



PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE

Print Form

In accordance with [RCW 34.05.330](#), the Office of Financial Management (OFM) created this form for individuals or groups who wish to petition a state agency or institution of higher education to adopt, amend, or repeal an administrative rule. You may use this form to submit your request. You also may contact agencies using other formats, such as a letter or email.

The agency or institution will give full consideration to your petition and will respond to you within 60 days of receiving your petition. For more information on the rule petition process, see Chapter 82-05 of the Washington Administrative Code (WAC) at <http://apps.leg.wa.gov/wac/default.aspx?cite=82-05>.

CONTACT INFORMATION *(please type or print)*

Petitioner's Name Kuzer Bailey
Name of Organization NIA
Mailing Address [REDACTED]
City [REDACTED] State WA Zip Code [REDACTED]
Telephone [REDACTED] Email [REDACTED]

COMPLETING AND SENDING PETITION FORM

- Check all of the boxes that apply.
- Provide relevant examples.
- Include suggested language for a rule, if possible.
- Attach additional pages, if needed.
- Send your petition to the agency with authority to adopt or administer the rule. Here is a list of agencies and their rules coordinators: <http://www.leg.wa.gov/CodeReviser/Documents/RClist.htm>.

INFORMATION ON RULE PETITION

Agency responsible for adopting or administering the rule: Washington Department of Fish and Wildlife

1. NEW RULE - I am requesting the agency to adopt a new rule.

The subject (or purpose) of this rule is: _____

The rule is needed because: _____

The new rule would affect the following people or groups: _____

2. AMEND RULE - I am requesting the agency to change an existing rule.

List rule number (WAC), if known: _____

WAC 220-101-020 Department description and authority

I am requesting the following change: _____

The fish and wildlife commission continue to go beyond the scope of their authority. Commissioners are appointed not to be the subject matter experts, but to listen.

This change is needed because: _____

Beneficial to educate the Commissioners who are overstepping their scope due to personal beliefs and perspective. - SEE ATTACHMENT

The effect of this rule change will be: _____

The rule is not clearly or simply stated: _____

3. REPEAL RULE - I am requesting the agency to eliminate an existing rule.

List rule number (WAC), if known: _____

(Check one or more boxes)

It does not do what it was intended to do.

It is no longer needed because: _____

It imposes unreasonable costs: _____

The agency has no authority to make this rule: _____

It is applied differently to public and private parties: _____

It conflicts with another federal, state, or local law or rule. List conflicting law or rule, if known: _____

It duplicates another federal, state or local law or rule. List duplicate law or rule, if known: _____

Other (please explain): _____

RCW 77.04.012 Mandate of department and commission. Wildlife, fish, and shellfish are the property of the state. The commission, director, and the department shall preserve, protect, perpetuate, and manage the wildlife and food fish, game fish, and shellfish in state waters and offshore waters. The department shall conserve the wildlife and food fish, game fish, and shellfish resources in a manner that does not impair the resource. In a manner consistent with this goal, the department shall seek to maintain the economic well-being and stability of the fishing industry in the state. The department shall promote orderly fisheries and shall enhance and improve recreational and commercial fishing in this state. The commission may authorize the taking of wildlife, food fish, game fish, and shellfish only at times or places, or in manners or quantities, as in the judgment of the commission does not impair the supply of these resources. The commission shall attempt to maximize the public recreational game fishing and hunting opportunities of all citizens, including juvenile, disabled, and senior citizens. Recognizing that the management of our state wildlife, food fish, game fish, and shellfish resources depends heavily on the assistance of volunteers, the department shall work cooperatively with volunteer groups and individuals to achieve the goals of this title to the greatest extent possible. Nothing in this title shall be construed to infringe on the right of a private property owner to control the owner's private property.

WAC 220-101-020 Department description and authority. (1) Throughout this chapter, "department" is used to mean the Washington fish and wildlife commission and the Washington department of fish and wildlife. The term department may also include the staff and employees of the department of fish and wildlife, where indicated by context. (2) The department of fish and wildlife is the agency to which the legislature has delegated responsibility for preserving, protecting, perpetuating, and managing fish and wildlife in the lands and waters of the state, including offshore waters.

(3) Prior to the Commission approving petitions or recommended rule change that is directly against the department staff recommendation, the said Commissioner(s) must work along side staff in the field and/or at headquarters a minimum of 16 hours to better understand the issue or petitioned change.

(4) If a Commissioner is not following the mandate of RCW 77.04.012, the fellow commissioners must inform the Governor and start investigation proceedings into the accusations.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-101-020, filed 2/15/17, effective 3/18/17. Statutory

Authority: Chapter 42.56 RCW, RCW 42.56.040, 77.04.013, and 77.12.047. WSR 12-15-001 (Order 12-139), § 220-80-020, filed 7/6/12, effective 8/6/12; Order 1104, § 220-80-020, filed 11/26/73.]