

**WSR 07-13-001**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**EXECUTIVE ETHICS BOARD**

[Filed June 6, 2007, 2:00 p.m.]

Subject of Possible Rule Making: WAC 292-110-010  
 Use of state resources.

Statutes Authorizing the Agency to Adopt Rules on this  
 Subject: RCW 42.52.360.

Reasons Why Rules on this Subject may be Needed and  
 What They Might Accomplish: To review the permitted uses  
 of state resources.

Other Federal and State Agencies that Regulate this Sub-  
 ject and the Process Coordinating the Rule with These Agen-  
 cies: Legislative ethics board and commission on judicial  
 conduct. Contact will be made to determine any impact a  
 change may have on each agency.

Process for Developing New Rule: Seek stakeholder  
 input.

Interested parties can participate in the decision to adopt  
 the new rule and formulation of the proposed rule before pub-  
 lication by contacting Susan Harris, P.O. Box 40149, Olym-  
 pia, WA 98504-0149, (360) 664-0871, Susanh4@atg.wa.  
 gov.

May 30, 2007  
 Susan Harris  
 Executive Director

**WSR 07-13-021**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**

[Filed June 11, 2007, 2:43 p.m.]

The department of ecology is withdrawing the CR-101  
 preproposal statement of inquiry filed on February 7, 2007,  
 as WSR 07-04-113. The subject of possible rule making is  
 amendments to the State Environmental Policy Act rules  
 (WAC 197-11-800). The department is no longer pursuing a  
 rule amendment on this subject.

June 4, 2007  
 Gordon White, Program Manager  
 Shorelands and Environmental  
 Assistance Program

**WSR 07-13-025**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF LICENSING**

[Filed June 12, 2007, 8:10 a.m.]

Subject of Possible Rule Making: Chapter 308-96A  
 WAC Vehicle licenses, to include but not limited to WAC  
 308-96A-057 Purple Heart license plates.

Statutes Authorizing the Agency to Adopt Rules on this  
 Subject: RCW 46.01.110, 46.12.070, and 46.16.276.

Reasons Why Rules on this Subject may be Needed and  
 What They Might Accomplish: Rule making may be

required to allow spouses of deceased recipients of the Purple  
 Heart medal to purchase and retain a Purple Heart license  
 plate.

Other Federal and State Agencies that Regulate this Sub-  
 ject and the Process Coordinating the Rule with These Agen-  
 cies: None.

Process for Developing New Rule: The department of  
 licensing (DOL) welcomes the public to take part in develop-  
 ing the rules. Anyone interested should contact the staff per-  
 son identified below. At a later date, DOL 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 pub-  
 lication by contacting Dale R. Brown, Management Analyst,  
 Vehicle Services, Assistant Director Office, Mailstop 48205,  
 P.O. Box 2956, Olympia, WA 98507-2957, or by phone  
 (360) 902-4020, fax (360) 902-7821 or 902-7822, TTY (360)  
 664-8885, e-mail DBROWN@dol.wa.gov.

June 11, 2007  
 Julie Knittle  
 Assistant Director  
 Vehicle Services

**WSR 07-13-030**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**NOXIOUS WEED**  
**CONTROL BOARD**

[Filed June 12, 2007, 10:18 a.m.]

Subject of Possible Rule Making: Chapter 16-750  
 WAC, State noxious weed list and schedule of monetary pen-  
 alties.

Statutes Authorizing the Agency to Adopt Rules on this  
 Subject: RCW 17.10.080, 17.10.070, and 17.10.010(5).

Reasons Why Rules on this Subject may be Needed and  
 What They Might Accomplish: The state noxious weed con-  
 trol board is charged with updating the state noxious weed list  
 on an annual basis to ensure it accurately reflects the noxious  
 weed control priorities and noxious weed distribution. The  
 state weed board may also amend the definition of "control,"  
 as it pertains to noxious weeds, and/or make other amend-  
 ments to chapter 16-750 WAC.

Other Federal and State Agencies that Regulate this Sub-  
 ject and the Process Coordinating the Rule with These Agen-  
 cies: No other state agencies regulate this subject. Federal  
 agencies are subject to the federal noxious weed laws that  
 require them to coordinate with state regulations. Federal  
 agencies in Washington are invited to participate in all stages  
 of noxious weed rule making.

