
HOUSE BILL 2395

State of Washington

54th Legislature

1996 Regular Session

By Representatives Stevens, Basich, Fuhrman, Hatfield and Mastin; by request of Department of Fish and Wildlife

Read first time 01/10/96. Referred to Committee on Natural Resources.

1 AN ACT Relating to auctions and raffles authorized by the fish and
2 wildlife commission; amending RCW 9.46.010, 77.32.050, 77.32.060,
3 77.32.090, 77.32.230, and 77.32.250; adding a new section to chapter
4 9.46 RCW; adding a new section to chapter 77.08 RCW; adding new
5 sections to chapter 77.12 RCW; creating a new section; and repealing
6 RCW 77.12.700.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** The legislature finds that it is in the best
9 interest of recreational hunters to provide them with the variety of
10 hunting opportunities provided by auctions and raffles. Raffles
11 provide an affordable opportunity for most hunters to participate in
12 special hunts for big game animals and wild turkeys. The legislature
13 also finds that wildlife management and recreation are not adequately
14 funded and that such auctions and raffles can increase revenues to
15 improve wildlife management and recreation.

16 **Sec. 2.** RCW 9.46.010 and 1994 c 218 s 2 are each amended to read
17 as follows:

1 The public policy of the state of Washington on gambling is to keep
2 the criminal element out of gambling and to promote the social welfare
3 of the people by limiting the nature and scope of gambling activities
4 and by strict regulation and control.

5 It is hereby declared to be the policy of the legislature,
6 recognizing the close relationship between professional gambling and
7 organized crime, to restrain all persons from seeking profit from
8 professional gambling activities in this state; to restrain all persons
9 from patronizing such professional gambling activities; to safeguard
10 the public against the evils induced by common gamblers and common
11 gambling houses engaged in professional gambling; and at the same time,
12 both to preserve the freedom of the press and to avoid restricting
13 participation by individuals in activities and social pastimes, which
14 activities and social pastimes are more for amusement rather than for
15 profit, do not maliciously affect the public, and do not breach the
16 peace.

17 The legislature further declares that the raising of funds for the
18 promotion of bona fide charitable or nonprofit organizations is in the
19 public interest as is participation in such activities and social
20 pastimes as are hereinafter in this chapter authorized.

21 The legislature further declares that the conducting of bingo,
22 raffles, and amusement games and the operation of punch boards, pull-
23 tabs, card games and other social pastimes, when conducted pursuant to
24 the provisions of this chapter and any rules and regulations adopted
25 pursuant thereto, are hereby authorized, as are only such lotteries for
26 which no valuable consideration has been paid or agreed to be paid as
27 hereinafter in this chapter provided.

28 The legislature further declares that fishing derbies shall not
29 constitute any form of gambling and shall not be considered as a
30 lottery, a raffle, or an amusement game and shall not be subject to the
31 provisions of this chapter or any rules and regulations adopted
32 hereunder.

33 The legislature further declares that raffles authorized by the
34 fish and wildlife commission involving hunting big game animals or wild
35 turkeys shall not be subject to the provisions of this chapter or any
36 rules and regulations adopted hereunder.

37 All factors incident to the activities authorized in this chapter
38 shall be closely controlled, and the provisions of this chapter shall
39 be liberally construed to achieve such end.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.46 RCW
2 to read as follows:

3 Any raffle authorized by the fish and wildlife commission involving
4 hunting big game animals or wild turkeys shall not be subject to any
5 other provisions of this chapter or to any rules or regulations of the
6 gambling commission.

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 77.08 RCW
8 to read as follows:

9 "Raffle," as used in this title, means an activity in which tickets
10 bearing an individual number are sold for not more than twenty-five
11 dollars each and in which a permit or permits are awarded to hunt or
12 for access to hunt big game animals or wild turkeys on the basis of a
13 drawing from the tickets by the person or persons conducting the
14 raffle.

15 NEW SECTION. **Sec. 5.** A new section is added to chapter 77.12 RCW
16 to read as follows:

17 (1) The commission in consultation with the director may authorize
18 hunting of big game animals and wild turkeys through auction. The
19 department may conduct the auction for the hunt or contract with a
20 nonprofit wildlife conservation organization to conduct the auction for
21 the hunt.

22 (2) The commission in consultation with the director may authorize
23 hunting of up to a total of fifteen big game animals and wild turkeys
24 per year through raffle. The department may conduct raffles or
25 contract with a nonprofit wildlife conservation organization to conduct
26 raffles for hunting these animals. In consultation with the gambling
27 commission, the director may adopt rules for the implementation of
28 raffles involving hunting.

29 (3) The director shall establish the procedures for the hunts,
30 which shall require any participants to obtain any required license,
31 permit, or tag. Representatives of the department may participate in
32 the hunt upon the request of the commission to ensure that the animals
33 to be killed are properly identified.

34 (4) After deducting the expenses of conducting an auction or
35 raffle, any revenues retained by a nonprofit organization, as specified
36 under contract with the department, shall be devoted solely for

1 wildlife conservation, consistent with its qualification as a bona fide
2 nonprofit organization for wildlife conservation.

