



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: January 29, 2020

TIME: 1:21 PM

WSR 20-04-047

Agency: Office of Financial Management

Subject of possible rule making: State and local government employees are entitled to due process when the employing entity seeks to recoup and overpayment of wages. The statutes governing overpayments were enacted in 2003 (chapter 77, Laws of 2003) and codified in RCW 49.48.200 and .210. RCW 49.48.220 directed the Office of Financial Management (OFM) to adopt rules necessary to implement this new law. OFM adopted chapter 82-04 WAC, in response to this direction. This rulemaking is to update those rules first adopted in 2003.

Statutes authorizing the agency to adopt rules on this subject:

RCW 49.48.220

Reasons why rules on this subject may be needed and what they might accomplish: Changes in laws, rules, and practices have changed since the original enactment of these rules. Updating these rules are needed to keep the rules, and process represented in these rules, current.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Washington state Office of Administrative Hearing, Office of Attorney General

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Sharing drafts with agencies reference above, as well as human resources, fiscal and labor organizations before proposed rules are filed, to achieve consensus on the amendments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Additional comments:

Date: January 29, 2020

Name: Roselyn Marcus

Title: Assistant Director Legal & Legislative Affairs

Signature: