

WSR 24-21-011

PREPROPOSAL STATEMENT OF INQUIRY

THE EVERGREEN STATE COLLEGE

[Filed October 3, 2024, 11:09 a.m.]

Subject of Possible Rule Making: The Evergreen State College student conduct code, chapter 174-123 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.40.120; chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Update our student conduct rules to be in compliance with new Title IX rules from the United States Department of Education.

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

Process for Developing New Rule: Submit written comments by November 30, 2024.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Connie Brangard, 2700 Evergreen Parkway N.W., L3009, Olympia, WA 98505, email [connie.brangard@evergreen.edu](mailto:connie.brangard@evergreen.edu).

October 3, 2024  
Daniel B. Ralph  
Rules Coordinator

## WSR 24-21-023

PREPROPOSAL STATEMENT OF INQUIRY  
ATTORNEY GENERAL'S OFFICE

[Filed October 4, 2024, 2:42 p.m.]

Subject of Possible Rule Making: The office of the attorney general (office) received a petition for rule making seeking amendments to the Model Public Records Act rules, in particular WAC 44-14-010 through 44-14-040, regarding timely and prompt responses by agencies to public records requests. The office is considering amendments to the model rules to address this topic.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.570(3).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office has a role through rule making to provide agencies guidance in complying with the Public Records Act (PRA). The model rules are a tool that an agency can use to align its practices with the requirements of the PRA. The office is considering amending the model rules related to timely and prompt responses to, among other things, provide clarity for agencies and requesters and address how technology and other practices may be available to assist in responding.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No federal or state agencies regulate the PRA model rules.

Process for Developing New Rule: Collaborative regular rule making. The office will solicit input from stakeholders in the development of draft language and consider all comments in the adoption of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Christina Beusch, P.O. Box 40100, Olympia, WA 98504, phone 360-664-3801, email Christina.Beusch@atg.wa.gov, website www.atg.wa.gov.

October 4, 2024  
Christina Beusch  
Deputy Attorney General

WSR 24-21-028

PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF COMMERCE

[Filed October 7, 2024, 1:21 p.m.]

Subject of Possible Rule Making: The passage of SB [SSB] 5096 in the 2023 legislative session requires the department of commerce (commerce) to develop rules and guidelines for the administration of the employee ownership program, as established by the Washington employee ownership commission (commission). Through the commission, commerce is required to develop WAC for this newly formed program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.330.590, 43.330.592, and 43.330.595.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Commerce is tasked to develop the WAC for the newly formed Washington employee ownership program in the passage of 2023 legislation SB [SSB] 5096.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington department of revenue, RCW 82.32.808 (2) (a).

Process for Developing New Rule: Standard rule-making process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lorena Lowell, 1011 Plum Street S.E., Olympia, WA 98504, phone 360-725-2809, email Lorena.lowell@commerce.wa.gov, website commerce.wa.gov/program-index-2/washington-employee-ownership-program-eop-commission; or Linda Womack, 2001 6th Avenue, Suite 2600, Seattle, WA 98121, phone 206-256-6151, email Linda.Womack@Commerce.wa.gov.

Additional comments: Commerce maintains an email distribution list for communication with stakeholders. Interested parties may add their names to the distribution list by visiting the web page listed above.

October 7, 2024  
Amanda Hathaway  
Rules Coordinator

WSR 24-21-029

PREPROPOSAL STATEMENT OF INQUIRY

SECRETARY OF STATE

[Filed October 7, 2024, 2:14 p.m.]

Subject of Possible Rule Making: Elections.

Statutes Authorizing the Agency to Adopt Rules on this Subject:  
RCW 29A.04.611.

Reasons Why Rules on this Subject may be Needed and What They  
Might Accomplish: The purpose of this proposal is to amend Title 434  
WAC in accordance with state and federal law and update and clarify  
procedures for consistency in county elections offices throughout the  
state.

Other Federal and State Agencies that Regulate this Subject and  
the Process Coordinating the Rule with These Agencies: Not applicable.

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 Dave Piersma, P.O. Box 40229, Olympia, WA 98504, phone  
360-902-4172, fax 360-664-4619, email [dave.piersma@sos.wa.gov](mailto:dave.piersma@sos.wa.gov), website  
[sos.wa.gov/elections](http://sos.wa.gov/elections); or Victoria Donahue, P.O. Box 40229, Olympia, WA  
98504, phone 360-725-5788, fax 360-664-4619, email  
[victoria.donahue@sos.wa.gov](mailto:victoria.donahue@sos.wa.gov), website [sos.wa.gov/elections](http://sos.wa.gov/elections).

October 6, 2024  
Amanda Doyle  
Chief of Staff

WSR 24-21-030

PREPROPOSAL STATEMENT OF INQUIRY

SECRETARY OF STATE

[Filed October 7, 2024, 2:14 p.m.]

Subject of Possible Rule Making: Elections.

Statutes Authorizing the Agency to Adopt Rules on this Subject:  
RCW 29A.04.611.

Reasons Why Rules on this Subject may be Needed and What They  
Might Accomplish: The purpose of this proposal is to amend Title 434  
WAC in accordance with state and federal law and update and clarify  
procedures for consistency in county elections offices throughout the  
state.

Other Federal and State Agencies that Regulate this Subject and  
the Process Coordinating the Rule with These Agencies: Not applicable.

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 Dave Piersma, P.O. Box 40229, Olympia, WA 98504, phone  
360-902-4172, fax 360-664-4619, email [dave.piersma@sos.wa.gov](mailto:dave.piersma@sos.wa.gov), website  
[sos.wa.gov/elections](http://sos.wa.gov/elections); or Victoria Donahue, P.O. Box 40229, Olympia, WA  
98504, phone 360-725-5788, fax 360-664-4619, email  
[victoria.donahue@sos.wa.gov](mailto:victoria.donahue@sos.wa.gov), website [sos.wa.gov/elections](http://sos.wa.gov/elections).

October 6, 2024

Amanda Doyle

Chief of Staff

**WSR 24-21-031**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SECRETARY OF STATE**

[Filed October 7, 2024, 2:15 p.m.]

Subject of Possible Rule Making: Elections.

Statutes Authorizing the Agency to Adopt Rules on this Subject:  
RCW 29A.04.611.

Reasons Why Rules on this Subject may be Needed and What They  
Might Accomplish: The purpose of this proposal is to amend Title 434  
WAC to clarify recount procedures for consistency in county elections  
offices throughout the state.

Other Federal and State Agencies that Regulate this Subject and  
the Process Coordinating the Rule with These Agencies: Not applicable.

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 Dave Piersma, P.O. Box 40229, Olympia, WA 98504, phone  
360-902-4172, fax 360-664-4619, email [dave.piersma@sos.wa.gov](mailto:dave.piersma@sos.wa.gov), website  
[sos.wa.gov/elections](http://sos.wa.gov/elections); or Victoria Donahue, P.O. Box 40229, Olympia, WA  
98504, phone 360-725-5788, fax 360-664-4619, email  
[victoria.donahue@sos.wa.gov](mailto:victoria.donahue@sos.wa.gov), website [sos.wa.gov/elections](http://sos.wa.gov/elections).

October 6, 2024  
Amanda Doyle  
Chief of Staff

WSR 24-21-032

PREPROPOSAL STATEMENT OF INQUIRY

SECRETARY OF STATE

[Filed October 7, 2024, 2:15 p.m.]

