

Natural Resources Committee

HJR 4212

Brief Description: Amending the Constitution regarding initiatives and referenda on fish and wildlife issues.

Sponsors: Representatives Buck, Doumit, Sump, Hatfield, Eickmeyer, Pennington, Veloria, Boldt, O'Brien, Schoesler, Kessler, Clements, Grant and Edwards.

Brief Summary of Bill

- *Proposes a constitutional amendment to the voters of the state which will require any initiative effecting the management of fish and wildlife to receive a 2/3 majority in order to be adopted.*

Hearing Date: 2/16/01

Staff: Jason Callahan (786-7117).

Background:

The first power reserved by the people in the Washington Constitution is the initiative. An initiative is placed on a ballot and proposed to the general electorate when the underlying petition is signed by the appropriate number of voters and the document is filed with the Secretary of State in a timely fashion. Initiatives receiving a majority of the popular vote in its favor are incorporated into state law. Such successful initiatives may not be repealed or changed by the legislature for two years without 2/3 of the legislature agreeing to do so. The current initiative process makes no special provisions for petitions seeking to effect particular areas of law, including the management of the state's fish and wildlife.

The legislature has delegated stewardship of the state's fish and wildlife to the Fish and Wildlife Commission and the Department of Fish and Wildlife. Recent initiatives have effected the management of wildlife. Most recently, Initiative 713 was approved by the voters in the 2000 general election. Initiative 713 prohibited certain trapping methods.

The constitutions of the states of Alaska and Utah both treat initiatives effecting fish and

wildlife differently from general initiatives. Alaska's constitution prohibits any initiatives seeking to prohibit the transportation of wildlife or prescribing seasons or methods for taking wildlife. Utah's constitution requires a 2/3 vote of the electorate before an initiative effecting the management of wildlife is incorporated into state law.

Summary of Bill:

A constitutional amendment is proposed to the voters of Washington. The amendment requires that a 2/3 majority vote is needed for the passage of any initiative that provides rules, permits, regulates, or prohibits the taking or transportation of fish or wildlife, or prescribes seasons or methods for the taking of wildlife.

Appropriation: *None.*

Fiscal Note: *Not Requested.*

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