

SENATE BILL REPORT

SB 5380

As Reported by Senate Committee On:
Natural Resources & Parks, February 4, 2015

Title: An act relating to migratory bird-related provisions.

Brief Description: Modifying provisions of the code that deal with migratory birds.

Sponsors: Senator Pearson.

Brief History:

Committee Activity: Natural Resources & Parks: 1/28/15, 2/04/15 [DPS].

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 5380 be substituted therefor, and the substitute bill do pass.

Signed by Senators Pearson, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Chase, Hewitt, McAuliffe and Warnick.

Staff: Curt Gavigan (786-7437)

Background: Migratory Bird Permits, Stamps, and Artwork. In order to hunt for migratory birds, a person must have a small game hunting license and a supplemental migratory bird permit. The statutory fee for the migratory bird permit is \$15.

Based on hunter survey results, the Department of Fish and Wildlife (DFW) determines the relative proportion of waterfowl and non-waterfowl migratory bird hunters. The portion of permit revenue from waterfowl hunters is used for migratory waterfowl habitat acquisition and development, and for enhancement, protection, and propagation of migratory waterfowl. The portion of revenue from non-waterfowl migratory bird hunters is used for the same project types benefitting non-waterfowl migratory birds.

Current law directs DFW to annually select a migratory bird stamp design and administer a program to sell collector prints and artwork using the design. Total print and artwork revenue must be deposited in the State Wildlife Account. The costs of production and marketing may be paid from the total, but DFW must use the net proceeds to contract for the development of waterfowl propagation projects that relate to the Pacific flyway. Currently,

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.

DFW contracts with a nonprofit organization for the selection of the stamp and sale of collector prints and artwork.

When DFW acquires property using migratory permit revenues, it must allow the general public reasonable access to the property.

Relevant 2011 Legislation. In 2011 the Legislature passed two separate bills amending statutes that relate to migratory bird permits, stamps, and artwork.

One 2011 bill focused on fish and wildlife licensing fees. The fee bill changed the name of the document required to hunt migratory birds from a migratory bird stamp or validation to a permit, but did not make corresponding changes to the statutes relating to stamps and artwork.

A second 2011 bill addressed various state boards and commissions. This bill eliminated the use of a committee to select a migratory bird stamp design and administer the program to sell collector prints and artwork using the design. Instead those functions were assigned to DFW. Additionally the bill eliminated an annual audit requirement.

Summary of Bill (Recommended Substitute): An audit requirement is established relating to migratory bird permit revenue, which must be conducted by the State Auditor every four years.

Consumptive users are listed as an example of members of the general public to which DFW must provide access to property acquired through migratory bird permit funds.

DFW is provided specific authority to contract for the selection of a migratory bird stamp design, and administration of the program to sell collector prints and artwork using the design. Production and marketing costs may be paid from total sales, with the remaining amount used to contract for the development of waterfowl propagation projects that relate to the Pacific flyway.

Terms that relate to migratory bird permits, stamps, and artwork are aligned. Technical and organizational changes are made.

EFFECT OF CHANGES MADE BY NATURAL RESOURCES & PARKS COMMITTEE (Recommended Substitute): Shifts the audit requirement from each biennium to every four years.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: This bill would help to clarify the agency's authority to contract the design and administration of the stamps and the

prints. There is further support for clarifications that are provided by the bill regarding fund use.

OTHER: The Auditor's Office would like to work to decrease potential costs in the bill from the audit requirement, if possible.

Persons Testifying: PRO: Mark Pidgeon, Hunter's Heritage Council; Mick Cope, DFW.

OTHER: Matt Miller, Kelly Collins, State Auditor's Office.