Subject of Possible Rule Making: Elections.

Statutes Authorizing the Agency to Adopt Rules on this Subject:  
RCW 29A.04.611.

Reasons Why Rules on this Subject may be Needed and What They  
Might Accomplish: The purpose of this proposal is to amend Title 434  
WAC to create signature verification compliance procedures per RCW  
29A.60.166 for consistency in county elections offices throughout the  
state.

Other Federal and State Agencies that Regulate this Subject and  
the Process Coordinating the Rule with These Agencies: Not applicable.

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 Dave Piersma, P.O. Box 40229, Olympia, WA 98504, phone  
360-902-4172, fax 360-664-4619, email [dave.piersma@sos.wa.gov](mailto:dave.piersma@sos.wa.gov), website  
[sos.wa.gov/elections](http://sos.wa.gov/elections); or Victoria Donahue, P.O. Box 40229, Olympia, WA  
98504, phone 360-725-5788, fax 360-664-4619, email  
[victoria.donahue@sos.wa.gov](mailto:victoria.donahue@sos.wa.gov), website [sos.wa.gov/elections](http://sos.wa.gov/elections).

October 6, 2024

Amanda Doyle

Chief of Staff

**WSR 24-21-034**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

[Filed October 7, 2024, 2:33 p.m.]

Subject of Possible Rule Making: Reducing barriers; review of initial license and endorsement requirements for athletic trainers. To comply with 2SHB 1724 (chapter 425, Laws of 2023), the department of health (department), in collaboration with the athletic training advisory committee, will consider amending WAC 246-916-010 and 246-916-030 to update substantial equivalency and initial licensure rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.250.020 and 2SHB 1724 (chapter 425, Laws of 2023), codified in RCW 18.130.077.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 18.130.077 requires disciplining authorities to waive education, training, experience, and exam requirements for applicants who have been credentialed in another state or states with substantially equivalent standards for at least two years immediately preceding their application with no interruption in licensure for longer than 90 days. The statute also provides disciplining authorities the option to waive education, training, experience, and exam requirements for applicants who have achieved a national certification for their profession. This option allows licensing authorities to consider evidence of a national certification to qualify for an athletic trainer license.

The goal of RCW 18.130.077 and substantial equivalency is to reduce workforce shortages, and reduce licensing barriers for applicants seeking a credential. The department will consider amending WAC 246-916-030 Applicants currently licensed in other states, to bring it into alignment with RCW 18.130.077, and also consider amending WAC 246-916-010 Licensure requirements, to create a pathway for applicants who are nationally certified to qualify for a license.

The department had previously filed a CR-101 as WSR 24-13-078 for rules regarding athletic training, but is withdrawing that and re-filing this new one to consider the optional national certification for all athletic training applicants.

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 Allyson McIver, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2878, TTY 711, email allyson.mciver@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting rules workshops with interested parties and subject matter experts. The department will use existing GovDelivery lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit www.doh.wa.gov. To subscribe to GovDelivery, please visit www.doh.wa.gov, and select the "Subscribe" button at the bottom of the page. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions" and then click on "Athletic Training." You may also check the box next to one or more of the other profes-



sions listed to received information related to that specific profession.

October 7, 2024  
Kristin Peterson, JD  
Chief of Policy  
for Umair A. Shah, MD, MPH  
Secretary

**WSR 24-21-035**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

[Filed October 7, 2024, 2:33 p.m.]

This memo serves as notice that the department of health (department) is withdrawing the CR-101 for the review of initial license and endorsement requirements for athletic trainers, which was filed on June 17, 2024, and published in WSR 24-13-078, and is filing a new CR-101.

The department is withdrawing this CR-101 because upon further review of 2SHB 1724 (chapter 425, Laws of 2023), codified as RCW 18.130.077, the department observed that the statute provides an option for licensing authorities to consider a national certification to qualify an athletic trainer for a license. The national certification option could apply to both initial in-state applicants and out-of-state applicants; however, WAC 246-916-010 Licensure requirements, was not mentioned on the CR-101 that was published in WSR 24-13-078. To examine the effect of RCW 18.130.077 on all athletic trainers seeking licensure, the department is withdrawing this CR-101 and filing a new CR-101 to include WAC 246-916-010 to consider if this could be an impactful and meaningful way to expedite the licensure process while still ensuring safe and competent athletic training care is provided to patients.

Individuals requiring information on this rule should contact Allyson McIver, Program Manager, at 360-236-2878 or [allyson.mciver@doh.wa.gov](mailto:allyson.mciver@doh.wa.gov).

Tami M. Thompson  
Regulatory Affairs Manager

## WSR 24-21-038

## PREPROPOSAL STATEMENT OF INQUIRY

## DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)

[Filed October 8, 2024, 9:57 a.m.]

Subject of Possible Rule Making: Clarifying continuing education requirements for dentists administering sedation. The dental quality assurance commission (commission) is considering amending WAC 246-817-773 Continuing education for dentists administering sedation, to ensure clear continuing education requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.32.0365 and 18.32.640.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The program has been receiving inquiries related to clarification of sedation continuing education requirements. Continuing education must contribute to the professional knowledge and development of the licensed dentist to enhance sedation services provided to patients. Setting clear expectations would reduce confusion.

On July 26, 2024, during the commission business meeting, the commission authorized rule making to amend WAC 246-817-773 to clarify the continuing education requirements for dentists who administer sedation. Updating this rule would provide clear standards for sedation permit renewal 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 Debbie Gardner, Program Manager, P.O. Box 47852, Olympia, WA 98504, phone 360-236-4893, fax 360-236-2901, TTY 711, email [debbie.gardner@doh.wa.gov](mailto:debbie.gardner@doh.wa.gov), website [www.doh.wa.gov](http://www.doh.wa.gov).

Additional comments: Interested parties can participate in the drafting of the proposed rules. The commission will be conducting rules workshops with interested parties and subject matter experts. The commission will use existing GovDelivery lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit [doh.wa.gov](http://doh.wa.gov). To subscribe to GovDelivery, please visit [doh.wa.gov](http://doh.wa.gov) and select the button titled "Sign up for Updates From DOH" button at the bottom of the page. After signing in, select "Health Systems Quality Assurance" and "Health Professions" and "Dental." You may also check the box next to one or more of the other professions listed to received information related to that specific profession.

September 30, 2024

Bryan Swanson, DDS, Chair  
Dental Quality Assurance Commission

**WSR 24-21-040**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**CENTRALIA COLLEGE**

[Filed October 8, 2024, 12:07 p.m.]

Subject of Possible Rule Making: Student code with Title IX update.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW and RCW 28B.50.140(13); 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To bring Centralia College's student rights and responsibilities code into compliance with a new final rule governing sex discrimination grievance procedure recently adopted by the United States Department of Education.

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

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 Robert Cox, 600 Centralia College Boulevard, Centralia, WA 98531, phone 360-623-8385, email robert.cox@centralia.edu, website centralia.edu.

October 8, 2024

Robert Cox

Vice President of Student Services

**WSR 24-21-044**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed October 8, 2024, 4:18 p.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is planning to amend WAC 388-410-0030 How does the department calculate and set up my basic food, FAP, or WASHCAP overpayment?; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20A.550, 43.20B.630, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Planned amendments will clarify that overpayments due to intentional trafficking of food benefits will represent the entire value of the benefits determined to have been trafficked. If applicable, these amendments will make additional changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service. Planned amendments support 7 C.F.R. 273.18 (a)(4).

