Developmental Disabilities Administration)

[Filed August 1, 2017, 2:16 p.m.]

Subject of Possible Rule Making: The department is considering amending chapter 388-829A WAC, Alternative living, 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 considering amending these rules and other related rules as may be required to clarify and update the monitoring process for alternative living providers.

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 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 Chantelle.Diaz@dshs.wa.gov.

July 31, 2017
 Katherine I. Vasquez
 Rules Coordinator

WSR 17-16-151
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Developmental Disabilities Administration)

[Filed August 1, 2017, 2:16 p.m.]

Subject of Possible Rule Making: The department is considering amending WAC 388-823-1095 What are my rights as a DDA client?, 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 department is considering amending WAC 388-823-1095 and other related rules as may be required to update settings-based rights, and to align various WAC sections to a single list of client rights. Under 42 C.F.R. Section 441.301 (c)(4)-(5), the Centers for Medicare and Medicaid Services (CMS) redefined home and community-based settings by the nature and quality of an individual's experiences. All of the developmental disabilities administration's (DDA) 1915(c) medicaid waivers must comply with these settings-based 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: 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 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 Chantelle.Diaz@dshs.wa.gov.

July 31, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-16-152
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed August 1, 2017, 2:18 p.m.]

Subject of Possible Rule Making: The department may propose to amend WAC 388-492-0070 How are my WASH-CAP food benefits calculated?, and other related rules as may be required in order to ensure that the Washington combined application project (WASHCAP) remains cost neutral with Supplemental Nutrition Assistance Program (SNAP) benefits provided under the Washington basic food program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 7 C.F.R. 282.1.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As required by the demonstration project waiver with the United States Department of Agriculture Food and Nutrition Service (FNS), the department will review the cost neutrality between WASHCAP and basic food. Based on the findings of this evaluation, the department may amend WAC 388-492-0070 and other related rules as may be required to ensure that WASHCAP benefits are cost neutral to SNAP.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: FNS enforces the provisions of the federal SNAP 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 WASH-CAP demonstration project waiver while ensuring cost neutrality of the 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 Holly St. John, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4895, fax (360) 725-4905, email Holly.St.John@dshs.wa.gov.

July 31, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-16-155
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)

[Filed August 1, 2017, 3:52 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-106-0225, and other related rules as may be required related to changes in the personal needs allowance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In accordance with SB 5118, the department is proposing to amend WAC 388-106-0225 and other related rules as may be required to reflect an increase in the personal needs allowance effective January 1, 2018, and each year thereafter. This adjustment is subject to legislative funding.

Other related rule changes that arise during this rule making may be incorporated. Other related WAC chapters may need to be updated as a result of this rule making.

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 Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2495, fax (360) 438-8633, TTY 1-800-833-6388, email angel.sullivan@dshs.wa.gov.

August 1, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-16-156
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Behavioral Health Administration)

[Filed August 1, 2017, 3:54 p.m.]

Subject of Possible Rule Making: The department is proposing to repeal existing rules, amend existing rules, and create new rules in Title 388 WAC regarding mental health and substance use disorders in order to provide a single set of regulations for behavioral health agencies to follow. This may involve portions of chapters 388-865, 388-877, 388-877A, 388-877B, 388-877C WAC, and other related existing and new WAC chapters as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 207, Laws of 2017; RCW 43.20A.550, 71.05.560, 71.24.035 (5)(m), 71.24.037, 71.24.520(4), 74.04.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The 2017 legislature passed E2SHB 1819 (chapter 207, Laws of 2017) which charges DSHS with providing a single set of regulations for behavioral health agencies to follow that provide mental health, substance use disorder, and co-occurring treatment services by April 1, 2018. The division of behavioral health and recovery is performing a review of its rules, policies, and procedures related to the documentation requirements for behavioral health services in order to assess the comprehensive nature of this rule change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of health, the health care authority, superior courts, and other government entities.

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 Stephanie Vaughn, Division of Behavioral Health and Recovery, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 725-1342, fax (360) 586-0341, TTY 1-800-833-6384, email stephanie.vaughn@dshs.wa.gov.

August 1, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-16-157
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed August 1, 2017, 4:28 p.m.]

Subject of Possible Rule Making: The department is proposing to amend the list of disqualifying crimes found in WAC 388-113-0020 due to legislative action in the 2017 session, and is also proposing to remove the example for time limited convictions in WAC 388-113-0020(2). The department may also amend, repeal, or create other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 74.39A.056, 43.43.832, 43.43-842.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this proposed change is to implement the changes related to the passage of HB [E2SHB] 1163 and HB [ESHB] 1153, and to simplify

WAC by removing the example of time limited convictions in WAC 388-113-0020(2). HB [E2SHB] 1163 elevates the crime of fourth degree assault to a felony under certain circumstances related to domestic violence and makes it an automatically disqualifying crime by reason of including it in the definition of crimes against persons in RCW 43.43.830. HB [ESHB] 1153 creates the crimes of first and second degree theft from a vulnerable adult. These new crimes are not included in the current list of disqualify crimes listed in WAC 388-113-0020.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The aging and long-term support administration and the developmental disabilities administration will collaborate and coordinate with the department of social and health services (DSHS) background check central unit to coordinate background check process changes related to the proposed changes in WAC 388-113-0020.

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 Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2495, fax (360) 438-8633, TTY 1-800-833-6388, email angel.sullivan@dshs.wa.gov.

August 1, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-16-166
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES
[Filed August 2, 2017, 9:05 a.m.]

