AN ACT Relating to hunter education; amending RCW 77.32.155 and 77.15.700; and prescribing penalties.

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

Sec. 1. RCW 77.32.155 and 2006 c 23 s 1 are each amended to read as follows:

(1) (a) When purchasing any hunting license, persons under the age of eighteen shall present certification of completion of a course of instruction of at least ten hours in the safe handling of firearms, safety, conservation, and sportsmanship. All persons purchasing any hunting license for the first time, if born after January 1, 1972, shall present such certification.

((2)) (b) The director may establish a program for training persons in the safe handling of firearms, conservation, and sportsmanship and shall prescribe the type of instruction and the qualifications of the instructors. The director may cooperate with the National Rifle Association, organized sportsmen's groups, or other public or private organizations when establishing the training program.

((3)) (c) Upon the successful completion of a course established
under this section, the trainee shall receive a hunter education
certificate signed by an authorized instructor. The certificate is
evidence of compliance with this section.

((4)) (d) The director may accept certificates from other states
that persons have successfully completed firearm safety, hunter
education, or similar courses as evidence of compliance with this
section.

((5)) (2)(a) The director may authorize a once in a lifetime, one
license year deferral of hunter education training for individuals who
are accompanied by a nondeferred Washington-licensed hunter who has
held a Washington hunting license for the prior three years and is over
eighteen years of age. The commission may adopt rules for the
administration of this subsection.

(b) The director is authorized to collect an application fee, not
to exceed twenty dollars, for obtaining the once in a lifetime, one
license year deferral of hunter education training from the department.
This fee must be deposited into the fish and wildlife enforcement
reward account and must be used exclusively to administer the deferral
program created in this subsection.

(c) For the purposes of this subsection, "accompanied" means to go
along with another person while staying within a range of the other
person that permits continual unaided visual and auditory
communication.

(3) To encourage the participation of an adequate number of
instructors for the training program, the commission shall develop
nonmonetary incentives available to individuals who commit to serving
as an instructor. The incentives may include additional hunting
opportunities for instructors.

Sec. 2. RCW 77.15.700 and 2005 c 321 s 1 are each amended to read
as follows:

The department shall impose revocation and suspension of privileges
in the following circumstances:

(1) Upon conviction, if directed by statute for an offense;

(2) Upon conviction, if the department finds that actions of the
defendant demonstrated a willful or wanton disregard for conservation
of fish or wildlife. Such suspension of privileges may be permanent.
This subsection (2) does not apply to violations involving commercial fishing;

(3) If a person is convicted twice within ten years for a violation involving unlawful hunting, killing, or possessing big game, the department shall order revocation and suspension of all hunting privileges for two years. RCW 77.12.722 or 77.16.050 as it existed before June 11, 1998, may comprise one of the convictions constituting the basis for revocation and suspension under this subsection;

(4)(a) If a person is convicted of an offense, has an uncontested notice of infraction, fails to appear at a hearing to contest an infraction, or is found to have committed an infraction three times in ten years involving any violation of recreational hunting or fishing laws or rules, the department shall order a revocation and suspension of all recreational hunting and fishing privileges for two years.

(b) A violation punishable as an infraction counts towards the revocation and suspension of recreational hunting and fishing privileges only where that violation is:

(i) Punishable as a crime on July 24, 2005, and is subsequently decriminalized; or

(ii) One of the following violations, as they exist on July 24, 2005: RCW 77.15.160 (1) or (2); WAC 220-56-116; WAC 220-56-315(11); or WAC 220-56-355 (1) through (4).

(c) The commission may, by rule, designate additional infractions that do not count towards the revocation and suspension of recreational hunting and fishing privileges.

(5) If either the deferred education licensee or the required nondeferred accompanying person, hunting under the authority of RCW 77.32.155(2), is convicted of a violation of this title, except for a violation of RCW 77.15.400 (1) through (3), the department shall revoke all hunting licenses and tags and order a suspension of both the deferred education licensee and the nondeferred accompanying person's hunting privileges for one year.