

WSR 22-21-135

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed October 19, 2022, 8:30 a.m.]

Continuance of WSR 22-18-104.

Preproposal statement of inquiry was filed as WSR 22-03-102.

Title of Rule and Other Identifying Information: WAC 308-312-060 Fees.

Hearing Location(s): On November 29, 2022, at 9:00 a.m., Zoom meeting <https://dol-wa.zoom.us/j/84758419921?pwd=Nkx6TnB0U1RMOWx6VEJhSlJnZUVtdz09>, Meeting ID 847 5841 9921, Passcode 732248; One-tap mobile +12532158782,,84758419921#,,,,*732248# US (Tacoma), +17193594580,,84758419921#,,,,*732248# US; dial by your location +1 253 215 8782 US (Tacoma), +1 719 359 4580 US. Find your local number <https://dol-wa.zoom.us/j/84758419921?pwd=Nkx6TnB0U1RMOWx6VEJhSlJnZUVtdz09>. Persons wishing to attend in person can come to the Highways and Licensing Building, 1125 Washington Street S.E., Olympia, WA 98501. If you are having issues accessing the public hearing at the time of the scheduled hearing, please call 360-902-3846.

Date of Intended Adoption: November 30, 2022.

Submit Written Comments to: Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98504, email rulescoordinator@dol.wa.gov, by November 28, 2022.

Assistance for Persons with Disabilities: Contact Ellis Starrett, phone 360-902-3846, email rulescoordinator@dol.wa.gov, by November 22, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is increasing fees for whitewater river outfitters to continue covering the costs to administer the program, as these costs have increased over the years.

Reasons Supporting Proposal: The department is required to set fees for each professional, occupational, or business licensing program at a sufficient level to defray the costs of administering that program. Current fees are insufficient to sustain this program. The department is considering fee increases that would go into effect in January of 2023.

Statutory Authority for Adoption: RCW 43.24.086 Fee policy for professions, occupations, and businesses—Determination by rule.

Statute Being Implemented: Not applicable.

Rule is not necessitated by federal law, federal or state court decision.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Not applicable.

Name of Agency Personnel Responsible for Drafting: Kelsey Stone, 1125 Washington Street S.E., Olympia, WA 98504, 360-902-0131; Implementation and Enforcement: Julie Japhet, 405 Black Lake Boulevard S.W., Olympia, WA 98502, 360-664-1442.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. These fees are exempt from the requirements in RCW 34.05.328 because they set or adjust fees or rates pursuant to legislative standards, specifically RCW 43.24.086.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute; and rules set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045.

Scope of exemption for rule proposal:
Is fully exempt.

October 19, 2022
Ellis Starrett
Rules and Policy Manager

OTS-3959.1

AMENDATORY SECTION (Amending WSR 98-03-055, filed 1/16/98, effective 2/16/98)

WAC 308-312-060 Fees. (1) The following fees apply to the whitewater river outfitter license:
(a) New application, (~~(\$25.00)~~) \$35.00 per business location.
(b) Annual renewal, (~~(\$25.00)~~) \$35.00 per business location.
(2) New and renewal applications are charged the application handling fee listed in RCW 19.02.075.
Delinquent renewal applications may be charged the delinquency fee listed in RCW 19.02.085.

[Statutory Authority: RCW 88.12.276 and 1997 c 391 § 9. WSR 98-03-055, § 308-312-060, filed 1/16/98, effective 2/16/98.]