



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Employment Security Department

Subject of possible rule making: Adopt rules in Chapter 192- 310 WAC, Reporting of Wages and Taxes Due. Amendments will be made to implement Section 2 of House Bill 1311. The bill exempts some employment on fishing vessels when the crew members are paid by means of a share of the catch of fish or other aquatic animal life and only pertains to fishing vessels with fewer than 10 operating crew members. The need to amend or repeal existing rules may be identified through the rule-making process.

Statutes authorizing the agency to adopt rules on this subject: RCW 50.04.170 and RCW 50.24.160

Reasons why rules on this subject may be needed and what they might accomplish: This rule-making will implement Chapter 75, Laws of 2013 (House Bill 1311 Section 2) related to implementing the employment eligibility provisions of the bill. The topic for rule-making that has been identified to date is having the boat owners notify their crew members in writing as to their eligibility for unemployment insurance coverage. Other topics may be identified through the rule-making process.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The United States Department of Labor (USDOL) reviews the state's administration of the UI program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of UI laws as long as conformity is maintained. The proposed rules will be shared with USDOL prior to adoption.

Process for developing new rule (check all that apply):

- Negotiated rule making
Pilot rule making
Agency study

Other (describe) The proposed rules will be shared with stakeholders identified in the rule-making process. We will solicit input from stakeholders and consider all written comments in the development of the final rules.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Interest parties can participate in the development of the rules before publication by contacting:

Juanita Myers, Unemployment Insurance Rules Manager
Employment Security Department
P.O. Box 9046
Olympia, WA 98507-9046
Fax 360-902-9799
Email jmyers@esd.wa.gov

Please include your name, organization (if any), mailing address, email address and telephone number.

DATE
7/8/13

NAME (TYPE OR PRINT)
Nan Thomas

SIGNATURE
Nan Thomas

TITLE
Deputy Commissioner

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED
JUL 9 2013
907 AM
WSR 13-15-023