

WSR 08-11-020
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 12, 2008, 3:19 p.m.]

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

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035 and 51.16.100, and chapter 88, Laws of 2008.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of labor and industries is initiating rule making as a result of chapter 88, Laws of 2008 (SB 6839) to clarify premium liability and information needed when Washington employers work out of state.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: We will work with other states with which we currently have reciprocal agreements relating to possible changes that may be required as a result of the legislation and this rule making.

Process for Developing New Rule: Labor and industries will solicit input from the business and labor communities by way of direct mailings, the internet, and/or informal meetings. Labor and industries will use this input to formulate proposed changes to the existing rules and advise customers of future rule making by direct mailing and/or the internet.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The department of labor and industries will communicate possible rule changes to affected employers, employer associations and trade associations. Employers and associations will be encouraged to participate in the process to share ideas and/or attend meetings. Interested parties can obtain information on our process at the employer services web site at www.lni.wa.gov/Insuranceservices/Employerservices and can submit comments or questions electronically to Moom235@lni.wa.gov or by calling (360) 902-4774 or by fax (360) 902-4729.

May 12, 2008
 Judy Schurke
 Director

WSR 08-11-023
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed May 12, 2008, 4:57 p.m.]

Subject of Possible Rule Making: Distribution requirements for shellfish receiving tickets.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Timeliness of reporting is creating an enforcement issue. A rule change will increase the performance of buyers getting information to state managers in a timely fashion.

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 Lew Atkins, Fish Program Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2651. Contact by November 4, 2008. Expected proposal filing on or after November 5, 2008.

May 12, 2008
 Loreva M. Preuss
 Rules Coordinator

WSR 08-11-026
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed May 13, 2008, 9:14 a.m.]

Subject of Possible Rule Making: Chapter 415-112 WAC, Teachers' retirement system (TRS).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050(5) and 41.32.010(10).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SB 6657 passed by the 2008 legislature amends the definition of "earnable compensation" for TRS Plan 2 and 3 members; department rules need amending to reflect this change.

Process for Developing New Rule: The department of retirement systems (DRS) will develop the draft rule(s) with the assistance of the attorney general's office. The public is invited and 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. DRS encourages your active participation in the rule-making process. After the rule(s) is drafted, DRS will file a copy with the office of the code reviser with a notice of proposed rule making. The notice will include the time and date of a public rules hearing. DRS will send a copy of the notice and the proposed rule(s) to everyone currently on the mailing list and anyone else who requests a copy. To request a copy or for more information on how to participate, please contact Sarah Monaly, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, fax (360) 753-3166, e-mail Rules@drs.wa.gov.

May 12, 2008
 Sarah Monaly
 Rules Coordinator

WSR 08-11-027
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed May 13, 2008, 9:14 a.m.]

Subject of Possible Rule Making: Chapters 415-110 and 415-112 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050(5) and chapters 41.32 and 41.35 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will amend its rules to implement HB 3019 (2008), which provides an additional method for counting service credit for members of the school employees' retirement system (SERS) Plans 2 and 3, and teachers' retirement system (TRS) Plans 2 and 3.

Process for Developing New Rule: The department of retirement systems (DRS) will develop the draft rule(s) with the assistance of the attorney general's office. The public is invited and 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. DRS encourages your active participation in the rule-making process. After the rule(s) is drafted, DRS will file a copy with the office of the code reviser with a notice of proposed rule making. The notice will include the time and date of a public rules hearing. DRS will send a copy of the notice and the proposed rule(s) to everyone currently on the mailing list and anyone else who requests a copy. To request a copy or for more information on how to participate, please contact Sarah Monaly, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, fax (360) 753-3166, e-mail Rules@drs.wa.gov.

May 13, 2008
 Sarah Monaly
 Rules Coordinator

WSR 08-11-035
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed May 13, 2008, 2:07 p.m.]

