

WSR 18-20-013
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed September 20, 2018, 3:41 p.m.]

Subject of Possible Rule Making: WAC 182-535A-0040 Orthodontic treatment and orthodontic-related services—Covered, noncovered, and limitations to coverage, 182-535A-0060 Orthodontic treatment and orthodontic-related services—Payment, and other related 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 revising these sections to clarify terms of coverage for orthodontic 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 Michael Williams, 626 8th Avenue, Olympia, WA 98504-2716, phone 360-725-1346, fax 360-586-9727, telecommunication relay services 711, web site www.hca.wa.gov/about-hca/rulemaking.

September 20, 2018
 Wendy Barcus
 Rules Coordinator

WSR 18-20-034
PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed September 25, 2018, 1:44 p.m.]

Subject of Possible Rule Making: Chapter 139-09 WAC, Crisis intervention training.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.101.080, 43.101.427.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.101.427 requires the commission to establish by rule: A program to certify organizations, other than the commission to provide crisis intervention training as required and standards for the successful completion of the annual two hours of crisis intervention training.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state criminal justice training commission regulates this process.

Process for Developing New Rule: Negotiated rule making; and commissioners will be advised of the proposed rule changes via email and will also be listed on the agency web site.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Peterson, 19010 1st Avenue South, Burien, WA 98148, phone 206-835-7356, email speterson@cjtc.state.wa.us, web site www.cjtc.state.wa.us.

September 25, 2018
 Sonja Peterson
 Rules Coordinator

WSR 18-20-035
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed September 25, 2018, 1:58 p.m.]

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

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.410 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board is responsible for standards for career and technical education certification, including criteria, eligibility, issuance and renewal.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of the superintendent of public instruction continuing coordination.

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 David Brenna, 600 Washington Street, Olympia, WA 98504, phone 360-725-6238, fax 360-58-4548 [360-586-4548], email david.brenna@k12.wa.us, web site www.pesb.wa.gov.

September 25, 2018
 David Brenna
 Senior Policy Analyst

WSR 18-20-036
PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed September 25, 2018, 2:21 p.m.]

Subject of Possible Rule Making: WAC 139-05-250.

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: WAC 139-05-250 Basic law enforcement curriculum: Added wording that clarifies that a **reserve academy** curriculum shall include specific areas of instruction (same as full-time peace officer academy).

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

cies: The Washington state criminal justice training commission regulates this process.

Process for Developing New Rule: Negotiated rule making; and commissioners will be advised of the proposed rule changes via email and will also be listed on the agency web site.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Peterson, 19010 1st Avenue South, Burien, WA 98148, phone 206-835-7356, email speterson@cjtc.state.wa.us, web site www.cjtc.state.wa.us.

September 25, 2018
Sonja Peterson
Rules Coordinator

WSR 18-20-037

PREPROPOSAL STATEMENT OF INQUIRY CRIMINAL JUSTICE TRAINING COMMISSION

[Filed September 25, 2018, 2:22 p.m.]

Subject of Possible Rule Making: WAC 139-05-810.

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: WAC 139-05-810 Basic law enforcement training for Level II reserve peace officers:

- Changes to the chapter heading - gives clear direction that this section is for reserve officers.
- Adds a start date for the beginning of the different reserve officer classification - when approved.
- Clarifies that specific elements are to be completed, poly, psych and background (reinforces wording already in the WAC).
- Adds wording that a statement of fitness, as required by WAC 139-05-230 is completed by each applicant.
- Reinforces the attestation that at a minimum, the background is completed *before* the start of the reserve academy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state criminal justice training commission regulates this process.

Process for Developing New Rule: Negotiated rule making; and commissioners will be advised of the proposed rule changes via email and will also be listed on the agency web site.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Peterson, 19010 1st Avenue South, Burien, WA 98148, phone 206-835-7356, email speterson@cjtc.state.wa.us, web site www.cjtc.state.wa.us.

September 25, 2018
Sonja Peterson
Rules Coordinator

WSR 18-20-038

PREPROPOSAL STATEMENT OF INQUIRY CRIMINAL JUSTICE TRAINING COMMISSION

[Filed September 25, 2018, 2:24 p.m.]

