

WSR 07-19-011**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed September 7, 2007, 8:52 a.m.]

Subject of Possible Rule Making: Chapter 308-63 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.80.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Every four-year review of rules in accordance with Governor's Executive Order 1997-02.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state patrol.

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 Gail Saul, Department of Licensing, Dealer Services, P.O. Box 9039, Olympia, WA 98507-9039, gsaul@dol.wa.gov, fax (360) 586-6703.

September 5, 2007

Julie Knittle

Assistant Director

Vehicle Services

WSR 07-19-028**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
EARLY LEARNING**

[Filed September 11, 2007, 11:59 a.m.]

Subject of Possible Rule Making: Update the internal reference in chapter 170-292 WAC to be consistent with the department numbering, clarify several existing rules, include new rules as a result of the collective bargaining agreement for child care family home providers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.215.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of early learning began a new numbering system on July 20, 2006. This resulted in internal WAC references needed to be updated. Several WACs are confusing which means they have been applied inconsistently to the client program. The clarification is needed for consistent application of the rules. The collective bargaining agreement for child care family home providers resulted in several rule changes on payments.

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

Process for Developing New Rule: Interested parties are invited to review and provide input on the draft language. Obtain draft material by contacting the individual below. This rule will also be posted on the policy proposal comment internet site at <http://www.del.wa.gov/policy/rules.shtml>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. All interested parties are invited to review and provide input on proposed draft language. Obtain draft material by contacting the identified representatives by e-mail at jenny.lemstrom@del.wa.gov or Jenny Lemstrom, Department of Early Learning, P.O. Box 40970, Olympia, WA 98504-0970, fax (360) 413-3482.

August 31, 2007

Jone M. Bosworth

Agency Director

WSR 07-19-033**PREPROPOSAL STATEMENT OF INQUIRY
ENERGY FACILITY SITE
EVALUATION COUNCIL**

[Filed September 12, 2007, 10:57 a.m.]

Subject of Possible Rule Making: This rule making proposes to adopt rules for the siting of electrical transmission facilities. This rule making may modify existing rules and/or adopt new rules and possibly adding a new chapter to Title 463 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.50.040(1) and SHB 1037 adopted during the 2007 legislative session.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SHB 1037 gives the energy facility site evaluation council (EFSEC) jurisdiction over electrical transmission facilities meeting certain criteria for nominal voltage and corridor location. SHB 1037 also requires EFSEC to develop rules for a preapplication process that provides for negotiation by the applicant with affected local governments under certain land use conditions.

EFSEC will modify existing rules and/or develop new rules that will provide procedures, process, or guidance for preapplication activities, application submittals, application review, and certification of electrical transmission facilities referenced in SHB 1037.

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 proposed rule will be drafted by EFSEC and its staff. A small stakeholders group will be consulted throughout this rule making effort. The public will have the opportunity to comment on the proposed rule. At least one public hearing will be held and the proposed rule will be posted on the agency web site and provided to interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Allen Fiksdal, EFSEC, P.O. Box 4317200, Olympia, WA 98504-3172, phone (360) 956-2151, fax (360) 956-2158, allenf@cted.wa.gov, or accessing the EFSEC web site <http://efsec.wa.gov/>.

September 12, 2007

Allen J. Fiksdal

Manager

WSR 07-19-035
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
EARLY LEARNING

[Filed September 12, 2007, 2:00 p.m.]

Please note that we are requesting withdrawal of the WSR 07-05-048, CR-101 filing for chapter 170-292 WAC, Seasonal child care. A new CR-101 was filed on September 11, 2007.

Please contact Jenny Lemstrom at (360) 725-4673 if you have any questions.

Jenny Lemstrom
Program Manager

WSR 07-19-036
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION

[Filed September 12, 2007, 1:29 p.m.]