Process for Developing New Rule: The state noxious  
 weed control board annually solicits suggestions from county  
 weed boards, weed districts, state and federal agencies, inter-  
 est groups and the general public. The noxious weed com-  
 mittee of the board, which includes representation from the  
 Washington Native Plant Society, county weed boards, the  
 nursery industry and several scientific advisors, meets at least

twice to review and research the suggestions. These draft suggestions are sent out again for public comment before the noxious weed committee drafts its final recommendation to the board. Public comment is welcome at all committee and board meetings. A press release and information mailing is prepared on the recommended changes and a public hearing is scheduled. The board makes its final decision after considering public input received at the hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties can submit suggestions for changes to the noxious weed list, and/or other sections of chapter 16-750 WAC and can attend meetings of the noxious weed committee and meetings of the state noxious weed board. Interested parties can also testify at the hearing, and/or submit written testimony. Information on participating in the decision making process can be obtained from Steve McGonigal, Washington State Noxious Weed Control Board, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-2053, fax (360) 902-2094, e-mail smcgonigal@agr.wa.gov.

June 12, 2007  
Steve McGonigal  
Executive Secretary

**WSR 07-13-039**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PUBLIC EMPLOYMENT**  
**RELATIONS COMMISSION**

[Filed June 13, 2007, 4:46 p.m.]

**Subject of Possible Rule Making:** Revision of rules that govern agency practices and procedures for all types of cases, including rules for representation cases, unit clarification cases, unfair labor practice cases, impasse resolution rules, grievance arbitration rules, and union security dispute rules.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 41.58.050, 28B.52.065, 41.56.090, 41.59.-110, 41.76.060, and 41.80.900.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** Repeal out of date or unnecessary rules, adjust rules to reflect current operation of the agency, and adjust and enact rules necessary to administer chapter 41.80 RCW. Commission rules also need some revision to streamline some internal processes to accommodate a growing clientele.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** No other state or federal agency regulates this subject with respect to Washington public employees.

**Process for Developing New Rule:** Commission staff brought representatives from both labor and management together to discuss clientele concerns with the current rules and to discuss potential changes that commission staff and clientele would like to see enacted.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ken Latsch, 112 North Henry Street,

Suite 300, P.O. Box 40919, Olympia, WA 98504-4919, (360) 570-7320; or Dario de la Rosa, 112 North Henry Street, Suite 300, P.O. Box 40919, Olympia, WA 98504-4919, (360) 570-7328.

June 13, 2007  
Kenneth J. Latsch  
Operations Manager

**WSR 07-13-041**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**

[Filed June 14, 2007, 8:43 a.m.]

**Subject of Possible Rule Making:** Amend rules in chapter 415-104 WAC, Law enforcement officers' and firefighters' retirement system (LEOFF).

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

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The department will amend chapter 415-104 WAC as necessary to implement HB 1680 (2007) regarding transfers of service credit for emergency medical technicians under LEOFF plan 2. The bill provides for benefit calculations for members who die or retire for disability prior to completing the transfer requirements.

**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 SarahM@drs.wa.gov.

June 14, 2007  
Sarah Monaly  
Rules Coordinator

**WSR 07-13-042****PREPROPOSAL STATEMENT OF INQUIRY  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION**

[Filed June 14, 2007, 12:52 p.m.]

Subject of Possible Rule Making: WAC 392-121-259 and 392-121-264, Finance—General apportionment—Certificated instructional staff.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rule revisions clarify guidance on what may, and may not, count as nondegree credits, and when to start counting education and experience for nondegree vocational/career and technical education instructors.

Process for Developing New Rule: 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 Ross Bunda, (360) 725-6308.

May 17, 2007

Dr. Terry Bergeson  
Superintendent of  
Public Instruction

3. Fewer plans to conserve spotted owl habitat at a landscape level have been developed than was anticipated when this rule was adopted; and
4. With few landscape-level plans, the forest practices rules continue to rely heavily upon the regulation of timber harvest at individual spotted owl sites to provide habitat conservation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Fish and Wildlife Service administers the federal Endangered Species Act for upland wildlife, including the northern spotted owl. The board intends that the department of natural resources, which implements board actions, will work with the United States Fish and Wildlife Service and other stakeholders, including the Washington state department of fish and wildlife, to develop recommendations for the board's consideration.

