

WSR 08-20-006
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed September 18, 2008, 11:42 a.m.]

Subject of Possible Rule Making: WAC 392-347-023
 State assistance in post 1992 facilities.

Statutes Authorizing the Agency to Adopt Rules on this
 Subject: RCW 28A.525.020 Duties of superintendent of
 public instruction.

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: Amend WAC 392-347-023.
 Rules are being developed to implement a program to move
 away from the current rule (commonly known as the 2% rule)
 to a performance based building assessment system.

Process for Developing New Rule: The office of the
 superintendent of public instruction (OSPI) welcomes the
 public to take part in developing the rules. Anyone interested
 should contact the staff person identified below. At a later
 date, OSPI will file a proposal with the office of the code
 reviser with a notice of proposed rule making.

Interested parties can participate in the decision to adopt
 the new rule and formulation of the proposed rule before pub-
 lication by contacting Scott Black, Program Development
 Manager, P.O. Box 47200, 600 Washington Street S.E.,
 Olympia, WA 98504-7200, fax (360) 586-3946, e-mail
 scott.black@k12.wa.us, phone (360) 725-6268.

September 10, 2008

Terry Bergeson
 Superintendent of
 Public Instruction

WSR 08-20-019
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed September 19, 2008, 1:53 p.m.]

Subject of Possible Rule Making: Chapter 16-30 WAC,
 Restricted feedlots and restricted holding facilities.

Statutes Authorizing the Agency to Adopt Rules on this
 Subject: Chapters 16.36 and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: Washington state has seen an
 increase in tuberculosis cases from cattle importing into
 the state and entering our feedlot industry. The Washington
 state department of agriculture (WSDA) is considering
 developing a rule proposal to remove exceptions for certain
 cattle movement from restricted feedlots. This will confine
 these untested animals to the feedlot to avoid potential
 infection of our state's breeding herds.

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

Process for Developing New Rule: WSDA staff will
 develop the rule proposal with the help of industry input.
 Interested parties will be given the opportunity to partici-
 pate during the public hearing and public comment process.

Interested parties can participate in the decision to adopt
 the new rule and formulation of the proposed rule before pub-
 lication by contacting Lynn Briscoe, Washington State
 Department of Agriculture, P.O. Box 42560, Olympia, WA
 98504, phone (360) 902-1987, fax (360) 902-2087, e-mail
 lbriscoe@agr.wa.gov.

September 19, 2008

Lynn M. Briscoe
 Special Assistant to
 the State Veterinarian

WSR 08-20-020
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE

[Filed September 19, 2008, 1:53 p.m.]

Subject of Possible Rule Making: Chapter 16-86 WAC,
 Cattle and bison diseases in Washington state.

Statutes Authorizing the Agency to Adopt Rules on this
 Subject: Chapters 16.36 and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: Washington state has seen an
 increase in tuberculosis (TB) cases from cattle importing
 into the state. The United States Department of Agriculture's
 TB Uniform Methods and Rules now have standards for TB
 responder detection rates for private practitioners performing
 caudal fold testing. Washington must meet these standards
 to assure proper testing measures are in place to protect the
 industry. Therefore, the Washington state department of
 agriculture (WSDA) is considering developing a rule pro-
 posal to add a section within chapter 16-86 WAC that would
 require training for private practitioners who perform TB
 testing.

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: WSDA staff will
 develop the rule proposal with the help of industry input.
 Interested parties will be given the opportunity to partici-
 pate during the public hearing and public comment process.

Interested parties can participate in the decision to adopt
 the new rule and formulation of the proposed rule before pub-
 lication by contacting Lynn Briscoe, Washington State
 Department of Agriculture, P.O. Box 42560, Olympia, WA
 98504, phone (360) 902-1987, fax (360) 902-2087, e-mail
 lbriscoe@agr.wa.gov.

September 19, 2008

Lynn M. Briscoe
 Special Assistant to
 the State Veterinarian

WSR 08-20-023**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed September 19, 2008, 2:07 p.m.]

Subject of Possible Rule Making: Chapter 16-91 WAC, Requested animal services and holding facilities—Fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 16.36 and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the 2008 legislative session, the Washington state department of agriculture (WSDA) was given authority to establish fees by rule for certain requested services; (1) establishment and inspection of animal holding facilities; (2) inspection and monitoring of animals in animal holding facilities; and (3) special inspections of animals or facilities at the request of the owner. WSDA is considering developing a new WAC within Title 16 WAC that would describe the department's process in assessing fees for such requested services.

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

Process for Developing New Rule: WSDA staff will develop the rule proposal with the help of industry input. Interested parties will be given the opportunity to participate during the public hearing and public comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lynn Briscoe, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504, phone (360) 902-1987, fax (360) 902-2087, e-mail lbriscoe@agr.wa.gov.

