

# SENATE BILL REPORT

## 2SSB 6330

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As Passed Senate, February 17, 1998

**Title:** An act relating to fish and wildlife licenses.

**Brief Description:** Modifying provisions concerning recreational fish and wildlife licenses.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Oke, Jacobsen, Swecker, Spanel, Loveland and Rasmussen).

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 1/22/98, 1/23/98 [DPS-WM].  
Ways & Means: 2/10/98 [DP2S].  
Passed Senate, 2/17/98, 44-3.

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Majority Report:** That Substitute Senate Bill No. 6330 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Oke, Chair; Hargrove, Jacobsen, Morton, Snyder, Spanel, Stevens and Swecker.

**Staff:** Paul Mabrey (786-7412)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Second Substitute Senate Bill No. 6330 be substituted therefor, and the second substitute bill do pass.

Signed by Senators West, Chair; Deccio, Vice Chair; Strannigan, Vice Chair; Fraser, Hochstatter, Kohl, Long, McDonald, Roach, Rossi, Schow, Spanel, Swecker and Zarelli.

**Staff:** Ross Antipa (786-7413)

**Background:** In 1996, the Legislature passed a measure that prompted the Washington Department of Fish and Wildlife (WDFW) to conduct surveys, perform inquiries and make recommendations regarding the simplification, modernization, and consolidation of Washington State's recreational fishing and hunting licensing program. This legislation is the result of those efforts.

Current law provides that fishing license fees and requirements are based on whether the fish being caught are food fish or game fish. A person must obtain two licenses to fish for food fish and game fish. Food fish license requirements and fees are administered under the food fish provisions of the fisheries laws. Game fish license requirements and fees are administered under the game fish provisions of the wildlife laws. Food fish include such species as salmon, whereas game fish include such species as trout and bass.

A personal use food fish license is required of all persons except residents under the age of 15 years. The fee for a personal use food fish license is \$8 for a person over 15 years and under 70 years of age, \$3 for a resident over the age of 70, and \$20 for a nonresident. The fee for a three-consecutive-day personal use food fish license is \$5.

A game fish license is required of all persons over the age of 15 years and under 70 years of age. The fee for a game fish license is \$17 for a resident between the ages of 15 and 70, \$3 for a resident over 70 years of age, \$20 for a nonresident under 15 years of age, and \$48 for a nonresident 15 years of age or older. A separate license is required to fish for steelhead. The fee for a steelhead fishing license is \$18 and requires that the fisherman have a valid game fish license. For \$6, a juvenile steelhead license is available for residents and nonresidents under the age of 15.

A personal use seaweed and shellfish license is required of all persons except residents under the age of 15. The fee for a personal use seaweed and shellfish license is \$5 for a resident over 15 years and under 70 years of age, \$3 for a resident over 70 years of age, and \$20 for a nonresident.

Hunting licenses are required to hunt wild game in Washington. The fee for a hunting license in Washington is \$15 for residents and \$150 for nonresidents. The license allows the holder to hunt anywhere in the state. In addition to a basic hunting license, a separate transport tag is required to hunt deer, elk, bear, cougar, sheep, mountain goat, moose, or wild turkey. The fees for these tags are shown in the following table:

Species Tag	Resident	Nonresident
Elk Tag	\$24	\$120
Bear Tag	\$18	\$180
Cougar Tag	\$24	\$360
Mountain Goat Tag	\$60	\$180
Sheep Tag	\$90	\$360
Moose Tag	\$180	\$360
Wild Turkey Tag	\$18	\$60
Lynx Tag	\$24	\$360

**Summary of Bill:** A definition section is added to the current law governing recreational fishing which defines resident,– nonresident,– youth,– senior,– game fish,– and license year.– Personal use freshwater, saltwater, and combination recreational licenses are established which replace the personal use food fish license and game fish license. A combination license is established and permits license holders to fish for food fish and game fish in all state waters and offshore waters.

A personal use saltwater, freshwater, or combination fishing license is required of all persons except residents under the age of 12 years.