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 Alexis Miller, P.O. Box 45470 [5470], Olympia, WA 98504-4570, phone 253-579-3144, email alexis.a.miller@dshs.wa.gov.

October 7, 2024  
Katherine I. Vasquez  
Rules Coordinator

## WSR 24-21-047

PREPROPOSAL STATEMENT OF INQUIRY  
EMPLOYMENT SECURITY DEPARTMENT

[Filed October 9, 2024, 11:00 a.m.]

Subject of Possible Rule Making: The employment security department (department) is seeking to amend WAC 192-150-110 Mandatory military transfers—RCW 50.20.050 (2)(b)(iii), to expand the definition of military so that all members of the United States Armed forces qualify.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.040, 50.12.042, 50.20.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 192-150-110 provides guidance on the requirements for establishing good cause to quit work if an individual quits work to relocate for their spouse or domestic partner's employment that is due to a mandatory military transfer. Currently, WAC 192-150-110(3) defines military as including the following: United States Navy, Army, Air Force, Marine Corps, Coast Guard, activated reserve members of any of these service branches, activated members of the National Guard, commissioned officers of the National Oceanographic and Atmospheric Administration, and commissioned officers of the regular or reserve corps of the United States Public Health Service.

This list of military branches in WAC does not include the United States Space Force. Space Force was founded in 2019 and now has over 14,000 military and civilian personnel. Although it is organized under the department of the Air Force, it is a separate and distinct branch of the armed services. The department would like to amend WAC 192-150-110 to expand the definition of military so that it explicitly includes all members of the United States Armed Forces.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: Draft rules will be shared with the public and stakeholders. The department will solicit input from all parties and consider all comments in the development of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lawrence Larson, P.O. Box 9046, phone 425-465-0313, fax 844-652-7096, TTY relay 711, email [esdgpuirules@esd.wa.gov](mailto:esdgpuirules@esd.wa.gov), website <https://esd.wa.gov/newsroom/rulemaking/>.

October 9, 2024  
Joy Adams, Director  
Employment Security Policy

## WSR 24-21-048

**PREPROPOSAL STATEMENT OF INQUIRY  
EMPLOYMENT SECURITY DEPARTMENT**

[Filed October 9, 2024, 11:12 a.m.]

Subject of Possible Rule Making: The subject of this rule making is to make explicit in rule the requirement for employers to update their addresses with the employment security department (department).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010, 50.12.040, 50.12.042, 50.12.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Although employers are required to keep their information up-to-date with the department under RCW 50.12.070, currently, the department's rules do not explicitly require employers to keep their addresses up-to-date with the department. This rule making will specify that employers notify the department of a change in address within 30 days of an address change.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: Draft rules will be shared with the public and stakeholders. The department will solicit input from all parties and consider all comments in the development of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stephanie Frazee, P.O. Box 9046, phone 425-465-0313, fax 844-652-7096, TTY relay 711, email [esdgpuirules@esd.wa.gov](mailto:esdgpuirules@esd.wa.gov), website <https://esd.wa.gov/newsroom/rulemaking/>.

October 9, 2024  
Joy Adams, Director  
Employment Security Policy

**WSR 24-21-049**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**LIQUOR AND CANNABIS**  
**BOARD**

[Filed October 9, 2024, 12:29 p.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (LCB) is considering amending the following sections of Title 314 WAC and amending any other sections of Title 314 WAC and repealing or creating new sections of Title 314 WAC as necessary to address two petitions for rule making accepted in April 2023 and accepted in part in July 2023 regarding acceptable forms of identification: WAC 314-01-005 Definitions, 314-11-025 What are the acceptable forms of identification?, 314-17-025 Does a permit holder have to carry his or her class 12 or 13 permit?, 314-17-110 May the board impose sanctions or penalties other than those described in 314-17-105?, and 314-55-150 What are the acceptable forms of identification?

While the two petitions were submitted only regarding alcohol, LCB is considering amending the section regarding acceptable forms of identification for cannabis licensees, WAC 314-55-150, alongside WAC 314-11-025.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030 (alcohol), 66.20.330 (alcohol servers), 66.98.070 (alcohol), 69.50.342 (cannabis), 69.50.345 (cannabis).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In April 2023, LCB accepted a petition for rule making from a member of the public requesting to amend WAC 314-11-025 to add an additional form of identification issued by the United States government that satisfies the requirements of WAC 314-11-025 to the list of acceptable forms of identification in WAC 314-11-025(3). The petition exemplifies that WAC 314-11-025(3) does not contain an exhaustive list of forms of identification that are acceptable under WAC 314-11-025. In July 2023, LCB accepted, in part, a petition for rule making from a member of the public to replace references to an obsolete statute in WAC 314-01-005, 314-17-025, and 314-17-110 with WAC 314-11-025. Because both petitions address acceptable forms of identification regarding the sale, service, possession, and consumption of alcohol, it is logical and cost-effective to combine these two petitions into a single rule-making project.

In addition to the requested changes, it may be appropriate to examine the overall flow and structure of WAC 314-11-025, which has not been revised since 2019. Its companion in cannabis rules, WAC 314-55-150, has not been revised in content since it was first created in 2013. This rule-making project provides LCB an opportunity to examine the rules regarding acceptable forms of identification at large, and to make these rules more consistent with other state law.

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; and 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 Jeff Kildahl, Policy and Rules Coordinator, P.O. Box 43080, Olympia, WA 98504, phone 360-480-7960, fax 360-704-5027, email rules@lcb.wa.gov, website lcb.wa.gov.

Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written



comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WALCB/subscriber/new>. Rule-making notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the LCB website at [lcb.wa.gov](http://lcb.wa.gov).

October 9, 2024  
David Postman  
Chair

**WSR 24-21-050**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**LIQUOR AND CANNABIS**  
**BOARD**

[Filed October 9, 2024, 12:32 p.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (LCB) is considering amending WAC 314-55-035 and amending, repealing, or creating new sections of Title 314 WAC as necessary to identify the conditions under which employee stock ownership plans (ESOP) may be permitted to have partial or complete ownership of cannabis licensees while complying with existing Washington statutes and regulations on true parties of interest and other laws relating to cannabis licenses. The rule making may extend to the permitted use of ESOP in liquor licenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030 (alcohol), 69.50.342 (cannabis), 69.50.345 (cannabis).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In May 2024, LCB accepted a petition for rule making submitted by the Washington Cannabusiness Association requesting amendments to WAC 314-55-035 regarding true parties of interest to identify ESOP as a permissible entity for an ownership interest in a cannabis business in accordance with Washington statutes and regulations. This rule making may address explicitly allowing ESOPs to operate within existing Washington state cannabis statutes and regulations while preserving the intent of SSB 5096, chapter 392, Laws of 2023, making it the public policy of the state of Washington to encourage the use of ESOP. The rule making may extend to the use of ESOP in liquor licenses as well. Other rule changes may be needed to ensure that ESOPs are not used to avoid compliance with other statutes and regulations.

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; and 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 Jacobs, Policy and Rules Coordinator, P.O. Box 43080, Olympia, WA 98504, phone 360-480-1238, fax 360-704-5027, email rules@lcb.wa.gov, website lcb.wa.gov.

Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WALCB/subscriber/new>. Rule-making notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the LCB website at lcb.wa.gov.

