

## Summary Sheet

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**Meeting dates:** September 27, 2019

**Agenda item:** A. Distributing License Discounts Proportionally to Accounts

**Presenter(s):** Nate Pamplin, Director of Budget and Government Affairs

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**Background summary:**

A license package is a composite of two or more licenses and endorsements, sold at or below the cumulative price of its components. RCW 77.12.470(5) provides authority for the Commission to create new packages.

If the Commission creates a license package that is discounted, the proposed WAC directs the Department to distribute the discount proportional to the various accounts.

The proposed WAC will include new license packages created since January 1, 2017 (i.e., the Fish Washington license) and will commence in License Year 2020 (April 1, 2020 through March 31, 2021). License Year 2020 products will be sold beginning December 1, 2019.

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**Staff recommendation:** Adopt the WAC as proposed to proportionally apply a license package discount to all of the relevant component accounts.

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**Policy issue(s) and expected outcome:** This is an accounting change that will ensure each component account is proportionally impacted by the rate of the overall package discount.

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**Fiscal impacts of agency implementation:** There is no new revenue generated in this WAC. This proposed rule will distribute the license package discount of the Fish Washington package and any new packages, commencing in License Year 2020 (which will begin to re-assign revenue within Fiscal Year 2020). This will optimize the collection of non-restricted funds from current practice.

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**Public involvement process used and what you learned:** The Department's CR-101 was filed April 17, 2019. The CR-102 was filed July 3, 2019. The public hearing was on September 13, 2019 and there was no public comment. As of writing this summary sheet on September 20, 2019, the Department has not received any public comment.

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**Action requested and/or proposed next steps:** Department staff request that the Commission approve this rule change.

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**Draft motion language:** "I move to approve WAC 220-220-095, as presented by staff."

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**Post decision communications plan:** The new WAC will be communicated to WDFW licensing and fiscal staff and will operationally go into effect December 1, for sales of 2020

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License Year products.



# PROPOSED RULE MAKING

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

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: July 03, 2019

TIME: 11:42 AM

WSR 19-14-127

**Agency:** Washington Department of Fish & Wildlife (WDFW)

**Original Notice**

**Supplemental Notice to WSR** \_\_\_\_\_

**Continuance of WSR** \_\_\_\_\_

**Preproposal Statement of Inquiry was filed as WSR 19-09-081** filed April 17, 2019 ; 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) The department seeks to create a new rule which addresses the accounting of funds for the sale of packaged recreational licenses that were created after January 1, 2017.

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
September 13-14, 2019	8:00 am	Sun Mountain Lodge 604 Patterson Lake Rd, Winthrop, WA 98862	None

**Date of intended adoption:** September 16, 2019 (Note: This is **NOT** the effective date)

**Submit written comments to:**

Name: Scott Bird  
Address: 600 Capitol Way North, Olympia, WA 98501  
Email: (360) 902-2403  
Fax: (360) 902-2162  
Other:  
By (date) September 10, 2019

**Assistance for persons with disabilities:**

Contact Delores Noyes  
Phone: 360-902-2349  
Fax:  
TTY: 360-902-2207  
Email: Delores.Noyes@dfw.wa.gov  
Other:  
By (date) September 10, 2019

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The department wants to improve the reconciliation of its sales from discount and packaged licenses.

**Reasons supporting proposal:** The department needs to clarify the accounting of funds received from the sales of all discount and packaged recreational licenses.

**Statutory authority for adoption:** RCWs 77.04.012, 77.04.055, 77.12.240, 77.12.800, 77.32.090, 77.32.470

**Statute being implemented:** RCWs 77.04.012, 77.04.055, 77.12.240, 77.12.800, 77.32.090, 77.32.470

**Is rule necessary because of a:**

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

Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Deirdre Bissonnette	1111 Washington Street, Olympia, WA 98501	(360) 902-2211
Implementation:	Jenika Stinkeoway	1111 Washington Street, Olympia, WA 98501	(360) 902-2304-
Enforcement:	Chief Steve Bear	1111 Washington Street, Olympia, WA 98501	(360) 902-6428

**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: This rule does not affect hydraulics

**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:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- 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. \_\_\_\_\_
- 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:

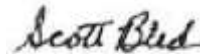
- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

**Date:** July 3, 2019

**Name:** Scott Bird

**Title:** Rules Coordinator

**Signature:**



NEW SECTION

**WAC 220-220-095 Discount distribution.** When a recreational license is sold at a discount or when it is part of a package of licenses created after January 1, 2017, and sold at a price less than the total value of each individual license product, the funds from the sale of a license or package of licenses are distributed to multiple department accounts. The amount of the funds distributed to each of the accounts shall be reduced by the same percentage as the total discount for the purchase of a license or package commencing with license year 2020 products.