

HOUSE BILL REPORT

HB 1010

*As Reported By House Committee on:
Fisheries & Wildlife
Appropriations*

Title: An act relating to natural resource enforcement.

Brief Description: Creating an office of natural resource enforcement.

Sponsor(s): Representatives Haugen, Wilson, Spanel, Morris, Cole, Zellinsky, Winsley, Orr and Wynne.

Brief History:

Reported by House Committee on:
Fisheries & Wildlife, January 31, 1991, DPS;
Appropriations, February 26, 1991, DPS(FW).

**HOUSE COMMITTEE ON
FISHERIES & WILDLIFE**

Majority Report: *That Substitute House Bill No. 1010 be substituted therefor, and the substitute bill do pass.*
Signed by 11 members: Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Haugen; Hochstatter; Orr; Padden; and Spanel.

Staff: Keitlyn Watson (786-7310).

Background: All natural resource agencies have the statutory authority to exercise police power to enforce regulations and laws pertaining to the agency's individual programs. Only the Departments of Fisheries and Wildlife have staff trained and equipped to exercise broad law enforcement authority including arrest and citation authority for all criminal laws of the State. Each agency may enforce laws and rules of the other agency.

The Department of Fisheries has an enforcement staff of 49 agents in the field. These agents are concentrated in western Washington including marine waters. The Department of Wildlife has 123 agents, covering the entire state.

Both Fisheries and Wildlife agents have similar enforcement needs and obligations. Both agencies issue and monitor hydraulic permits that are required for projects that

involve changing habitat conditions within streams, rivers, and tidal zones. Both agencies have enforcement needs that peak in specific areas, at specific times of the year. Wildlife agents conduct more support activities, such as wildlife population monitoring, than do Fisheries agents.

Summary of Substitute Bill: The Departments of Fisheries and Wildlife are directed to prepare a study on ways to increase efficiencies in the operation of their respective enforcement programs. An advisory group, appointed by the directors of the Departments of Fisheries and Wildlife will assist in preparation of a report to the Legislature on the study results. The report will be provided by November 30, 1991.

Substitute Bill Compared to Original Bill:

- (1) References to natural resources in the original bill are changed to fish and wildlife.
- (2) The creation of an office of natural resource enforcement is removed from the original bill.
- (3) A study by the directors of the Department of Fisheries and Wildlife is required to address whether and how enforcement functions should be consolidated. The study is more all inclusive than the original bill.
- (4) The original bill does not detail the makeup of an advisory committee. The substitute specifies who will take part in the advisory committee.
- (5) The reporting date is changed from October 1, 1991 to November 30, 1991.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 1992.

Testimony For: Additional efficiencies in enforcement will be gained by conducting a study.

Testimony Against: It is premature to create an office of natural resource enforcement without conducting the study first.

Witnesses: Ron Peregrine, Department of Wildlife (in favor); Dayna Matthews, Department of Fisheries (opposed to the creation of an office of natural resource enforcement, in favor of the study); Jim King, Washington State Sportsmen's Council (opposed to creating an office of natural resource enforcement, in favor of the study); and Brad Young, Fisheries Patrol Sergeant's Association (in favor).

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: *The substitute bill by Committee on Fisheries and Wildlife be substituted therefor, and the substitute bill do pass.* Signed by 24 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Holland; Mielke; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Minority Report: *Do not pass.* Signed by 5 members: Representatives Morton, Assistant Ranking Minority Member; Fuhrman; Lisk; McLean; and Nealey.

Staff: Susan Nakagawa (786-7145).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Fisheries & Wildlife: No new changes were recommended.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 1992.

Testimony For: A study is an appropriate first step to examining the issue of possible enforcement consolidation.

Testimony Against: None.

Witnesses: Ed Manary, Department of Fisheries; Pam Madson, Department of Fisheries; Jim King, Washington State Sportsman Council; and Jeff Parsons, National Audobon Society.