Subject of Possible Rule Making: Amending WAC 326-07-100 Fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 39.19.030, 42.56.100, 42.56.040 (1)(d), and 42.56.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule is to implement HB [EHB] 1595 passed during the 2017 legislative session that amended the Public Records Act, chapter 42.56 RCW. The amendments allow agencies to charge for scanning and digitizing records and to provide them via email, thumb drive, or compact disk. The agency plans to adopt the proposed legislature statutory default fee schedule, as the expenses associated with calculating the actual cost are unduly burdensome.

Process for Developing New Rule: The office of minority and women's business enterprises (OMWBE) wel-

comes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, OMWBE 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 Mark Kifowit, Assistant Director of Policy, P.O. Box 41160, Olympia, WA 98504, phone (360) 664-9750, fax (360) 407-0955, email Markk@omwbe.wa.gov.

August 2, 2017
Mark Kifowit
Assistant Director of Policy

WSR 17-16-167
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed August 2, 2017, 10:12 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-493-0010 Working family support, to extend the program's effective date and to include a program enrollment household limit. The proposed amendments are necessary to meet proviso language in the 2017-2019 operating budget (SSB 5883).

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current language in WAC 388-493-0010 Working family support, supports the program through June 30, 2017. This date has been extended to June 30, 2019. The date needs to be extended in order for the department to continue providing working family support benefits to qualifying households.

Current language in WAC 388-493-0010 does not support a program enrollment limit of ten thousand households. The household limit is required by the 2017-2019 operating budget (SSB 5883).

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

Process for Developing New Rule: This is an amendment to an existing 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 Anna Minor, Economic Services Administration, Community Services Division, P.O. Box

45470, Olympia, WA 98504-5470, phone (360) 725-4894, email anna.minor@dshs.wa.gov.

August 2, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-16-168
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Children's Administration)
[Filed August 2, 2017, 10:24 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-25-0506, 388-25-0528, 388-25-0534, and other related rules as may be required related to extended foster care (EFC).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 13.34.145, 13.34.267, 74.13.020, 74.13.031, 43.88C.010, 74.13.107, 43.131.416, 13.34.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington state legislature modified RCW 74.13.031 by expanding the age youth can reenroll into the EFC program. The age has been expanded from nineteen to twenty-one years old.

The following EFC WAC are being revised to align with this change: WAC 388-25-0506 Who is eligible for extended foster care?, 388-25-0528 How does a youth agree to participate in the extended foster care program?, 388-25-0534 If an extended foster care participant loses his or her eligibility before he or she turns nineteen, can he or she reapply for extended foster care?, and other changes that are identified during this rule making may be incorporated to clarify language.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DSHS children's administration will continue to coordinate with office of attorney general.

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 Sherrie Flores, P.O. Box 45710, Olympia, WA 98504, phone (360) 902-8332, fax (360) 902-7903, email sherrie.flores@dshs.wa.gov.

August 2, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-16-172
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed August 2, 2017, 11:17 a.m.]

Subject of Possible Rule Making: The gambling commission is considering amending and simplifying its current licensing fee structure in Title 230 WAC. This will also include amending how licensees report their activities and pay their licensing fees under Title 230 WAC.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The gambling commission has approximately one hundred ninety-four different fees for commercial and nonprofit organizations and individuals. This fee schedule is typically based on a "class" system, which can be cumbersome for licensees and agency staff. The gambling commission is looking to simplify this current system to allow it to be easier to navigate and have a licensing fee schedule that is more predictable for both the agency and its licensees.

Process for Developing New Rule: Negotiated rule making; and interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator, Michelle Rancour, Acting Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3447, email rules.coordinator@wsgc.wa.gov, fax (360) 486-3624.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments can be directed to Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, fax (360) 486-3624, phone (360) 486-3447, or email rules.coordinator@wsgc.wa.gov.

We anticipate rule proposals will be on the commission agenda beginning in September, and the commissioners and agency will discuss all changes at its public meetings until a final decision is made most likely in the first quarter of 2018.

To discuss these rule proposals in person with commissioners and staff, please attend an upcoming commission meeting.

Check our web site at www.wsgc.wa.gov under "Public Meetings" for agendas, meeting dates, locations and start times.

August 2, 2017
 Michelle Rancour
 Acting Rules Coordinator

WSR 17-16-173
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
ENTERPRISE SERVICES

[Filed August 2, 2017, 11:36 a.m.]

Subject of Possible Rule Making: Charges for providing public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: HB [EHB] 1595 makes changes to the Public Records Act related to charges for providing records.

The Public Records Act allows agencies to choose to charge an agency's actual costs for providing records, use the statutory default service charge schedule, or waive charges altogether.

These choices are still available to agencies, however, under HB [EHB] 1595, agencies must now write rules in order to charge using the statutory default service charge schedule or to waive charges altogether.

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 enterprise services 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.

August 2, 2017
 Jack Zeigler
 Policy and Rules Manager

WSR 17-16-176
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
ENTERPRISE SERVICES

[Filed August 2, 2017, 11:57 a.m.]

Subject of Possible Rule Making: Public benefit hospital self-insurance programs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Title 48 RCW as amended by SB 5581.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SB 5581 authorizes public benefit hospital districts to participate in self-insurance risk pools with nonprofit hospitals. SB 5581 also requires the state risk manager to put in place rules governing the creation, management, operation, and dissolution of joint self-insurance programs for public benefit hospital entities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of enterprise services (DES) will com-

municate 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 responsible for financial and accountability audits of other types of 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.

August 2, 2017
Jack Zeigler
Policy and Rules Manager