

WSR 16-09-005**WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF ACCOUNTANCY**

[Filed April 7, 2016, 12:59 p.m.]

The Washington state board of accountancy withdraws the following preproposal statements of inquiries (CR-101), filed April 4, 2016: WSR 16-08-078, 16-08-079, 16-08-081, 16-08-082, 16-08-083, 16-08-084, 16-08-085, and 16-08-086.

We will file these changes at a later date.

If you need further information, contact Kelly Wulfekuhle, P.O. Box 9131, Olympia, WA 98507, (360) 664-9195, (360) 664-9190, kellyw@cpaboard.wa.gov, www.cpaboard.wa.gov.

Charles E. Satterlund, CPA, CIA
Executive Director

WSR 16-09-011**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

[Filed April 8, 2016, 3:44 p.m.]

Subject of Possible Rule Making: Chapter 182-50 WAC and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 69.41.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending chapter 182-50 WAC to clarify rules regarding therapeutic alternatives and therapeutic interchange.

During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Labor and industries.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Chantelle Diaz, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail chantelle.diaz@hca.wa.gov.

April 8, 2016
Wendy Barcus
Rules Coordinator

WSR 16-09-024**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)

[Filed April 12, 2016, 8:44 a.m.]

Subject of Possible Rule Making: WAC 182-505-0100 Washington apple health—Monthly income standards based on the federal poverty level, 182-505-0210 Washington apple health—Eligibility for children, 182-505-0215 Washington apple health—Premium-based children's program—Purpose and scope, 182-505-0225 Premium requirements for premium-based health care coverage under programs included in apple health for kids, 182-505-0235 Washington apple health—Premium-based children's program—Order of payments, 182-505-0237 Premium-based Washington apple health for kids—Other rules that apply, 182-505-0240 Washington apple health—Parents and caretaker relatives, 182-505-0300 Washington apple health—Hospital presumptive eligibility, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is updating these rules to correct the federal poverty level and to eliminate the contradiction between WAC 182-505-0210 and long-term care rules. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Melinda Froud, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail melinda.froud@hca.wa.gov.

April 12, 2016
Wendy Barcus
Rules Coordinator

WSR 16-09-026**PREPROPOSAL STATEMENT OF INQUIRY
WESTERN WASHINGTON UNIVERSITY**

[Filed April 12, 2016, 11:59 a.m.]

Subject of Possible Rule Making: Chapter 516-21 WAC, Student rights and responsibilities code, including, but not limited to WAC 516-21-240 Student conduct system and 516-21-280 Basis for review.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120(12) and 20 U.S.C. 1681-1688.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To review and amend Western's student rights and responsibilities code to maintain compliance with federal guidance and legislation, and to review and reorganize the university's code of conduct and appeals process.

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 Ted Pratt, Dean of Students, Western Washington University, 516 High Street, Mailstop 9015, Bellingham, WA 98225-9015, phone (360) 650-3450, fax (360) 650-4355, Ted.Pratt@wwu.edu; or Jennifer Sloan, Rules Coordinator, Western Washington University, 516 High Street, Mailstop 9015, Bellingham, WA 98225-9015, phone (360) 650-3117, fax (360) 650-6197, Jennifer.Sloan@wwu.edu.

April 12, 2016
Jennifer L. Sloan
Rules Coordinator

WSR 16-09-029

PREPROPOSAL STATEMENT OF INQUIRY STATE BOARD OF EDUCATION

[Filed April 13, 2016, 9:36 a.m.]

Subject of Possible Rule Making: Amendments to chapter 180-19 WAC, Charter schools.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.710 RCW, Charter schools.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: E2SSB 6194, relating to public schools that are not common schools, made extensive amendments to chapter 28A.710 RCW, Charter schools. Technical amendments are needed to three sections of chapter 180-19 WAC to reconcile language in rule with language in chapter 28A.710 RCW as amended by E2SSB 6194. In addition, rule amendments would delete obsolete provisions in five sections of chapter 180-19 WAC related to due dates for certain actions by the state board of education (SBE), charter school authorizers, and charter applicants which were superseded, effective May 15, 2015, by provisions setting other due dates. This would be a cleanup, not affecting intent or effect, which would make these sections more understandable for readers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Other state agencies that regulate this subject are the Washington state charter school commission, which is the statewide authorizer of charter public schools, and the superintendent of public instruction, who has certain rule-making authority for charter public schools and is a member of the commission. The SBE will consult with these agencies on the amendments to be proposed to chapter 180-19 WAC and solicit comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jack Archer, SBE, 600 Washington Street S.E., Olympia, WA, (360) 725-6035, jack.archer@k12.wa.us.

