

WSR 05-24-005**PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC DISCLOSURE COMMISSION**

[Filed November 23, 2005, 3:48 p.m.]

Subject of Possible Rule Making: Title 390 WAC, rules relating to changes on forms for Candidate registration (C-1), Political committee registration (C-1pc), and Summary of total contributions and expenditures (C-4).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.370.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Public Disclosure Commission will consider possible rule amendments changing the candidate and political committee registration forms (WAC 390-16-011 and 390-16-012) to reflect legislative changes to RCW 42.17.080 under HB 1130; and to amend WAC 390-16-041 to reflect legislative changes found in ESSB 5034 electioneering communications. The rules are designed to provide guidance and clarification to the general public and persons subject to the disclosure 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: At its meeting on January 26, 2005, the commission is expected to discuss and possibly approve draft language on the above referenced rule topics. Public comment will be welcome at this meeting. Interested persons are invited to submit written comments by January 23, 2005, to Doug Ellis, Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908. Written comments received by Monday, January 16, 2005, will be provided to commissioners in advance of the meeting. A formal public hearing is expected to occur in conjunction with the commission's March meeting.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Assistant Director Doug Ellis at Washington State Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, (360) 664-2735, toll free 1-877-601-2828, e-mail dellis@pdc.wa.gov.

November 23, 2005
Vicki Rippie
Executive Director

WSR 05-24-007**PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION**

[Filed November 28, 2005, 10:45 a.m.]

Subject of Possible Rule Making: WAC 139-05-200 Requirement of basic law enforcement training.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.101.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Tribal law enforcement officers who attend the basic training or basic equivalency training are not recognized in the same manner as Washing-

ton peace officers who meet the same training requirements. When a tribal officer returns to their agency, they may be cross-commissioned by local law enforcement agencies to enforce Washington laws and tribal laws. Their law enforcement service is not recognized as on-going law enforcement service. This means that if a tribal officer leaves the tribal police department and is employed as a Washington peace officer, the time served as a tribal officer is considered as a break in law enforcement service for the purpose of this WAC. This requires the officer to complete another equivalency academy before they are eligible to be certified. This change will recognize a tribal law enforcement officer's service with a tribal agency as on-going law enforcement service if the officer completes a basic law enforcement academy or the basic law enforcement equivalency academy.

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 Sonja Hirsch, Confidential Secretary, Criminal Justice Training Commission, 19010 1st Avenue South, Burien, WA 98148, phone (206) 835-7372, fax (206) 439-3860. Stakeholders were contacted by e-mail to advise them of the intended rule amendments. Proposal also listed on the agency web site.

November 22, 2005
Sonja Hirsch
Confidential Secretary

WSR 05-24-018**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed November 29, 2005, 11:18 a.m.]

Subject of Possible Rule Making: Physical health hazards (temperature extremes), chapter 296-62 WAC, General occupational health standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WISHA is proposing to rewrite and clarify requirements relating to temperature extremes. WISHA plans to update the requirements for heat stress. There have been two heat stress fatalities during the past two summer seasons that may have been prevented with rules that are more protective of workers. The department is currently researching workers compensation claims where temperature extremes may have been a factor. This rule making would help reduce the number of serious injuries and fatalities by increasing worker protection from temperature extremes. This proposal will create chapter 296-820 WAC, Physical health hazards, a new chapter. WISHA plans to move all of the physical health hazard requirements from chapter 296-62 WAC, General occupational health hazards, to this new chapter.

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

cies: No other state or federal agencies are known to regulate exposure to workplace physical health hazards [in] Washington state.

Process for Developing New Rule: The department must adopt rules identical to or at-least-as-effective-as OSHA rules as required by the OSHA/WISHA state plan agreement. Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jamie Scibelli, Project Manager, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, (360) 902-4568, fax (360) 902-5529, e-mail scij235@lni.wa.gov.

November 29, 2005
Gary Weeks
Director

WSR 05-24-021

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

(Community Health Services)

[Order 05-07—Filed November 29, 2005, 1:09 p.m.]

