

HOUSE BILL REPORT

ESHB 1250

*As Passed House
April 12, 1991*

Title: An act relating to the nonconsumptive use of wildlife.

Brief Description: Creating nonconsumptive wildlife area user permits.

Sponsor(s): By House Committee on Fisheries & Wildlife (originally sponsored by Representatives Wilson, Haugen, Fuhrman, R. King, Padden, Orr, Winsley, Paris, Broback, May, Bowman, Miller, Horn, Wood, Wynne, Betrozoff and Spanel).

Brief History:

Reported by House Committee on:
Fisheries & Wildlife, February 21, 1991, DPS;
Revenue, March 10, 1991, DPS(FW)-A;
Passed House, April 12, 1991, 50-45.

**HOUSE COMMITTEE ON
FISHERIES & WILDLIFE**

Majority Report: *That Substitute House Bill No. 1250 be substituted therefor, and the substitute bill do pass.*
Signed by 7 members: Representatives R. King, Chair; Wilson, Ranking Minority Member; Cole; Haugen; Hochstatter; Orr; and Spanel.

Minority Report: *Do not pass.* Signed by 4 members: Representatives Morris, Vice Chair; Fuhrman, Assistant Ranking Minority Member; Basich; and Padden.

Staff: Keitlyn Watson (786-7310).

**HOUSE COMMITTEE ON
REVENUE**

Majority Report: *The substitute bill by Committee on Fisheries & Wildlife be substituted therefor and the substitute bill as amended by Committee on Revenue do pass.*
Signed by 8 members: Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Morris; and Phillips.

Minority Report: *Do not pass.* Signed by 7 members: Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morton; Rust; Silver; and Van Luven.

Staff: Rick Peterson (786-7150).

Background:

Funding of the Department of Wildlife

The Department of Wildlife is funded from several sources including the state wildlife fund. The state wildlife fund is largely supported by revenues from hunting and fishing license sales. The state wildlife fund represents 47.9 percent of the Department of Wildlife's budget, and is spent on game management and research, sport fish management and research, hatcheries, wildlife areas, private lands access and development, enforcement, facility maintenance and repair, and fencing.

Nonconsumptive Wildlife Users

Nonconsumptive users of the wildlife resource currently contribute to the funding of the Department of Wildlife through the purchase of migratory waterfowl artwork, the general fund, purchase of personalized license plates, and local funds. Although it is unknown how much of these funds are generated specifically from nonconsumptive users of wildlife, the percentage of the Department of Wildlife's budget from these fund sources is 27.8 percent. Funds that are earmarked for nongame are derived from revenues from the purchase of personalized motor vehicle license plates. These revenues are placed into the nongame account, which is used by the Department of Wildlife for nongame projects. The license plate application fee is currently \$30.00 and the renewal fee is currently \$20.00.

State Sales Tax

Currently, the state sales tax rate is 6 1/2 percent of the selling price.

Summary of Bill: The Wildlife Commission is directed to appoint a blue ribbon task force by October 1, 1991 to analyze the funding base for the Department of Wildlife and to recommend how it can be broadened beyond the hunting and fishing license buyer. The task force shall consist of the Wildlife Commission, the Department of Wildlife, private industry, members of the Legislature, and the environmental community. The task force is directed to consider funding mechanisms including: fees for use of Department of Wildlife

owned and managed lands, fees for courses in wildlife appreciation, the sale of wildlife art and stamps, active fundraising by the department, and a dedicated wildlife lottery. A report by the Wildlife Commission on feasible funding alternatives is to be presented to the Legislature by December 1, 1992.

The Department of Wildlife is authorized to solicit donations, grants and other funds for programs that benefit the nonconsumptive user of wildlife.

The director of the Department of Wildlife shall develop a plan to comply with the requirements of the American Disabilities Act of 1990.

A retail sales tax is established on outdoor recreational equipment in Washington. The rate of the tax is 1/2 percent of the retail price. Equipment to be taxed includes: binoculars, telescopes, cameras and photographic products, wetsuits, car racks, and gear used in camping, skiing, snowmobiling, boating, bicycling, equestrian activities, scuba diving, skin diving, hang gliding, hiking, mountain climbing, jetskiing, waterskiing, and windsurfing. The Department of Revenue is directed to adopt rules to further define these products. The revenues from this tax are to be placed in the state wildlife fund.

The application and renewal fees for personalized license plates are raised by \$10.00 and the revenue from this increase will be deposited in the state wildlife fund to be used for resource management associated with the nonconsumptive use of wildlife.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect July 1, 1991.

Testimony For: (Fisheries & Wildlife) It is more equitable to have nonconsumptive users of wildlife pay their share than to have only hunters and fishers support wildlife. It is time for action.

(Revenue) The Department of Wildlife budget supports many programs that benefit the "appreciative" users of the out-of-doors. The Department of Wildlife budget is primarily funded by licence fees from hunters and fishers. Additional revenue, preferably raised from these "appreciative" users of the out-of-doors, is needed to finance the Department of Wildlife's budget.

Testimony Against: (Fisheries & Wildlife) This may not be the best way to generate needed income. The California bill that passed, which was similar to this one, was very costly to implement. Before proceeding, there would need to be adequate enforcement presence on the wildlife areas, there would need to be useable facilities, and the Department of Wildlife would need to understand the market. There are other ways to generate revenue.

(Revenue) A selective business and occupation tax on outdoor equipment will place administrative difficulties on the manufacturers, wholesalers and retailers of items taxed by the bill. The tax will place Washington businesses at a disadvantage relative to out-of-state businesses and mail order firms. These programs benefit the entire population of the state and should be financed by a general funding source.

Witnesses: (Fisheries & Wildlife) Jeff Parsons, National Audubon Society (in favor); Jack Davis, Black Hills Audubon Society (in favor, but before proceeding the Department of Wildlife needs to determine why the existing conservation license hasn't worked); Pam Madsen, Department of Wildlife (oppose, this may be a costly way to generate revenue); and John Strom, citizen (in favor).

(Revenue) Jon Akers, Washington State Bowhunters; Jim King, Washington Sportsmen Council (both pro); and Jeff Parsons (pro w/amendment). Nancy Bratton, Seattle Chamber; Maggie Coon, The Nature Conservancy; Jan Gee, Washington Retail Assn.; Ron Irwin, B & I Store; Richard La Shancie, World Wide Dist.; Chris McBride, Yeager's Sporting Goods & Marine; Curtis Riess, Olympic Sports; Wally Smith, REI; Ron Sundberg, Puget Sound Sports; Phillip Van Horn, Phil's Sporting Goods, Inc.; Nancee Wildermeth, Pacific NW Ski Areas Association; and George Whitehouse, Sears, Roebuck & Co. (all con).