

NOTICE OF DEFECT IN FILING OF NOTICE OR RULES
UNDER ADMINISTRATIVE PROCEDURES ACT
(Chapter 34.04 RCW)

TO: Department of Game
600 North Capitol Way
Olympia, Washington 98501

DATE: May 17, 1968

Dear Sir(s):

The following defect has been noted in the notice
or rules filed on May 17, 1968 relating to:
(date)

Permanent Rules: 1. Classifying sea otter as a game animal
(Reg. No. 4).
2. Regulating use of Game Department land
(Reg. No. 55).

RE: Notice No. 2007

- (1) [] Purports to be emergency adoption, but lacks statement of nature of emergency.
- (2) [] Purports to be regular adoption, but notice of intention to adopt not timely filed.
- (3) [] Purports to be regular adoption, but no notice of intention filed.
- (4) [x] Not enough copies of CR-2 Form and copies of rule. Rules not filed according to WAC 1-12-040 through 1-12-210. See enclosed Chapter 1-12 WAC.

We are holding this proposed filing in suspense, pending further instructions from you. Please address communications to Code Reviser's Office, Legislative Building, Olympia 98501 or call Mrs. Barmore at Area Code 206 753-6804, SCAN 234-6804.

See overleaf for pertinent provisions of Administrative Procedure Act.

Yours very truly,

RICHARD O. WHITE
Code Reviser

Checked!
See Docket
2073
Will assume
5-17-68
filing list
Filed 5-17-68
Docket 2055
File 6
In suspense

TRANSMITTAL OF RULES ADOPTED

FROM: DEPARTMENT OF GAME
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. _____
Emergency rules

relating to (Name of rules or description of subject matter)

1. Classifying sea otter as a game animal (Permanent Regulation No. 4)
2. Regulating use of Game Department land (Permanent Regulation No. 55)

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 2007 ① filed with the code reviser
 on March 11, 1968 ② were regularly adopted as permanent rules of this
 agency at Olympia, Washington on April 1, 1968 and are herewith
 filed in the office of the code reviser pursuant to chapter 34.04
 RCW. The effective date of such rules shall be _____ ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
 these rules is necessary for the preservation of the public
 health, safety, or general welfare and that observance of the
 requirements of notice and opportunity to present views on
 the proposed action would be contrary to the public interest,
 were regularly adopted as emergency rules of this agency at
 _____ on _____ and are herewith filed in
 the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 16th day of May 1968.

STATE OF WASHINGTON
FILED
 MAY 17 1968
 CODE REVISER'S OFFICE
 DOCKET # 2055 FILE # 6

DEPARTMENT OF GAME
 (AGENCY)
Mike Johnston
 By Mike Johnston
 ASSISTANT ATTORNEY GENERAL
 Title

① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY RE-
 VISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
 ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVIS-
 ER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
 ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED
 IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING:
 RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

N O T I C E

The following resolution and regulation was duly and regularly passed and adopted at a regular meeting, April 1, 1968, of the State Game Commission for the State of Washington.

RESOLVED: That the Permanent Rule and Regulation hereinafter set forth was duly ordered, adopted and promulgated by vote of the State Game Commission to be effective June 20, 1968.

RESOLVED FURTHER: That Permanent Regulation No. 4 shall be amended to read as follows:

Certain wild animals are hereby classified as game animals and fur-bearing animals,

- Amended
2/22/12/1970*
- (a) Game animals shall include deer of the genus *Odocoileus*, commonly known as whitetail, black-tail and mule deer; elk; antelope; mountain sheep; mountain goat; moose; caribou; gray squirrel; hoary or whistling marmot; cottontail rabbit; snowshoe rabbit; bullfrog; bear, except bear taken in Clallam, Grays Harbor, Jefferson, Kitsap and Mason counties shall not be deemed game animals. Cougar are game animals PROVIDED that any person taking a cougar shall not be subject to the provisions of RCW 77.16.090 (Wastage Law). Domestically raised reindeer shall not be construed as game animals.
- (b) Fur-bearing animals shall include beaver, fisher, marten, mink, muskrat, otter, Canada lynx, wolverine and sea otter (*Enhydra lutris*).

The foregoing Permanent Rule and Regulation shall be forthwith entered and recorded in the minutes of the Commission and published in Olympia, Thurston County, Washington, as provided by law.

Dated at Olympia, Washington, this 1st day of April, 1968.

STATE GAME COMMISSION

James H. Ralls, Chairman
Albert T. Prichard
Claude Bekins
Edson Dow
Arthur S. Coffin
Harold A. Pebbles

N O T I C E

The following resolution and regulation was duly and regularly passed and adopted at a regular meeting, April 1, 1968, of the State Game Commission for the State of Washington.

RESOLVED: That the Permanent Rule and Regulation hereinafter set forth was duly ordered, adopted and promulgated by vote of the State Game Commission until further changed.

RESOLVED FURTHER: For the preservation of areas having scientific and historic values, it shall be unlawful for any person to engage in rock hounding, digging, excavating, collection or removal of petrified wood, rock-hound materials and artifacts in the following described land in Kittitas County: All of Sections 1, 2, 14 and 15 and that part of Section 22 lying north of the Vantage Highway, in Township 17 North, Range 22 E.W.M.

RESOLVED FURTHER: That the Director shall be authorized to close additional areas for the preservation of areas having scientific and historical values.

AND BE IT FURTHER RESOLVED: That individual collection and removal of rock-hound materials, artifacts and petrified wood on Department of Game controlled land that are not specifically closed, are open without charge to non-commercial individual collection subject to the following provisions:

1. Hand tools only may be used for excavation. Use of explosives and power equipment is prohibited.
2. The maximum amount of material that may be taken per person is limited to twenty-five (25) pounds per day plus one piece and two hundred fifty (250) pounds per year.
3. If a person wishes to remove a specimen weighing over two hundred fifty (250) pounds for display in a museum or similar institution, he must obtain a permit from the Director of Game.

The foregoing Permanent Rule and Regulation shall be forthwith entered and recorded in the minutes of the Commission and published in Olympia, Thurston County, Washington, as provided by law.

Dated at Olympia, Washington, this 1st day of April, 1968.

STATE GAME COMMISSION

James H. Ralls, Chairman
 Albert T. Prichard
 Claude Bekins
 Edson Dow
 Arthur S. Coffin
 Harold A. Pebbles