October 9, 2024  
David Postman  
Chair

**WSR 24-21-056**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

[Filed October 9, 2024, 5:18 p.m.]

Subject of Possible Rule Making: Dental hygienist compact (compact). The department of health (department), in consultation with the dental hygiene examining committee (committee), is considering establishing new section(s) of rule to chapter 246-815 WAC in order to implement ESHB 1576 (chapter 297, Laws of 2023), codified as chapter 18.33 RCW, which creates a new interstate compact for dental hygienists and gives member states the discretion to charge a fee for granting compact privileges.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.110, 43.70.250, 43.70.280; and chapter 18.33 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 18.33 RCW is intended to facilitate the interstate practice of dental hygiene. The result will provide a pathway for dental hygienists licensed in a participating state to obtain a compact practice privilege that authorizes them to practice in another participating state where they are not otherwise licensed. The dental hygienist is subject to all scope of practice laws governing dental hygiene services of the state in which they are practicing. The compact enables participating states to protect the public health and safety with respect to the practice of dental hygiene through the state's authority to regulate the practice of dental hygiene.

Rule making is necessary to enact provisions in chapter 18.33 RCW to include Washington state in a compact with multiple states. The compact will allow dental hygienists to obtain expedited practice privileges across any or all compact member states.

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

Process for Developing New Rule: 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 Kitty Einert, P.O. Box 47852, Olympia, WA 98504, phone 360-236-4843, fax 360-236-2901, TTY 711, email [kitty.einert@doh.wa.gov](mailto:kitty.einert@doh.wa.gov), website [www.doh.wa.gov](http://www.doh.wa.gov) [[www.doh.wa.gov](http://www.doh.wa.gov)], <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

Additional comments: The department will use the existing GovDelivery list to inform interested parties of opportunities to provide input on proposed rule language. Interested parties can join the GovDelivery list to get information on participating in the process by subscribing at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

October 9, 2024  
Kristin Peterson, JD  
Chief of Policy  
for Umair A. Shah, MD, MPH  
Secretary

**WSR 24-21-057  
WITHDRAWAL OF  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH**

[Filed October 9, 2024, 5:27 p.m.]

This memo serves as notice that the department of health (department) is withdrawing the CR-101 for WAC 246-980-100 and chapter 246-980 WAC regarding home care aide examinations, which was filed on January 27, 2023, and published in WSR 23-04-064.

The department is withdrawing this CR-101 because the objectives of this rule-making project were completed under another rule-making project that was recently finalized under WSR 24-15-025, filed on July 9, 2024.

Individuals requiring information on this rule should contact Jennifer Osbun at [homecareaide@doh.wa.gov](mailto:homecareaide@doh.wa.gov).

Tami M. Thompson  
Regulatory Affairs Manager

**WSR 24-21-058**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**

[Order 24-08—Filed October 10, 2024, 7:51 a.m.]

Subject of Possible Rule Making: The department of ecology (ecology) is starting the rule-making process for a new rule, chapter 173-448 WAC, Air quality in overburdened communities, to implement parts of RCW 70A.65.020 Environmental justice review. This law passed in 2021 as part of the Climate Commitment Act and directs ecology to reduce air pollution in overburdened communities that are highly impacted by criteria air pollutants as defined under RCW 70A.65.005(7) and 70A.65.010(54).

During this rule making, ecology will consider determining processes and strategies for emission reductions to achieve air quality targets in overburdened communities initially identified by ecology, and other rule language necessary for implementation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70A.65.020, Environmental justice review; chapter 70A.15 RCW, Washington Clean Air Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A significant amount of the Climate Commitment Act is dedicated to reducing greenhouse gases at the state level. However, measures for reducing overall state levels of greenhouse gases might not decrease another category of air pollution, called criteria air pollutants, at the community level. As a result, RCW 70A.65.020 of the Climate Commitment Act directs ecology to reduce criteria air pollutants in overburdened communities highly impacted by air pollution.

In a 2023 Report, ecology reviewed air pollution data for overburdened communities to identify where stricter criteria air pollution limits are needed. Ecology plans to review the community data every two years thereafter as required by RCW 70A.65.020 (2)(a) and update this rule if necessary. Upcoming rules focused on reducing criteria pollutants in overburdened communities could include stricter emission standards and strategies that would improve local air quality in these communities. Subsequent review will inform how air quality is changing and ecology's progress on reducing criteria air pollution in overburdened communities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Environmental Protection Agency (EPA) sets national ambient air quality standards for criteria air pollution. Although the EPA sets federal standards on this subject, ecology can set stricter air quality standards in Washington and is not required to coordinate this rule with the EPA.

Ecology will consult with local air pollution control agencies throughout the rule-making process.

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 by contacting Anthony Bruma, Department of Ecology, Air Quality Program, P.O. Box 47600, Olympia, WA 98504-7600, phone 564-669-1484, for Washington relay service or TTY call 711 or 877-833-6341, email [anthony.bruma@ecy.wa.gov](mailto:anthony.bruma@ecy.wa.gov), website <https://ecology.wa.gov/regulations-permits/laws-rules-rulemaking/rulemaking/wac-173-448>.

Additional comments: Interested parties can stay informed about the rule making and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

Ecology will conduct an environmental justice assessment in accordance with RCW 70A.02.060 as a part of this rule making.

October 10, 2024

Kathy Taylor

Air Quality Program Manager

**WSR 24-21-073**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed October 14, 2024, 11:21 a.m.]

Subject of Possible Rule Making: WAC 182-526-0010 Definitions, and 182-526-0650 Service of petition for judicial review; 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 health care authority (agency) is amending chapter 182-526 WAC to update its regulations related to the service of a petition for judicial review. During this review, the agency may identify additional related changes that are required 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 Brian Jensen, Rule-Making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-0815, fax 360-586-9727, telecommunication relay service (TRS) 711, email [brian.jensen@hca.wa.gov](mailto:brian.jensen@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking); or Kerry Breen, Program Questions, P.O. Box 42700, Olympia, WA 98504-[2]700, phone 1-844-728-5212, fax 360-507-9018, TRS 711, email [hcaboardofappeals@hca.wa.gov](mailto:hcaboardofappeals@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

October 14, 2024  
Wendy Barcus  
Rules Coordinator

**WSR 24-21-087  
WITHDRAWAL OF  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed October 16, 2024, 4:25 p.m.]

The Washington department of fish and wildlife is withdrawing the preproposal statement of inquiry (CR-101) for quick reporting rules under WSR 23-05-040 filed on February 9, 2023.

Scott Bird  
Rules Coordinator



**WSR 24-21-093**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 24-17—Filed October 17, 2024, 10:03 a.m.]

Subject of Possible Rule Making: The department of fish and wildlife (department) is considering changes to rules for recreational clam, mussel, and oyster harvest seasons.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, 77.12.047, and 77.60.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department must annually amend recreational clam, mussel, and oyster season rules on some public tidelands in response to shellfish population changes, shifts in recreational effort, conservation issues, and negotiations with treaty tribes and other state agencies. These amendments are designed to perpetuate shellfish resources while maximizing recreational harvest opportunity for the public.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of health (DOH). The department works closely with DOH to close beaches to recreational clam, mussel, and oyster harvest if there is a risk to public health.

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 Rules Coordinator, P.O. Box 4320, Olympia, WA 98504, phone voicemail comments 855-925-2801, project code 10842, TTY 1-800-833-6388 or 711, email 2025clamandoystercr101@publicinput.com, website <https://publicinput.com/2025clamandoystercr101>.