The fee for a combination saltwater, freshwater, shellfish license is \$36 for a resident, \$72 for a nonresident, and \$5 for youth.

The personal use saltwater license fee is set at \$18 for residents, \$36 for nonresidents, and \$5 for seniors.

The personal use freshwater fishing license is set at \$20 for residents, \$40 for nonresidents and \$5 for seniors.

A family fishing weekend license is established with specific requirements relating to the permitted number of youths, residents and nonresidents. The fee for the family weekend license is set at \$20.

The fee for a personal use shellfish and seaweed license is changed to \$7 for a resident, \$20 for a nonresident, and \$5 for a senior. The license is required for all persons other than residents or nonresidents under 12 years of age.

The definitions section of the current law governing hunting and trapping licenses is amended to add definitions for youth, senior, food fish, shellfish, seaweed, and license year which correlate and compliment the definitions section in the fishing license statute.

Two categories of hunting licenses are created that replace previous hunting license fee requirements and tag fee provisions.

The first category, big game license, has five options and allows the holder to hunt for forest grouse and the individual species identified within the specific license package. The following chart shows the five options created, the species to be hunted in each option, and the fee for each option.

<b>Category</b>	<b>Species</b>	<b>Fee</b>
Big Game # 1	Deer, Elk, Bear, Cougar	Resident - \$65 Nonresident - \$660 Youth - \$33
Big Game #2	Deer and Elk	Resident - \$56 Nonresident - \$560 Youth - \$28
Big Game #3	Deer or Elk, Bear, and Cougar	Resident - \$46 Nonresident - \$460 Youth - \$23
Big Game #4	Deer or Elk	Resident - \$36 Nonresident - \$360 Youth - \$18

Big Game #5	Bear and Cougar	Resident - \$20 Nonresident - \$200 Youth - \$10
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A transport tag for one animal is included in the fee for each of the options.

The second category is the small game hunting license which allows the holder to hunt for all wild animals and wild birds except big game. The fee for this license is \$30 for residents, \$150 for nonresidents, and \$15 for youth. A fee reduction is provided when a hunter purchases a big game combination license package.

All hunting license fees are reduced to the youth fee amount for residents who (1) are honorably discharged veterans of the United States armed forces, and (2) have a service-connected disability and are 65 years of age, have a 30 percent or more service-connected disability, or are confined to a wheelchair. Similar reduced fee provisions are made for all fishing license fees for veterans with disabilities, blind persons, persons with developmental disabilities, and severely handicapped persons. The fee for a fishing license for these individuals is \$5.

The migratory bird stamp replaces the migratory waterfowl stamp. Revenue from the sale of the migratory bird stamp to waterfowl hunters is directed to be used for migratory waterfowl projects and revenues from the sale of the stamp to nonwaterfowl hunters is directed to be used for nonwaterfowl migratory bird projects.

Language is updated to reflect recent legislation that created and provided administrative powers to the Wildlife Commission. Language is similarly updated regarding the substitution of the term fish and wildlife enforcement officer– for wildlife agent.–

Revenue from the recreational saltwater fishing and shellfish licenses is deposited in the general fund. Revenue from freshwater fishing licenses and hunting licenses is deposited in the wildlife fund.

Several sections of the fisheries statute and the wildlife statute which deal with the recreational license program are repealed.

**Appropriation:** None.

**Fiscal Note:** Requested on January 19, 1998.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For (Natural Resources & Parks):** Review of 1996 legislation requiring the department to conduct surveys and inquiries and make recommendations. The research procedure was outlined and explained. The results of the research were discussed. Use of the wildlife fund monies was expanded to include habit in addition to wildlife species. Additionally, all funds from the sale of recreational hunting and fishing licenses are proposed to go into the wildlife fund, instead of partially going to the general fund (approximately \$7 M currently goes to the general fund from the sale of recreational food fish licenses).

Recreational licenses are currently too complicated and difficult to obtain. Untrained persons issuing licenses add to the difficulty of obtaining the license. The physical form of the license should be improved so that it is easier to handle and will be sturdier. There is general support for the bill from industry representatives.