April 12, 2016
Ben Rarick
Executive Director

WSR 16-09-031

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed April 13, 2016, 10:47 a.m.]

Subject of Possible Rule Making: Card games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from a card room industry requesting changes to card game rules.

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 Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, fax (360) 486-3625, e-mail Susan.Newer@wsgc.wa.gov.

[Meetings on] April 14 or 15, 2016, at the DoubleTree by Hilton, 415 Capitol Way North, Olympia, WA 98501, (360) 570-0555, visit www.wsgc.wa.gov on April 1 for meeting location and start time; on May 12 or 13, 2016, at the Red Lion Pasco, 2525 North 20th Avenue, Pasco, WA 99301, (509) 547-0701, visit www.wsgc.wa.gov on May 1 for meeting location and start time; and on July 14 or 15, 2016, at the Red Lion Seattle, 18220 International Boulevard, Seattle, WA 98188, (206) 246-5535, visit www.wsgc.wa.gov on July 1 for meeting location and start time.

April 13, 2016
Susan Newer
Rules Coordinator

WSR 16-09-032

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed April 13, 2016, 10:49 a.m.]

Subject of Possible Rule Making: Card games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from a card room requesting changes to wager limits for nonhouse-banked card games.

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 Newer, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, fax (360) 486-3625, e-mail Susan.Newer@wsgc.wa.gov.

[Meetings on] April 14 or 15, 2016, at the DoubleTree by Hilton, 415 Capitol Way North, Olympia, WA 98501, (360) 570-0555, visit www.wsgc.wa.gov on April 1 for meeting location and start time; on May 12 or 13, 2016, at the Red Lion Pasco, 2525 North 20th Avenue, Pasco, WA 99301, (509) 547-0701, visit www.wsgc.wa.gov on May 1 for meeting location and start time; and on July 14 or 15, 2016, at the Red Lion Seattle, 18220 International Boulevard, Seattle, WA 98188, (206) 246-5535, visit www.wsgc.wa.gov on July 1 for meeting location and start time.

April 13, 2016
Susan Newer
Rules Coordinator

WSR 16-09-036

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed April 14, 2016, 10:46 a.m.]

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

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.410.010, and 28A.150.-220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules for teacher, administrator, education staff associates certification. Addresses requirements for teachers, administrators and education staff associates for obtaining, retaining and renewing their certificate.

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. Professional educator standards board meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

April 14, 2016
David Brenna
Senior Policy Analyst

WSR 16-09-037

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed April 14, 2016, 11:51 a.m.]

Subject of Possible Rule Making: Chapter 181-85 WAC, Professional education—Continuing education requirements, certification requirements for continuing education and renewal.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.410.010, and 28A.150.-220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules for teacher, administrator, education staff associates certification related to maintaining licensure.

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. Professional educator standards board meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

April 14, 2016
David Brenna
Senior Policy Analyst

WSR 16-09-046

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Developmental Disabilities Administration)

[Filed April 15, 2016, 11:20 a.m.]

Subject of Possible Rule Making: WAC 388-845-2280 What is wellness education?, 388-845-2285 Are there limits to wellness education?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Centers for Medicare and Medicaid Services approved an additional service to the individual and family services 1915(c) waiver. Wellness education was added and allows the developmental disabilities administration (DDA) to provide wellness information to waiver participants to assist them in achieving goals identified during their person-centered planning process.

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 Alan McMullen, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3524, fax (360) 407-0955, TTY 1-800-833-6388, e-mail alan.mcmullen@dshs.wa.gov.

April 14, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-09-047

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed April 15, 2016, 11:28 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-105-0005 The daily medicaid payment rates for clients assessed using the comprehensive assessment reporting evaluation (CARE) tool and who reside in adult family homes (AFH) and assisted living (AL) facilities contracted to provide assisted living, adult residential care (ARC), and enhanced adult residential care (EARC) services, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.39A.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The daily medicaid payment rates are changing per collective bargaining and the fiscal year 2017 state budget.