Subject of Possible Rule Making: Chapter 180-51 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: 2007 legislative session 2SHB 1906 codified at RCW 28A.305.215, 28A.230.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Legislative law (HB 1906) requires the state board of education (SBE) to add additional credits of math for high school graduation requirements for a total of three math credits. The current version of the rules inadvertently excluded the high school and beyond plan graduation requirements, which need to be included in the revised rules. The 0.5 credit for Washington state history lack clarity about whether the credit if taken in middle school meets a high school level credit.

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 Loy McColm, Rules Coordinator, Executive Assistant, State Board of Education, P.O. Box 47206, Olympia, WA 98504, (360) 725-6027, fax (360) 586-2357, loy.mccolm@k12.wa.us. Rule changes are conducted at a regular board meeting of the SBE. The public hearing for chapter 180-51 WAC is scheduled for November 2, 2007. Public comment may be provided via public testimony at SBE meetings and/or via written correspondence to the rules coordinator noted above.

September 12, 2007
Edith W. Harding
Executive Director

WSR 07-19-040
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION

[Filed September 13, 2007, 10:59 a.m.]

Subject of Possible Rule Making: Chapter 180-16 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.220, 28A.305.140, 28A.305.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The criteria for local school improvement plans described under the board's supplemental basic education program approval rule requirements will be reviewed as part of the board's work on accountability.

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 Loy McColm, Rules Coordinator, Executive Assistant, State Board of Education (SBE), P.O. Box 47206, Olympia, WA 98504, (360) 725-6027, fax (360) 586-2357, loy.mccolm@k12.wa.us. Rule changes are conducted at a regular board meeting of the SBE. The public hearing for chapter 180-16 WAC may be scheduled for the January 9-10 board meeting 2007. Public comment may be provided via public testimony at SBE meetings and/or via written correspondence to the rules coordinator noted above.

September 13, 2007
Edith W. Harding
Executive Director

WSR 07-19-051
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL

[Filed September 14, 2007, 10:47 a.m.]

Subject of Possible Rule Making: Chapter 212-12 WAC, Fire marshal standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.20.130, 18.46.110, 18.51.140, 41.12.485, 48.48.030, 48.48.045, 70.62.290, 74.15.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This chapter has been updated to correspond with the 2006 building and fire codes and to most accurately reflect the state fire marshal's office procedures.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services (DSHS), Roger Woodside, policy program development; department of early learning; Washington Health Care Association; department of health; and Center for Medicare/Medicaid Services.

Process for Developing New Rule: Updates to current WAC were needed in order to correspond with the 2006 building and fire codes.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Washington State Patrol, Fire Protection Bureau, Mr. Brandon LeMay, P.O. Box 42600, Olympia, WA 98504, Brandon.Lemay@wsp.wa.gov, (360) 570-3139 or fax (360) 570-3136. Review proposed language at www.wsp.wa.gov under rules assistance center, WACs.

September 10, 2007

John R. Batiste
Chief

WSR 07-19-066

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed September 17, 2007, 8:39 a.m.]

Subject of Possible Rule Making: Chapter 308-56A WAC, Certificates of title, including but not limited to WAC 308-56A-150 Certificate of vehicle inspection.

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's 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.

September 17, 2007

Julie Knittle
Assistant Director
Vehicle Services

WSR 07-19-067

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FINANCIAL INSTITUTIONS (Securities Division)

[Filed September 17, 2007, 11:10 a.m.]

Subject of Possible Rule Making: Update and adoption of NASAA guidelines and statements of policy. Amendments to WAC 460-16A-205.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 21.20.450.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington securities division uses guidelines and policies adopted by the North American Securities Administrators Association (NASAA) as the basis for regulating certain offerings and licensees. These guidelines and policies are periodically updated and occasionally new guidelines and policies are adopted. This amendment would update Washington's regulations to reflect the latest versions of all previously adopted guidelines. It would also adopt NASAA's statement of policy regarding church extension fund securities and uniform disclosure guidelines for cover legends for the first time. This will facilitate greater uniformity with the many other states that rely on NASAA guidelines and policies.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal Securities and Exchange Commission (SEC) also regulates some of these offerings. Proposed NASAA statements of policy are published for public comment prior to adoption and are generally also shared with the SEC. Comments received from the public and the SEC are considered and incorporated in the proposal as appropriate.