Subject of Possible Rule Making: Establish a process and standards for providing funding for dental residency programs established pursuant to SHB 1689 (2005). Chapter 182-20 WAC will be amended to implement the new dental residency program funding application process and standards, effective July 2006.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The 2005 legislature created a new dental residency program and appropriated funds in the 2005-07 biennium to HCA for start-up and operating costs for one clinic to establish a program. The community health services (CHS) program will allocate funds to a clinic to implement the legislative initiative. The proposed rules will establish requirements to apply for the dental residency program funding and protocols for stipends for dental residents, and will provide a mechanism for distribution of funds to the clinic(s) that is/are approved for funding.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Department of Health—Dental Residency Work Group, lead by CHS, will continue to meet on a quarterly basis; and the University of Washington - networks with contracted clinics and DOH for adherence to curriculum and licensures.

Process for Developing New Rule: Stakeholder mailing and public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dolores Reyes-Gonzalez, Executive

Director of Community Health Services, P.O. Box 42721, Olympia, WA 98504-2721, phone (360) 923-2781, fax (360) 923-2605.

November 29, 2005
Pete Culter
Rules Coordinator

WSR 05-24-041

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed November 30, 2005, 4:08 p.m.]

Subject of Possible Rule Making: Personal use rules. 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: In 1982 the department adopted a rule that allows the retention of tagged herring and bottomfish, even if the possession of an untagged fish was unlawful. This rule does not provide protection for 6-gill sharks, and needs to be repealed.

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) 902-2672. Contact by January 19, 2006. Expected proposal filing on or after January 20, 2006.

November 30, 2005
Evan Jacoby
Rules Coordinator

WSR 05-24-042

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed November 30, 2005, 4:09 p.m.]

Subject of Possible Rule Making: Geographical descriptions of shellfish harvest areas.

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: Marine fish-shellfish management and catch reporting areas have changed, and the geographical descriptions need to be updated to reflect the area changes.

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

Process for Developing New Rule: 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) 902-2672. Contact by January 19, 2006. Expected proposal filing on or after January 20, 2006.

November 30, 2005

Evan Jacoby

Rules Coordinator

WSR 05-24-061

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed December 2, 2005, 11:33 a.m.]

Subject of Possible Rule Making: Title 390 WAC, rules implementing chapter 445, Laws of 2005 (ESSB 5034 Electioneering communications), including independent expenditure reporting (WAC 390-16-060), and other related rules in Title 390 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 445, Laws of 2005 and RCW 42.17.370.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Public Disclosure Commission will consider possible rule amendments to Title 390 WAC, including WAC 390-16-060, and possible new rules to reflect legislative changes found in ESSB 5034 Electioneering communications. The rules are designed to provide guidance and clarification to the general public and persons subject to the disclosure 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: At its meeting on January 23, 2006, and February 22, 2006, the commission is expected to discuss and possibly approve draft language on the above referenced rule topics. Public comment will be welcome at these meetings. Interested persons are invited to submit written comments by January 19, 2006, to Doug Ellis, Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908. Written comments received by Friday, January 13, 2006, will be provided to commissioners in advance of that meeting. A formal public hearing is expected to occur in conjunction with the commission's April meeting.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting the Assistant Director, Doug Ellis, Washington State Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, (360) 664-2735, toll free 1-877-601-2828, e-mail dellis@pdc.wa.gov.

December 2, 2005

Vicki Rippie

Executive Director

WSR 05-24-083

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed December 6, 2005, 9:34 a.m.]

Subject of Possible Rule Making: Fixed ladders and stairs, chapter 296-24 WAC, Safety standards for general safety and health; chapter 296-155 WAC, Safety standards for construction; and chapter 296-800 WAC, Safety and health core rules. In addition, several reference changes will need to be updated throughout the chapters.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The fixed ladder and stairs rules, in chapters 296-24, 296-155, and 296-800 WAC, are being rewritten and reorganized for clarity and ease of use for employers and employees. The department is repealing the rules in the other chapters and proposing fixed ladders be included with portable ladders, chapter 296-876 WAC, and evaluating whether stairs should be included. This rule making is part of our clear rule-writing initiative to rewrite all the safety and health rules for clarity and ease of use.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies, other than Occupational Safety and Health Administration (OSHA), are known that regulate this subject.

