

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 6353

Chapter 283, Laws of 2002

57th Legislature
2002 Regular Session

MIGRATORY BIRD STAMPS

EFFECTIVE DATE: 6/13/02

Passed by the Senate March 13, 2002
YEAS 37 NAYS 9

BRAD OWEN
President of the Senate

Passed by the House March 13, 2002
YEAS 53 NAYS 44

FRANK CHOPP
**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 6353** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

Approved April 1, 2002

FILED

April 1, 2002 - 11:18 a.m.

GARY LOCKE
Governor of the State of Washington

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 6353

AS AMENDED BY THE HOUSE

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Haugen, Oke and Jacobsen)

READ FIRST TIME 02/12/2002.

1 AN ACT Relating to migratory bird stamps; and amending RCW
2 77.32.350 and 77.12.670.

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

4 **Sec. 1.** RCW 77.32.350 and 2000 c 107 s 270 are each amended to
5 read as follows:

6 In addition to a small game hunting license, a supplemental permit
7 or stamp is required to hunt for western Washington pheasant or
8 migratory birds.

9 (1) A western Washington pheasant permit is required to hunt for
10 pheasant in western Washington. Western Washington pheasant permits
11 must contain numbered spaces for recording the location and date of
12 harvest of each western Washington pheasant.

13 (2) The permit shall be available as a season option, a youth full
14 season option, or a three-day option. The fee for this permit is:

15 (a) For the resident and nonresident full season option, thirty-six
16 dollars;

17 (b) For the youth full season option, eighteen dollars;

18 (c) For the three-day option, twenty dollars.

1 (3) (~~(A migratory bird stamp affixed to a hunting license~~
2 ~~designated by rule of the commission is required for all persons~~
3 ~~sixteen years of age or older to hunt migratory birds. The fee for the~~
4 ~~stamp for hunters is six dollars for residents and nonresidents. The~~
5 ~~fee for the stamp for collectors is six dollars.~~

6 (4) ~~The migratory bird stamp shall be validated by the signature of~~
7 ~~the licensee written across the face of the stamp)) A migratory bird
8 validation is required for all persons sixteen years of age or older to
9 hunt migratory birds. The fee for the validation for hunters is ten
10 dollars for residents and nonresidents. The fee for the stamp for
11 collectors is ten dollars.~~

12 (4) The migratory bird license must be validated at the time of
13 signature of the licensee.

14 **Sec. 2.** RCW 77.12.670 and 1998 c 191 s 32 are each amended to read
15 as follows:

16 (1) The migratory bird stamp to be produced by the department shall
17 use the design as provided by the migratory waterfowl art committee.

18 (2) All revenue derived from the sale of (~~the~~) migratory bird
19 license validations or stamps by the department to any person hunting
20 waterfowl or to any stamp collector shall be deposited in the state
21 wildlife fund and shall be used only for that portion of the cost of
22 printing and production of the stamps for migratory waterfowl hunters
23 as determined by subsection (4) of this section, and for those
24 migratory waterfowl projects specified by the director of the
25 department for the acquisition and development of migratory waterfowl
26 habitat in the state and for the enhancement, protection, and
27 propagation of migratory waterfowl in the state. Migratory bird
28 license validation and stamp funds may not be used on lands controlled
29 by private hunting clubs or on private lands that charge a fee for
30 public access. Migratory bird license validation and stamp funds may
31 be used for migratory waterfowl projects on private land where public
32 hunting is provided by written permission or on areas established by
33 the department as waterfowl hunting closures.

34 (3) All revenue derived from the sale of the license validation and
35 stamp by the department to persons hunting solely nonwaterfowl
36 migratory birds shall be deposited in the state wildlife fund and shall
37 be used only for that portion of the cost of printing and production of
38 the stamps for nonwaterfowl migratory bird hunters as determined by

1 subsection (4) of this section, and for those nonwaterfowl migratory
2 bird projects specified by the director for the acquisition and
3 development of nonwaterfowl migratory bird habitat in the state and for
4 the enhancement, protection, and propagation of nonwaterfowl migratory
5 birds in the state.

6 (4) With regard to the revenue from license validation and stamp
7 sales that is not the result of sales to stamp collectors, the
8 department shall determine the proportion of migratory waterfowl
9 hunters and solely nonwaterfowl migratory bird hunters by using the
10 yearly migratory bird hunter harvest information program survey results
11 or, in the event that these results are not available, other similar
12 survey results. A two-year average of the most recent survey results
13 shall be used to determine the proportion of the revenue attributed to
14 migratory waterfowl hunters and the proportion attributed to solely
15 nonwaterfowl migratory bird hunters for each fiscal year. For fiscal
16 year 1998-99 and for fiscal year 1999-2000, ninety-six percent of the
17 stamp revenue shall be attributed to migratory waterfowl hunters and
18 four percent of the stamp revenue shall be attributed to solely
19 nonwaterfowl migratory game hunters.

20 (5) Acquisition shall include but not be limited to the acceptance
21 of gifts of real estate or any interest therein or the rental, lease,
22 or purchase of real estate or any interest therein. If the department
23 acquires any fee interest, leasehold, or rental interest in real
24 property under this section, it shall allow the general public
25 reasonable access to that property and shall, if appropriate,
26 ((insure)) ensure that the deed or other instrument creating the
27 interest allows such access to the general public. If the department
28 obtains a covenant in real property in its favor or an easement or any
29 other interest in real property under this section, it shall exercise
30 its best efforts to ((insure)) ensure that the deed or other instrument
31 creating the interest grants to the general public in the form of a
32 covenant running with the land reasonable access to the property. The
33 private landowner from whom the department obtains such a covenant or
34 easement shall retain the right of granting access to the lands by
35 written permission, but may not charge a fee for access.

36 (6) The department may produce migratory bird stamps in any given
37 year in excess of those necessary for sale in that year. The excess
38 stamps may be sold to the migratory waterfowl art committee for sale to
39 the public.

Passed the Senate March 13, 2002.
Passed the House March 13, 2002.
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Filed in Office of Secretary of State April 1, 2002.