Subject of Possible Rule Making: WAC 139-05-825.

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: WAC 139-05-825 Basic reserve law enforcement certificate of equivalency:

- Helps clarify the different classifications of reserves (Level 1 or 2) and their effects on prior experience reserve officers, from in and out of state.
- Provides guidance for in and out of state full-time officers who either retired or returned to reserve duty, or those who have a full-time peace officer certificate that are no long [longer] working full time for any number of reasons, but want to work as a reserve.
- Clarifies that a qualifying lateral must participate in the equivalency process as required by the commission.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state criminal justice training commission regulates this process.

Process for Developing New Rule: Negotiated rule making; and commissioners will be advised of the proposed rule changes via email and will also be listed on the agency web site.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Peterson, 19010 1st Avenue South, Burien, WA 98148, phone 206-835-7356, email speterson@cjtc.state.wa.us, web site www.cjtc.state.wa.us.

September 25, 2018
Sonja Peterson
Rules Coordinator

WSR 18-20-039

PREPROPOSAL STATEMENT OF INQUIRY CRIMINAL JUSTICE TRAINING COMMISSION

[Filed September 25, 2018, 2:24 p.m.]

Subject of Possible Rule Making: WAC 139-05-200.

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: WAC 139-05-200 Requirements of basic law enforcement training, for general authority peace officer:

- The requested change cleans up this WAC and makes it applicable to full-time general authority peace officers and removes reference to reserve officers. This WAC will now apply to full-time general authority peace officers.

- Also added the paragraph to clearly state ineligibility for previously revoked, suspended, sanctioned - etc. ... this closes a loophole in the existing WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state criminal justice training commission regulates this process.

Process for Developing New Rule: Negotiated rule making; and commissioners will be advised of the proposed rule changes via email and will also be listed on the agency web site.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Peterson, 19010 1st Avenue South, Burien, WA 98148, phone 206-835-7356, email speterson@cjtc.state.wa.us, web site www.cjtc.state.wa.us.

September 25, 2018
Sonja Peterson
Rules Coordinator

WSR 18-20-046

PREPROPOSAL STATEMENT OF INQUIRY CRIMINAL JUSTICE TRAINING COMMISSION

[Filed September 26, 2018, 10:53 a.m.]

Subject of Possible Rule Making: The addition of WAC 139-05-800 is needed so the Washington state criminal justice training commission (WSCJTC) is able to clearly identify the classification of reserve peace officers.

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: This new section outlines two classifications of reserve peace officers. By outlining the classification, stakeholders will have a clear understanding of the minimum training and supervision requirements for each classification of reserve peace officers.

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

Process for Developing New Rule: Negotiated rule making; and commissioners will be advised of the proposed rule changes via email and will also be listed on the agency web site.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sonja Peterson, 19010 1st Avenue South, Burien, WA 98148, phone 206-835-7356, email speterson@cjtc.state.wa.us, web site www.cjtc.state.wa.us.

September 26, 2018
Sonja Peterson
Rules Coordinator

WSR 18-20-052

PREPROPOSAL STATEMENT OF INQUIRY SHORELINE COMMUNITY COLLEGE

[Filed September 26, 2018, 4:06 p.m.]

Subject of Possible Rule Making: Revision to chapter 132G-104 WAC, Meetings of the board of trustees—Delegation of board responsibility.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140 (13) and (14).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The delegation of board responsibility to the president does not need to be rule per RCW 28B.50.140(14) and this revision updates the chapter title for chapter 132G-104 WAC to more accurately reflect the content. In addition, the language in WAC 132G-104-010 is being modified to update the recurring schedule of regular meetings for the board.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None identified. The state board for community and technical colleges has general supervision and control over the state system of community and technical colleges but does not regulate each individual college's rule making.

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 Veronica Zura, 16101 Greenwood Avenue North, phone 206-546-7858, fax 206-546-5850, email scrulemaking@shoreline.edu.

September 26, 2018
Veronica Zura
Executive Director
Human Resources

WSR 18-20-060

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF REVENUE

[Filed September 27, 2018, 9:38 a.m.]