Process for Developing New Rule: The department must adopt rules identical to or at-least-as-effective-as OSHA rules as required by the OSHA/WISHA state plan agreement. Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cindy Ireland, Project Manager, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, (360) 902-5522, fax (360) 902-5529, e-mail mocc235@lni.wa.gov.

December 6, 2005

Gary Weeks

Director

WSR 05-24-095

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed December 7, 2005, 9:01 a.m.]

Subject of Possible Rule Making: House-banked card room licensees.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Larry Wheaton, Goldie's Casino of

Shoreline, requesting WAC 230-40-815 [(3)](c)(ii) be amended to allow a pit supervisor to supervise at least six card tables in one pit.

Currently, this rule requires one supervisor for every five card tables. However, a floor supervisor can supervise seven tables, if only seven tables are in operation. If more than seven tables are open, there must be one supervisor for every five tables in a pit.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Neal Nunamaker, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3449; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] January 13, 2006, at the DoubleTree Guest Suites, 16500 Southcenter Parkway, Seattle, WA 98188, (206) 575-8220; on February 10, 2006, at the Phoenix Inn, 415 Capitol Way North, Olympia, WA 98501, (360) 570-0555; and on March 10, 2006, at the Red Lion Hotel, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000.

December 6, 2005
Susan Arland
Rules Coordinator

WSR 05-24-096
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed December 7, 2005, 9:03 a.m.]

Subject of Possible Rule Making: Punchboard and pull-tab service businesses.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A punchboard and pull-tab (PB/PT) service business provides nonmanagement related record-keeping services to PB/PT operators. If the PB/PT service has combined total gross billings of \$20,000 or less, they can get a PB/PT service business license for \$217. If the business exceeds the \$20,000 threshold, they would need a service supplier license, which costs \$630.

We have received a petition for rule change from Susan Guarascio, owner of Pull-Tab Countess, requesting an amendment to WAC 230-02-205 (2)(d) to increase the threshold from \$20,000 to \$25,000. She also requests that we consider making a sliding scale fee schedule based on gross receipts for the PB/PT service business license.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Neal Nunamaker, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3449; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] January 13, 2006, at the DoubleTree Guest Suites, 16500 Southcenter Parkway, Seattle, WA 98188, (206) 575-8220; on February 10, 2006, at the Phoenix Inn, 415 Capitol Way North, Olympia, WA 98501, (360) 570-0555; and on March 10, 2006, at the Red Lion Hotel, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000.

December 6, 2005
Susan Arland
Rules Coordinator

WSR 05-24-110
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed December 7, 2005, 9:24 a.m.]

The Department of Health would like to withdraw the following notices of inquiry (CR-101s) because they are no longer valid.

WAC NUMBER	WSR NUMBER	WSR DATE	SUBJECT
246-834-220, 246-834-230, 246-834-240	97-22-024	10/29/97	Alternative education requirements
246-834-XXX	02-17-052	8/15/02	Midwifery standards of practice

If you have any questions, please contact Kendra Pitzler, Program Manager, (360) 236-4723.

Mary C. Selecky
Secretary

WSR 05-24-111
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed December 7, 2005, 9:25 a.m.]

The Department of Health would like to withdraw the following notices of inquiry (CR-101s) because they no longer valid.

WAC NUMBER	WSR NUMBER	WSR DATE	SUBJECT
246-919-480	04-03-106	1/21/04	Retired active credential
246-869-220	03-15-087 [03-15-067]	7/15/03	Patient counseling required

If you have any questions, please contact Leann Yount, Rules Coordinator, Health Professions Quality Assurance at (360) 236-4997.

Mary C. Selecky
Secretary

WSR 05-24-112

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF HEALTH

(Veterinary Board of Governors)

[Filed December 7, 2005, 9:26 a.m.]

