

# HOUSE BILL REPORT

## HB 2446

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**As Reported by House Committee On:**  
Agriculture & Natural Resources

**Title:** An act relating to the distinction among the roles of governmental employee participants and nongovernmental employee participants on work groups established by the director of the department of fish and wildlife.

**Brief Description:** Concerning the distinction among the roles of governmental employee participants and nongovernmental employee participants on work groups established by the director of the department of fish and wildlife.

**Sponsors:** Representatives Rossetti, Orcutt and Blake.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 1/27/16, 2/3/16 [DP].

**Brief Summary of Bill**

- Authorizes the Director of the Department of Fish and Wildlife (Department) to appoint work groups and task forces or other formal processes to gather, process, and disseminate information in order to complete any of the Department's duties or responsibilities.
- Requires work groups that include nongovernmental participants to be chaired by a nongovernmental participant and prohibits Department employees from serving as chair.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 9 members: Representatives Blake, Chair; Walkinshaw, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Hurst, Lytton, Orcutt, Pettigrew and Stanford.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Chandler and Van De Wege.

**Staff:** Rebecca Lewis (786-7339).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:**

The Washington Department of Fish and Wildlife (Department) is responsible for the management of fish and wildlife and their habitats in the state. The Department also provides and regulates recreational and commercial fish- and wildlife-related opportunities which include hunting, fishing, and wildlife viewing. The Department is governed by the Fish and Wildlife Commission (Commission) comprised of members appointed by the Governor. The Commission has final approval authority for international, interstate, and tribal agreements with the Department and for the Department's budget. The Commission also has the authority to adopt rules to implement the state's fish and wildlife laws.

The Department and Commission have a number of duties and responsibilities, including:

- maximizing hunting, fishing, and outdoor recreation opportunities compatible with healthy fish and wildlife populations;
- establishing hunting, fishing, and trapping seasons; and
- establishing provisions regulating food fish and shellfish.

An annual report must be submitted by the Department to the Governor on Department operations and statistics of the fishing industry. A biennial report is required to be submitted to the Legislature regarding the prior fiscal biennium. The biennial report includes descriptions of revenues, program costs, capital expenditures, new and ongoing research, ongoing litigation, and other issues related to the Department's duties.

The Department also has a variety of advisory groups that provide input on topics related to the Department's responsibilities. Advisory groups include:

- the Enforcement Advisory Committee;
- the Columbia River Coastal Steelhead Workgroup;
- the Master Hunter Advisory Group;
- the Elk Hoof Disease Technical Advisory Group; and
- the Wildlife Diversity Advisory Council.

Membership on advisory groups vary, but can include representatives of state, local, or tribal governments, constituent groups, or members of the public.

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**Summary of Bill:**

The Director of the Department may appoint work groups, task forces, subcommittees, or other formal processes in order to complete any duty or responsibility of the Department. Representatives from other state agencies or other levels of government, tribes, constituent groups, or citizens may be appointed to participate. Any work group, task force, or other process which includes the participation of nongovernmental individuals must be chaired by a nongovernmental individual unless specifically designated in statute. Employees of the Department may only provide staff support or participate in a capacity less than chair.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Citizen participation on work groups is very important. There is a Department work group where there is only one citizen on the group. Other members represent various interest groups. No environmental groups or agencies are included. The agency appears to preset the agenda to accomplish a preconceived outcome. Questions from citizens have not been addressed. The bill would allow more transparency and avoid preconceived solutions before establishing groups. This bill is a minor change that would lead to better cooperation between citizens and the Department.

(Opposed) Work groups are agency-sponsored forums that deal with complex issues. Work group outcomes are sometimes contentious and challenged in court, and need agency oversight in order to avoid conflicts. All stakeholders and interest groups should be represented.

(Other) There is no plan of action when the Department is chairing meetings, and there is not enough public input. There would be a more clear and concise direction when the public is directing work groups.

This is a simple bill. The Department does a good job, but more citizen participation will make Department work products better.

**Persons Testifying:** (In support) Representative Rossetti, prime sponsor; Mark Smith; Phil Hall; and Tom Echols, Hunters Heritage Council and Coalition of Coastal Fisheries.

(Opposed) Carl Burke, Fish Northwest, Northwest Sportfishing Industry Association, and Puget Sound Anglers.

(Other) Bruce Barnes.

**Persons Signed In To Testify But Not Testifying:** None.