

WSR 22-15-051

PROPOSED RULES

DEPARTMENT OF CORRECTIONS

[Filed July 15, 2022, 1:35 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-12-060.

Title of Rule and Other Identifying Information: Chapters 137-65 and 137-69 WAC.

Hearing Location(s): On August 23, 2022, at 2:00 to 2:30 p.m., Microsoft Teams meeting. Please contact rules coordinator at vvchebotar@doc1.wa.gov to register. In response to the COVID-19 public health emergency, a physical location for this hearing will not be provided in order to promote social distancing and the safety of the citizens of Washington state. A virtual public hearing, without a physical meeting space, will be held instead.

Date of Intended Adoption: August 26, 2022.

Submit Written Comments to: Vadim V. Chebotar, Senior Contracts Attorney, Department of Corrections (DOC), Contracts and Legal Affairs, P.O. Box 41114, Tumwater, WA 98504-1114, email vvchebotar@doc1.wa.gov, by August 18, 2022.

Assistance for Persons with Disabilities: Contact Vadim V. Chebotar, senior contracts attorney, email vvchebotar@doc1.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Revision of chapter 137-69 WAC and the full repeal of chapter 137-65 WAC are required to align with the statutory revisions made following the passing of the 2SHB 1818. The statutory revisions will no longer allow DOC to assess or collect cost of supervision fees. Furthermore, the statutory revisions will no longer allow an assessment and collection of the interstate transfer application fee for individuals seeking to transfer the supervision of their Washington sentence out of Washington state.

Reasons Supporting Proposal: WAC should accurately comply with statutory revision.

Statutory Authority for Adoption: RCW 72.01.090.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DOC, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Dell-Autumn W. Witten, DOC headquarters, 360-725-8831.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. Not applicable.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party; rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rule content is explicitly and specifically dictated by statute.

June 27, 2022
Cheryl Strange
Secretary

OTS-3836.1

AMENDATORY SECTION (Amending WSR 11-16-058, filed 7/29/11, effective 8/29/11)

WAC 137-69-030 Manner and degree of supervision. (~~(1)~~) Offenders transferred to Washington state under the interstate compact shall be supervised in a manner determined by Washington state and consistent with the supervision of other similar offenders sentenced in Washington state.

~~((2) Washington state shall impose a supervision fee on an offender whom the state accepts for supervision under the interstate compact.)~~

[Statutory Authority: RCW 72.01.090 and chapter 9.94A RCW. WSR 11-16-058, § 137-69-030, filed 7/29/11, effective 8/29/11.]

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 137-69-020 Interstate transfer application fee.

OTS-3835.1

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 137-65-010 Purpose.
WAC 137-65-020 Scope.
WAC 137-65-030 Fee.
WAC 137-65-050 Instructions.