September 19, 2008

Lynn M. Briscoe

Special Assistant to
the State Veterinarian**WSR 08-20-041****PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 23, 2008, 4:25 p.m.]

Subject of Possible Rule Making: WAC 260-34-020 Drug and alcohol violations.

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 commission is beginning rule making in contemplation of lower [lowering] the maximum allowable alcohol concentration for licensees or applicants on horseback while acting in an official capacity or participating directly in horse racing.

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 Robert J. Lopez, Deputy Secretary, 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.

September 23, 2008

R. J. Lopez

Deputy Secretary

WSR 08-20-042**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 23, 2008, 4:26 p.m.]

Subject of Possible Rule Making: Chapter 260-49 WAC, Advance deposit wagering.

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: In 2004 a new chapter on advance deposit wagering was added to Title 260 WAC to establish rules for a new form of parimutuel wagering authorized under RCW 67.16.260. The commission is beginning rule making to address the need to amend certain sections in this chapter.

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 Robert J. Lopez, Deputy Secretary, 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.

September 23, 2008

R. J. Lopez

Deputy Secretary

WSR 08-20-043**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 23, 2008, 4:27 p.m.]

Subject of Possible Rule Making: Chapter 260-52 WAC, The race—Paddock to finish, specifically, the use of the whip.

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 commission is beginning the rule-making process to consider amending our rules on the use of the whip by jockeys during a race. The commission will consider the model rule on whips, which is currently

in development by the Association of Racing Commissioners International.

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 Robert J. Lopez, Deputy Secretary, 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.

October 1 [September 23], 2008

R. J. Lopez
Deputy Secretary

WSR 08-20-044

**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 23, 2008, 4:28 p.m.]

Subject of Possible Rule Making: Chapter 260-70 WAC, Equine medication program.

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 commission is beginning rule making on chapter 260-70 WAC, Equine medication program, in anticipation of adopting any recommendations from the Association of Racing Commissioners International and/or the Racing Medication and Testing Consortium regarding changes in the model equine medication rules.

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 Robert J. Lopez, Deputy Secretary, 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.

October 1 [September 23], 2008

R. J. Lopez
Deputy Secretary

WSR 08-20-045

**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 23, 2008, 4:29 p.m.]

Subject of Possible Rule Making: Chapter 260-84 WAC, Penalties.

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 commission is beginning rule making on chapter 260-840 WAC, Penalties, (1) in anticipation of adopting any recommendations from the Association of Racing Commissioners International and/or the Racing Medication and Testing Consortium regarding changes in the model equine medication penalties; (2) changes need[ed] to the penalty matrix; and (3) changes that may be needed in human drug and alcohol penalties.

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 Robert J. Lopez, Deputy Secretary, 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.

September 23, 2008

R. J. Lopez
Deputy Secretary

WSR 08-20-046

**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 23, 2008, 4:32 p.m.]

Subject of Possible Rule Making: WAC 260-44-150 Horseshoes.

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 purpose is to address changes in toe grabs being contemplated in the model rules and to possibly address grabs on quarterhorses.

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 Robert J. Lopez, Deputy Secretary, 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.

September 23, 2008

R. J. Lopez
Deputy Secretary

WSR 08-20-047**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF CORRECTIONS**

[Filed September 23, 2008, 4:35 p.m.]

Subject of Possible Rule Making: Amendments to chapter 137-25 WAC, Serious infractions and chapter 137-28 WAC, Prisons discipline.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 72.09.130, 72.01.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Refine the definitions of general and serious infractions for the purposes of prison discipline.

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

Process for Developing New Rule: The department invites interested parties to review and provide input on the proposed rules. Comments may be sent to John Nispel, rules coordinator at the address shown below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Nispel, Rules Coordinator, Department of Corrections, Contracts and Legal Affairs, P.O. Box 41114, Olympia, WA 98504-1114, phone (360) 725-8365, fax (360) 664-2009, e-mail jrnispel@doc1.wa.gov.

September 22, 2008

E. Vail
Secretary**WSR 08-20-048****PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed September 24, 2008, 6:20 a.m.]

Subject of Possible Rule Making: The community services division is proposing to amend WAC 388-310-2100 WorkFirst career services program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, and 74.08-.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The community services division is proposing to revise the WAC to allow parents with dependent children who receive Basic Food assistance and are working thirty or more hours a week to enroll in the career services program.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the

proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ian Horlor, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4634, fax (360) 725-4905, e-mail Horloit@DSHS.WA.GOV.

September 23, 2008

Stephanie E. Schiller

Rules Manager

WSR 08-20-049**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed September 24, 2008, 6:21 a.m.]