Subject of Possible Rule Making: Asparagus grower's equipment leasing program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.04.402, section 3217, chapter 520, Laws of 2007 (ESHB 1092) and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed in order to implement budget direction from the legislature to extend and expand the department's asparagus automation and mechanization program, and to set the terms and conditions for an equipment leasing program that will be implemented through appropriate agreements with growers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other agencies that regulate this subject.

Process for Developing New Rule: Rules developed with agency staff and industry stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kelly Frost, Program Coordinator, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504, kfrost@agr.wa.gov, (360) 902-1802, or fax (360) 902-2092.

May 13, 2008
 Kelly Frost
 Commodity Commission Coordinator

WSR 08-11-045
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed May 14, 2008, 3:31 p.m.]

Subject of Possible Rule Making: Amendments will be made to chapter 308-125 WAC to correct the education requirements for the general classification and to clarify the requirements for acceptability of qualifying education courses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.140.030 (1), (7), (8), and (15).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To correct existing rules to come into compliance with the appraiser qualifications board's real property appraiser qualifications criteria.

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 Ralph C. Birkedahl, Real Estate Appraiser Program, P.O. Box 9015, Olympia, WA 98507-9015, rbirkedahl@dol.wa.gov, phone (360) 664-6504, fax (360) 570-4981.

May 14, 2008
 Ralph C. Birkedahl
 Program Manager

WSR 08-11-046
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed May 14, 2008, 3:33 p.m.]

Subject of Possible Rule Making: Amendments will be made to chapter 308-125 WAC to change the deference of completing continuing education for licensees or certificate holders returning from military service active from one hundred eighty days to ninety days and to limit education credit for teachers to continuing education. Repeal of rule allowing applicants qualifying education credit for teaching.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.140.030 (1), (7), (8), and (15).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To correct existing rules to

come into compliance with the appraiser qualifications board's real property appraiser qualifications criteria.

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 Ralph C. Birkedahl, Real Estate Appraiser Program, P.O. Box 9015, Olympia, WA 98507-9015, rbirkedahl@dol.wa.gov, phone (360) 664-6504, fax (360) 570-4981.

May 14, 2008
Ralph C. Birkedahl
Program Manager

WSR 08-11-054

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed May 16, 2008, 10:12 a.m.]

Subject of Possible Rule Making: Senior driver accident prevention program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 and 48.19.460.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Legislation was passed allowing accident prevention courses for older insured drivers to be available via alternative forms of delivery. The department of licensing may adopt rules to ensure that insured drivers who seek certification for taking a course offered via an alternative delivery method have completed the course.

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 contacting Patricia Hardy, Department of Licensing, 5313 Evergreen Way, Everett, WA 98203, (425) 356-2977, phardy@dol.wa.gov.

May 15, 2008
Becky Loomis
Assistant Director
Driver Services

WSR 08-11-061

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE**

[Filed May 16, 2008, 2:22 p.m.]

Subject of Possible Rule Making: Live bottom fish fisheries.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Providing an additional commercial market niche fishing opportunity.

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 Lew Atkins, Fish Program Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2651. Contact by July 18, 2008. Expected proposal filing on or after July 23, 2008.

May 16, 2008
Loreva M. Preuss
Rules Coordinator

WSR 08-11-073

**PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed May 19, 2008, 10:48 a.m.]

Subject of Possible Rule Making: Chapter 181-77 WAC, Standards for career and technical education certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.410.210 and 28A.410.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify and change existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the 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 Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board (PESB), P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the PESB. Public comment may be provide via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

May 19, 2008
Nasue Nishida
Policy and Research Analyst

WSR 08-11-074
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed May 19, 2008, 10:49 a.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Approval standards for performance-based preparation programs for teachers, administrators, and education staff associates.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.410.210 and 28A.410.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify and change existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the 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 Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board (PESB), P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the PESB. Public comment may be provide via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

May 19, 2008

Nasue Nishida

Policy and Research Analyst

WSR 08-11-075
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed May 19, 2008, 10:49 a.m.]

