

WSR 10-04-001
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2008-07—Filed January 20, 2010,
 2:50 p.m.]

Subject of Possible Rule Making: State of Washington United States Longshore and Harbor Workers' Compensation Act (USL&H) assigned risk plan.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 and 48.22.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is being initiated as a result of a petition (P.43) from the director of the USL&H assigned risk plan. The commissioner will consider amending the rules to provide more clarity and consistency to eligibility requirements relating to a Washington employer's purchase of coverage for employees working outside the territorial limits of this state. This is an amended CR-101 based on clarification and supplemental information supplied by the petitioner to limit the scope of the rule making to Washington employers as opposed to all employers as referenced in the original CR-101.

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

Process for Developing New Rule: Submit written comments by March 19, 2010, to Chris Carlson, P.O. Box 40258, Olympia, WA 98504-0258, e-mail ChrisCA@OIC.wa.gov, fax (360) 586-3109.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Chris Carlson, P.O. Box 40258, Olympia, WA 98504-0258, e-mail ChrisCA@OIC.wa.gov, fax (360) 586-3109.

January 20, 2010
 Mike Kreidler
 Insurance Commissioner

WSR 10-04-017
PREPROPOSAL STATEMENT OF INQUIRY
UNIVERSITY OF WASHINGTON
 [Filed January 25, 2010, 11:12 a.m.]

Subject of Possible Rule Making: Chapter 478-136 WAC, Use of University of Washington facilities and WAC 478-137-030 Administrative authority.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.20.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed amendments to chapter 478-136 WAC establish a separate use of university facilities committee for each of the University of Washington's three campuses. Amendments also include newly delegated authority from the university president to the chancellors to appoint a chair for the UW Bothell and UW Tacoma committees (amending the previous secretary of the committee role), and add liaison responsibilities between the

three committee chairs. In addition the chapter has been reorganized for clarity and updated where necessary to reflect current practice.

The proposed housekeeping amendments to WAC 478-136-030 clarify meaning without changing its effect.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Because the proposed housekeeping amendments to WAC 478-137-030 are part of chapter 478-137 WAC, Use of joint University of Washington, Bothell, and Cascadia Community College facilities, the University of Washington will coordinate with Cascadia Community College for possible amendment of their chapter 132Z-141 WAC, Use of joint Cascadia Community College and University of Washington, Bothell, facilities. However, as the proposed housekeeping amendments affect only the University of Washington, Bothell, these amendments may not require concurrent rule making by Cascadia Community College.

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. Written comments or inquiries may be directed to Rebecca Goodwin Deardorff, director of rules coordination by one of the following routes: Mail: University of Washington, Rules Coordination Office, Box 351210, Seattle, WA 98195-1210; e-mail rules@uw.edu; or fax (206) 685-3825.

January 25, 2010
 Rebecca Goodwin Deardorff
 Director of Rules Coordination

WSR 10-04-031
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
 [Filed January 27, 2010, 8:13 a.m.]

Subject of Possible Rule Making: Chapters 308-56A and 308-93 WAC, Certificates of title—Motor vehicles, etc. and Vessel registrations and certificates of title, to include but not limited to WAC 308-56A-090 Disclosure of individual vehicle owner information and 308-93-087 Disclosure of names and addresses of individual vessel owners.

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 remove the requirement of notarization of public disclosure requests.

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, 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.

January 27, 2010
Walt Fahrner
Rules Coordinator

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.

January 27, 2010
Randy I. Dorn
Superintendent of
Public Instruction

WSR 10-04-038

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed January 27, 2010, 1:26 p.m.]

Subject of Possible Rule Making: Limitation on enrollment counts, WAC 392-121-136.

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: Add a new section to limit enrollment count to no more than 2.0 FTE per student.

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 Becky McLean, OSPI Enrollment Supervisor, Old Capitol Building, P.O. Box 47200, Olympia, WA, (360) 725-6306.

January 13, 2010
Randy I. Dorn
Superintendent of
Public Instruction

WSR 10-04-039

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed January 27, 2010, 1:26 p.m.]

Subject of Possible Rule Making: WAC 392-127-085 and 392-127-090, Finance—Certificated instructional staff ratio (46:1000) compliance—School district reporting—Optional reporting—Staff changes and—Enrollment changes.

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 provide greater consistency in the optional reporting of staff changes and enrollment changes, for purposes of calculating the state-required certificated instructional staff ratio (46:1000) compliance.

WSR 10-04-040

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed January 27, 2010, 1:27 p.m.]

Subject of Possible Rule Making: Limitation on enrollment counts, WAC 392-121-136 (1)(a).

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: Change count date for skill center summer enrollment from the first count date in July to the fourth school day of July for each year.