Subject of Possible Rule Making: The community services division (CSD) is proposing to amend WAC 388-310-0800 WorkFirst—Support services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08A.-260, and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: CSD is proposing to revise the maximum payment limit to some of the types of support services. In addition, the CSD is proposing to allow support services for parents who receive Basic Food assistance and are enrolled in career services.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ian Horlor, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4634, fax (360) 725-4905, e-mail Horloit@DSHS.WA.GOV.

September 23, 2008

Stephanie E. Schiller

Rules Coordinator

WSR 08-20-050
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed September 24, 2008, 6:21 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-310-0400 Entering the WorkFirst program as a mandatory participant, 388-310-0500 WorkFirst, individual responsibility plan, 388-310-0900 WorkFirst, basic education, 388-310-1000 WorkFirst, vocational education, 388-310-1050 WorkFirst, skills enhancement training, and other related WACs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: 45 C.F.R. 260, 42 U.S.C. 601, chapters 74.08A and 74.12 RCW, RCW 74.04.050, 74.04.055, 74.08.090, 74.04.-057.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These changes are being proposed to invoke new options under the final Deficit Reduction Act, and to maximize the state's ability to meet the federal work participation rate.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Health and Human Services (HHS), Agency on Children and Families (ACF) oversees the provisions of the Personal Work Responsibility Opportunity Act (PWROA) and the Deficit Reduction Act (DRA).

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stephanie Nielsen, WorkFirst Policy Program Manager, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4699, fax (360) 725-4905, e-mail nielssm@dshs.wa.gov.

September 23, 2008
 Stephanie E. Schiller
 Rules Coordinator

WSR 08-20-055
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed September 24, 2008, 9:45 a.m.]

Subject of Possible Rule Making: The agency seeks to amend chapter 392-105 WAC, Access to public records, to better align the chapter with state model rules for public disclosure and to make other updates.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 34.05.220 and chapter 42.56 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency intends to update the agency's public records request policy to incorporate and/or align with many best practices outlined in chapter 44-14 WAC, Public Records Act—Model rules. This will include incorporating, where possible, the use of technology. In addition, the agency intends to update the WACs to reflect changes in the agency's organization and make other house-keeping changes.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. For questions or comments contact Susan Wilson, Public Disclosure Officer, OSPI, Old Capitol Building, 600 South Washington Street, P.O. Box 47200, Olympia, WA 98504-7200, call (360) 725-6372, e-mail susan.wilson@k12.wa.us, or fax (360) 586-7251.

September 24, 2008
 Dr. Terry Bergeson
 Superintendent of
 Public Instruction

WSR 08-20-057
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION
 [Filed September 24, 2008, 10:36 a.m.]

The Washington horse racing commission (WHRC) wishes to withdraw its preproposal statement of inquiry (CR-101) filed on September 23, 2008, as WSR 08-20-043.

Questions can be directed to WHRC staff at (360) 459-6462.

R. J. Lopez
 Deputy Secretary

WSR 08-20-058
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION
 [Filed September 24, 2008, 10:36 a.m.]

Subject of Possible Rule Making: Chapter 260-52 WAC, The Race—Paddock to finish, specifically, the use of the whip. In addition the commission may amend sections in chapter 260-44 WAC that address aspects of the whip.

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 commission is beginning the rule-making process to consider amending our rules on the use of the whip by jockeys during a race. The commission will consider the model rule on whips, which is currently in development by the Association of Racing Commissioners International.

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 Robert J. Lopez, Deputy Secretary, 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.

September 24, 2008
R. J. Lopez
Deputy Secretary

WSR 08-20-063

**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 24, 2008, 2:45 p.m.]

Subject of Possible Rule Making: Chapter 260-60 WAC, Claiming.

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, at the request of the Washington horsemen's benevolent and protection association, is considering beginning rule making to amend our claiming rules to adopt a "claim-proofing" provision to protect the owner making the claim.

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 Robert J. Lopez, Deputy Secretary, 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.

September 24, 2008
R. J. Lopez
Deputy Secretary

WSR 08-20-073

**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 26, 2008, 10:32 a.m.]

Subject of Possible Rule Making: WAC 260-40-040 Making entries and nominations.

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 commission is contem-

plating incorporating language from an existing policy/interpretive statement into this section, and then repealing the policy statement.

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 Robert J. Lopez, Deputy Secretary, 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.

September 26, 2008
R. J. Lopez
Deputy Secretary

WSR 08-20-087

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed September 29, 2008, 9:15 a.m.]