Process for Developing New Rule: Proposed NASAA statements of policy are published for internal and public comment prior to adoption. Comments received from the public and the SEC are considered and incorporated in the proposal as appropriate.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jill M. Vallyely, Department of Financial Institutions, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, voice (360) 902-8801, fax (360) 704-7035, e-mail jvallyely@dfi.wa.gov.

September 13, 2007

Michael E. Stevenson
Director, Securities Division

WSR 07-19-082

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed September 18, 2007, 9:15 a.m.]

Subject of Possible Rule Making: Industrial insurance, WAC 296-20-1101 Hearing aids and masking devices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.12.330 or chapter 51.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Though labor and industries, labor and self-insurer representatives worked together to create a new linear analog hearing aid replacement policy, WAC 296-20-1101 will be need to be revised to reflect this new policy and ensure uniform compliance.

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

Process for Developing New Rule: After reviewing current scientific hearing aid literature the department worked with business, labor and self-insurance representatives to craft a new hearing aid replacement policy. The proposed rule revision will reflect the new policy.

The parties interested in the development of these rules may contact the individual listed below. Interested parties may also participate during the public comment period by submitting written comments or giving 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 Bob Mayer, Department of Labor and Industries, 7273 Linderson Way, Tumwater, WA 98501, phone (360) 902-5021, fax (360) 902-4249, e-mail MAYR235@LNI.WA.GOV.

Public hearing will be scheduled for interested parties to comment on proposed rule change.

September 18, 2007

Judy Schurke
Director

WSR 07-19-083

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

LABOR AND INDUSTRIES

(Apprenticeship and Training Council)

[Filed September 18, 2007, 9:15 a.m.]

Subject of Possible Rule Making: Chapter 296-05 WAC, Apprenticeship rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 49.04 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will work with the RCW/WAC subcommittee and interested stakeholders to draft amendments to the apprenticeship rules. Specifically, the subcommittee will discuss changes to the rules that would require all new program and new occupations for existing programs recommended for approval by the Washington state apprenticeship and training council to be given provisional approval for a period of one year.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None. However, the United States Department of Labor, Office of Apprenticeship, Training, Employer and Labor Services, which had federal apprenticeship oversight responsibility, will be provided a copy of the proposed rules.

Process for Developing New Rule: Interested parties and the public may also participate by providing written comments or giving oral testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sally Elliott, Department of Labor and Industries, Specialty Compliance Services Division, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6411, fax (360) 902-5292, e-mail yous235@lni.wa.gov.

September 18, 2007

Pete Crow, Chair
Apprenticeship and
Training Council

WSR 07-19-085

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed September 18, 2007, 9:42 a.m.]

Subject of Possible Rule Making: Payment of prescription drugs for workers' compensation purposes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.36.010 and chapter 134, Laws of 2007.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Pursuant to EHB 2105 (chapter 134, Laws of 2007), the department is reviewing its rules for possible changes relating to the payment of prescription drugs for workers' compensation purposes.

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 participating in the development of these rules may contact the person listed below. The public may also participate by providing written comments during the comment period or giving oral testimony at public hearings. The agency intends to develop this rule in coordination with the following stakeholder groups: Washington State Pharmacy Association, National Association of Chain Drug Stores (NADCS), Washington Self-Insurers Association, Workers' Compensation Advisory Committee and other parties interested in this rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jaymie Mai by phone (360) 902-6792 or fax (360) 902-6315 or mail Department of Labor and Industries, Office of the Medical Director, P.O. Box 44321, Olympia, WA 98504-4321.

September 18, 2007

Judy Schurke
Director

WSR 07-19-088**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE**

[Filed September 18, 2007, 11:32 a.m.]