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 Elizabeth Pashley, Regulatory Advisor, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-2447, fax (360) 725-2641, TTY 1-877-905-0454, e-mail ORMRulemaking@dshs.wa.gov.

April 15, 2016
Katherine I. Vasquez
Rules Coordinator

WSR 16-09-048

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed April 15, 2016, 11:49 a.m.]

Subject of Possible Rule Making: WAC 458-50-160 Exempt intangible property distinguished from other intangibles.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.08.010, 84.08.070, and 84.36.865.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering revisions to WAC 458-50-160 to clarify that the intangible personal property tax exemption provided by RCW 84.36.070 only applies to intangible personal property and not to attributes of property like location, view, zoning regulations, office organization, trained workforce, etc. These "attributes" of property can be considered by the appraiser in determining the fair market value of taxable property.

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: A preliminary draft of possible rule changes is available via the department's online rules agenda at dor.wa.gov.

Written comments may be submitted by mail and should be directed to Jay M. Jetter, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail jayj@dor.wa.gov.

Written and oral comments will be accepted at the public meeting.

Public Meeting Location: Capital Plaza Building, 4th Floor Executive Conference Room, 1025 Union Avenue S.E., Olympia, WA, on May 26, 2016, at 10:00 a.m. *Call-in option can be provided upon request no later than three days before the meeting date.*

Assistance for Persons with Disabilities: Contact Mary Carol LaPalm, (360) 725-7499, or Renee Cosare, (360) 725-7514, no later than ten days before the meeting date. For hearing impaired please contact us via the Washington relay operator at (800) 833-6384.

April 15, 2016
Kevin Dixon
Rules Coordinator

WSR 16-09-061

PREPROPOSAL STATEMENT OF INQUIRY BOARD FOR VOLUNTEER FIREFIGHTERS AND RESERVE OFFICERS

[Filed April 15, 2016, 4:10 p.m.]

Subject of Possible Rule Making: To amend chapter 491-02 WAC to adopt new actuarial tables for use in calculating joint survivor pensions, survivor pensions, and lump sum payments for pensions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.24.290(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of the state actuary has produced new tables based upon new mortality rates.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other federal or state agencies that regulate this subject.

Process for Developing New Rule: Agency study; and calculations by the office of the state actuary.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brigette K. Smith, Executive Secretary, P.O. Box 114, Olympia, WA 98507, (877) 753-7318, e-mail bridgettes@bvff.wa.gov. Board meeting notifications are posted on our web site at <http://www.bvff.wa.gov>. A comment period is built into the beginning and the end of all our board meetings, the dates of which are published both with the code reviser's office and at our web site listed above.

April 15, 2016
Brigette K. Smith
Executive Secretary

WSR 16-09-062

PREPROPOSAL STATEMENT OF INQUIRY

BOARD FOR VOLUNTEER

FIREFIGHTERS AND RESERVE OFFICERS

[Filed April 15, 2016, 4:10 p.m.]

Subject of Possible Rule Making: To amend chapter 491-04 WAC to remove conflicting sections and more accurately reflect board processes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.24.290(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These changes are necessary to make updates to conflicting sections of the WAC and accurately reflect board policy and procedures.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other state or federal agencies that regulate this subject.

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 Brigette K. Smith, Executive Secretary, P.O. Box 114, Olympia, WA 98507, (877) 753-7318, e-mail bridgettes@bvff.wa.gov. Board meeting notifications are posted on our web site at <http://www.bvff.wa.gov>. A comment period is built into the beginning and the end of all our board meetings, the dates of which are published both with the code reviser's office and at our web site listed above.

April 15, 2016
Brigette K. Smith
Executive Secretary

WSR 16-09-064

PREPROPOSAL STATEMENT OF INQUIRY HORSE RACING COMMISSION

[Filed April 18, 2016, 8:10 a.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: To address how the retention of the handle generated by advance deposit wagering is distributed when the racing association is a provider and no source market fee is generated.

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 Douglas L. Moore, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, phone (360) 459-6462, fax (360) 459-6461, doug.moore@whrc.state.wa.us.