Additional comments: Title VI/ADA compliance coordinator, phone 360-902-2349, TTY 1-800-833-6388 or 711, email Title6@dfw.wa.gov.

October 17, 2024  
Scott Bird  
Rules Coordinator

**WSR 24-21-094**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 24-16—Filed October 17, 2024, 10:03 a.m.]

Subject of Possible Rule Making: The department of fish and wildlife (department) is considering changes to recreational hunting and chronic wasting disease (CWD) related rules for the 2025 hunting season.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.047, 77.08.030, 77.08.045, 77.12.722, 77.12.800, 77.15.190, 77.32.320, 77.32.530, and 77.32.535.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department needs to clarify and amend rules to either expand or decrease recreational hunting opportunities, while maintaining sustainable game populations. In addition, the department must develop recreational hunting rules that make allowances for the emergency rule filed on July 11, 2024, that increased special hunt permits by 738 and decreased mountain goat raffle permits to zero for the 2024-25 hunting season. Furthermore, the department needs to establish permanent rules to reduce the spread of CWD in the cervid populations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Migratory birds are also regulated by the United States Fish and Wildlife Service (USFWS) and coordination is managed through the Pacific Flyway. State regulations are designed to fit within the parameters of USFWS regulations guidelines.

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 Eric Gardner, 1111 Washington Street S.E., WA 98504, phone 855-925-2801, project code 10845, fax 360-902-2349, TTY 1-800-833-6388 or 711, email 2025huntingregulationscr101@publicinput.com, website <https://publicinput.com/2025huntingregulationscr101>; or Heather Bonagofski, fax 360-902-2349, TTY 1-800-833-6388 or 711, email [heather.bonagofski@dfw.wa.gov](mailto:heather.bonagofski@dfw.wa.gov).

Additional comments: Assistance for language translation, alternate format, or reasonable accommodation, contact Title VI/ADA compliance coordinator, phone 360-902-2349, TTY 1-800-833-6388 or 711, email [Title6@dfw.wa.gov](mailto:Title6@dfw.wa.gov). For more information, see <https://wdfw.wa.gov/accessibility/requests-accommodation>.

October 17, 2024  
Scott Bird  
Rules Coordinator

**WSR 24-21-096**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

[Filed October 17, 2024, 10:20 a.m.]

Subject of Possible Rule Making: Examination requirements for orthotists and prosthetists. The department of health (department), along with the orthotics and prosthetics advisory committee, is considering amendments to comply with recent legislation. To align chapter 246-850 WAC with 2SHB 1724 (chapter 425, Laws of 2023), the department is considering amending the jurisprudence examination as a requirement for licensure and possibly incorporating knowledge of professional jurisprudence into continuing competency requirements for orthotists and prosthetists. The department will consider amending WAC 246-850-060, 246-850-140, 246-850-150, and other related sections, along with the establishment of potential new WAC sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.130.040, 18.200.050, 43.70.040, and 2SHB 1724 (chapter 425, Laws of 2023), codified as RCW 18.130.077.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2023, 2SHB 1724, codified in RCW 18.130.077, required that "Disciplining authorities shall waive education, training, experience, and exam requirements for applicants who have been credentialed in another state or states with substantially equivalent standards for at least two years immediately preceding their application with no interruption in licensure last longer than 90 days."

The department is considering amendments to rules regarding the jurisprudence examination as a requirement for initial licensure in order to comply with the requirements in RCW 18.130.077. To maintain consistent standards for in-state and out-of-state applicants and ensure that all licensed providers have sufficient knowledge of Washington laws, the department may consider replacing the jurisprudence exam with a continuing competency requirement. The department also intends to implement the goals of this statute by considering amendments that clarify, update, and simplify the orthotics and prosthetics licensure process and reduce licensure barriers for applicants.

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 Rachel Phipps, P.O. Box 47852, Olympia, WA 98504-7852, phone 564-233-1277, fax 360-236-2901, TTY 711, email orthotics-prosthetics@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting rules workshops with interested parties and subject matter experts. The department will use existing GovDelivery lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit www.doh.wa.gov. To subscribe to GovDelivery, please visit www.doh.wa.gov, and select the "Subscribe" button at the bottom of the page. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions" and then click on "Orthotics and Prosthetics Program." You may also check the box next to one or more of

the other professions listed to receive information related to that specific profession.

November [October] 17, 2024  
Kristin Peterson, JD  
Chief of Policy  
for Umair A. Shah, MD, MPH  
Secretary

## WSR 24-21-097

## PREPROPOSAL STATEMENT OF INQUIRY

## DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)

[Filed October 17, 2024, 10:25 a.m.]

Subject of Possible Rule Making: Dentist compact (compact). The dental quality assurance commission (commission) and the department of health (department) are considering adding new section(s) to chapter 246-817 WAC to implement provisions of ESHB 1576 (chapter 297, Laws of 2023), codified as chapter 18.33 RCW, which creates a new interstate compact for dentists and gives member states the discretion to charge a fee for granting compact privileges.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.32.0365, 43.70.110, 43.70.250, and chapter 18.33 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 18.33 RCW is intended to facilitate the interstate practice of dentistry by providing a pathway for dentists licensed in a participating state to obtain a compact practice privilege that authorizes them to practice in another participating state where they are not already licensed. The dentist is subject to all scope of practice laws governing dental services in the state in which they are practicing. The compact enables participating states to protect the public health and safety with respect to the practice of dentists through the state's authority to regulate the practice of dentistry.

Rule making is necessary to enact provisions in chapter 18.33 RCW to include Washington state in a compact with multiple states. The compact will allow well-qualified dentists to obtain expedited practice privileges across any or all compact member states.

On June 16, 2023, during the commission business meeting, the commission authorized rule making to add a new section to chapter 246-817 WAC to facilitate license portability.

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 Debbie Gardner, Program Manager, P.O. Box 47852, Olympia, WA 98504, phone 360-236-4893, fax 360-236-2901, TTY 711, email [debbie.gardner@doh.wa.gov](mailto:debbie.gardner@doh.wa.gov), website [www.doh.wa.gov](http://www.doh.wa.gov).

Additional comments: Interested parties can participate in the drafting of the proposed rules. The commission will be conducting rules workshops with interested parties and subject matter experts. The commission will use existing GovDelivery lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit [doh.wa.gov](http://doh.wa.gov). To subscribe to GovDelivery, please visit [doh.wa.gov](http://doh.wa.gov) and select the button titled "Sign up for Updates From DOH" button at the bottom of the page. After signing in, select "Health Systems Quality Assurance" and "Health Professions" and "Dental List." You may also check the box next to one or more of the other professions listed to receive information related to that specific profession.

October 17, 2024  
Bryan Swanson, DDS  
Dental Quality Assurance Commission Chair  
Kristin Peterson, JD

Chief of Policy  
for Umair A. Shah, MD, MPH  
Secretary

## WSR 24-21-101

## PREPROPOSAL STATEMENT OF INQUIRY

## DEPARTMENT OF HEALTH

(Board of Nursing Home Administrators)

[Filed October 18, 2024, 8:27 a.m.]