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 Becky McLean, OSPI Enrollment Supervisor, Old Capitol Building, P.O. Box 47200, Olympia, WA, (360) 725-6306.

January 13, 2010
Randy I. Dorn
Superintendent of
Public Instruction

WSR 10-04-065

PREPROPOSAL STATEMENT OF INQUIRY TRANSPORTATION COMMISSION

[Filed January 29, 2010, 3:47 p.m.]

Subject of Possible Rule Making: Adjustment of toll rates for Tacoma Narrows Bridge.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.56.240, 47.56.165, and 47.46.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The transportation commission is the state tolling authority and is required to establish tolls sufficient to: (a) Cover annual operating and maintenance expenses; and (b) make payments required under RCW 47.56.165 and 47.46.140, including insurance costs and the

payment of principal and interest on bonds issued for the toll facility.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The commission will hold public input meetings in the vicinity of the Tacoma Narrows Bridge sometime between late March and late May, at which time public testimony will be taken. Comments can be submitted to the commission electronically at transc@wsdot.wa.gov or in writing via mail at P.O. Box 47308, Olympia, WA 98504, or by fax to (360) 705-6802.

January 29, 2010
Reema Griffith
Executive Director

WSR 10-04-068

PREPROPOSAL STATEMENT OF INQUIRY STATE BOARD OF HEALTH

[Filed January 29, 2010, 4:57 p.m.]

Subject of Possible Rule Making: Chapter 246-215 WAC, Food service.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20.050 Powers and duties of the state board of health, 43.20.145 Food service rules—Consideration of federal food code.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.20.145 requires the state board of health (board) to consider the latest version of the Food and Drug Administration (FDA) Food Code in adopting the state food safety rules. The current rules are based on the 2001 FDA Food Code. Since then, the 2005 and 2009 FDA Food Code versions have been published. The state rules need to be revised to reflect these new standards. The board is also considering new rules to address the gaps and overlaps in food safety rules for various facilities responsible for providing meals to young children such as child care facilities and early learning programs. The rules will also be reviewed and potentially revised for clarity.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The state department of early learning has food service requirements in its licensing rules, chapter 170-295 WAC. The department of early learning will participate on the core workgroup that provides rule-making recommendations to the department of health (department).

Process for Developing New Rule: This will be a collaborative rule-making effort and representatives from the department of early learning, local health jurisdictions, and other interested stakeholders will be invited to participate on the core workgroup that provides recommendations to the department.

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

lication. The department will provide draft rule text to interested parties for informal review and comment using a variety of methods including posting on the department of health web site, briefing the state board of health, responding to e-mail inquiries, and publishing in the department food safety newsletter. The department will encourage interested stakeholder groups to share the draft rule text with their constituents. The proposed rule will be published in the Washington state register and the board will hold a public hearing to receive comments. For additional information, contact Joe Graham, (360) 236-3305, joe.graham@doh.wa.gov, or P.O. Box 47825, Olympia, WA 98504.

January 29, 2010
Craig McLaughlin
Executive Director

WSR 10-04-080

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed February 2, 2010, 7:59 a.m.]

Subject of Possible Rule Making: Washington state gambling commission.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change requesting that gambling service supplier representatives be allowed to represent more than one service supplier. Currently, service supplier representatives may only represent one service supplier.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625.

[Meetings on] March 12, 2010, at the Lacey Community Center, 6729 Pacific Avenue S.E., Lacey, WA 98503, (360) 491-0857; on April 9, 2010, at the Red Lion Hotel, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000; and on May 14, 2010, at the Red Lion Hotel, 2525 North 20th Avenue, Pasco, WA 99301, (509) 547-0701.

February 2, 2010
Susan Arland
Rules Coordinator

WSR 10-04-084**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed February 2, 2010, 10:35 a.m.]

Subject of Possible Rule Making: Update of rules relating to public records disclosure.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040, 42.56.070, 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of these rules is to establish the procedures the department of licensing will follow in order to provide full access to public records.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: All state agencies will be developing rules on this subject.

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 Walt Fahrner, 8005 "A" River Drive S.E., Mailstop 48024, Tumwater, WA 98501, (360) 359-4015, fax (360) 570-7088, e-mail wfahrner@dol.wa.gov.

February 2, 2010

Walt Fahrner

Rules Coordinator

WSR 10-04-096**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed February 2, 2010, 2:40 p.m.]

Subject of Possible Rule Making: Chapter 296-17A WAC, Classifications for Washington workers' compensation insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035 and 51.16.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Labor and industries is required by law to establish and maintain a workers' compensation classification plan that classifies all occupations or industries within the state and to set basic rates of premium for these classifications (RCW 51.16.035). Initial research indicates a need for a more thorough review of certain classifications associated with the construction trades. The goal of the study is to further clarify the rules and perhaps amend their scopes as well.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local or federal agency regulates this issue.