April 18, 2016
Douglas L. Moore
Executive Secretary

WSR 16-09-071

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed April 18, 2016, 12:53 p.m.]

Subject of Possible Rule Making: WAC 182-535-1066 Dental-related services—Medical care services clients, 182-535-1079 Dental-related services—General, 182-535-1080 Dental-related services—Covered—Diagnostic, 182-535-1082 Dental-related services—Covered—Preventative services, 182-535-1088 Dental-related services—Covered—Periodontic services, 182-535-1090 Dental-related services—Covered—Prosthodontics (removable), 182-535-1098 Dental-related services—Covered—Adjunctive general services, 182-535-1100 Dental-related services—Not covered, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending these rules to fix cross-reference errors and clarify limitations of covered services.

During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early

rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Katie Pounds, Rules and Publications Program Manager, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail Katherine.pounds@hca.wa.gov.

April 18, 2016
Wendy Barcus
Rules Coordinator

WSR 16-09-078

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed April 18, 2016, 4:25 p.m.]

Subject of Possible Rule Making: Chapter 16-167 WAC, Intrastate commerce in foods, the agency is considering amending the rule to adopt recent changes to federal regulations regarding food safety in order to better protect public health and promote uniformity with other states.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.04.740, 69.07.020, 69.10.055, 15.36.021, and 69.22.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: After congress passed the Food Safety Modernization Act (FSMA) in 2011, the United States Food and Drug Administration (FDA) released a number of revised and new federal code of regulations necessary to implement FSMA in late 2015 and again in 2016. Revision to chapter 16-167 WAC, Intrastate commerce in foods, is necessary to remain uniform with federal regulations so that food produced in Washington may be freely shipped in interstate and international commerce and to ultimately protect consumers from contaminated, adulterated, and/or misbranded food.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of health; local health jurisdictions; FDA.

Food safety officials from these organizations will be notified about the rule-making process through our food safety taskforce committee and outreach notifications. The Washington state department of agriculture (WSDA) will ask members from these organizations to participate in our rule-making process.

Process for Developing New Rule: The agency is developing the rule in coordination with stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Claudia Coles, Policy/External Affairs Advisor, WSDA, Food Safety and Consumer Services Division, P.O. Box 42560, Olympia, WA 98504-2560, e-mail ccoles@agr.wa.gov, phone (360) 902-1905.

April 18, 2016
Dr. Candace A. Jacobs
Assistant Director
Food Safety and Consumer Services

WSR 16-09-089

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed April 19, 2016, 11:18 a.m.]

Subject of Possible Rule Making: Chapter 296-15 WAC, Workers' compensation self-insurance rules and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.14.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Labor and industries and the self-insured employer community have agreed to partner in the development of a self-insurance risk analysis system. We are proposing that one component of this system feature the collection of medical bill data using an electronic data interchange with national standards established by the International Association of Industrial Accident Boards and Commissions.

Existing rules must be modified, and a new rule adopted, in order to make reporting requirements clear to all self-insurers and to ensure a uniform standard of reporting is established.

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 subject.

Process for Developing New Rule: Labor and industries will begin the rule-making process and will share the draft proposal with stakeholders and other interested parties. A public hearing 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 by contacting James Nylander, Self-Insurance Program Manager, P.O. Box 44890, Olympia, WA 98504-4890, phone (360) 902-6907.

April 19, 2016
Joel Sacks
Director

WSR 16-09-090

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LABOR AND INDUSTRIES

[Filed April 19, 2016, 11:20 p.m.]

Subject of Possible Rule Making: Chapter 296-823 WAC, Occupational exposure to bloodborne pathogens and WAC 296-27-031 Reporting fatalities, inpatient hospitalizations, amputations, and losses of an eye as the result of work-related incidents.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule making in chapter 296-823 WAC is to update the recordkeeping and reporting requirements to be in line with those in chapter 296-27 WAC, Recordkeeping and reporting, as well as being at-least-as-effective-as the Occupational Safety and Health Administration (OSHA). When chapter 296-27 WAC was updated to be in line with OSHA, a piece of information was inadvertently left in that contradicts some of our requirements regarding when to report injuries. We are proposing to remove this during the rule-making process. Other house-keeping amendments may also be proposed in this chapter.

