
HOUSE BILL 2813

State of Washington

56th Legislature

2000 Regular Session

By Representatives Hatfield and Pennington

Read first time 01/20/2000. 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, 77.32.090, and
3 77.32.250; reenacting and amending RCW 77.12.170; creating a new
4 section; repealing RCW 9.46.400, 77.08.070, 77.12.770, and 77.12.780;
5 repealing 1998 c 245 s 160; and providing an effective date.

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

7 NEW SECTION. **Sec. 1.** The legislature recognizes that the current
8 process for providing hunting opportunities through auctions and
9 raffles does not provide recreational hunters an equal opportunity to
10 participate in hunts for big game animals. The legislature finds that
11 any additional revenues brought in through these auctions and raffles
12 are minimal at best, and that the process allows additional for-profit
13 auctions and raffles to take place by private parties and landowners
14 and causes additional expense to the state with no reciprocal revenue
15 generated on behalf of the state. Therefore, the legislature declares
16 that the current process for conducting auctions and raffles for big
17 game hunts should be eliminated and replaced with general seasons open
18 to all citizens on an annual basis.

1 **Sec. 2.** RCW 9.46.010 and 1996 c 101 s 2 are each amended to read
2 as follows:

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

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

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

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

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

35 (~~The legislature further declares that raffles authorized by the~~
36 ~~fish and wildlife commission involving hunting big game animals or wild~~
37 ~~turkeys shall not be subject to the provisions of this chapter or any~~
38 ~~rules and regulations adopted hereunder, with the exception of this~~
39 ~~section and RCW 9.46.400.))~~

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

4 **Sec. 3.** RCW 77.12.170 and 1998 c 191 s 38 and 1998 c 87 s 2 are
5 each reenacted and amended to read as follows:

6 (1) There is established in the state treasury the state wildlife
7 fund which consists of moneys received from:

8 (a) Rentals or concessions of the department;

9 (b) The sale of real or personal property held for department
10 purposes;

11 (c) The sale of licenses, permits, tags, stamps, and punchcards
12 required by this title, except annual resident adult saltwater and all
13 shellfish licenses, which shall be deposited into the state general
14 fund;

15 (d) Fees for informational materials published by the department;

16 (e) Fees for personalized vehicle license plates as provided in
17 chapter 46.16 RCW;

18 (f) Articles or wildlife sold by the director under this title;

19 (g) Compensation for wildlife losses or contributions, gifts, or
20 grants received under RCW 77.12.320 or 77.32.380;

21 (h) Excise tax on anadromous game fish collected under chapter
22 82.27 RCW; and

23 (i) The sale of personal property seized by the department for
24 wildlife violations(~~(i) and~~

25 ~~(j) The department's share of revenues from auctions and raffles~~
26 ~~authorized by the commission)).~~

27 (2) State and county officers receiving any moneys listed in
28 subsection (1) of this section shall deposit them in the state treasury
29 to be credited to the state wildlife fund.

30 **Sec. 4.** RCW 77.32.050 and 1999 c 243 s 2 are each amended to read
31 as follows:

32 All recreational licenses, permits, tags, and stamps required by
33 Titles 75 and 77 RCW (~~(and raffle tickets authorized under chapter~~
34 ~~77.12 RCW)) shall be issued under the authority of the commission. The
35 commission shall adopt rules for the issuance of recreational licenses,
36 permits, tags, and stamps, (~~(and raffle tickets,)~~) and for the
37 collection, payment, and handling of license fees, terms and conditions~~

1 to govern dealers, and dealers' fees. A transaction fee on
2 recreational licenses may be set by the commission and collected from
3 licensees. The department may authorize all or part of such fee to be
4 paid directly to a contractor providing automated licensing system
5 services. Fees retained by dealers shall be uniform throughout the
6 state. The department shall authorize dealers to collect and retain
7 dealer fees of at least two dollars for purchase of a standard hunting
8 or fishing recreational license document, except that the commission
9 may set a lower dealer fee for issuance of tags or when a licensee buys
10 a license that involves a stamp or display card format rather than a
11 standard department licensing document form.

12 **Sec. 5.** RCW 77.32.090 and 1998 c 191 s 12 are each amended to read
13 as follows:

14 The commission may adopt rules pertaining to the form, period of
15 validity, use, possession, and display of licenses, permits, tags, and
16 stamps required by this chapter (~~(and raffle tickets authorized under~~
17 ~~chapter 77.12 RCW)~~).

18 **Sec. 6.** RCW 77.32.250 and 1998 c 191 s 22 are each amended to read
19 as follows:

20 Licenses, permits, tags, and stamps required by this chapter (~~(and~~
21 ~~raffle tickets authorized under chapter 77.12 RCW)~~) shall not be
22 transferred.

23 Upon request of a fish and wildlife officer or ex officio fish and
24 wildlife officer, persons licensed, operating under a permit, or
25 possessing wildlife under the authority of this chapter shall produce
26 required licenses, permits, tags, or stamps(~~(, or raffle tickets)~~) for
27 inspection and write their signatures for comparison and in addition
28 display their wildlife. Failure to comply with the request is prima
29 facie evidence that the person has no license or is not the person
30 named.

31 NEW SECTION. **Sec. 7.** The following acts or parts of acts are each
32 repealed:

- 33 (1) RCW 9.46.400 (Wildlife raffle) and 1996 c 101 s 3;
34 (2) RCW 77.08.070 ("Raffle" defined) and 1996 c 101 s 4;
35 (3) RCW 77.12.770 (Hunting big game--Auction or raffle--Procedure)
36 and 1996 c 101 s 5;

1 (4) RCW 77.12.780 (Private lands--Raffle authorization to hunt big
2 game) and 1996 c 101 s 6; and
3 (5) 1998 c 245 s 160.

4 NEW SECTION. **Sec. 8.** Sections 2 through 7 of this act take effect
5 January 1, 2001.

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