

WSR 06-05-005**PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF ACCOUNTANCY**

[Filed February 1, 2006, 3:16 p.m.]

Subject of Possible Rule Making: WAC 4-25-530 Fees. Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.04.105(3), 18.04.065.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The certified public accountant (CPA) examination providers, the American Institute of Certified Public Accountants (AICPA) and the National Association of State Boards of Accountancy (NASBA) have notified the board of a forthcoming increase of all CPA exam fees. As a result of these fee increases the board's contract provider (for application intake and education processing) will also experience cost increases. The board must therefore increase the fees it charges for the administration of the CPA examination to adequately pay all costs.

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 Richard C. Sweeney, CPA, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, (360) 586-0163, fax (360) 664-9190, e-mail webmaster@cpaboard.wa.gov.

January 30, 2006
Richard C. Sweeney
Executive Director

WSR 06-05-016**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION**

[Filed February 6, 2006, 10:13 a.m.]

Subject of Possible Rule Making: Permitting overlegal vehicles/loads responding to an emergent situation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.44.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Responding to emergencies is a twenty-four hour, seven days-a-week possibility. When overlegal vehicles are involved there is also the impact to the infrastructure to consider. It seems appropriate to develop a rule that defines "emergency," establishes the need for the permitting process, and outlines what compliance criteria applies and what permitting process should be available. The rule will be the source criteria from which detailed procedures will be written.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state patrol, emergency management services, and department of natural resources. Contacts with each entity will be provided the concept and the draft of the new rule for their comments.

Process for Developing New Rule: Agency request to meet need for criteria on which to base procedures.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barry Diseth, Commercial Vehicle Services, Department of Transportation, P.O. Box 47367, Olympia, WA 98504-7367, phone (360) 705-7805, fax (360) 705-6836, e-mail disethb@wsdot.wa.gov.

February 2, 2006
John F. Conrad
Assistant Secretary
Engineering and Regional Operations

WSR 06-05-023**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed February 7, 2006, 8:24 a.m.]

Subject of Possible Rule Making: Title 260 WAC, to expand the role and authority of the executive secretary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is considering expanding and clarifying the authority of the executive secretary to (1) enforcement of all rules in Title 260 WAC, (2) make initial agency determinations, (3) resolve conflicts or disputes related to violations of the rules, (4) discipline violators, and (5) interpret the rules and decide all questions related to nonlive racing activities. In addition, WAC 260-08-675 may need to be amended to allow for an applicant/licensee to request a hearing before the commission if the applicant/licensee wishes to challenge the decision of the executive secretary.

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 Robert J. Lopez, Administrative Services Manager, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, rlopez@whrc.state.wa.us.

February 6, 2006
R. M. Leichner
Executive Secretary

WSR 06-05-030**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed February 7, 2006, 4:49 p.m.]

Subject of Possible Rule Making: Distributors and manufacturers.

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 Magic Distributing, a licensed distributor, requesting that discriminatory pricing restrictions, which were repealed effective October 10, 2005, be reinstated.

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:] March 10, 2006, at the Red Lion Hotel, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000; on April 14, 2006, at The Heathman Lodge, 7801 N.E. Greenwood Drive, Vancouver, WA 98662, (360) 254-3100; and on June 16, 2006, at the Marchs [Marcus] Whitman Hotel, 6 West Rose Street, Walla Walla, WA 99362, (509) 525-2200.

January 30, 2006
Susan Arland
Rules Coordinator

WSR 06-05-044

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed February 10, 2006, 10:54 a.m.]

Subject of Possible Rule Making: Amend prelicense training requirements for bail bond recovery agents in chapter 308-19 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.185.260.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Stakeholders have requested the prelicense training requirements be amended.

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 Sherri Lonsbery, Licensing Manager, Department of Licensing, P.O. Box 9649, Olympia, WA 98507, phone (360) 664-6624, fax (360) 570-7888, e-mail Security@dol.wa.gov.

