

HOUSE BILL REPORT

ESHB 2793

As Passed Legislature

Title: An act relating to implementation of Referendum Bill No. 45 by the fish and wildlife commission.

Brief Description: Providing for implementation of Referendum 45.

Sponsors: By House Committee on Natural Resources (originally sponsored by Representatives Fuhrman, Jacobsen, Basich, Thompson, Grant and L. Thomas).

Brief History:

Committee Activity:

Natural Resources: 1/31/96, 2/2/96 [DPS].

Floor Activity:

Passed House: 2/8/96, 98-0.

Senate Amended.

House Concurred.

Passed Legislature.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Fuhrman, Chairman; Buck, Vice Chairman; Pennington, Vice Chairman; Regala, Assistant Ranking Minority Member; Elliot; Hatfield; Jacobsen; Keiser; Sheldon; B. Thomas and Thompson.

Staff: Linda Byers (786-7129).

Background: Prior to 1993, there were six members on the Wildlife Commission. A companion statute required approval of four commission members to adopt rules. During the 1993 legislative session, the Legislature merged the former departments of Fisheries and Wildlife. The merger bill increased the number of members on the re-named Fish and Wildlife Commission from six to nine. The companion statute regarding the number of members' approval necessary for rule-making was not amended.

With the passage of Referendum 45 in the November 1995 general election, voters turned over primary control of the Department of Fish and Wildlife to the Fish and Wildlife Commission. The referendum takes effect July 1, 1996. This is the same

date by which the commission is to report to the Legislature on the statutory changes needed to implement the referendum fully. These proposed changes could then be considered during the 1997 legislative session. However, if the Legislature wishes to make any changes prior to the referendum effective date, these changes must be addressed during the 1996 legislative session.

Summary of Bill: The approval of a majority of, rather than four, members of the Fish and Wildlife Commission is required in order for the commission to adopt rules.

The Legislature begins to make the statutory changes necessary to implement Referendum 45. One statute from the 1993 merger bill regarding the appointment of the department director by the Governor is repealed. Two statutes describing the duties of the director are amended to reflect the commission's responsibility for determining the director's duties. In a number of places in the Fisheries Code, references to "rules of the director" are replaced with "rules of the department."

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on July 1, 1996.

Testimony For: The assistant attorney general is looking over all the needed statutory changes. We are pressing forward and need to proceed with this bill. We appreciate your making this vehicle available for us.

Testimony Against: None.

Testified: Mitch Johnson, Fish and Wildlife Commission (pro).