**Testimony Against (Natural Resources & Parks):** Fee increases for some fishermen are significant. The cost per fish caught in some fisheries is doubled. Inclusion of albacore in the licensing requirement is found to create a hardship on fishermen. Language to clarify license transition areas between salt water and freshwater is needed. Section 49 dealing with protection of license holder personal information should be modified to allow release of the information for non-commercial uses. Short term license requirements should be extended from a one day to a two day license.

**Testified (Natural Resources & Parks):** Allan Woodbridge, Washington State Rifle & Pistol Association, Western Fish and Wildlife Foundation, Washington Property Rights Alliance (pro); Mark Cedergreen, Westport Charter Boat Association (pro w/amend.); Bill Robinson, NWSSC (pro w/concerns); Maria Hug, WDFW.

**Testimony For** (the public in knowing which licenses are required, for efficient enforcement and for proper distribution of funding from license sales.

**Testimony Against (Ways & Means):** None.

**Testified (Ways & Means):** Bern Shanks, Director, Fish and Wildlife Department; Betty Buckley, Maria Hug, Fish and Wildlife Department.

#### **House Amendment(s):**

Authorization is granted to the commission to issue "designated harvester cards" to persons of disability. Persons of disability may have another person take or harvest shellfish, game fish, or food fish, but that person must have a valid license and must have a designated harvester card. Furthermore, the disabled person for whom the designated harvester is fishing or harvesting must be present on site and possess a combination fishing license. However, the licensed disabled person does not have to be at the specific location where the designated harvester is harvesting shellfish, but he or she must be within line of sight. The disabled person needs to be present and participating in the fishing activity of the designated harvester.

The sections dealing with migratory bird hunting, Sections 24 and 25 ( RCW 77.32.350), are effective in two stages. Section 24 takes effect immediately and changes current law only to the extent that it requires a migratory bird stamp to be affixed to hunting licenses of all migratory bird hunters. Section 25 amends and replaces Section 24 when it takes effect 90 days after passage. Section 25 is not changed from the original Senate bill, except that persons under 16 years of age are exempt from the stamp requirement.

Section 37 in the original Senate bill provided exemption from disclosure of personal information of license holders except to nonprofit organizations for noncommercial use. The House version eliminates that provision.

Section 31 in the original Senate bill changes existing law by designating where the revenues from the sale of stamps will be used. The House version tightens up the language by specifying the method by which the department will use to determine the relative amounts contributed by nonmigratory bird hunters and migratory bird hunters. The relative amounts are then specified to be placed in the wildlife fund for use in projects specifically pertaining to the appropriate category of bird (migratory or nonmigratory).

The age requirement for a personal use shellfish and seaweed license is returned to current law standard: all persons 15 years or older are required to have a license. The Senate version required a license for all persons 12 years of age or older.

The "youth" definition for fishing is changed from a person 12 years of age or older to a person 15 years of age.

The department is required to initially deposit 6.512 percent of the funds received from freshwater licenses and combination licenses into the warm water game fish account. The percentage will be adjusted annually to reflect the actual number of license holders based on a survey to be conducted beginning in the 2000-2001 license year. The Legislature expects such annual deposits to be at least \$1,250,000.

Saltwater, freshwater, combination, temporary or family fishing weekend licenses are required for all persons 15 years of age or older. The Senate version required such licenses for all persons 12 years of age or older.

A migratory bird stamp is required for all persons 16 years of age or older, which is the standard under current law. The Senate version required a stamp for all resident or non-resident hunters but gave a price reduction (\$3 instead of \$6) to hunters under 16 years of age.

There is a technical amendment which fixed an error in the effective date section. The effective date for all sections is January 1, 1999 except those sections pertaining to administration of the licensing program, migratory bird provisions, the appropriation section referring to administration of the saltwater and freshwater programs, and a repealer section, all of which take effect immediately.

A null and void clause is added to the House version.