Subject of Possible Rule Making: WAC 458-40-660 Timber excise tax—Stumpage value tables and 458-40-540 Forest land values.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.33.096, 82.32.300, and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 84.33.091 requires the department of revenue to revise the stumpage value tables every six months. The department establishes stumpage value tables to apprise timber harvesters of the timber values used to calculate the timber excise tax. The department anticipates amending WAC 458-40-660 to provide valuations for the first half of 2008. RCW 84.33.140 requires that forest land values be adjusted annually by a statutory formula contained in RCW 84.33.140(3). The forest land values (WAC 458-40-540) adjusts the table of forest land values in Washington as required by statute. County assessors will use these published land values for property tax purposes in 2008.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Although the United States Forest Service and Washington state department of natural resources both regulate forest practices, neither is involved in valuation for taxation purposes. The nontax processes and definitions are coordinated with these agencies to avoid conflict, but there should be no need to involve them in the valuation revisions provided in this rule.

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, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft anticipated changes will be available upon request shortly before the public meeting. Written comments on and/or requests for copies of the rule may be directed to Mark E. Bohe, Interpretations and Technical Advice Division, P.O. Box 47453, Olympia, WA 98504-47453, e-mail markbohe@dor.wa.gov, phone (360) 570-6133, fax (360) 586-0127.

Public Meeting Location: Capital Plaza Building, 4th Floor, L&P Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on October 24, 2007, at 10:00 a.m.

September 18, 2007

Janis P. Bianchi

Assistant Director

Interpretations and

Technical Advice Division

by Chris Coffman

WSR 07-19-090**PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed September 18, 2007, 11:41 a.m.]

Subject of Possible Rule Making: WAC 392-127-004 through 392-127-112, Finance—Certificated instructional staff ratio (46:1000) compliance and WAC 392-140-900 through 392-140-913, Finance—Special allocations—K-4 staff enhancement.

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 will update the calculation of the K-12 and K-4 staff ratios for state funding purposes. These revisions will implement the updated special education excess cost accounting methodology provided in the August 17, 2007, addendum to OSPI Bulletin 025-07.

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.

September 18, 2007

Dr. Terry Bergeson

Superintendent of

Public Instruction

WSR 07-19-094**WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed September 18, 2007, 2:44 p.m.]

The aging and disabilities services administration requests the withdrawal of preproposal statement of inquiry filed as WSR 07-16-055 on July 26, 2007 (chapter 388-825 WAC).

Stephanie E. Schiller

Rules Coordinator

WSR 07-19-105**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2007-08—Filed September 19, 2007, 8:46 a.m.]

Subject of Possible Rule Making: Claims settlement practices and automobile claims, repairs, and settlements.

This rule-making notice is supplemental to the CR-101 filed on July 2, 2007.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 and 48.30.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commissioner will review chapter 284-30 WAC to determine if the current claims settlement regulation can be clarified, simplified, and made more effective. One goal is to give consumers, insurers and adjusters a better understanding of their rights and obligations and to provide clearer expectations of what should occur in the claims settlement process.

A CR-101 was filed on July 2, 2007, under this same insurance commissioner matter number with the stated purpose to review WAC 284-30-390 only. During that review it was decided that the subject of this rule making should be broadened to include additional sections in the chapter. Several sections of chapter 284-30 WAC will be amended for clarity or rearranged for ease of understanding. It is possible that a few changes to the chapter may be needed.

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 by sending written comments by November 3, 2007.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, fax (360) 586-3109, e-mail KacyS@oic.wa.gov.

September 19, 2007

Mike Kreidler
Insurance Commissioner

WSR 07-19-107

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 19, 2007, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 181-01 WAC, WEST-B exemption.

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

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236,

(360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the 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.

September 19, 2007

Nasue Nishida
Policy and Research Analyst

WSR 07-19-108

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 19, 2007, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 181-02 WAC, WEST-E assessment program.

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

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the 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.