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 Patricia Anderson, Forest Practices Board Rules Coordinator, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, fax (360) 902-1428, e-mail forest.practices-board@dnr.wa.gov.

June 19, 2007

Victoria Christiansen  
Chairman

**WSR 07-13-055****PREPROPOSAL STATEMENT OF INQUIRY  
FOREST PRACTICES BOARD**

[Filed June 15, 2007, 10:48 a.m.]

Subject of Possible Rule Making: The forest practices board is considering permanent rule making to address decertification of northern spotted owl site centers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 76.09.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The forest practices board is considering rule making to address the duration and geographic scope of a moratorium on decertifying northern spotted owl site centers because:

1. The amount of suitable habitat within northern spotted owl special emphasis areas, outside areas that are being managed under the aegis of a habitat conservation plan or other agreement, has declined by an average of 16% since forest practices rules for habitat protection were adopted;
2. Habitats recently occupied by spotted owls are potentially important to spotted owl recovery and should be maintained until a federal recovery plan has been completed and the board has had the opportunity to consider ramifications of decertifying additional sites in light of recovery strategies and goals;

**WSR 07-13-057****PREPROPOSAL STATEMENT OF INQUIRY  
WASHINGTON STATE UNIVERSITY**

[Filed June 15, 2007, 3:04 p.m.]

Subject of Possible Rule Making: Chapter 504-26 WAC, Standards of conduct for students.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: With this minor update the university will clarify how it intends to address conduct violations.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ralph Jenks, P.O. Box 641225, Pullman, WA 99164-1225, phone (509) 335-2005, fax (509) 335-3969. There will be a public hearing to permit comment on the proposed rules and revisions. There will be an opportunity to provide written comments on the proposed rules.

June 15, 2007

Ralph T. Jenks, Director  
Office of Procedures, Records, and Forms  
and University Rules Coordinator

**WSR 07-13-059**

**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Aging and Disability Services Administration)

[Filed June 16, 2007, 1:02 p.m.]

Subject of Possible Rule Making: Amending WAC 388-106-0020 Under the Medicaid personal care (MPC), community options program entry system (COPEs), medically needy residential waiver (MNRW), medically needy in-home waiver (MNIW), and chore programs, What services are not covered?

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 amends guidelines pertaining to the administration of sterile procedures to more clearly articulate who can and cannot perform certain services.

Other policy changes that arise during this rule making may be incorporated. 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 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 98504-5600, phone (360) 725-3213, fax (360) 438-8633, TTY (360) 493-2637, e-mail knudskl@dshs.wa.gov.

June 16, 2007

Stephanie E. Schiller  
Rules Coordinator

**WSR 07-13-061**

**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)

[Filed June 16, 2007, 1:23 p.m.]

The economic services administration requests the withdrawal of the preproposal statement of inquiry filed as WSR 06-13-010 on June 9, 2006 (WAC 388-448-0100).

Stephanie E. Schiller  
Rules Coordinator

**WSR 07-13-072**

**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
(Dental Quality Assurance Commission)  
[Filed June 18, 2007, 2:21 p.m.]

Subject of Possible Rule Making: WAC 246-817-130 Licensure without examination for dentists—Eligibility and 246-817-140 Licensure without examination for dentists—Licensing examination standards. The dental quality assurance commission has determined a need to update its current rules to accurately reflect changes to its eligibility and examination standards, resulting from changes to examination standards at the state, regional and national levels.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.32.0365, 18.32.215.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Eligibility standards for dental licensure have significantly evolved throughout the United States over the past few years and the licensure related rules need to be updated to accurately reflect the changes. Applicants licensed in another state and interested in licensure in Washington state need to have accurate, current regulations available to them. RCW 18.32.215 Licensure without examination—Licensed in another state; was amended during the 2003 legislative session. A CR-101 for WAC 246-817-135 has already been filed under WSR 04-08-096 to implement amended RCW 18.32.215, and changes to that rule necessitate changes to the rules listed above.

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 Lisa R. Anderson, Dental Program Manager, Dental Quality Assurance Commission, P.O. Box 47867, Olympia, WA 98504-7867, phone (360) 236-4863, fax (360) 664-9077, e-mail lisa.anderson@doh.wa.gov. The commission will notify all individuals and organizations who have expressed an interest in the commission's rule-making activities via the Listserv e-mail notification system. Stakeholders may also submit written comments for consideration.