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

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.410.210 and 28A.410.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify and change existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the 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 Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Stan-

dards Board (PESB), P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the PESB. Public comment may be provide via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

May 19, 2008

Nasue Nishida

Policy and Research Analyst

WSR 08-11-076
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed May 19, 2008, 10:49 a.m.]

Subject of Possible Rule Making: Chapter 181-82 WAC, Certificate endorsements and assignment of certificated personnel.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.410.210 and 28A.410.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify and change existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the 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 Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board (PESB), P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the PESB. Public comment may be provide via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

May 19, 2008

Nasue Nishida

Policy and Research Analyst

WSR 08-11-077
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed May 19, 2008, 10:50 a.m.]

Subject of Possible Rule Making: Chapter 181-85 WAC, Professional certification—Continuing education requirement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.410.210 and 28A.410.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments, clarify and change existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the 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 Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board (PESB), P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the PESB. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

May 19, 2008

Nasue Nishida

Policy and Research Analyst

WSR 08-11-090

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed May 20, 2008, 9:03 a.m.]

Subject of Possible Rule Making: The department is amending sections in chapter 388-550 WAC, Hospital services that pertain to the certified public expenditure (CPE) program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.09.500.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule changes update and clarify the CPE program requirements and processes.

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 invites the interested public to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representative listed 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 Kathy Sayre, Rules Program Manager, P.O. Box 45504, Olympia, WA 98504-5504, phone (360)

725-1342, fax (360) 586-9727, TTY 1-800-848-5429, e-mail sayrek@dshs.wa.gov.

May 20, 2008

Stephanie E. Schiller

Rules Coordinator

WSR 08-11-092

PREPROPOSAL STATEMENT OF INQUIRY

WASHINGTON STATE PATROL

[Filed May 20, 2008, 9:13 a.m.]

Subject of Possible Rule Making: Chapter 204-32 WAC, Regulations for private carrier buses.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Consolidating vehicle lighting standards partly under this chapter into chapter 204-20 WAC, and rewriting remaining rules in clearer language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melissa Van Gorkom, Washington State Patrol, P.O. Box 42600, Olympia, WA 98501-2600, (360) 596-4017, equipment@wsp.wa.gov.

May 16, 2008

Diane C. Perry

for John R. Batiste

Chief

WSR 08-11-093

PREPROPOSAL STATEMENT OF INQUIRY

WASHINGTON STATE PATROL

[Filed May 20, 2008, 9:14 a.m.]

Subject of Possible Rule Making: Chapter 204-20 WAC, Lighting requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005 and 46.37.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The changes being proposed are to clean up existing WAC language and make the rules easier for users to find. This is a new WAC chapter that will consolidate existing rules written under chapters 204-28, 204-39, 204-40, 204-60, 204-62, 204-65, 204-72, 204-74A, 204-78, 204-80, and 204-88 WAC and WAC 204-10-020, 204-32-040, 204-32-070, and 204-32-080 under one. In addition to the consolidation, the rule will adopt new language to allow for an exemption for municipal transit vehicles for certain lighting requirements.

Process for Developing New Rule: Other [no further information supplied by agency.]

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melissa Van Gorkom, Washington

State Patrol, P.O. Box 42600, Olympia, WA 98501-2600,
(360) 596-4017, equipment@wsp.wa.gov.

May 16, 2008
Diane C. Perry
for John R. Batiste
Chief

WSR 08-11-094
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL

[Filed May 20, 2008, 9:15 a.m.]

Subject of Possible Rule Making: Chapter 204-10 WAC, Equipment standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005 and 46.37.320.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Adoption of federal standards for vehicle equipment and consolidates vehicle equipment standards formerly codified under chapters 204-46, 204-52, 204-82A, 204-90, 204-92, and 204-94 WAC, making the rules more accessible.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melissa Van Gorkom, Washington State Patrol, P.O. Box 42600, Olympia, WA 98501-2600, (360) 596-4017, equipment@wsp.wa.gov.