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

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tari Enos, Administrative Regulations Analyst, Department of Labor and Industries, Division of Occupational Safety and Health, P.O. Box 44620, Olympia, WA 98504, (360) 902-5541, tari.enos@lni.wa.gov.

April 19, 2016
Joel Sacks
Director

WSR 16-09-091
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed April 19, 2016, 11:21 a.m.]

Subject of Possible Rule Making: Chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance and chapter 296-17A WAC, Classifications for Washington workers' compensation insurance.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is to implement requirements of ESSB 6293 which allows public and private colleges to create unpaid student volunteer programs for-profit or nonprofit businesses, and for those businesses to elect medical aid coverage for those students. Providing employers the opportunity to elect medical aid coverage for students in unpaid experience-based activities will encourage more employers to participate in these school-sponsored programs.

Also, private colleges will now be able to elect medical aid coverage for students volunteering for the college itself. (Current law requires state colleges to cover volunteers serving the college, but allows only charitable private organizations to elect coverage for volunteers.)

This legislation also creates a means for all entities with coverage for volunteers, student volunteers, or unpaid students to cap reporting at one hundred hours per volunteer per year. This type of reporting is not currently an option for employers and labor and industries (L&I) must design rules to implement such a reporting and premium change.

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 subject.

Process for Developing New Rule: L&I will solicit input from the business community by way of the internet. L&I will use input to formulate proposed changes to the existing rules and advise customers of future rule making by the internet.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Employers can obtain information on our rule-making process at <http://www.lni.wa.gov/LawRule/ruleProcess.asp> and can submit comments electronically to JoAnne. Attwood@Lni.wa.gov or calling (360) 902-4777, or fax (360) 902-5830.

April 19, 2016
Joel Sacks
Director

WSR 16-09-092
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed April 19, 2016, 11:22 a.m.]

Subject of Possible Rule Making: Lead, WAC 296-62-07521 (general industry) and WAC 296-155-176 through 296-155-17654 (construction).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The division of occupational safety and health (DOSH) initially denied a public petition in November 2013 requesting that we update our lead rules in light of evolving scientific understanding of the hazards associated with lead exposure. At the time we wanted to gather more information and stakeholder input, and after a series of preliminary stakeholder meetings ending in February 2016 we have decided that there is enough interest and support for working with stakeholders to examine and determine ways to update current standards, many aspects of which are over twenty years old, to better protect Washington workers. As we are still in the early stages of the stakeholdering process the scope and extent of rule making is uncertain but possible areas of focus could include such things as changing permissible exposure levels based on scientific data, updating

"housekeeping" standards including personal protective equipment and ventilation requirements for employers operating in areas where there is increased lead exposure, and updating reporting requirements for employers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DOSH rules are at-least-as-effective-as those promulgated by Occupational Safety and Health Administration.

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kevin Walder, Administrative Regulations Analyst, Department of Labor and Industries, DOSH, P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-5401, e-mail kevin.walder@lni.wa.gov.

April 19, 2016
Joel Sacks
Director

WSR 16-09-099

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission)

[Filed April 19, 2016, 1:35 p.m.]

Subject of Possible Rule Making: WAC 246-873-060 Emergency outpatient medications, the pharmacy quality assurance commission is considering rule language that would amend WAC 246-873-060 to align with RCW 70.41-480 Findings—Intent—Authority to prescribe prepackaged emergency medications—Definitions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005 and 70.41.480.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 70.41.480 enacted in 2015, created an inconsistency with WAC 246-873-060. The rule will be amended to align and implement the statute. The current rule limits the distribution of controlled substances to ten rural hospitals.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Stakeholders will provide input throughout the rule-making process. Interested parties can sign up to receive information, updates, or provide comments to the pharmacy quality assurance commission at WSPQAC@doh.wa.gov or by contacting Brett Lorentson, Rules Consultant, Department of Health, Pharmacy Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504-7852.

April 19, 2016
Tim Lynch, PharmD, MS
Chair

WSR 16-09-103

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed April 19, 2016, 2:02 p.m.]

Subject of Possible Rule Making: The only student data that should not be reported for public reporting and accountability is data where the school or district has fewer than ten students in a grade level or student subgroup.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Section 504 of 4SHB 1541.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Section 504 of 4SHB 1541 specifies that office of superintendent of public instruction (OSPI) in collaboration with state board of education (SBE) and education research and data center (ERDC) will adopt a rule on reporting of student data to increase the visibility of the opportunity gap in schools with small subgroups of students and to hold schools accountable to individual student-level support.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: ERDC within the office of financial management and SBE.