Subject of Possible Rule Making: Consider expanding approved continuing education activities and programs including courses offered electronically. Rules under consideration are WAC 246-933-401 Citation and purpose, 246-933-420 Basic requirement—Amount, 246-933-440 Exceptions, 246-933-450 Qualification of program for continuing education credit, and 246-933-460 Programs approved by the veterinary board.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Licensees are limited to attendance at a recognized local, state, national, or international continuing education program with a featured speaker. The purpose of this review is to consider alternate types of continuing education activities such as independent study, correspondence courses, journal reading or courses offered electronically through video or internet studies. Revised rules would provide more flexibility in obtaining continuing education credits. Licensed veterinarians are required to complete thirty hours of continuing education every three years. The intent is not to increase the number of required hours, only to expand access.

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 Judy Haenke, Program Manager, Veterinary Board of Governors, P.O. Box 47868, Olympia, WA 98504-7868, judy.haenke@doh.wa.gov, (360) 236-4947, fax (360) 586-4359.

December 6, 2005
Steven Saxe
Executive Director

WSR 05-24-113

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF HEALTH

(Veterinary Board of Governors)

[Filed December 7, 2005, 9:26 a.m.]

Subject of Possible Rule Making: WAC 246-935-050 Animal health care tasks, consider amending WAC 246-935-050 to allow registered veterinary technicians to suture pre-existing wounds and incisions under the direct supervision of a veterinarian. As part of this process, WAC 246-935-050 will be reviewed in its entirety for clarity, content and accuracy.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In May 2004, the Veterinary Board of Governors (board) received a petition for rule making from the Washington State Association of Veterinary Technicians requesting consideration for registered veterinary technicians to suture preexisting wounds and incisions under direct supervision of a veterinarian. In response, the board met in August 2004 to initiate rule proceedings to consider whether rules should be adopted that would authorize supervised suture of preexisting wounds and incisions by veterinary technicians. Some items within the petition required further evaluation and research. The board is now prepared to move forward with rule making.

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

Process for Developing New Rule: 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 Judy Haenke, Program Manager, Veterinary Board of Governors, P.O. Box 47868, Olympia, WA 98504-7868, judy.haenke@doh.wa.gov, (360) 236-4947, fax (360) 586-4359.

December 6, 2005
Steven Saxe
Executive Director

WSR 05-24-114

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF HEALTH

(Veterinary Board of Governors)

[Filed December 7, 2005, 9:27 a.m.]

Subject of Possible Rule Making: Review, update and/or repeal requirements related to the veterinary licensure examination. Rules to be reviewed include WAC 246-933-230 Foreign trained veterinarians, 246-933-250 Examination requirement and procedures, 246-933-260 Frequency and location of examinations, 246-933-270 Examination results, and 246-933-280 Examination review procedures.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Veterinary Board of Governors no longer administers the North American Veterinary Licensing Examination. This examination is now administered by the National Board of Veterinary Medical Examiners. Rules should be updated to reflect the current examination process including how examinations are scheduled, the dates, locations and reexaminations. WAC 246-933-260 Frequency and location of examinations, is no longer applicable and should be repealed. WAC 246-933-280 Examination review procedures, should be reviewed to assure that the process and procedures of review are appropriate.

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 Judy Haenke, Program Manager, P.O. Box 47868, Olympia, WA 98504-7868, judy.haenke@doh.wa.gov, (360) 236-4947, fax (360) 586-4359.

December 6, 2005
Steven Saxe
Executive Director

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, e-mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary discussion draft of a possible new or revised rule(s) is available upon request. Written comments on and/or requests for copies of the draft may be directed to Gayle Carlson, Interpretations and Technical Advice Unit, P.O. Box 47453, Olympia, WA 98504-7453, phone (360) 570-6126, e-mail GayleC@dor.wa.gov, fax (360) 586-5543.

Date and Location of Public Meeting: Department of Revenue, 1657 Fowler Street, Richland, WA, on January 5, 2006, at 10:00 a.m.

Assistance for persons with disabilities: Contact Sandy Davis no later than ten days before the hearing date, TTY 1-800-451-7985 or (360) 725-7499.

December 7, 2005
Alan R. Lynn
Rules Coordinator

WSR 05-24-118

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed December 7, 2005, 9:31 a.m.]