June 18, 2007

Lisa Anderson

Dental Program Manager

**WSR 07-13-073**

**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
(Dental Quality Assurance Commission)  
[Filed June 18, 2007, 2:21 p.m.]

Subject of Possible Rule Making: New section WAC 246-817-155 Dental resident license to full dental license—Conditions. The dental quality assurance commission (DQAC) is considering rules that describe criteria for the full licensure of dental residents who successfully complete a

dental residency training program in an accredited and approved community health clinic that serves predominantly low-income patients or is located in a dental care health shortage area in this state.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.32.0365, 18.32.040, 18.32.195.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed to implement 2005 legislation, SHB 1689, and to establish criteria for obtaining a full dental license for students who have successfully completed a postdoctoral residency program accredited by the American Dental Association, Commission on Dental Accreditation (ADA/CODA), in a community health clinic that serves low-income patients or is located in a dental care health professional shortage area of this state, and that includes an outcome assessment other than the western regional board's clinical examination, assessing the resident's competence to practice dentistry.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lisa R. Anderson, Dental Program Manager, Dental Quality Assurance Commission, P.O. Box 47867, Olympia, WA 98504-7867, phone (360) 236-4863, fax (360) 664-9077, e-mail [lisa.anderson@doh.wa.gov](mailto:lisa.anderson@doh.wa.gov). The commission will notify all individuals and organizations who have expressed an interest in the commission's rule-making activities via the Listserv e-mail notification system. Stakeholders may also submit written comments for consideration.

June 18, 2007

Lisa Anderson

Dental Program Manager

#### WSR 07-13-074

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)

[Filed June 18, 2007, 2:22 p.m.]

Subject of Possible Rule Making: WAC 246-817-010 Definitions. The dental quality assurance commission plans to update the "definitions" section of its rules related to eligibility and licensure criteria for dentists.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The dental eligibility and licensure criteria are being updated and therefore the definitions pertinent to those regulations also need updating.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication by contacting Lisa R. Anderson, Dental Program Manager, Dental Quality Assurance Commission, P.O. Box 47867, Olympia, WA 98504-7867, phone (360) 236-4863 or fax (360) 664-9077, e-mail [lisa.anderson@doh.wa.gov](mailto:lisa.anderson@doh.wa.gov). The commission will notify individuals and organizations who have expressed an interest in the commission's rule-making activities via the Listserv e-mail notification system. Stakeholders may also submit written comments for consideration.

June 18, 2007

Lisa Anderson

Dental Program Manager

#### WSR 07-13-080

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed June 19, 2007, 8:11 a.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, Vehicle licenses, to include but not limited to WAC 308-96A-099 Use class descriptions.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required to streamline and make the rule more understandable.

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

Process for Developing New Rule: The department of licensing (DOL) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DOL 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 Dale R. Brown, Management Analyst, Vehicle Services, Assistant Director Office, Mailstop 48205, P.O. Box 2956, Olympia, WA 98507-2957, or by phone (360) 902-4020, fax (360) 902-7821 or 902-7822, TTY (360) 664-8885, e-mail [DBROWN@dol.wa.gov](mailto:DBROWN@dol.wa.gov).

June 18, 2007

Julie Knittle

Assistant Director

Vehicle Services

#### WSR 07-13-081

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed June 19, 2007, 8:11 a.m.]

Subject of Possible Rule Making: Chapter 308-56A WAC, Certificates of title—Motor vehicles, etc., to include

but not limited to WAC 308-56A-140 Department temporary permit.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required to update the rule with current owner retained destroyed vehicle practices. The Washington state patrol will no longer inspect wrecked vehicles if they are owner retained.

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

Process for Developing New Rule: The department of licensing (DOL) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DOL 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 Dale R. Brown, Management Analyst, Vehicle Services, Assistant Director Office, Mailstop 48205, P.O. Box 2956, Olympia, WA 98507-2957, or by phone (360) 902-4020, fax (360) 902-7821 or 902-7822, TTY (360) 664-8885, e-mail [DBROWN@dol.wa.gov](mailto:DBROWN@dol.wa.gov).

June 18, 2007  
Julie Knittle  
Assistant Director  
Vehicle Services