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 Deb Came, Director of Student Information, OSPI, (360) 725-6356, Deb.came@k12.wa.us.

April 19, 2016
Randy Dorn
State Superintendent
of Public Instruction

WSR 16-09-104

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed April 19, 2016, 2:02 p.m.]

Subject of Possible Rule Making: Chapters 392-162, 392-122 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.165.075, 28A.150.290.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Update WAC to:

(1) Clarify the ways a district could meet the requirement for districts to focus first on address[ing] the needs of stu-

dents in grades kindergarten through four (k-4) who are deficient in reading or reading readiness skills to improve reading literacy.

(2) Reflect that learning assistance program (LAP) funds may be coordinated with schoolwide Title I, Part A funds to meet the k-4 literacy focus.

(3) Make clear failure to report LAP CEDARS data or timely completion of the annual report may result in delay of LAP apportionment funds.

(4) Align with passage for ESHB [4SHB] 1541, section 803.

(5) Housekeeping to consolidate several WAC and update terms.

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 Paula Moore, Director, Title I, Part A, LAP and Consolidated Program Review, Office of Superintendent of Public Instruction, office (360) 725-6100, paula.moore@k12.wa.us.

April 19, 2016
Randy Dorn
State Superintendent
of Public Instruction

WSR 16-09-105

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed April 19, 2016, 2:03 p.m.]

Subject of Possible Rule Making: Approval assurances, criteria, and performance targets for online learning providers, WAC 392-502-030.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290, 28A.250.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Postpone the requirements for course success rates and annual performance targets until September 1, 2017, so that office of superintendent of public instruction (OSPI) can establish a reporting protocol, analyze data metrics, determine if established performance targets are valid and craft a plan of action for programs not meeting standard.

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

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 Lillian Hunter, Director of Digital and

Alternative Learning, OSPI, P.O. Box 47200, Olympia, WA 98504, Lillian.hunter@k12.wa.us, (360) 725-6237.

April 19, 2016
Randy Dorn
State Superintendent
of Public Instruction

WSR 16-09-107

PREPROPOSAL STATEMENT OF INQUIRY BOARD OF ACCOUNTANCY

[Filed April 19, 2016, 3:34 p.m.]

Subject of Possible Rule Making: WAC 4-30-010 Definitions, 4-30-034 Must I respond to inquiries from the board?, 4-30-058 Does the board authorize the use of any other titles or designations?, 4-30-090 Must an out-of-state individual holding a license from another state apply and obtain a Washington state license to hold out and practice in Washington state?, 4-30-110 What are the allowable legal forms of organization and ownership requirements for a CPA firm?, 4-30-112 Must a firm holding a license from another state apply and obtain a Washington state license to hold out and practice in Washington state?, 4-30-114 How do I apply for and maintain a firm license?, 4-30-130 What are the quality assurance review (QAR) requirements for licensed CPA firms?, 4-30-140 What are the authority, structure, and processes for investigations and sanctions?, and 4-30-142 What are the bases for the board to impose discipline?

Statutes Authorizing the Agency to Adopt Rules on this Subject: For each WAC is RCW 18.04.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Due to the passage of ESHB 2433 on March 31, 2016, the affected rules must be updated.

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 Charles E. Satterlund, Executive Director, Washington State Board of Accountancy, P.O. Box 9131, Olympia, WA 98507-9131, phone (360) 586-0785, fax (360) 664-9190, e-mail customerservice@cpaboard.wa.gov.

April 19, 2016
Charles E. Satterlund, CPA, CIA
Executive Director

WSR 16-09-110

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF THE STATE TREASURER

[Filed April 20, 2016, 10:26 a.m.]

Subject of Possible Rule Making: Amending chapter 210-10 WAC, Operation guidelines for the local government investment pool (LGIP).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.250.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: While statutes authorize the state treasurer to offer a LGIP to governmental entities, the rules of how the LGIP operates are critical to the proper administration of an investment pool.