Subject of Possible Rule Making: Administrator-in-training (AIT) programs and endorsement. The board of nursing home administrators (board) is considering amendments to WAC 246-843-090, 246-843-095, and 246-843-230 to consider aligning with the National Association of Long Term Care Administrator Boards AIT program which could make the instructions easier to understand and make language consistent with other states' AIT programs. The board is also considering amending language for endorsement requirements to align with RCW 18.130.077.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.52.061, 18.52.071, and 2SHB 1724 (chapter 425, Laws of 2023), codified as RCW 18.130.077.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The national association has an AIT program used by many states; this program includes an easy way to determine how many hours are needed for each portion of the required clinical training. The board is considering adopting the national AIT program to make it easier for applicants and to align with other states. In addition, the endorsement rule currently requires that all initial requirements of licensure must be met, which does not align with RCW 18.130.077. The board will consider what amendments are needed to align with the statute.

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 Shelbee Scrimo, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4723, fax 360-236-2901, TTY 711, email shelbee.scrimo@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties can participate in the drafting of the proposed rules. The board will conduct a series of rules workshops. Rule-making notices will be delivered via GovDelivery. To receive notices, interested persons may sign up for any or all of the lists. Please go to <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions." From there, check the box next to "nursing home administrators."

October 14, 2024

Rosalie M. Romano, Ph.D., Chair  
Board of Nursing Home Administrators

**WSR 24-21-112**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SECRETARY OF STATE**

[Filed October 21, 2024, 9:07 a.m.]

Subject of Possible Rule Making: Elections.

Statutes Authorizing the Agency to Adopt Rules on this Subject:  
RCW 29A.04.611.

Reasons Why Rules on this Subject may be Needed and What They  
Might Accomplish: The purpose of this proposal is to update and clarify  
procedures related to signature review of ballot declaration signatures.

Other Federal and State Agencies that Regulate this Subject and  
the Process Coordinating the Rule with These Agencies: Not applicable.

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 Dave Piersma, P.O. Box 40229, Olympia, WA 98504, phone  
360-902-4172, fax 360-664-4619, email [dave.piersma@sos.wa.gov](mailto:dave.piersma@sos.wa.gov), website  
[sos.wa.gov/elections](http://sos.wa.gov/elections); or Victoria Donahue, P.O. Box 40229, Olympia, WA  
98504, phone 360-725-5788, fax 360-664-4619, email  
[victoria.donahue@sos.wa.gov](mailto:victoria.donahue@sos.wa.gov), website [sos.wa.gov/elections](http://sos.wa.gov/elections).

October 21, 2024  
Amanda Doyle  
Chief of Staff



WSR 24-21-113

PREPROPOSAL STATEMENT OF INQUIRY

SECRETARY OF STATE

[Filed October 21, 2024, 9:08 a.m.]

Subject of Possible Rule Making: Elections.

Statutes Authorizing the Agency to Adopt Rules on this Subject:  
RCW 29A.04.611, 29A.08.220.

Reasons Why Rules on this Subject may be Needed and What They  
Might Accomplish: The purpose of this proposed amendment is to create  
a new voter registration application form and ensure all county elec-  
tions offices are using the prescribed form required under RCW  
29A.08.220.

Other Federal and State Agencies that Regulate this Subject and  
the Process Coordinating the Rule with These Agencies: Not applicable.

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 Dave Piersma, P.O. Box 40229, Olympia, WA 98504, phone  
360-902-4172, fax 360-664-4619, email dave.piersma@sos.wa.gov, website  
sos.wa.gov/elections; or Victoria Donahue, P.O. Box 40229, Olympia, WA  
98504, phone 360-725-5788, fax 360-664-4619, email  
victoria.donahue@sos.wa.gov, website sos.wa.gov/elections.

October 21, 2024

Amanda Doyle

Chief of Staff

**WSR 24-21-118**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BOARD OF ACCOUNTANCY**

[Filed October 21, 2024, 11:16 a.m.]

Subject of Possible Rule Making: WAC 4-30-090 Practice privileges.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule changes are intended to update and clarify out-of-state individuals qualifying for practice privileges in our state.

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 Kirsten Donovan, Rules Coordinator, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, phone 360-664-9191, fax 360-664-9190, TTY 1-800-833-6388, email [Kirsten.donovan@acb.wa.gov](mailto:Kirsten.donovan@acb.wa.gov), website <https://acb.wa.gov/>.

October 21, 2024  
Jennifer Sciba  
Acting Director

**WSR 24-21-121**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed October 21, 2024, 2:55 p.m.]

Subject of Possible Rule Making: This rule making concerns potential changes to current rules in chapter 480-93 WAC applicable to the provision of gas company pipeline safety, including gas leak surveys, and reporting requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040, 80.04.160, 81.01.010, 81.04.160, 81.88.040, 81.88.065, and 81.88.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 81.04.160, 81.88.040, 81.88.065, and 81.88.160 task the utilities and transportation commission (commission) with regulating the area of gas company pipeline safety. The commission has enacted rules regarding the provision of gas company pipeline safety in chapter 480-93 WAC.

The commission received a request to amend two sections of chapter 480-93 WAC.

1. WAC 480-93-188(1) pertains to leak surveys and how they are to be performed.

2. WAC 480-93-200(1) pertains to reporting requirements and what must be reported to the commission in pipeline emergencies.

3. In addition, redundant and outdated language found in WAC 480-93-200(1) is proposed to be removed.

The commission evaluated the request to amend WAC 480-93-200 and 480-93-188 and determined it was in the best interest of public safety to make the following amendments.

The proposed WAC 480-93-200(1) amendments are to remove redundant requirements that are also found in the federal pipeline safety rules under Title 49 C.F.R. Parts 192 and 191, and to clarify what type of evacuations will be reportable during gas pipeline emergencies. Currently, WAC 480-93-200 (1)(a) and (b) are also reportable under Title 49 C.F.R. Part 191.5 where they fall under the definition of an Incident (C.F.R. Part 191.3). We propose to remove these two requirements from the WAC and replace them with a single requirement to report "Incidents" as defined in C.F.R. Part 191.3. Currently C.F.R. Part 191.3 defines what an "Incident" is and under C.F.R. Part 191.5, incidents are required to be reported to the National Response Center which in turn contacts the Pipeline and Hazardous Materials Administration (PHMSA) and the commission to investigate. The PHMSA definition of an incident captures the requirements to report a fatality and damages over \$50,000, so the current commission rules are redundant with federal reporting requirements. Currently, WAC 480-93-200 (1)(c) requires the reporting of all evacuations. When this rule went into effect in 2003, evacuations were a rare occurrence. After the 2011 amendments to chapter 19.122 RCW, it became a requirement to call first responders (fire departments) each time third party damage resulted in a gas leak. This increase in fire department response resulted in a dramatic increase in evacuations, and an increase in the required reporting to the commission. Currently, evacuation reports account for approximately 80 percent or more of incident notifications that our on-call engineers receive. This has been burdensome on both commission staff and on pipeline operator staff with no benefit to pipeline safety, or public safety, and no gain of any useful statistical data used to monitor

pipeline incidents. We propose to more narrowly define what evacuations should be reported to include a high occupancy structure or area as defined in WAC 480-93-005(14).