Subject of Possible Rule Making: WAC 458-40-540 Forest land values—2019 and 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 84.33.140 requires that forest land values be adjusted annually by a statutory formula contained in RCW 84.33.140(3). The department anticipates amending the forest land values rule (WAC 458-40-540) to adjust the table of forest land values in Washington as required by statute. County assessors will use these published land values for property tax purposes in 2019.

RCW 84.33.091 requires the department of revenue to revise the stumpage value tables every six months. The department establishes stumpage value tables to apprise timber harvesters of the timber values used to calculate the timber excise tax.

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

Process for Developing New Rule: Parties interested in this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brenton M. Madison, P.O. Box 47453, Olympia, WA 98504-7453, phone 360-534-1583, fax 360-534-1606, TTY 800-833-6384, email brentonm@dor.wa.gov, web site dor.wa.gov.

Additional comments: A preliminary draft of possible rule changes will be available upon request shortly before the public meeting.

Written comments may be submitted by mail and should be directed to Brenton M. Madison, ITA Division, P.O. Box 47453, Olympia, WA 98504-7453, email brentonm@dor.wa.gov.

Written and oral comments will be accepted at the public meeting on October 15, 2018, at 10:00 a.m., at Conference Room 252, 6400 Linderson Way S.W., Tumwater, WA 98501.

September 27, 2018
Erin T. Lopez
Rules Coordinator

WSR 18-20-066

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed September 27, 2018, 3:48 p.m.]

Subject of Possible Rule Making: WAC 182-535-1066 Dental-related services—Medical care services clients (formerly general assistance (GA)), 182-535-1094 Dental-related services—Covered—Oral and maxillofacial surgery services, and other related 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 revising this section to reflect changes in covered benefits, and to remove certain authorization requirements to expedite claims processing and the delivery of timely 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 Michael Williams, 626 8th Avenue S.E., Olympia, WA 98504-2716, phone 360-725-1346, fax 360-586-9727, telecommunication relay services 711, email michael.williams@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

September 27, 2018
Wendy Barcus
Rules Coordinator

WSR 18-20-076

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed September 28, 2018, 1:43 p.m.]

Subject of Possible Rule Making: WAC 182-550-3000 Hospital services—Payment method, 182-550-3470 Hospital services—Payment method—Bariatric surgery—Per case rate, 182-550-4400 Hospital services—Services—Exempt from DRG payment, 182-550-4800 Hospital services—Hospital payment methods—State-administered programs, and other related 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 modifying these sections to remove the bariatric fixed case rate. 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 Vance Taylor, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, telecommunication relay services 711, email taylor@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

September 28, 2018
Wendy Barcus
Rules Coordinator

WSR 18-20-080
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed October 1, 2018, 8:19 a.m.]

October 1, 2018
 Douglas L. Moore
 Executive Secretary

Subject of Possible Rule Making: Chapter 182-537 WAC, School based health care services, and other related rules as appropriate.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising this chapter to clarify eligibility, coverage and provider requirements for school based health 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 Michael Williams, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1346, fax 360-586-9727, telecommunication relay services 711, email Michael.williams@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

October 1, 2018
 Wendy Barcus
 Rules Coordinator

WSR 18-20-082
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed October 1, 2018, 9:07 a.m.]

Subject of Possible Rule Making: WAC 260-70-570 All horses are subject to inspection.

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 require that horses scheduled for prerace inspections are ready for the official veterinarian in a manner which does not hinder the process.

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, 6326 Martin Way, Suite 209, Olympia, WA 98516, phone 360-450-6462, fax 360-450-6461, TTY 360-450-6462, email doug.moore@whrc.state.wa.us, web site www.whrc.wa.gov; or Amanda Benton, 6326 Martin Way, Suite 209, Olympia, WA 98516, phone 360-450-6462, fax 360-450-6461, TTY 360-450-6462, email amanda.benton@whrc.state.wa.us, web site www.whrc.wa.gov.

WSR 18-20-083

WITHDRAWL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed October 1, 2018, 9:55 a.m.]