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 agency will consult with stakeholders in the development of these rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Doug Extine, Deputy Treasurer, P.O. Box 40200, Olympia, WA 98504-0200, phone (360) 902-9012, e-mail doug.extine@tre.wa.gov. Interested parties can participate in this rule-making process by contacting the person identified above, providing written comments, or by providing oral testimony at the public hearing. In addition, the LGIP advisory committee contains representatives of several associations, e.g., WFOA, WMTA, WSACT, WPPA, and AWC, that represent nearly all LGIP participants. Through their contacts with their associations and our notification to individual participants all LGIP participants will be informed of the rule-making process and have the opportunity for review and input, should they desire to do so.

April 20, 2016
Douglas D. Extine
Deputy Treasurer

WSR 16-09-112

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed April 20, 2016, 10:23 a.m.]

Subject of Possible Rule Making: WAC 182-509-0360 MAGI income—How a child's income is counted, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is updating this rule to comply with 42 C.F.R. 435.603. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

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 agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

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

lication by contacting Melinda Froud, P.O. Box 42716, Olympia, WA 98504-2716, fax (360) 586-9727, TTY 1-800-848-5429, e-mail Melinda.Froud@hca.wa.gov.

April 20, 2016
Wendy Barcus
Rules Coordinator

WSR 16-09-113

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

(Board of Osteopathic Medicine and Surgery)

[Filed April 20, 2016, 6:41 a.m.]

Subject of Possible Rule Making: WAC 246-854-XXX Osteopathic physician assistants (PA), the board of osteopathic medicine and surgery (board) is considering rules to establish training requirements for suicide assessment, treatment, and management for osteopathic PAs per RCW 43.70.442. Amendments to existing sections within the chapter may be necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.57A.020, 43.70.442 as amended by ESHB 2315 (chapter 71, Laws of 2014) and ESHB 1424 (chapter 252, Laws of 2015).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.70.442 directs the board to adopt rules to implement training requirements for suicide assessment, treatment, and management. To comply with statute, the board will consider establishing rule standards for trainings in suicide assessment, treatment, and management that are appropriate for osteopathic PAs to help lower the suicide rate in Washington state. Other amendments may be considered as necessary.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may participate in the development of draft rules prior to a formal proposal by joining the board's listserv, attending workshops, and providing input on draft and proposed materials. Interested parties can receive information on how to participate by contacting Brett Cain, Program Manager, Board of Osteopathic Medicine and Surgery, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4766, fax (360) 236-2901, e-mail brett.cain@doh.wa.gov.

April 19, 2016
Blake T. Maresh
Executive Director

WSR 16-09-115**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE**

[Filed April 20, 2016, 8:44 a.m.]

Subject of Possible Rule Making: The department is considering adopting a rule to explain that amounts claimed by taxpayers for any new tax preference is subject to public disclosure, with certain limitations, pursuant to RCW 82.32.-808(7). The rule will also explain that the department, under certain circumstances, may waive this public disclosure requirement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300, 82.01.060(2), and 82.32.808(7).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed rule is needed to explain what tax preference information is subject to public disclosure, the reporting requirements of taxpayers claiming a new tax preference, what the good cause waiver standard is, those tax preferences for which a waiver may be claimed, and the procedure for applying for a waiver.

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 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. A preliminary draft of the proposed rule will be available via the department's online rules agenda at dor.wa.gov prior to the CR-101 public meeting.

Written comments may be submitted by mail and should be directed to Leslie Mullin, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, e-mail LeslieMu@dor.wa.gov.

Written and oral comments will be accepted at the public meeting.

Public Meeting Location: Capital Plaza Building, 4th Floor Executive Conference Room, 1025 Union Avenue S.E., Olympia, WA, on May 19, 2016, at 10:00 a.m. *Call-in option can be provided upon request no later than three days before the meeting date.*

Assistance for Persons with Disabilities: Contact Mary Carol LaPalm, (360) 725-7499, or Renee Cosare, (360) 725-7514, no later than ten days before the meeting date. For hearing impaired please contact us via the Washington relay operator at (800) 833-6384.

