



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 10, 2021

TIME: 8:02 AM

WSR 21-07-034

Agency: Employment Security Department

Title of rule and other identifying information: (describe subject) Technical corrections to WAC 192-300-220, 192-320-036, 192-170-010, 192-350-070, 192-320-075, 192-320-080, 192-320-081, 192-320-082, 192-320-083, 192-320-084.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The adoption of amendments corrects the numbering of subsections within WAC 192-170-010, which was amended by WSR 20-11-022 and WSR 20-10-056. It also corrects cross-references to subsections of RCW 50.29.021, which was amended in 2020 by the Legislature in Substitute House Bill 2613, Laws of 2020, Chapter 86, Section 3, and RCW 50.29.025 and RCW 50.29.062, which were amended by the Legislature in 2021 in Engrossed Substitute Senate Bill 5061, Chapter 2, Laws of 2021, Sections 17, 20.

Reasons supporting proposal: WSR 20-11-022 and WSR 20-10-056 went into effect on July 5, 2020. The amended rule will correct the numbering of subsections within WAC 192-170-010. Substitute House Bill 2613, Laws of 2020, Chapter 86 went into effect on June 11, 2020, and Engrossed Substitute Senate Bill 5061 went into effect February 8, 2021. The amended rules will correct cross-references to statutes amended by those bills.

Statutory authority for adoption: RCW 50.12.010 and RCW 50.12.040 provide general rulemaking authority to the Employment Security Department.

Statute being implemented: RCW 50.20.010; RCW 50.20.230; and RCW 50.20.240

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

Name of proponent: (person or organization) Employment Security Department

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Scott Michael	Olympia	360-890-3448
Implementation:	Julie Lord	Olympia	360-890-9579
Enforcement:	Julie Lord	Olympia	360-890-9579

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): The rule change corrects the numbering of subsections within WAC 192-170-010, which was amended by WSR 20-11-022 and WSR 20-10-056. It also corrects cross-references to subsections of RCW 50.29.021, which was amended in 2020 by the Legislature in Substitute House Bill 2613, Laws of 2020, Chapter 86, Section 3, and RCW 50.29.025 and RCW 50.29.062, which were amended in 2021 by the Legislature in Engrossed Senate Substitute Bill 5061, Chapter 2, Laws of 2021, Sections 17, 20.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Joshua Dye
Agency: Employment Security Department
Address: P.O. Box 9046, Olympia, WA 98507-9046
Phone: 360-890-3472
Fax: 844-652-7096
Email: rules@esd.wa.gov
Other: TTD Relay 711

AND RECEIVED BY (date) May 25, 2021

Date: March 10, 2021	Signature: 
Name: Dan Zeitlin	
Title: Employment System Policy Director	