The proposed WAC 480-93-188(1) amendments are to revise the current leak survey language to allow alternative technology to be utilized in conducting leak surveys. Current language states that leak surveys must be conducted "over" all pipeline facilities, next to other utilities, and in cracks in paving. This language was based on older technology where the leak detection instrument had to be placed on the surface of the ground over the pipeline in order to detect the leak. Current technology allows atmospheric sampling near pipelines and does not have to be placed over pipeline facilities. Alternative technology provides for a comparable level of safety and, in some circumstances, a more thorough and economical leak survey. We propose to remove the word "over" all pipeline facilities that currently limits the type of leak detection instrumentation that can be utilized.

The commission finds that making these changes to pipeline safety rules is warranted and in the interest of public safety. These changes will allow the use of alternative technologies in conducting leak surveys that provide comparable or better leak detection which ultimately improves public safety. In addition, these changes will allow better utilization of pipeline safety staff and operator personnel time by not having to report and assimilate data on all evacuations regardless of cause or affect. Most evacuations are conducted out of an abundance of caution and there is no need to track or report this type of event.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: The commission uses a collaborative rule-making process that includes stakeholder workshops, formal comments, and draft rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeffrey Killip, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, phone 360-664-1234, TTY 711 or 1-800-833-6384, email records@utc.wa.gov, website [www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing).

October 21, 2024

Jeffrey Killip

Executive Director and Secretary

WSR 24-21-128

PREPROPOSAL STATEMENT OF INQUIRY

WASHINGTON STATE UNIVERSITY

[Filed October 22, 2024, 9:14 a.m.]

Subject of Possible Rule Making: Washington State University (WSU) is updating the rules regarding conduct on campus code, chapter 504-31 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed amendments add a section and updates content to encompass all WSU properties.

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah L. Bartlett, Director, Office of Policies, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, email [prf.forms@wsu.edu](mailto:prf.forms@wsu.edu), website [policies.wsu.edu/prf/index/wac/](http://policies.wsu.edu/prf/index/wac/).

Additional comments: A public hearing will be held to permit comment on all proposed rules and revisions. There will also be an opportunity to provide written comments to the proposed rules.

October 23 [22], 2024  
Deborah L. Bartlett, Director  
Office of Policies, Records, and Forms  
and University Rules Coordinator

WSR 24-21-129

PREPROPOSAL STATEMENT OF INQUIRY

WASHINGTON STATE UNIVERSITY

[Filed October 22, 2024, 9:14 a.m.]

Subject of Possible Rule Making: Washington State University (WSU) is updating the rules regarding facilities use rules for other than first amendment/free speech activities, chapter 504-35 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed amendments update the chapter to reflect current WSU processes.

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah L. Bartlett, Director, Office of Policies, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, email [prf.forms@wsu.edu](mailto:prf.forms@wsu.edu), website [policies.wsu.edu/prf/index/wac/](http://policies.wsu.edu/prf/index/wac/).

Additional comments: A public hearing will be held to permit comment on all proposed rules and revisions. There will also be an opportunity to provide written comments to the proposed rules.

October 23 [22], 2024  
Deborah L. Bartlett, Director  
Office of Policies, Records, and Forms  
and University Rules Coordinator

**WSR 24-21-134**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
(Board of Boiler Rules)  
[Filed October 22, 2024, 9:52 a.m.]

Subject of Possible Rule Making: The board of boiler rules; WAC 296-104-010 Administration—What are the definitions of terms used in this chapter?, and 296-104-700 What are the inspection fees—Examination fees—Certificate fees—Expenses?

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.79 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule making is to consider amendments to the boiler rules under chapter 296-104 WAC, Board of boiler rules—Substantive. The amendments would affect the fees and definitions for boilers and pressure vessels. The amendments under consideration would increase fees by the fiscal growth factor for boiler and pressure vessel inspections and other boiler program services. The fee increases are needed to cover increased operating expenses and ensure the programs' revenues cover expenditures. The amendments would also modify the definition of pool heaters to clarify the inspection 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: The board of boiler rules reviews and approves all rule amendments. 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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Meagan Edwards, Department of Labor and Industries, Field Services and Public Safety Division, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-522-0125, fax 360-704-1980, email Meagan.Edwards@Lni.wa.gov, website <https://lni.wa.gov/licensing-permits/boilers/laws-rules>.

October 22, 2024  
Tim Barker, Chair  
Board of Boiler Rules

**WSR 24-21-135**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed October 22, 2024, 9:59 a.m.]

Subject of Possible Rule Making: Contractor registration rules; WAC 296-200A-900 What fees does the department charge contractors for issuance, renewal, reregistration, and reinstatement of certificates of registration?

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.27 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule making is to consider amendments to the contractor registration fees under WAC 296-200A-900. The changes under consideration would increase fees by the fiscal growth factor to cover operating expenses for the department of labor and industry's contractor registration program. The current fee levels are insufficient to cover current program expenses. The fee increase is necessary to ensure that revenues match expenditures.

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 decision to adopt 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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Meagan Edwards, Department of Labor and Industries, Field Services and Public Safety Division, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-522-0125, fax 360-704-1980, email Meagan.Edwards@Lni.wa.gov, website <https://www.lni.wa.gov/licensing-permits/contractors/contractor-laws-rules>.

October 22, 2024  
Joel Sacks  
Director



**WSR 24-21-142**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed October 22, 2024, 1:29 p.m.]

Subject of Possible Rule Making: WAC 392-190-048 Access to course offerings—Student discipline and corrective action, 392-400-010 Purpose, 392-400-020 Application, 392-400-025 Definitions, 392-400-110 Discipline policies and procedures—Development, review, and distribution, 392-400-330 Classroom exclusions—Conditions and limitations, 392-400-335 Classroom exclusion—Notice and procedure, 392-400-435 Short-term and in-school suspensions—Additional conditions and limitations, 392-400-440 Long-term suspensions—Additional conditions and limitations, 392-400-445 Expulsions—Additional conditions and limitations, 392-400-455 Suspensions and expulsions—Notice to student and parents, 392-400-460 Suspensions and expulsions—Optional conference with principal, 392-400-510 Emergency expulsions—Conditions and limitations, 392-400-515 Emergency expulsions—Notice to student and parents, 392-400-520 Emergency expulsions—Optional conference with principal, 392-400-525 Emergency expulsions—Appeal, 392-400-530 Emergency expulsions—Review and reconsideration, 392-400-610 Educational services during suspension, expulsion, or emergency expulsion, 392-401-020 Excused absences, and 392-401-040 Student absences—General requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.300.046, 28A.600.010, 28A.600.015, 28A.600.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering rule making in the area of student discipline to include changes made in the emergency rules and any other sections that need to be clarified or updated to ensure definitions and requirements relevant to student discipline are in alignment with current law. Revisions are intended to ensure required data and reporting requirements are manageable for each level of the system (i.e., classroom, school, district, state, etc.) and discipline guidance is consistent with professional standards for maintaining safe, optimal learning environments for all students that further OSPI's commitment to reducing disproportionate exclusionary practices.

Process for Developing New Rule: Early solicitation of feedback and recommendations concerning new or amended rules, and consideration of comments and recommendations in the course of drafting rule language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Briana Kelly, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 360-725-6068, TTY 360-664-3631, email Briana.kelly@k12.wa.us; or Anna Marie Dufault, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 360-725-6175, TTY 360-664-3631, email Annamarie.dufault@k12.wa.us, website [ospi.k12.wa.us](http://ospi.k12.wa.us).

October 22, 2024  
Chris P.S. Reykdal  
State Superintendent of Public Instruction

**WSR 24-21-151**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
(Board of Nursing)  
[Filed October 22, 2024, 3:29 p.m.]