September 19, 2007

Nasue Nishida
Policy and Research Analyst

WSR 07-19-109

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 19, 2007, 10:10 a.m.]

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

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

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the 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.

September 19, 2007

Nasue Nishida
Policy and Research Analyst

WSR 07-19-110

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 19, 2007, 10:11 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.

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 (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the professional educator standards board. Public comment may be provided via public testi-

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

September 19, 2007

Nasue Nishida
Policy and Research Analyst

WSR 07-19-111

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 19, 2007, 10:11 a.m.]

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

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

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the 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.

September 19, 2007

Nasue Nishida
Policy and Research Analyst

WSR 07-19-112

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 19, 2007, 10:11 a.m.]

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

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To do one or more of the following, as deemed appropriate: Make technical adjustments,

clarify and change existing provisions, repeal unnecessary wording, repeal provisions unsupported by rule-making authority, or provide greater flexibility or discretion to persons or entities subject to the rules.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the 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.

September 19, 2007

Nasue Nishida
Policy and Research Analyst

WSR 07-19-113

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 19, 2007, 10:11 a.m.]

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

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

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the 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.

September 19, 2007

Nasue Nishida
Policy and Research Analyst

WSR 07-19-114

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 19, 2007, 10:11 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.

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 (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board 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.

September 19, 2007

Nasue Nishida
Policy and Research Analyst

WSR 07-19-115

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 19, 2007, 10:12 a.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.

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 (360) 586-4548, nasue.nishida@k12.wa.us.

us or pesb@k12.wa.us. Rule changes are conducted at regular board 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.

September 19, 2007
Nasue Nishida
Policy and Research Analyst

WSR 07-19-116
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed September 19, 2007, 10:12 a.m.]

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

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

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Standards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the 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.

September 19, 2007
Nasue Nishida
Policy and Research Analyst

WSR 07-19-117
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed September 19, 2007, 10:12 a.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.

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 (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board 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.

September 19, 2007
Nasue Nishida
Policy and Research Analyst

WSR 07-19-118
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed September 19, 2007, 10:12 a.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.

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 (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board 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.

September 19, 2007
Nasue Nishida
Policy and Research Analyst

WSR 07-19-119
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed September 19, 2007, 10:13 a.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.

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 (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board 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.

September 19, 2007

Nasue Nishida

Policy and Research Analyst

WSR 07-19-120
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed September 19, 2007, 10:13 a.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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nasue Nishida, Rules Coordinator, Policy and Research Analyst, Professional Educator Stan-

dards Board, P.O. Box 47236, Olympia, WA 98504-7236, (360) 725-6238, fax (360) 586-4548, nasue.nishida@k12.wa.us or pesb@k12.wa.us. Rule changes are conducted at regular board meetings of the 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.

September 19, 2007

Nasue Nishida

Policy and Research Analyst

WSR 07-19-124
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF COMMUNITY,
TRADE AND ECONOMIC DEVELOPMENT

[Filed September 19, 2007, 11:25 a.m.]

Subject of Possible Rule Making: Chapter 365-195 WAC, Procedural criteria for adopting comprehensive plans and development regulations. It also includes chapter 365-190 WAC, Minimum guidelines to classify agricultural, forest and mineral lands and critical areas.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 36.70A.050 and 36.70A.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The original WAC guidelines were designed to assist with adoption of a local government's first full Growth Management Act (GMA) plan. Local governments have now completed this task and guidelines more appropriate and relevant to current state GMA planning are needed. Amendments to the GMA have been adopted in almost every legislative session since 1992 and, with some exceptions, have not been incorporated into the WAC. The courts and growth management hearings boards have also interpreted and clarified significant portions of the GMA. The WAC does not reflect these interpretations and is, in some places, inconsistent with them. The department of community, trade and economic development (CTED) is reviewing these sections of the WAC for minor, technical corrections.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of ecology adopts rules governing SEPA and the Shoreline Management Act. CTED will involve the department of ecology in the rule-making process to ensure that the CTED rules integrate and harmonize with these rules.

