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**Agriculture & Natural Resources  
Committee**

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**HB 1119**

**Brief Description:** Making changes to Title 77 RCW that gives tools to the department of fish and wildlife to ensure hunter safety by focusing on the actual person hunting and not the sporting equipment used by the hunter including, but not limited to, establishing the age of fourteen as the minimum age to participate in unaccompanied hunting.

**Sponsors:** Representatives Blake, Buys, Gregerson and Van Werven.

**Brief Summary of Bill**

- Provides the Department of Fish and Wildlife with the authority to issue two new fees related to hunter education training programs.
- Establishes the age of 8 as the minimum age to purchase hunting licenses and enroll in a hunter education training program, and the age of 14 as the minimum age to hunt unaccompanied.
- Makes minor changes to the hunter education authorizing statutes.

**Hearing Date:** 1/20/15

**Staff:** Jason Callahan (786-7117).

**Background:**

Hunter Education Program.

The Washington Department of Fish and Wildlife (WDFW) is responsible for the operation of a statewide hunter education program. This program, or an equivalent program in another state, must be completed by applicants for a state hunting license that are age 43 or younger. The only exemption available is for prospective hunters over the age of 18. These individuals may receive a one year deferral once in their lifetime to hunt without completing the training course as long as they are doing so in the company of a licensed hunter.

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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.*

The hunter education program consists of at least 10 hours of instruction in safety, conservation, sportsmanship, and firearm handling. Average classes involve four to six sessions and require the student to pass a written test and, with the exception of students who are in the military, demonstrate firearms handling skills. The WDFW offers both a live course option and a home study option. Live courses are scheduled throughout the state.

Hunter education courses are taught by volunteers, either individually or as a team, who are trained and certified by the WDFW. All instructors must be at least 21 years of age, and must undergo a background investigation by the WDFW.

#### Program Income.

Under federal law, "program income" is gross income received and earned by a state fish and wildlife agency as a result of a federal grant. State fish and wildlife agencies may earn income from activities incidental to a grant as long as the primary purpose of the agency activity is not producing income. Any agency earning program income must account for income received from these activities in the project records and dispose of it according to the terms of the grant.

#### Minimum Hunting Ages.

Prior to 1994 all hunters under the age of 14 were required to be accompanied by a parent, guardian, safety instructor, or other approved adult when they were in possession of a firearm for the purposes of hunting or target practice. Today, there is no minimum age requirement for a hunting license or for enrollment in a hunter's education course.

It is unlawful for a person under the age of 18 to be in possession or control of a firearm. However, there are exceptions that create situations where the possession of a firearm by a juvenile is lawful. These exceptions include attendance at a hunter's education course and hunting with a valid license issued by the WDFW.

#### **Summary of Bill:**

##### New Fees and Other Revenue.

The WDFW is authorized, but not mandated, to issue two new fees related to the hunter education program. The first fee is on all hunter education class registrations for internet-based classes. This fee may not exceed \$20. The second fee is for duplicate copies of the hunter education completion certificates. This fee may not exceed \$10. All revenue collected by these fees, and all revenue collected under pre-existing fees related to the hunter education program, must be considered "program income" under federal law for the purposes of federal grant receipt conditions.

In addition, the WDFW is authorized to collect donations relating to a hunter education training course. The WDFW must develop procedures to ensure the accountability of the receipt and expenditures of all fees and donations.

##### Hunting Ages.

Two minimum age limits are established for hunting. The minimum age of 8 is set for a person to be eligible to both enroll in a hunter education course and purchase a hunting license. The minimum age of 14 is set for a person to lawfully hunt while unaccompanied, except when hunting on private land owned or leased by an immediate family member. Persons under the age of 14 who are found hunting unaccompanied may be assessed a civil natural resources infraction.

Individuals older than age 7, yet younger than age 14, may lawfully hunt as long as they are accompanied by a currently licensed and non-deferred Washington hunter who is at least 18 years old, is a person who has completed the hunter education training class, or who was born before 1972 and is therefore not required to take the hunter education class.

#### Other Changes.

Other changes to the hunter education program include:

- adding "outdoor safety," and changing "sportsmanship" to "ethical hunting behavior," in the scope of the hunter education program's course of work;
- specifying that military members must be residents of Washington or stationed in Washington in order to be exempt from the firearms portion of a hunter education course, and may be active members or honorably discharged members of the Armed Services to qualify for the exemption;
- removing the requirement that a person be licensed to hunt in Washington for the three years prior to accompanying a person on his or her once in a lifetime year of hunting under a deferral of the education requirement; and
- specifying that transfers of firearms to a hunter education student is not a violation of other laws relating to firearm transfer background check requirements.

**Appropriation:** None.

**Fiscal Note:** Available.

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