

HOUSE BILL REPORT

ESHB 1235

As Passed House:

March 8, 2023

Title: An act relating to modifying miscellaneous provisions impacting department of fish and wildlife licensing requirements.

Brief Description: Modifying miscellaneous provisions impacting department of fish and wildlife licensing requirements.

Sponsors: House Committee on Agriculture and Natural Resources (originally sponsored by Representatives Chapman, Kretz, Tharinger and Lekanoff).

Brief History:

Committee Activity:

Agriculture and Natural Resources: 1/20/23, 1/27/23 [DPS].

Floor Activity:

Passed House: 3/8/23, 97-0.

Brief Summary of Engrossed Substitute Bill

- Changes the age at which a person qualifies as a youth for the purpose of fishing licenses from age 15 to under age 16, and eliminates the youth fishing license fee.
- Allows the use of temporary freshwater fishing licenses for opening day of the lowland lakes fishing season.
- Authorizes the creation and sale of a multi-year combination license at a fee lower than the combined cost of the licenses.
- Modifies the requirement that a person complete at least 10 hours of hunter safety instruction to apply to in-person instruction.
- Exempts both current and retired members of the United States military and current or retired federal peace officers from the firearms skills portion of hunter safety education courses.

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

- Provides that a person is responsible for any damage to their electronic device that occurs when using it to present electronic hunting and recreational fishing licensing documents.
- Makes various changes to residency requirements for reduced-rate hunting and fishing licenses.
- Provides that state residents who are members of federally recognized Indian tribes qualify for certain reduced rate licenses.

HOUSE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Chapman, Chair; Morgan, Vice Chair; Reeves, Vice Chair; Dent, Ranking Minority Member; Kloba, Lekanoff, Orcutt and Springer.

Minority Report: Without recommendation. Signed by 3 members: Representatives Chandler, Assistant Ranking Minority Member; Kretz and Schmick.

Staff: Rebecca Lewis (786-7339).

Background:

Authority of the Fish and Wildlife Commission and Department of Fish and Wildlife.

The Fish and Wildlife Commission (Commission) operates under a statutory mandate to preserve, protect, perpetuate, and manage Washington's wildlife, food fish, game fish, and shellfish. The Department of Fish and Wildlife (Department) has been delegated the responsibility to carry out this mandate at the direction of the Commission, which includes establishing basic rules and regulations governing the time, place, manner, and methods used to harvest or enjoy fish and wildlife.

As a part of this responsibility, the Department issues various licensing documents, including licenses, tags, endorsements, and permits for hunting and fishing in Washington. Certain hunting and fishing licenses and permits come with a vehicle access pass that allow the license or permit holder to access Department lands.

Electronic Licensing Documents.

In 2022 the Legislature authorized the Commission to develop rules allowing the issuance and use of electronic hunting and recreational fishing license documents.

Fishing Licenses.

In order to fish in Washington, individuals age 15 and older must purchase a fishing license. Categories of fishing licenses include: freshwater licenses, saltwater licenses,

catch record cards, and annual and temporary combination licenses. There are several endorsements, stamps, permits, or other surcharges required for particular activities in addition to a fishing license. Fee amounts for fishing licenses, stamps, permits, and endorsements are set in statute with separate rates for state residents, nonresidents, and youth age 15. Temporary combination fishing licenses are not valid for the opening day of the lowland lake fishing season, unless the license holder is an active-duty resident military personnel.

Hunter Education.

There are separate hunting licenses and endorsements for big game, small game, and certain other species for both general season hunting and special hunts. There are separate rates for state residents, nonresidents, and youth under age 16, and those amounts are set in statute.

All individuals born after January 1, 1972, must show proof of completion of a hunter education course before purchasing a hunting license for the first time. The course must include at least 10 hours of instruction covering firearms and outdoor safety, hunter responsibility, and wildlife management. To receive proof of completion a person must pass an exam, either in a classroom setting or online, and demonstrate safe firearms handling skills in the field. Members of the United States military and certain current or retired law enforcement officers who complete the online hunter education course are exempt from the field firearms skills portion.

Reduced Rate Licenses.

Certain hunting and fishing licenses are available at reduced rates to certain disabled veterans and individuals with disabilities. State residents who meet the criteria may receive a fishing license for \$5, or a state hunting license for the price of a youth participant of that license. Nonstate residents may purchase a license at the same prices as a nondisabled Washington resident. To qualify for these reduced rates, the individual must:

- be an honorably discharged veteran who is at least 65 years old and who has a service-related disability of any kind;
- be an honorably discharged veteran of any age who has a 30 percent or greater service-related disability;
- have a disability that results in the permanent use of a wheelchair, blindness or another visual impairment; or
- have a developmental disability.

Summary of Engrossed Substitute Bill:

Authority of the Fish and Wildlife Commission and Department of Fish and Wildlife.

The Fish and Wildlife Commission (Commission) may create and sell combination licenses spanning one or more license years for all hunting and fishing activities at or below the total cost of individual licenses included in the package, and the Director of the Department of Fish and Wildlife (Director) may offer temporary discounted promotional pricing to increase fishing, hunting, or wildlife viewing participation.

Electronic Licensing Documents.

A person is responsible for any damage caused to their portable electronic device when they use it to present electronic licensing documents as authorized by the Commission.

Fishing Licenses.

The youth age for the purposes of acquiring a fishing license is changed from age 15 to under age 16. Youth fishing license fees and the family fishing weekend license are eliminated. A temporary combination fishing license may be used for the opening day of the lowland lake fishing season. Vehicle access passes may be issued to a person who purchases a current valid personal use shellfish and seaweed license.

Hunter Education.

The requirement for those born after January 1, 1972, to complete 10 hours of hunter safety instruction is modified to apply to the completion of in-person hunter education courses. Hunters born after January 1, 1972, would still be required to complete hunter safety instruction. Current or retired members of the United States military (US military) and current or retired peace officers are exempt from the firearms skills portion of online hunter education courses.

The ability for the Director to 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 is modified so:

- the requirement that the licensed hunter has held a license for the prior three years is removed; and
- the license holder must be at least, rather than over, 18 years of age.

The Commission may offer a one-time hunting license discount of up to \$20 for first-time resident hunters who have completed the Washington hunter education program.

Reduced Rate Licenses.

Certain residency and reduced-rate license provisions are modified so the following additional individuals qualify for nondisabled state resident rates for hunting licenses and combination fishing licenses:

- active-duty members of the US military, their spouses, and their children age 18 or under;
- nonstate residents who are full-time post-secondary students enrolled at a college or university in Washington, their spouses, and their children age 18 or under;
- the spouses and children age 18 or under of nonstate residents who qualify for resident rates due to a military service connected disability or developmental disability; and
- members of federally recognized Indian tribes who are state residents must be issued a fishing license for \$5 and hunting licenses for the reduced youth rates upon written application to the Department of Fish and Wildlife.

Appropriation: None.

Fiscal Note: Available.

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) This is agency request legislation that was also introduced, heard, and passed unanimously from this committee last session but stalled in the Rules Committee. The bill will remove barriers and provide increased opportunity for hunting and recreational fishing. Hunting and fishing are great ways to provide organic and healthy food. The Department of Fish and Wildlife will offer an amendment to help administer electronic licensing documents.

(Opposed) None.

Persons Testifying: (In support) Representative Mike Chapman, prime sponsor; Rachel Blomker, Department of Fish and Wildlife; and Joren Clowers, Kalkomey Enterprises.

Persons Signed In To Testify But Not Testifying: None.