Process for Developing New Rule: Parties interested in these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. Public hearings will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Comments can be submitted to Richard Bredeson, P.O. Box 44140, Olympia, WA 98504-4140, e-mail bred235@lni.wa.gov, phone (360) 902-4985, fax (360) 902-4988.

February 2, 2010

Judy Schurke

Director

WSR 10-04-102**PREPROPOSAL STATEMENT OF INQUIRY
PARKS AND RECREATION
COMMISSION**

[Filed February 3, 2010, 10:27 a.m.]

Subject of Possible Rule Making: Washington state parks will review chapter 352-74 WAC, Filming within state parks and may recommend rule changes to these rules to the state parks and recreation commission.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This chapter of administrative rule was adopted to establish the commission's procedures for issuing permits for commercial filming, still photography and sound recording within state parks. The agency will review the existing chapter and may determine the need to recommend that the commission amend the procedures and definitions in rule to ensure clarity, accuracy and consistency with current business practices and addresses of the agency.

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 Alan Wolslegel, Operations Support Manager, Washington State Parks, 1111 Israel Road, Olympia, WA 98504-4265, (360) 902-8659, al.wolslegel@parks.wa.gov.

February 3, 2010

Jim French

Chief of Policy Research
and Program Development**WSR 10-04-104****PREPROPOSAL STATEMENT OF INQUIRY
UNIVERSITY OF WASHINGTON**

[Filed February 3, 2010, 10:09 a.m.]

Subject of Possible Rule Making: Chapter 478-276 WAC, Governing access to public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.20.130 and chapter 42.56 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The University of Washing-

ton proposes amending chapter 478-276 WAC to better conform to the attorney general's public disclosure model rules; to modify business hours as provided in chapter 428, Laws of 2009; and to reflect current business practices.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments or inquiries may be directed to Rebecca Goodwin Deardorff, director of rules coordination by one of the following routes: Mail: University of Washington, Rules Coordination Office, Box 351210, Seattle, WA 98195-1210; e-mail rules@uw.edu; or fax (206) 685-3825.

February 3, 2010

Rebecca Goodwin Deardorff
Director of Rules Coordination

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 John Gaskell, Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3210, fax (360) 438-7903, e-mail gaskejw@dshs.wa.gov. Draft section language will be posted on the ADSA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail, or fax. Interested parties and stakeholders can participate by accessing and commenting on the draft proposed rule language at <http://www.adsa.dshs.wa.gov/professional/crs.htm> through e-mail, fax or direct contact with the program manager.

February 3, 2010

Don Goldsby, Manager
Rules and Policies Assistance Unit

WSR 10-04-112

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed February 3, 2010, 11:09 a.m.]

Subject of Possible Rule Making: The department is considering amending or adding new rules to chapter 388-101 WAC, Certified community residential services and supports: WAC 388-101-3000 Definitions, 388-101-3200 Staffing requirements, 388-101-3230 Group homes, 388-101-3240 Policies and procedures, 388-101-3250 Background checks, 388-101-3260 Staff training, 388-101-3270 Staff training before working alone with clients, 388-101-3280 Staff training within four weeks of employment, 388-101-3290 Staff training within six months of employment, 388-101-3300 Staff training to be current, and 388-101-4000 Community protection—Staff training, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules and adding new sections to implement chapters 74.39A and 18.88B RCW as codified from Initiative Measure No. 1029 and E2SHB 2284, chapter 361, Laws of 2007.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of health and Washington state patrol will be included in the rule development process and will have the opportunity to review and comment on these WACs before they are finalized.

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

WSR 10-04-113

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed February 3, 2010, 11:13 a.m.]

Subject of Possible Rule Making: The department is considering amending or adding sections of chapter 388-76 WAC, Adult family home minimum licensing requirements: WAC 388-76-10000 Definitions, 388-76-10155 Unsupervised access to vulnerable adults, 388-76-10160 Criminal history background checks, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.128.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules and adding new sections to implement chapters 74.39A and 18.88B RCW as codified from Initiative Measure No. 1029 and E2SHB 2284, chapter 361, Laws of 2007.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of health and Washington state patrol will be included in the rule development process and will have the opportunity to review and comment on the WACs before they are finalized.

Process for Developing New Rule: Negotiated rule making; and 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 Michael Tornquist, Program Manager

DSHS, Residential Care Services, Aging and Disability Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3204, fax (360) 438-7903, TTY (877) 905-0454, e-mail tornqmj@dshs.wa.gov. Draft section language will be posted on ADSA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the program manager listed above via phone, e-mail or fax.

February 3, 2010
Don Goldsby, Manager
Rules and Policies Assistance Unit

WSR 10-04-114

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed February 3, 2010, 11:14 a.m.]

