



EXPEDITED RULE MAKING

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

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STATE OF WASHINGTON
FILED

DATE: January 22, 2018

TIME: 1:21 PM

WSR 18-03-148

Agency: Washington Department of Fish and Wildlife (WDFW)

Title of rule and other identifying information: (describe subject) Amend WAC 220-351-080 concerning license fees.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Amend WAC 220-351-080; this WAC includes fees for the combination guide license that are no longer valid for license year 2018. These fees were updated in House Bill 1597 effective January 1, 2018.

Reasons supporting proposal: Amend WAC 220-351-080; this WAC includes fees for the combination guide license that are no longer valid for license year 2018. These fees were updated in House Bill 1597 effective January 1, 2018.

Statutory authority for adoption: RCW 77.04.090, RCW 77.04.130, RCW 77.65.370, RCW 77.65.440, RCW 77.65.480.

Statute being implemented: RCW 77.08.010, RCW 77.12.170, RCW 77.12.177, RCW 77.15.096, RCW 69.04.933, RCW 69.04.934, RCW 77.15.110, RCW 77.15.170, RCW 77.15.500, RCW 77.15.565, RCW 77.15.620, RCW 77.15.630, RCW 77.15.640, RCW 77.65.010, RCW 77.65.020, RCW 77.65.090, RCW 77.65.110, RCW 77.65.120, RCW 77.65.150, RCW 77.65.160, RCW 77.65.170, RCW 77.65.190, RCW 77.65.200, RCW 77.65.210, RCW 77.65.220, RCW 77.65.240, RCW 77.65.280, RCW 77.65.310, RCW 77.65.320, RCW 77.65.330, RCW 77.65.340, RCW 77.65.350, RCW 77.65.370, RCW 77.65.390, RCW 77.65.440, RCW 77.65.480, RCW 77.65.490, RCW 77.65.500, RCW 77.65.510, RCW 77.15.160, RCW 77.65.580, RCW 77.65.590, RCW 77.70.150, RCW 77.70.190, RCW 77.70.220, RCW 77.70.280, RCW 77.70.290, RCW 77.70.300, RCW 77.70.430, RCW 77.70.490, RCW 82.27.020, RCW 82.27.070, RCW 69.07.100, RCW 36.71.090

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

Name of proponent: (person or organization) WDFW

- Private
- Public
- Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Trisha Anderson	1111 Washington Street, Olympia, WA 98501	(360) 902-2211
Implementation:	Peter Vernie	1111 Washington Street, Olympia, WA 98501	360) 902-2302
Enforcement:	Chief Steve Bear	1111 Washington Street, Olympia, WA 98501	(360) 902-2936

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): Based on the rationale of RCW 34.05.353(1)(c) and (d), the department believes that an expedited rule-making process is appropriate because the proposed rule only clarifies language of a rule without changing its effect and makes a rule consistent with existing statute.

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

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Other:

AND RECEIVED BY (date) March 26, 2018

Date: January 22, 2018

Name: Scott Bird

Title: Rules Coordinator

Signature:

Scott Bird

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-351-080 Combined fish guide license. A combined fish guide license allows the holder to offer or perform the services of a food fish guide and a game fish guide. The fee for a resident combined fish guide license is \$((~~435~~) 815) and the fee for a nonresident combined fish guide license is \$((~~1,435~~) 1,045). The application fee and surcharge for regional fishery enhancement groups as required by RCW 77.95.090 are included in the overall cost of the combined fish guide license.