3 (5) A nonprofit wildlife conservation organization may request the
4 commission to authorize a special hunt for big game animals and wild
5 turkeys upon petition.

6 NEW SECTION. **Sec. 6.** A new section is added to chapter 77.12 RCW
7 to read as follows:

8 If a private entity has a private lands wildlife management area
9 agreement in effect with the department, the commission may authorize
10 the private entity to conduct raffles for access to hunt for big game
11 animals and wild turkeys to meet the conditions of the agreement. The
12 private entity shall comply with all applicable rules adopted under
13 section 5 of this act for the implementation of raffles. The director
14 shall establish the procedures for the hunts, which shall require any
15 participants to obtain any required license, permit, or tag.
16 Representatives of the department may participate in the hunt upon the
17 request of the commission to ensure that the animals to be killed are
18 properly identified.

19 **Sec. 7.** RCW 77.32.050 and 1995 c 116 s 1 are each amended to read
20 as follows:

21 Licenses, permits, tags, and stamps required by this chapter and
22 raffle tickets authorized under chapter 77.12 RCW shall be issued under
23 the authority of the commission. The director may authorize department
24 personnel, county auditors, or other reputable citizens to issue
25 licenses, permits, tags, ~~((and))~~ stamps, and raffle tickets, and
26 collect the appropriate fees. The authorized persons shall pay on
27 demand or before the tenth day of the following month the fees
28 collected and shall make reports as required by the director. The
29 director may adopt rules for issuing licenses, permits, tags, ~~((and))~~
30 stamps, and raffle tickets, collecting and paying fees, and making
31 reports.

32 **Sec. 8.** RCW 77.32.060 and 1995 c 116 s 2 are each amended to read
33 as follows:

34 The director may adopt rules establishing the amount a license
35 dealer may charge and keep for each license, tag, permit, ~~((or))~~ stamp,
36 or raffle ticket issued. The director shall establish the amount to be

1 retained by dealers to be at least fifty cents for each license issued,
2 and twenty-five cents for each tag, permit, ~~((or))~~ stamp, or raffle
3 ticket, issued. The director shall report to the next regular session
4 of the legislature explaining any increase in the amount retained by
5 license dealers. Fees retained by dealers shall be uniform throughout
6 the state.

7 **Sec. 9.** RCW 77.32.090 and 1995 c 116 s 4 are each amended to read
8 as follows:

9 The director may adopt rules pertaining to the form, period of
10 validity, use, possession, and display of licenses, permits, tags, and
11 stamps required by this chapter and raffle tickets authorized under
12 chapter 77.12 RCW.

13 **Sec. 10.** RCW 77.32.230 and 1994 c 255 s 12 are each amended to
14 read as follows:

15 (1) A person sixty-five years of age or older who is an honorably
16 discharged veteran of the United States armed forces having a service-
17 connected disability and who is a resident may receive upon written
18 application a hunting and fishing license free of charge.

19 (2) Residents who are honorably discharged veterans of the United
20 States armed forces with a thirty percent or more service-connected
21 disability may receive upon written application a hunting and fishing
22 license free of charge.

23 (3) An honorably discharged veteran who is a resident and is
24 confined to a wheelchair shall receive upon application a hunting
25 license free of charge.

26 (4) A person who is blind, or a person with a developmental
27 disability as defined in RCW 71A.10.020 with documentation of the
28 disability from the department of social and health services, or a
29 physically handicapped person confined to a wheelchair may receive upon
30 written application a fishing license free of charge.

31 (5) A person who is blind or a physically handicapped person
32 confined to a wheelchair who has been issued a card for a permanent
33 disability under RCW 46.16.381 may use that card in place of a fishing
34 license.

35 (6) A fishing license is not required for residents under the age
36 of fifteen.

1 (7) Tags, permits, stamps, and steelhead licenses required by this
2 chapter and raffle tickets authorized under chapter 77.12 RCW shall be
3 purchased separately by persons receiving a free or reduced-fee
4 license.

5 (8) Licenses issued at no charge under this section shall be issued
6 from Olympia as provided by rule of the director, and are valid for
7 five years.

8 **Sec. 11.** RCW 77.32.250 and 1995 c 116 s 5 are each amended to read
9 as follows:

10 Licenses, permits, tags, and stamps required by this chapter and
11 raffle tickets authorized under chapter 77.12 RCW shall not be
12 transferred and, unless otherwise provided in this chapter, are void on
13 January 1st following the year for which the license, permit, tag,
14 ~~((or))~~ stamp, or raffle ticket was issued.

15 Upon request of a wildlife agent or ex officio wildlife agent,
16 persons licensed, operating under a permit, or possessing wildlife
17 under the authority of this chapter shall produce required licenses,
18 permits, tags, ~~((or))~~ stamps, or raffle tickets for inspection and
19 write their signatures for comparison and in addition display their
20 wildlife. Failure to comply with the request is prima facie evidence
21 that the person has no license or is not the person named.

22 NEW SECTION. **Sec. 12.** RCW 77.12.700 and 1987 c 506 s 56 are each
23 repealed.

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