May 16, 2008
Diane C. Perry
for John R. Batiste
Chief

WSR 08-11-096
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY

[Order 08-09—Filed May 20, 2008, 9:17 a.m.]

Subject of Possible Rule Making: This rule making will implement the Children's Safe Product Act (CSPA) - chapter 288, Laws of 2008, by adopting a new rule chapter 173-334 WAC, Children's safe products rule. The rule will adopt without material change, several enacted sections of the CSPA. Additionally, the rule will clarify that electronic components that are internal to children's products and not accessible during the products' intended use are outside the regulatory scope of this legislation and rule.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 288, Laws of 2008.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The CSPA regulates the content of lead, cadmium, and phthalates in children's products and product components. Consumer electronic products are exempted from regulation under the CSPA. The purpose of the rule is to clarify that electronic components that are internal to children's products and not accessible during the products' intended use, such as chip boards and wiring, are also

exempted from regulation under the CSPA. Without this clarification in the rule, important educational electronic toys may no longer be available in Washington.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Congress is considering legislation to limit lead in children's products but this legislation does not address cadmium and phthalates nor has it passed. Washington does have a statute that regulates the use of lead and cadmium in packaging, but not in products. We are coordinating with a variety of agencies that have a stake in lead regulation (LNI, DOH, DSHS, DFW, CTED, DEL, DOT, and DOC). To date, we are not aware of any other Washington state or federal standards that regulate phthalates in products.

Process for Developing New Rule: The governor's office is forming an advisory committee that will advise ecology during the rule making. Ecology will draft rule language and then seek review from department of health (DOH), the advisory committee, and interested parties. Ecology will post information on its web site. Interested parties can sign up for an e-mail list or visit the rule-making web site for updates on the rule and CSPA implementation. We will hold at least two public meetings.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carol Kraege, Department of Ecology, Headquarters, P.O. Box 47600, Olympia, WA 98504-7600, (360) 407-6906, e-mail CKRA461@ecy.wa.gov, web site <http://www.ecy.wa.gov/programs/swfa/ruleChildren.html>. Ecology will send information to interested parties and post information on its web site. Interested parties can sign up for an e-mail list serve or visit the rule-making web site for updates on the rule and CSPA implementation. An initial list of interested parties is being developed based on those who testified on the bill or who commented to the governor. All advisory committee meetings will be open to the public and the schedule will be posted on the web site.

May 19, 2008
Laurie G. Davies
Solid Waste and Financial
Assistance Program Manager

WSR 08-11-106
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2008-15—Filed May 20, 2008, 2:27 p.m.]

Subject of Possible Rule Making: The commissioner will adopt rules to implement RCW 48.31.400 through 48.31.900, administrative supervision of insurers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.31.435.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2005, the legislature enacted HB 1034 authorizing the commissioner to place an insurer under administrative supervision under specified cir-

cumstances. The insurance commissioner is considering the adoption of rules to establish standards for the administrative supervision of an insurer or carrier, requirements for the plan of correction a company must adopt when it is subject to an administrative supervision order, and procedures that an administrative supervisor would follow.

For purposes of these rules, "insurer" is defined at RCW 48.31.020(1) and 48.31.021. The statutes related to administrative supervision of insurers and which will be implemented by the rules, can be found at RCW 48.31.400 through 48.31.900.

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

Process for Developing New Rule: Submit written comments by July 3, 2008, to Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, e-mail Kacys@oic.wa.gov, fax (360) 586-3109.

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

May 20, 2008
Mike Kreidler
Insurance Commissioner

WSR 08-11-107

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2008-16—Filed May 20, 2008, 2:28 p.m.]