CTED will use the interagency work group (IAWG) on growth management for on-going coordination with agencies that work with local governments on growth management issues. The IAWG is a group of state agency representatives that meet regularly to coordinate state agency participation in local government GMA planning. It includes representatives from the department of ecology, the department of transportation, the department of fish and wildlife, CTED, the department of health, the department of natural resources, the department of agriculture and the department of social and

health services; other agency representatives attend if needed.

Process for Developing New Rule: CTED will be conduct [conducting] a preliminary scoping phase and seek public input on what rules need to be amended and what issues should be addressed. Listening sessions will be held throughout the state in October 2007. Based on input, CTED plans to conduct a formal public hearing on proposed rule amendments in winter 2007/2008, and adopt changes by spring 2008.

CTED is also proposing a series of more significant, substantive rule changes under a separate CR-101. CTED anticipates formal hearings on these corrections in 2008, and adoption in 2009.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. For more information, contact Dave Andersen, AICP, Plan Review and Technical Assistance Manager, Growth Management Services Unit, (360) 725-3052, davida@cted.wa.gov.

Send written comments to Dave Andersen, AICP, Growth Management Services, Washington Department of Community, Trade and Economic Development, P.O. Box 42525, Olympia, WA 98504-2525.

CTED has created a list serve for those interested in ongoing updates of the process. Contact Dave Andersen at davida@cted.wa.gov to be added to the list serve.

A project web page has also been created at www.cted.wa.gov/growth.

September 19, 2007

Marie Sullivan

Government Relations Director

WSR 07-19-125

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

[Filed September 19, 2007, 11:26 a.m.]

Subject of Possible Rule Making: Chapter 365-195 WAC, Procedural criteria for adopting comprehensive plans and development regulations. It also includes chapter 365-190 WAC, Minimum guidelines to classify agricultural, forest and mineral lands and critical areas.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 36.70A.050 and 36.70A.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The original WAC guidelines were designed to assist with adoption of a local government's first full Growth Management Act plan. Local governments have now completed this task and guidelines more appropriate and relevant to current state GMA planning are needed. Amendments to the GMA have been adopted in almost every legislative session since 1992 and, with some exceptions, have not been incorporated into the WAC. The courts and growth management hearings boards have also interpreted and clarified significant portions of the GMA.

The WAC does not reflect these interpretations and is, in some places, inconsistent with them.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of ecology adopts rules governing SEPA and the Shoreline Management Act. The department of community, trade and economic development (CTED) will involve the department of ecology in the rule-making process to ensure that the CTED rules integrate and harmonize with these rules.

CTED will use the interagency work group (IAWG) on growth management for on-going coordination with agencies that work with local governments on growth management issues. The IAWG is a group of state agency representatives that meet regularly to coordinate state agency participation in local government GMA planning. It includes representatives from the department of ecology, the department of transportation, the department of fish and wildlife, CTED, the department of health, the department of natural resources, the department of agriculture and the department of social and health services; other agency representatives attend if needed.

Process for Developing New Rule: CTED will conduct a preliminary scoping phase and seek public input on what rules need to be amended and what issues should be addressed. Listening sessions will be held throughout the state in October 2007, and will seek feedback throughout the proposed rule-development process. CTED intends to develop proposed amendments during 2008, and adopt amendments to the rule in 2009.

CTED is also currently proposing a series of minor, technical corrections under a separate CR-101. CTED anticipates formal hearings on these corrections in winter 2007/2008 and adoption in 2008.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. For more information, contact Dave Andersen, AICP, Plan Review and Technical Assistance Manager, Growth Management Services Unit, (360) 725-3052, davida@cted.wa.gov.

Send written comments to Dave Andersen, AICP, Growth Management Services, Washington Department of Community, Trade and Economic Development, P.O. Box 42525, Olympia, WA 98504-2525.

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September 19, 2007

Marie Sullivan

Government Relations Director