April 20, 2016
Kevin Dixon
Rules Coordinator

WSR 16-09-116**PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD**

[Filed April 20, 2016, 11:21 a.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (WSLCB) is considering rules to implement marijuana legislation passed during the 2016 legislative session.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.342, 69.50.345, SL 2016 c 170, SL 2016 c 171, and SL 2016 c 17.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to implement changes to marijuana laws passed during the 2016 legislative session. Specifically, WSLCB will consider rule changes relating to the following measures passed by the legislature:

- HB 2520, concerning the sale of marijuana to regulated cooperatives (SL 2016 c 170).
- HB 2521, allowing for the proper disposal of unsellable marijuana by a licensed marijuana retail outlet (SL 2016 c 171).
- SSB 6341, concerning the provision of personal services and promotional items by cannabis producers and processors (SL 2016 c 17).

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 can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanna Eide, Policy and Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, rules@lcb.wa.gov, (360) 664-1622, fax (360) 664-9689.

April 20, 2016
Jane Rushford
Chair

WSR 16-09-117**PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD**

[Filed April 20, 2016, 11:21 a.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (WSLCB) is considering rules relating to marijuana production, laboratory standards, marijuana testing requirements, and quality assurance rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.342 and 69.50.345.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WSLCB has identified sev-

eral topic areas where improvements are needed in rules, including in marijuana production, marijuana testing requirements, laboratory standards, quality assurance, and related rules. This rule making is intended to enhance and improve rules relating to these topics, as well as ensure accurate testing requirements and laboratory practices to promote safety in the regulated marijuana industry for consumers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WSLCB will work with the Washington department of health, Washington department of agriculture, and Washington department of ecology as necessary and to provide input and expertise.

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanna Eide, Policy and Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, rules@lcb.wa.gov, (360) 664-1622, fax (360) 664-9689.

April 20, 2016
Jane Rushford
Chair

WSR 16-09-118

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR AND CANNABIS BOARD

[Filed April 20, 2016, 11:21 a.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (WSLCB) is considering rules to implement SB [ESSB] 6328 concerning vapor products regulation, passed during the 2016 legislative session.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030 and the new chapter established in Title 70 RCW by SB [ESSB] 6328 (pending session law citation and codification).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to implement changes in the law as a result of the passage of SB [ESSB] 6328. SB [ESSB] 6328 establishes a statutory regulatory scheme for vapor products and also may require changes to agency rules surrounding tobacco products due to changes included in the bill. Section 5 of the bill also specifically states that WSLCB may adopt rules regarding the regulation of three new licenses established by SB [ESSB] 6328.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: SB [ESSB] 6328 directs WSLCB to consult with the Washington state department of health (DOH) in enforcing the provisions established by the bill. WSLCB will work with DOH as necessary in developing rules.

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanna Eide, Policy and Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, rules@lcb.wa.gov, (360) 664-1622, fax (360) 664-9689.

April 20, 2016
Jane Rushford
Chair

WSR 16-09-120

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR AND CANNABIS BOARD

[Filed April 20, 2016, 11:21 a.m.]

Subject of Possible Rule Making: The Washington state liquor and cannabis board (WSLCB) is considering rules to implement a proviso relating to electronic payment of the marijuana excise tax included by the legislature in the 2016 supplemental budget.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.342, 69.50.345, 69.50.535, and SL 2016 c 36 (2ESHB 2376).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed to implement a proviso included by the legislature in the 2016 supplemental budget related to electronic payment requirements for the marijuana excise tax. Rules are needed to provide provisions on making electronic payments, alternatives to the electronic payment requirement, and to provide a waiver to the electronic payment requirement.

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 can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanna Eide, Policy and Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, rules@lcb.wa.gov, (360) 664-1622, fax (360) 664-9689.

April 20, 2016
Jane Rushford
Chair

WSR 16-09-121
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed April 20, 2016, 11:25 a.m.]

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

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is responsible for teacher certification and preparation programs. This chapter pertains to certification endorsements. Rule-making authority is granted to PESB for Title 181 WAC.

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. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site www.PESB.wa.gov.

April 20, 2016
David Brenna
Senior Policy Analyst

WSR 16-09-122
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed April 20, 2016, 11:31 a.m.]

The department of licensing, prorate and fuel tax services, request the withdrawal of the proposed rule making filed as WSR 16-05-038. The CR-101 was filed on February 9, 2016, chapter 308-72 WAC. This document serves as the official notification of our rule withdrawal.

Damon Monroe
Rules Coordinator