Subject of Possible Rule Making: The office of insurance commissioner (OIC) is considering amendments to WAC 284-43-820 which requires carriers to file health plan disclosure documents with the OIC, including the possible repeal of sections that duplicate Washington statute.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.43.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently two rules, WAC 284-43-820 and 284-43-210, require carriers to file health plan disclosure information; the requirements of these rules overlap, vary slightly, or are based on a statute that has been repealed.

WAC 284-43-820, adopted in 2001, provides that the health plan disclosures for applicants and other consumers required by RCW 48.43.510 (part of the patient bill of rights legislation) are to be filed using a standardized summary format filed with the commissioner and made available upon request prior to purchase.

In practice, having two rules with different health plan disclosure requirements has been confusing to carriers and consumers. Changes to WAC 284-43-820 will be considered to eliminate the duplication of the disclosure requirements of RCW 48.43.510 and to clarify the requirements of RCW

48.43.510, including acceptable mechanisms for disclosure. The changes may require carriers to provide the required information on their web sites, in a manner that is easy for consumers to find, in addition to making it available in printed form upon request.

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

Process for Developing New Rule: Submit written comments by July 3, 2008, to Kacy Scott, P.O. Box 40254-0258 [40258], Olympia, WA 98504-0258, Kacys@oic.wa.gov, fax (360) 586-3109.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Scott, P.O. Box 40254-0258 [40258], Olympia, WA 98504-0258, Kacys@oic.wa.gov, fax (360) 586-3109.

May 20, 2008
Mike Kreidler
Insurance Commissioner

WSR 08-11-119

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF TRANSPORTATION

[Filed May 21, 2008, 9:52 a.m.]

Subject of Possible Rule Making: WAC 468-310-020 and 468-310-050.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 47.56 RCW, RCW 47.60.680 and 47.60.-690.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SSB 6794 is emergency legislation authorizing the new construction of small auto ferries. The legislation was signed into law on February 14, 2008, and took effect immediately. The subject WAC rules were previously amended by emergency rule making orders, the most recent of which was filed on April 24, 2008. The revisions modify the financial prequalification requirements for the new ferry procurement which will include a larger ferry design (aka the Island Home class) than previously advertised. The rule changes are required in order to promote the competitive process by increasing the number of potential bidders.

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 Mr. Tim McGuigan, Director of Legal Services and Contracts, Washington State Ferries, 2901 Third Avenue, Suite 500, Seattle, WA 98121-3014, phone (206) 515-3601, fax (206) 515-3605.

May 21, 2008
Stephen T. Reinmuth
Chief of Staff

WSR 08-11-128
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed May 21, 2008, 11:30 a.m.]

Stoddard, Program Supervisor, Title I, LAP, Petrea.Stoddard@k12.wa.us, (360) 725-6169.

May 21, 2008
Dr. Terry Bergeson
Superintendent of
Public Instruction

Subject of Possible Rule Making: Chapter 392-144 WAC, School bus driver qualifications.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.160.210.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The following revisions need to be made to this chapter.

1. Change the approval of temporary extensions from ESD offices to the office of superintendent of public instruction.

2. Change the due date of the verification statement and confirmation of updated records to the same due date as the ridership report.

3. Technical changes for increased clarity in various areas throughout the chapter.

Process for Developing New Rule: Other [no further information supplied by agency.]

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Allan J. Jones, Director, Pupil Transportation and Traffic Safety Education, P.O. Box 47200, Olympia, WA 98504-7200, (360) 725-6120, or fax (360) 586-6124, allan.jones@k12.wa.us.

May 21, 2008
Dr. Terry Bergeson
Superintendent of
Public Instruction

WSR 08-11-129
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed May 21, 2008, 11:32 a.m.]

Subject of Possible Rule Making: Chapter 392-162 WAC, Learning assistance program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.165.075.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Modifications to address necessary changes resulting from the passage of the 2008 budget and 2SSB 6673 student learning opportunities.

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 Gayle Pauley, Director Title I, LAP, Title V, Gayle.Pauley@k12.wa.us, (360) 725-6100; or Petrea