The Washington department of fish and wildlife seeks to withdraw the preproposal filed under WSR 14-05-097 on February 19, 2014. This rule is no longer valid.

Scott Bird

WSR 18-20-084

PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed October 1, 2018, 10:09 a.m.]

Subject of Possible Rule Making: The department is conducting a periodic status review for gray wolf (*Canis lupus*) currently listed as endangered (WAC 220-610-010). If a change in listed status is warranted the department may need to amend WAC 220-610-010 and 220-200-100 [220-610-100].

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, [77.04.]020, 77.04.055, 77.12.020, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will review all relevant data pertaining to the population status and factors affecting existence in Washington for gray wolf. Based on the information collected and reviewed, the department will make recommendations to maintain the species current listing status as endangered or reclassify species to sensitive or threatened or other status.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: In addition to Washington department of fish and wildlife other federal or state agencies that regulate this species include the United States Fish and Wildlife Service. The department will coordinate with appropriate entities during the review period.

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 Eric Gardner, 600 Capitol Way North, Olympia, WA 98501, phone 360-902-2515, fax 360-902-2162, email wildthing@dfw.wa.gov, web site wdfw.wa.gov.

October 1, 2018
 Scott Bird
 Rules Coordinator

WSR 18-20-095
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed October 2, 2018, 8:10 a.m.]

Subject of Possible Rule Making: WAC 458-20-193 Interstate sales of tangible personal property.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300, 82.01.060, and 82.32.733.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 458-20-193 provides guidance regarding the need for a seller to have a physical presence in Washington in order to establish the required nexus for the state to impose a sales tax collection obligation on retail sales into Washington. The United States Supreme Court's recent decision in *South Dakota v. Wayfair*, 138 S.Ct. 2080 (2018), allowed Washington to impose a sales or use tax collection obligation on sellers who do not have a physical presence in this state. Pursuant to this decision and RCW 82.08.0254, 82.12.0255, and 82.32.733, effective October 1, 2018, the department will require a remote seller to collect retail sales or use tax on all taxable sales sourced to Washington if it exceeds \$100,000 in gross retail sales or two hundred retail transactions in the state during the current or prior calendar year. Therefore, this rule needs to be updated to reflect these changes to who is required to collect sales tax on taxable retail sales into Washington.

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 process or giving oral testimony at the public meeting and/or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Adam Wolfson, P.O. Box 47453, Olympia, WA 98504-7453, phone 360-534-1588, fax 360-534-1606, TTY 800-833-6384, email adamw@dor.wa.gov, web site dor.wa.gov.

Additional comments: Written comments may be submitted by mail or email and should be directed to Adam Wolfson using one of the contact methods above.

October 2, 2018
 Erin T. Lopez
 Rules Coordinator

WSR 18-20-097
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed October 2, 2018, 8:18 a.m.]

Subject of Possible Rule Making: WAC 458-20-221 Collection of use tax by retailers and selling agents.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300, 82.01.060, and 82.32.733.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 458-20-221 provides guidance regarding the need for a seller to have a physical presence in Washington in order to establish the required nexus for the state to impose a use tax collection obligation

on retail sales into Washington. The United States supreme court's recent decision in *South Dakota v. Wayfair*, 138 S.Ct. 2080 (2018), allowed Washington to impose a sales or use tax collection obligation on sellers who do not have a physical presence in this state. Pursuant to this decision and RCW 82.08.0254, 82.12.0255, and 82.32.733, effective October 1, 2018, the department will require a remote seller to collect retail sales or use tax on all taxable sales sourced to Washington if it exceeds \$100,000 in gross retail sales or two hundred retail transactions in the state during the current or prior calendar year. Therefore, this rule needs to be updated to reflect these changes to who is required to collect use tax on taxable retail sales into Washington.

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 process or giving oral testimony at the public meeting and/or public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Adam Wolfson, P.O. Box 47453, Olympia, WA 98504-7453, phone 360-534-1588, fax 360-534-1606, TTY 800-833-6384, email adamw@dor.wa.gov, web site dor.wa.gov.