Subject of Possible Rule Making: The department is considering amending or adding new rules to the boarding home chapter: WAC 388-78A-2020 Definitions, 388-78A-2450 Staff, 388-78A-2470 Criminal history disclosure and background checks, 388-78A-2490 Specialized training for developmental disabilities, 388-78A-2500 Specialized training for mental illness, 388-78A-2510 Specialized training for dementia, and 388-78A-2550 Administrator training documentation, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.20 RCW, Boarding homes.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules and adding new sections to implement chapters 74.39A and 18.88B RCW as codified from Initiative Measure No. 1029 and E2SHB 2284, chapter 361, Laws of 2007.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of health and Washington state patrol will be included in the rule development process and will have the opportunity to review and comment on the WACs before they are finalized.

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 Judy Johnson, Residential Care Services, Aging and Disability Services Administration, Department of Social and Health Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2591, fax (360) 438-7093, TTY 1-877-905-0454, e-mail johnsjml@dshs.wa.gov. Draft section language will be posted on ADSA professional internet web page for review and comment prior to filing the CR-102. Anyone from the public can comment directly to

the program manager listed above via phone, e-mail or fax. Interested parties and stakeholders can participate by accessing and commenting on the draft proposed rule language at <http://www.adsa.dshs.wa.gov/professional/bh.htm> through e-mail, fax or direct contact with the program manger [manager].

February 3, 2010
Don Goldsby, Manager
Rules and Policies Assistance Unit

WSR 10-04-116

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed February 3, 2010, 11:16 a.m.]

Subject of Possible Rule Making: New chapter 388-541 WAC, Apple health for kids full premium program, and possibly other sections in chapter 388-505 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.402, and 74.09.470.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Recently passed state legislation, 2SSB 5093 and ESHB 2118, authorized apple health for kids with the goal of all Washington children having access to health care coverage by 2010. As a part of this access to care, the department was directed to establish an unsubsidized "buy-in" option for children whose families did not qualify for subsidized coverage under apple health for kids. This unsubsidized "buy-in" option has been named "apple health for kids full premium program." These WACs are needed to describe the scope, conditions, and rules of the apple health for kids full premium program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The health and recovery services administration will be coordinating with the state health care authority through meetings, telephone calls, and electronic communication.

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 Kevin Sullivan, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1344, fax (360) 586-9727, TTY 1-800-848-5429, e-mail kevin.sullivan@dshs.wa.gov.

January 20, 2010
Don Goldsby, Manager
Rules and Policies Assistance Unit

WSR 10-04-120
PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed February 3, 2010, 11:23 a.m.]

Subject of Possible Rule Making: Repeal WAC 139-05-205 Administrative exemption.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On January 1, 2002, peace officer certification went into effect. One of the requirements for a person to be certified as a Washington state peace officer or tribal law enforcement officer is to complete the basic law enforcement academy or the basic law enforcement equivalency academy. WAC 139-05-205 allows persons who are the heads of law enforcement agencies with ten or more commissioned law enforcement officers to be exempt from this training. This action waives the training requirement, but does not allow the person exempted to enforce the laws of the state of Washington and does not authorize the exempt person to be a certified peace or tribal law enforcement officer. WAC 139-05-205 is in conflict with the certification requirements and is no longer necessary. WAC 139-03-030 allows an agency to request an exemption, waiver, extension, or variance from the rules set by the Washington state criminal justice training commission (WSCJTC) and is still available to be used for such purpose.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Doug Blair, Certification Manager, WSCJTC, 19010 1st Avenue South, Burien, WA 98148, e-mail dblair@cjtc.state.wa.us, phone (206) 835-7332; or Sonja Hirsch, Rules Coordinator, WSCJTC, 19010 1st Avenue South, Burien, WA 98148, e-mail shirsch@cjtc.state.wa.us, phone (206) 835-7372. Commissioners, board members, and stakeholders were advised of the proposed rule changes via e-mail. Proposed changes were also listed on the agency web site.

February 3, 2010
 Sonja Hirsch
 Rules Coordinator

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Provides clarification and recreational opportunity.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dave Brittell, Wildlife Program Assistant Director, 600 Capitol Way North, Olympia, WA 98504-1091, phone (360) 902-2515. Contact by April 5, 2010. Expected proposal filing on or after April 21, 2010.

February 3, 2010
 Lori Preuss
 Rules Coordinator

WSR 10-04-126
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed February 3, 2010, 11:45 a.m.]

Subject of Possible Rule Making: Game reserves and closure areas; nontoxic shot regulations; license, tag, and permit refunds and exchanges; falconry regulations; public conduct rules on department lands.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240, 77.12.040, 77.12.010, 77.12.880.