



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: June 01, 2018

TIME: 11:58 AM

WSR 18-12-067

Agency: Washington's Lottery

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 18-07-109 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) . WAC 315-06-040 Disclosure of Probability of Purchasing a Winning Ticket. Describes the requirements of where the information regarding the estimated probability of purchasing a winning ticket shall be printed for players and also describes when the probability does not need to be disclosed. WAC 315-02-130 Employee of the Commission Defined. Clarifies the definition as to who is an employee of the commission. WAC 315-34-05 Lotto Prize Claim and Payment Methods. Describes the requirements for players to collect their cash prize payments and the time frame they have to claim, that they may elect to receive fifty percent of their share of the jackpot at one time, and explains the required step of Lottery performing a debt check against the claimant. WAC 315-38-090 Jackpot Prize Payments. Describes a player's option to select a one-time cash payment at the time of claiming a jackpot prize within sixty days of presenting their winning ticket, and provides information regarding debt checks that are performed for jackpot winners.

Hearing location(s):

Date: **Time:** **Location:** (be specific) **Comment:**

July 10, 2018	8:30 AM	Washington's Lottery 814 4 th Ave E Olympia, WA 98506	
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Date of intended adoption: July 10, 2018 (Note: This is NOT the effective date)

Submit written comments to:

Name: Kristi Weeks
Address: PO Box 43000
Olympia, WA 98506
Email: KWeeks@walottery.com
Fax: 360-586-1039
Other:
By (date) July 3, 2018

Assistance for persons with disabilities:

Contact Debbie Robinson
Phone: 360-791-3045
Fax:
TTY: 360-586-0933
Email: DRobinson@walottery.com
Other:
By (date) July 3, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Proposed changes to WAC 315-060-040 provide additional language that clearly specifies which promotional and advertising materials do not apply to this WAC. This will reduce confusion for staff as to what promotional items are required to contain a specific, printed odds statement.

Proposed changes to WAC 315-02-130 will clearly state who is an employee of the Commission and who is not, thereby reducing misconceptions about contractors and licensed agents being classified as employees.

Proposed changes to WAC 315-34-057 provide clarifying language regarding a player claiming a Lotto prize, presenting a winning ticket, undergoing a debt check, and selecting a cash or annuity option.

Proposed changes to WAC 315-38-090 provide clarifying language regarding a player claiming a other lottery prizes, presenting a winning ticket, undergoing a debt check, and selecting a cash or annuity option.

Reasons supporting proposal: The current language in WAC 315-06-040 requires disclosure of probability of purchasing a winning ticket on all promotional and advertising materials. Many such materials advertise or promote multiple games which may create confusion for players and retailers. Directing players and retailers to the Lottery website for odds statements will help ensure the person is receiving the correct odds for each game.

The current definition of employee in WAC 315-02-130 is confusing regarding who might be considered "agents of the lottery." By clarifying this definition, contractors and licensed agents will not be mistaken as employees which would prevent them from playing lottery games.

The current language in WAC 315-34-057 contains potentially confusing wording regarding claiming and validating a winning Lotto jackpot, selecting a cash option or annuity, and the debt check process. Rewording terminology and adding a separate section concerning debt checks will diminish the potential for misinterpretation.

The current language in WAC 315-38-090 contains potentially confusing wording regarding claiming and validating other winning jackpots, selecting a cash option or annuity, and the debt check process. Rewording terminology and adding a separate section concerning debt checks will diminish the potential for misinterpretation.

Statutory authority for adoption: 67.70.040(1)(3)

Statute being implemented: RCW 67.70.040

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:

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

Name of proponent: (person or organization) Washington's Lottery

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Kristi Weeks	814 4 th Ave E Olympia, WA	(360) 810-2881
Implementation:	Kristi Weeks	814 4 th Ave E Olympia, WA	(360) 810-2881
Enforcement:	Kristi Weeks	Washington's Lottery	(360) 810-2881

Is a school district fiscal impact statement required under RCW 28A.305.135?

- Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:

TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: The proposed rules would not impose more than minor costs on businesses in an industry.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

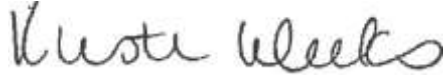
No Briefly summarize the agency's analysis showing how costs were calculated. The rules do not impact businesses. The proposed rules apply only to individual players and materials produced by the Lottery itself.

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: 06/01/2018
Name: Kristi Weeks
Title: Legal Services Director

Signature: 
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