Subject of Possible Rule Making: The department is amending and adopting new rules in chapter 388-828 WAC, the division of developmental disabilities assessment.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.010, 71A.12.030, 2008 supplemental budget, ESHB 2687, section 205 (1)(i).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The division of developmental disabilities is amending and adopting new rules in chapter 388-828 WAC, the division of developmental disabilities assessment to add the children's intensive in-home behavioral support program algorithm.

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

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Debbie Roberts, Program Manager, Division of Developmental Disabilities, P.O. Box 45310,

Lacey, WA 98504-5310, phone (360) 725-3400, fax (360) 407-0955, e-mail roberdx@dshs.wa.gov.

September 25, 2008
Stephanie E. Schiller
Rules Coordinator

WSR 08-20-088

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Health and Recovery Services Administration)

[Filed September 29, 2008, 9:17 a.m.]

Subject of Possible Rule Making: WAC 388-490-0005
The department requires proof before authorizing benefits for cash, medical, and Basic Food.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.057, 74.08.090, and 74.09.530.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: DSHS is updating the citizenship exemptions based on modifications to the Deficit Reduction Act (DRA) final rule and changes to section 405 (c)(1) of the Tax Relief and Health Care Act of 2006 (TRHCA).

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kathy Sayre, Rules Program Manager, Office of Rules and Publications, Division of Legal Services, Health and Recovery Services Administration, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1342, fax (360) 586-9727, TTY 1-800-848-5429, e-mail sayrek@dshs.wa.gov.

September 25, 2008
Stephanie E. Schiller
Rules Coordinator

WSR 08-20-089

**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed September 29, 2008, 9:18 a.m.]

Subject of Possible Rule Making: WAC 260-24-580
Starter and assistant starters.

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 contemplating rule making to evaluate the starter's authority to scratch horses.

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 Robert J. Lopez, Deputy Secretary, 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.

September 29, 2008

R. J. Lopez
Deputy Secretary

WSR 08-20-096

**PREPROPOSAL STATEMENT OF INQUIRY
INDETERMINATE SENTENCE
REVIEW BOARD**

[Filed September 29, 2008, 4:22 p.m.]

Subject of Possible Rule Making: 1. Procedures for conducting hearings for determination of release of community custody board (CCB) offenders.

2. Procedures for conducting violation hearings on CCB offenders after release.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.94A.712, 9.95.420, 9.95.430, 9.95.435, 9.95.440, 9.95.900.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed on this subject for the following reasons:

1. Provide guidelines for conducting hearings for the indeterminate sentence review board (ISRB), department of corrections, assistant attorney general's office, defense attorneys and other stakeholders.

2. Ensure that the rights of the CCB offenders are being protected and that all hearings are conducted in a consistent and fair manner.

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. The ISRB will compile a distribution list of stakeholders and interested parties that will be contacted and requested to provide input at scheduled meetings or in written format.

Information and status will be posed on the ISRB web site throughout the WAC drafting process.

Contact person at the ISRB is Robin Riley, executive assistant, phone (360) 493-9271, rlriley@doc1.wa.gov, fax (360) 493-9287.

September 29, 2008
Margaret McKinney
Executive Director

WSR 08-20-099

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF**

SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed September 30, 2008, 6:34 a.m.]

Subject of Possible Rule Making: The department is amending WAC 388-527-2730 Definitions, 388-527-2737 Deferring recovery, 388-527-2750 Delay of recovery for undue hardship, 388-527-2754 Assets not subject to recovery and other limits on recovery, and 388-527-2820 Liens prior to death.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is adding language to these estate recovery rules to comply with legislation passed in 2008 for state registered domestic partners who receive medical services through DSHS. This change adds both rights and responsibilities for registered partners, recognizing the partnerships for state-funded medical programs. There are no other changes to estate recovery in these revisions.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy L. Boedigheimer, Rules Program Manager, Health and Recovery Services Administration, Office of Rules and Publications, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1306, fax (360) 586-9727, TTY 1-800-848-5429, e-mail boediwl@dshs.wa.gov.

September 30, 2008
Stephanie E. Schiller
Rules Coordinator

WSR 08-20-135

**PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC DISCLOSURE COMMISSION**

[Filed October 1, 2008, 10:38 a.m.]

Subject of Possible Rule Making: Title 390 WAC, rules relating to out-of-state political committees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.370(1), 42.17.093 (1)(i).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The public disclosure commission will consider possible new rules to clarify which committees qualify as "out-of-state" and to clarify their reporting requirements.

Process for Developing New Rule: The commission will have an initial discussion on the rule topic at their October 16, 2008, meeting. Further discussion is anticipated at the December 4, 2008, meeting with a possible public hearing in January or February of 2009.

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

October 1, 2008
Vicki Rippie
Executive Director