Subject of Possible Rule Making: WAC 458-20-210 Sales of tangible personal property for farming—Sales of agricultural products by farmers and 458-20-271 Tax incentives to reduce agricultural burning.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 420, Laws of 2005, made a number of changes to the tax incentives for reducing agricultural burning of certain grain and grass fields. The department previously adopted a new WAC 458-20-271 (Rule 271) on an emergency basis to explain the provisions of this law change. The new rule also incorporated information related to the tax incentives available prior to the July 1, 2005, effective date of chapter 420. A revised WAC 458-20-210 (Rule 210) was also adopted on an emergency basis to remove language about the pre-July, 2005 tax incentives for reducing agricultural burning.

The department plans to proceed with adopting a permanent Rule 271 to explain the tax incentives for reducing agricultural burning. It also plans to revise Rule 210 to remove the tax incentive information that will be addressed in Rule 271, and to recognize provisions of chapter 513, Laws of 2005. Chapter 513 changed the preferential B&O tax rate for certain manufacturing activities and sales involving fresh fruits and vegetables to a B&O tax exemption.

WSR 05-24-122

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF ECOLOGY

[Order 05-17—Filed December 7, 2005, 9:45 a.m.]

Subject of Possible Rule Making: Amend chapter 173-224 WAC, Wastewater discharge permit fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 90.48 RCW, Water pollution control.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Ecology is proposing to amend the existing rule that will increase annual permit fees for fiscal years 2007 and 2008. The fee increase will allow ecology to continue operation of the wastewater discharge permit program. RCW 90.48.465 Water pollution control, requires annual fees by [be] paid by all holders of wastewater and stormwater discharge permits.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Department of Agriculture conducts inspections and enforcement actions on dairies with permit coverage. However, ecology issues the permit coverage and collects fee moneys from the various dairy operations. Moneys received are used by both ecology and agriculture.

Process for Developing New Rule: This is an amendment to an existing rule. Ecology uses a water quality partnership to provide guidance on various issues, one of which concerns amendments to the permit fee regulation. The part-

nership consists of industrial permit holders, municipal permit holders, government entities, environmental groups, etc.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bev Poston, Department of Ecology, Water Quality Program, P.O. Box 47600, Olympia, WA 98504-7600, fax (360) 407-6426, or e-mail bpos461@ecy.wa.gov

October 31, 2005
Melodie A. Selby
for David C. Peeler
Water Quality Program Manager

WSR 05-24-125

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
COMMUNITY, TRADE AND
ECONOMIC DEVELOPMENT**

[Filed December 7, 2005, 10:31 a.m.]

Subject of Possible Rule Making: Early childhood education and assistance program rule revisions, chapter 365-170 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.215.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The ECEAP performance standards are being updated to provide clarification and incorporate changes in requirements that will strengthen program efficacy. Some of these changes will affect the WAC. As a result, the current ECEAP WAC must be revised to align with changes in ECEAP performance standards. The revisions to the performance standards, and subsequently the WAC, will involve ECEAP stakeholders and the ECEAP Advisory Committee.

Process for Developing New Rule: Agency study, ECEAP stakeholders are comprised of thirty-three program directors throughout the state. These directors, and the ECEAP Advisory Committee, will be given the opportunity to review the proposed WAC and provide input. The proposed WAC will be presented to the ECEAP Advisory Committee for approval. After the ECEAP Advisory Committee approves the WAC, CTED will hold two open meetings each in eastern and western Washington. Drafts of the WAC will be e-mailed to all stakeholders prior to the meetings.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Heike Syben, (360) 725-2839 or heikes@cted.wa.gov, CTED Washington State, P.O. Box 42525, Olympia, WA 98504. Drafts of the proposed WAC will be e-mailed to you for your review and input.

December 7, 2005
Lynne Shanafelt
Managing Director

WSR 05-24-136

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

[Filed December 7, 2005, 11:32 a.m.]

Subject of Possible Rule Making: Transport tag exchange rules.

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: The current rules on tag exchanges are unclear. Clarity is needed in order to prevent sequential hunting in multiple general seasons, and exchanges after special permit hunt drawing have been held.

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 Ron McQueen, Business Services Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2204. Contact by January 19, 2006. Expected proposal filing on or after January 20, 2006.

December 7, 2005
Evan Jacoby
Rules Coordinator