Subject of Possible Rule Making: Education and experience requirements for nurse administrators of baccalaureate nursing education programs in Washington state, amending WAC 246-840-517 and other related sections in chapter 246-840 WAC. The Washington state board of nursing (board) is considering amendments to education and experience requirements for nurse administrators of baccalaureate nursing education programs in response to E2SSB 5582 (chapter 126, Laws of 2023), codified as RCW 18.79.150.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.79.010, 18.79.110, and 18.79.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board is considering amendments to education and experience requirements for nurse administrators of baccalaureate nursing education programs. E2SSB 5582 states the board may grant approval to baccalaureate nursing education programs where the nurse administrator holds a graduate degree with a major in nursing and has sufficient experience as a registered nurse (RN) but does not hold a doctoral degree (E2SSB 5582, section 7, codified as RCW 18.79.150). The board is engaging in the rule-making process to solicit input from the public regarding this rule.

On May 12, 2023, the board moved to initiate the rule-making process to fulfill the purposes of E2SSB 5582. Rules are necessary to comply with E2SSB 5582 and the rule-making process will provide the opportunity for interested party engagement and possible amendments.

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 Jessilyn Dagum, P.O. Box 47864, Olympia, WA 98504-7864, phone 360-236-3538, fax 360-236-4738, TTY 711, email WABONRules@doh.wa.gov.

Additional comments: The board will notify interested parties of rule making by posting information on the department of health website, the board website, and by use of GovDelivery. Interested parties may sign up to receive board rule-making notices at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. The board will hold virtual meetings at varying times to encourage participation.

October 22, 2024  
Alison Bradywood DNP, MN/MPH, RN, NEA-BC  
Executive Director  
Board of Nursing

**WSR 24-21-153**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**GRAYS HARBOR COLLEGE**

[Filed October 22, 2024, 3:37 p.m.]

Subject of Possible Rule Making: To bring Grays Harbor College's (college) student conduct code (chapter 132B-125 WAC) into compliance with a new final rule governing sex discrimination grievance procedures recently adopted by the United States Department of Education and to update the code to ensure its prohibited conduct and procedures adequately protect the interests of the college community and the constitutional and procedural rights of individual students.

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: On April 19, 2024, the United States Department of Education released its final rule under Title IX. This rule requires institutions of higher education to adopt student disciplinary procedures addressing sex discrimination, including sex-based harassment. The deadline for implementing this new rule is August 1, 2024.

In addition to complying with the new final rule, the college is updating its student conduct code to address inconsistencies and clarity issues created by the revisions necessary to comply with the final rule as well as recently enacted state law. These new definitions of prohibited behavior and updated procedures are necessary to address conduct that may pose a threat to the general welfare of the college community and/or college operations and to protect the constitutional and procedural rights of individual students.

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

Process for Developing New Rule: Proposed changes are being presented to the campus community for feedback and a public meeting will be held.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ja'Shonae Cooks, 1620 Edward P. Smith Drive, Aberdeen, WA 98520, phone 360-538-4000, fax 360-538-4299, email [jashonaecooks@ghc.edu](mailto:jashonaecooks@ghc.edu), website [www.ghc.edu](http://www.ghc.edu); or Laurie Franklin, 1620 Edward P. Smith Drive, Aberdeen, WA 98520, phone 360-538-4007, email [laurie.franklin@ghc.edu](mailto:laurie.franklin@ghc.edu), website [www.ghc.edu](http://www.ghc.edu).

October 21, 2024  
Ja'Shonae Cooks  
Executive Assistant to the President  
and Special Projects

**WSR 24-21-157**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**OLYMPIC COLLEGE**

[Filed October 22, 2024, 5:45 p.m.]

Subject of Possible Rule Making: Chapter 132C-120 WAC, Student conduct code.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW and RCW 28B.50.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On April 19, 2024, the United States Department of Education released its final rule to fully effectuate Title IX's promise that no person experiences sex discrimination in federally funded education. Before issuing the proposed regulations, Olympic College (college) received feedback on its Title IX regulations, as amended in 2020, from a wide variety of stakeholders. The final regulations strengthen several major provisions from the current regulations and provide schools with information to meet their Title IX obligations while providing appropriate discretion and flexibility to account for variations in school size, student populations, and administrative structures. The final regulations also provide greater clarity regarding: The definition of "sex-based harassment"; the scope of sex discrimination, including schools' obligations not to discriminate based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity; and schools' obligations to provide an educational environment free from discrimination based on sex. The final regulations are effective on August 1, 2024, and apply to complaints of sex discrimination regarding alleged conduct that occurs on or after that date. Existing policies and procedures will remain in place for complaints of alleged conduct that occurs prior to August 1, 2024.

The college has previously engaged in emergency rule making to ensure compliance as of August 1, 2024, see WSR 24-16-079.

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

Process for Developing New Rule: Proposed changes are being presented to the campus community for feedback and a public meeting will be held.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Renee Lafreniere, 1600 Chester Avenue, Bremerton, WA 98337, phone 360-475-7102, email rlafreniere@olympic.edu, website [www.olympic.edu](http://www.olympic.edu).

October 22, 2024  
Renee Lafreniere  
Chief of Staff, President's Office  
Rules Coordinator

WSR 24-21-159

PREPROPOSAL STATEMENT OF INQUIRY

WENATCHEE VALLEY COLLEGE

[Filed October 23, 2024, 8:16 a.m.]

Subject of Possible Rule Making: On April 19, 2024, the United States Department of Education formally issued a final rule regarding amendments to Title IX of the Education Amendments of 1972. The new regulations strengthen protections against sex discrimination for elementary, high school and postsecondary education students and are scheduled to take effect on August 1, 2024. Wenatchee Valley College has engaged in emergency rule making to meet the August 1, 2024, deadline and now intends to adopt permanent rules to bring its procedure into compliance with the amendments.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW and RCW 28B.50.140(13); 20 U.S.C § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule requires institutions of higher education to adopt student disciplinary procedures addressing sex discrimination, including sex-based harassment.

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 Lisa N. Turner, 1300 Fifth Street, phone 509-682-6445, email lturner@wvc.edu, website wvc.edu.

October 22, 2023  
Faimous Harrison  
President

**WSR 24-21-165**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Filed October 23, 2024, 9:37 a.m.]

Subject of Possible Rule Making: WAC 363-116-082 Limitations on new pilots.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board of pilotage commissioners (board) will be considering revisions to the pilot license upgrade programs and license limitations in the Grays Harbor Pilotage Districts to better align with changes in vessel traffic and port expansion projects. The board seeks to ensure that upgrading pilots are gaining necessary experience with larger vessels as they progress through their first five years of piloting.

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

Process for Developing New Rule: Discussion regarding proposed revisions will occur at monthly trainee evaluation committee and board meetings. Upon committee review and consensus, and consultation with the board's assistant attorney general, a recommendation will be presented to the board. Comments from tribes and stakeholders, as well as the public, are encouraged throughout the process. Upon review and consideration of recommended revisions, a public hearing will be scheduled pursuant to formal notice requirements.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jaimie C. Bever, Executive Director, 2901 3rd Avenue, Suite 500, Seattle, WA 98121, phone 206-515-3887, email Jaimie.Bever@wsdot.wa.gov, website www.pilotage.wa.gov.

October 23, 2024  
Jaimie C. Bever  
Executive Director