February 8, 2006
Sherri Lonsbery
Professional Licensing Manager 1

WSR 06-05-054

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed February 13, 2006, 9:18 a.m.]

Subject of Possible Rule Making: Licensees using electronic bingo daubers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070 and 9.46.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A petition for rule change has been submitted by Game Tech, a licensed manufacturer, requesting the ability to bill bingo operators based on the number of cards sold through electronic bingo card daubers.

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:] April 14, 2006, at The Heathman Lodge, 7801 N.E. Greenwood Drive, Vancouver, WA 98662, (360) 254-3100, on June 16, 2006, at the Marcus Whitman Hotel, 6 West Rose, Walla Walla, WA 99362, (509) 525-2200, and on July 14, 2006, at The Hilton Hotel, 301 West 6th Street, Vancouver, WA 98660, (360) 993-4500.

February 9, 2006
Susan Arland
Rules Coordinator

WSR 06-05-058

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed February 13, 2006, 11:54 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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
Nasue Nishida
Rules Coordinator
Policy and Research Analyst

WSR 06-05-059

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed February 13, 2006, 11:55 a.m.]

Subject of Possible Rule Making: Chapter 181-77A WAC, Approval standards for career and technical education teacher preparation programs based on business and industry work experience.

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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
Nasue Nishida
Rules Coordinator
Policy and Research Analyst

WSR 06-05-060

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed February 13, 2006, 11:56 a.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Approval standards for performance-based preparation programs for teachers, administrators, and educational 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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
Nasue Nishida
Rules Coordinator
Policy and Research Analyst

WSR 06-05-061

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed February 13, 2006, 11:57 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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
Nasue Nishida
Rules Coordinator
Policy and Research Analyst

WSR 06-05-062

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed February 13, 2006, 11:58 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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public

testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
Nasue Nishida
Rules Coordinator
Policy and Research Analyst

WSR 06-05-063

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed February 13, 2006, 11:59 a.m.]

Subject of Possible Rule Making: Chapter 181-82A WAC, Performance-based teacher certificate endorsements.

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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
Nasue Nishida
Rules Coordinator
Policy and Research Analyst

WSR 06-05-064

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed February 13, 2006, 12:00 p.m.]

Subject of Possible Rule Making: Chapter 181-83 WAC, Internships.

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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
Nasue Nishida
Rules Coordinator
Policy and Research Analyst

WSR 06-05-065
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed February 13, 2006, 12:01 p.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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are

conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
Nasue Nishida
Rules Coordinator
Policy and Research Analyst

WSR 06-05-066
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed February 13, 2006, 12:02 p.m.]

Subject of Possible Rule Making: Chapter 181-86 WAC, Professional certification—Policies and procedures for administration of certification proceedings.

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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
Nasue Nishida
Rules Coordinator
Policy and Research Analyst

WSR 06-05-067
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed February 13, 2006, 12:02 p.m.]

Subject of Possible Rule Making: Chapter 181-87 WAC, Professional certification—Acts of unprofessional conduct.

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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
 Nasue Nishida
 Rules Coordinator
 Policy and Research Analyst

WSR 06-05-068
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed February 13, 2006, 12:03 p.m.]

Subject of Possible Rule Making: Chapter 181-88 WAC, Definitions of sexual misconduct, verbal abuse and physical abuse—Mandatory disclosure—Prohibited agreements.

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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
 Nasue Nishida
 Rules Coordinator
 Policy and Research Analyst

WSR 06-05-069
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed February 13, 2006, 12:04 p.m.]

Subject of Possible Rule Making: Chapter 181-97 WAC, Excellence in teacher preparation award.

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; and early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (250) [(360)] 586-4548, nnishida@ospi.wednet.edu or pesb@ospi.wednet.edu. Rule changes are conducted at regular meetings of the professional educator standards board. Public comment may be provided via public testimony at PESB meetings and/or via written correspondence to the rules coordinator noted above.