Additional comments: Written comments may be submitted by mail or email and should be directed to Adam Wolfson using one of the contact methods above.

October 2, 2018
 Erin T. Lopez
 Rules Coordinator

WSR 18-20-103
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed October 2, 2018, 11:06 a.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.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 296-17A WAC establishes and maintains the classifications employers are required to use to report and pay their industrial insurance premiums.

The department intends to review this chapter and make revisions to:

- Correct typographical and other errors (such as invalid telephone numbers and out-of-date references);
- Revise wording and formatting to make the rules easier to understand and apply; and
- Incorporate and formalize existing agency practices (such as expressly including in a risk classification employment that the department currently includes by interpretation or analogy).

The purpose of this rule making is not to make substantive changes to how the department classifies employment, but to review and revise the classification plan to ensure it is clear and understandable. These changes will not change the way we calculate employer rates, our reporting requirements, or how we classify businesses.

As part of this rule making, the department also intends to review this chapter as required by SSB 5679 (chapter 30, Laws of 2013 2nd sp. sess.) to make changes where possible to reduce the regulatory burden on employers insured with the state fund.

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 workers' compensation rates.

Process for Developing New Rule: The department of labor and industries will solicit input from the business community by way of email, direct mailing, and from public meetings. Interested parties may participate by commenting before proposals are made, by testifying at the public hearing, or by providing comment after the proposal is made.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting James Vest, P.O. Box 44148, Olympia, WA 98504-4148, phone 360-902-4799, fax 360-902-4180, email James.Vest@lni.wa.gov, web site www.wa.gov/LawRule/WhatsNew/Proposed.

October 2, 2018
Joel Sacks
Director

WSR 18-20-106
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed October 2, 2018, 1:02 p.m.]

Subject of Possible Rule Making: The department is planning to amend chapter 388-106 WAC, Long-term care services, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is planning to amend WAC 388-106-1920 (1) and (2) to indicate that the maximum benefit level will be published on DSHS/AL TSA/HCS rates web site, and WAC 388-106-1933 to describe modifications made to the GetCare screening tool questions and risk level scores. Other related rule changes that arise during this rule making may be incorporated. Other related WAC sections may need to be updated as a result of this rule making.

Process for Developing New Rule: The department of social and health services (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 Angel Sullivan, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-725-2495, fax 360-407-7582, TTY 360-493-2637, email angel.sullivan@dshs.wa.gov.

October 2, 2018
Katherine I. Vasquez
Rules Coordinator

WSR 18-20-120
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed October 3, 2018, 8:21 a.m.]

Subject of Possible Rule Making: The department is considering changes to recreational clam and oyster harvest season rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department must annually amend recreational clam and oyster season rules on some public tidelands in response to shellfish population changes, shifts in recreational effort, conservation issues, and negotiations with treaty tribes and other state agencies. Such amendments are designed to perpetuate shellfish resources while maximizing recreational harvest opportunity.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of health (DOH). The Washington department of fish and wildlife (WDFW) works closely with DOH to close beaches to recreational clam and oyster harvest if there is a risk to public health.

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 Scott Bird, WDFW Rules Coordinator, P.O. Box 43200, Olympia, WA 98504, phone 360-902-2403, fax 360-902-2155, email Rules.Coordinator@dfw.wa.gov; or Camille Speck, Puget Sound Intertidal Bivalve Manager, 375 Hudson Street, Port Townsend, WA 98368, phone 360-302-3030 x313, fax 360-302-3031, email Camille.Speck@dfw.wa.gov.

Additional comments: Expected proposal filing on or after November 21, 2018.

October 3, 2018
Scott Bird
Rules Coordinator

WSR 18-20-126
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed October 3, 2018, 11:00 a.m.]

Subject of Possible Rule Making: Definition of firefighter.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify what positions are eligible for membership in the law enforcement officers' and firefighters' retirement system.

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 Jilene Siegel, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, phone 360-664-7291, TTY 711, email Rules@drs.wa.gov, web site www.drs.wa.gov/rules/.

October 3, 2018
Jilene Siegel
Rules Coordinator