February 10, 2006
 Nasue Nishida
 Rules Coordinator
 Policy and Research Analyst

WSR 06-05-090
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed February 14, 2006, 1:42 p.m.]

The department of licensing hereby withdraws WSR 98-16-073 filed with your office on August 4, 1998.

Dale R. Brown
Vehicle Services
Rules Coordinator

WSR 06-05-091
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed February 14, 2006, 1:43 p.m.]

The department of licensing hereby withdraws WSR 04-03-002 filed with your office on January 8, 2004.

Dale R. Brown
Vehicle Services
Rules Coordinator

WSR 06-05-092
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed February 14, 2006, 1:46 p.m.]

The department of licensing hereby withdraws WSR 00-07-104 filed with your office on March 17, 2000.

Dale R. Brown
Vehicle Services
Rules Coordinator

WSR 06-05-093
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed February 14, 2006, 1:48 p.m.]

The department of licensing hereby withdraws WSR 05-17-170 filed with your office on August 23, 2005.

Dale R. Brown
Vehicle Services
Rules Coordinator

WSR 06-05-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed February 14, 2006, 4:21 p.m.]

Subject of Possible Rule Making: The department is adding and amending sections within chapter 388-106 WAC, Long-term care services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making clarifies the intent of policies from the recent adoption of new chapter 388-106 WAC and amends and adds new rules to the following sections within chapter 388-106 WAC, Scope and definitions, long-term care services provided by the department; applying for services; comprehensive assessment reporting evaluation (CARE) assessment; CARE classification; Medicaid personal care; COPES; medically needy residential waiver; medically needy in-home waiver; and MPC services for children.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing these rules. Draft material and information about how to participate may be obtained from the department representative listed below. At a later date, DSHS will file the proposed rules with the office of the code reviser with a notice of proposed rule making and send the proposal to everyone currently on the mailing list and anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kristi Knudsen, P.O. Box 45600, Olympia, WA 98504, phone (360) 725-3213, fax (360) 438-8633, TTY (360) 493-2637, e-mail knudskl@dshs.wa.gov.

February 13, 2006

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-05-100
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed February 14, 2006, 4:23 p.m.]

The health and recovery services administration requests the withdrawal of the preproposal statement of inquiry filed as WSR 97-06-131 on March 5, 1997 (WAC 388-97-027).

Andy Fernando, Manager
Rules and Policies Assistance Unit

WSR 06-05-101
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Children's Administration)

[Filed February 14, 2006, 4:28 p.m.]

The children's administration requests the withdrawal of the preproposal statement of inquiry filed as WSR 98-13-079 on June 16, 1998 (WAC 388-15-177).

Andy Fernando, Manager
 Rules and Policies Assistance Unit

WSR 06-05-111
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed February 15, 2006, 10:32 a.m.]

Subject of Possible Rule Making: Chapter 16-462 WAC, Grape planting stock—Registration and certification. The participating nurseries and the Washington state department of agriculture grapevine advisory committee have requested a revision of the certification rule that includes isolation distances in greenhouses, requirements for registered stock and information presented on certification tags or certificates.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 15.14 and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed revision would reflect the current practices of grapevine nurseries.

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

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary A. Martin Toohey, Assistant Director, Washington State Department of Agriculture, Plant Protection Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094, e-mail mtoohey@agr.wa.gov; or Tom Wessels, Program Manager, Washington State Department of Agriculture, Plant Protection Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1984, fax (360) 902-2094, e-mail twessels@agr.wa.gov.

February 15, 2006
 Mary A. Martin Toohey
 Assistant Director

WSR 06-05-112
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed February 15, 2006, 10:34 a.m.]

Subject of Possible Rule Making: Chapter 16-157 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.86.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 1. Processor and handler applications are received in March of each year. The applications are difficult to process in a timely manner due to the number of producer applications received at the same time. The program is proposing to move the application deadline to August 1 to enable more time for processing applications and enable better preparation for the fall/winter field season.

2. Revenue received from organic certification fees is not currently covering the cost of the program. A fee increase is needed to provide for the full cost of the program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state department of agriculture (WSDA) organic certification program is accredited by the United States Department of Agriculture (USDA) national organic program. The subject of the rule will not affect the status of WSDA's accreditation. WSDA will provide the amended rules to USDA when the rule-making process is finalized.

Process for Developing New Rule: The agency is developing the proposal in coordination with the WSDA organic advisory board. The organic advisory board meetings are open to the public.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Miles McEvoy, Organic Program Manager, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, mmcevoy@agr.wa.gov, (360) 902-1924, fax (360) 902-2087.

February 15, 2006
 Jerry Buendel
 Assistant Director

WSR 06-05-114
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Docket No. TC-060177—Filed February 15, 2006, 10:46 a.m.]

Subject of Possible Rule Making: The commission will consider whether it should propose rules in chapter 480-30 WAC relating to rates (fares) and ratemaking for passenger transportation companies regulated under chapter 81.68 RCW. In its review the commission will consider whether the current regulation of entry and rates (fares) for passenger transportation companies reflects sound public policy. The review will also consider, given the current entry regulation set forth in chapter 81.68 RCW, whether the commission

should adopt rules and/or recommend statutory changes to the legislature.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040, 81.04.160, 81.68.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules may be needed to establish a specific rate-making methodology for general rate increases and fuel surcharge increases.

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; and the commission will ask for initial written comments, and will provide the opportunity for additional comments. The commission will hold one or more workshops with stakeholders to discuss issues and any rule proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may file comments with the Secretary, Washington Utilities and Transportation Commission, 1300 South Evergreen Park Drive S.W., P.O. Box 47250, Olympia, WA 98504-7250, phone (360) 664-1174, fax (360) 586-1150, by 5:00 p.m., Thursday, **March 16, 2006**. An initial workshop is scheduled for Tuesday, **April 4, 2006**, 9:30 a.m. to 4:30 p.m.

WRITTEN COMMENTS AND STAKEHOLDER WORKSHOP:

Written comments may be submitted to the commission at the address given above and should be filed with the commission no later than **March 16, 2006**, for consideration at the **April 4, 2006, stakeholder workshop**, to be held from 9:30 a.m. to 4:30 p.m. in the Commission's Room 230, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA.

Electronic copies. The commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted by electronic mail to the commission's records center at records@wutc.wa.gov. Please include:

- The docket number of this proceeding (TC-060177).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments may be by mailing/delivering an electronic copy on a 3 1/2 inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The commission will post on the commission's web site all comments that are provided in electronic format. The web site is located at <http://www.wutc.wa.gov/060177>. If you are unable to file your comments electronically or to submit them on a disk, the commission will always accept a paper document.

Opportunities for further comment and additional workshops are anticipated. Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's web site as it becomes available. If you wish to receive further information on this rule making you may (1) call the commission's records center at (360)

664-1234, (2) e-mail the commission at records@wutc.wa.gov, or (3) mail written comments to the address above to the attention of Carole J. Washburn, Secretary. When contacting the commission, please refer to Docket No. TC-060177 to ensure that you are placed on the appropriate service list. Questions may be addressed to Penny L. Hansen, Regulatory Analyst, at (360) 664-1242 or e-mail at phansen@wutc.wa.gov.

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING — The commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rule making, please advise the records center by any one of the following methods: (1) Send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket No. TC-060177, and the words "Please keep me on the mailing list"; or (2) e-mail your name, address, telephone and fax numbers, referencing Docket No. TC-060177, and the words "Please keep me on the mailing list" to records@wutc.wa.gov. Please note that all information in the mailings will be accessible through the commission's internet web site at <http://www.wutc.wa.gov/060177>. **THOSE PARTIES WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

February 15, 2006
Carole J. Washburn
Executive Secretary