

HOUSE BILL REPORT

HB 1708

As Reported by House Committee On:
Rural Development, Agriculture, & Natural Resources
Appropriations

Title: An act relating to recreational fishing and hunting licenses.

Brief Description: Concerning recreational fishing and hunting licenses.

Sponsors: Representatives Blake, Fitzgibbon, Springer, Irwin, Chandler, Robinson, Riccelli, Lekanoff, Dye, Jinkins and Tarleton; by request of Department of Fish and Wildlife.

Brief History:

Committee Activity:

Rural Development, Agriculture, & Natural Resources: 2/15/19, 2/22/19 [DPS];
Appropriations: 4/22/19 [DP2S(w/o sub RDAN)].

Brief Summary of Second Substitute Bill

- Increases fees for certain recreational hunting and fishing licenses, tags, and endorsements, and extends the Columbia River Salmon and Steelhead Endorsement through 2022.
- Changes distribution amounts from certain endorsements to certain enhancement accounts and activities.
- Changes the age to qualify as a "youth" for fishing licenses from age 15 to under age 16, removes the requirement for youth to obtain a license in order to fish, and deletes the Family Fishing Weekend license.
- Allows the use of temporary freshwater fishing licenses for the opening day of the lowland lakes fishing season.
- Authorizes the Washington Fish and Wildlife Commission to adopt an inflationary surcharge on hunting and fishing licenses under certain circumstances.
- Creates a one-time discount on the purchase of the first hunting license for new hunters upon completion of hunter education training.
- Allows a one-year deferral of the hunter education program for an individual if they are accompanied by a Washington-licensed hunter over age 18 while hunting.

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.

HOUSE COMMITTEE ON RURAL DEVELOPMENT, AGRICULTURE, & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Blake, Chair; Shewmake, Vice Chair; Dent, Assistant Ranking Minority Member; Chapman, Dye, Fitzgibbon, Kretz, Lekanoff, Pettigrew, Ramos, Schmick and Springer.

Minority Report: Do not pass. Signed by 2 members: Representatives Orcutt and Walsh.

Staff: Rebecca Lewis (786-7339).

Background:

Hunting and Fishing Licenses.

The Department of Fish and Wildlife (Department) is responsible for managing the state's fish and wildlife resources and 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 licenses, tags, endorsements, and permits for hunting and fishing in Washington. Generally, there are resident, nonresident, and youth fees. Youth fees for fishing licenses apply to youth age 15, and those under age 15 are not required to purchase a license. Youth fees for hunting licenses apply to individuals age 16 and under.

A person may purchase an annual or temporary freshwater, saltwater, or combination freshwater and saltwater fishing license (combination fishing license). Temporary combination fishing licenses are valid for a period of one to three consecutive days.

An annual freshwater or combination fishing license is required to fish during the first eight days of the lowland lakes fishing season. Only active duty military personnel may fish during the first eight days of the lowland lakes fishing season with a temporary license.

In addition to a base freshwater or combination fishing license, a Columbia River Salmon and Steelhead Endorsement (Endorsement) is required in order to fish for salmon and steelhead on the Columbia River and its tributaries. Endorsement program-funded project proposals developed by the Department are vetted through the Columbia River Salmon and Steelhead Recreational Anglers Board (Board) and community review from the community in which the proposed project would occur. The Board is comprised of six to 10 volunteer members, appointed by the Director of the Department (Director), who represent the four Fish and Wildlife regions which make up the Columbia Basin. The Endorsement program expires July 1, 2019.

A hunter or fisher that is required but fails to report their harvest is subject to an administrative penalty of no more than \$10. The penalty must be paid before a new hunting license, catch record card, or Puget Sound Dungeness Crab Endorsement may be issued.

Hunter Education.

Before purchasing a hunting license for the first time, individuals born after January 1, 1972, must show proof that they have completed a hunter education course. 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 law enforcement officers who complete the online hunter education course are exempt from the field firearms skills portion.

Summary of Substitute Bill:

Hunting and Fishing Licenses.

Most hunting and fishing license fees are increased by 15 percent, with a \$7 increase cap for fishing licenses and \$15 increase cap for hunting licenses. The fee for halibut catch record cards is maintained at \$5. The administrative penalty for failing to report a hunt or catch, if required, is set at \$10. The Columbia River Salmon and Steelhead Endorsement program is extended through 2023. A migratory bird authorization is required for certain additional species of bird.

A Fish Washington license package is created and includes a combination freshwater and saltwater fishing license (combination fishing license) and certain endorsements, and is available for state residents. A Hunt Washington license package, also available to state residents, is created and includes a combination license with deer, elk, bear, cougar, a small game license, migratory bird permit and authorization, and two turkey tags. A Sportsperson's license combines the Fish Washington and Hunt Washington license packages.

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

The age at which a person qualifies as a "youth" for the purposes of purchasing fishing licenses is changed from age 15 to under age 16, and youth are not required to purchase fishing licenses or endorsements. The Family Fishing Weekend license is deleted. Temporary combination fishing licenses are valid for the opening day of lowland lakes fishing season. The Fish and Wildlife Commission (Commission) may authorize multi-year license packages as combined license packages and the Department may offer temporary promotional license discounts. The Commission may authorize a special hunting permit for goat, sheep, moose, or other big game species.

By November 1 of each odd-numbered year, the Commission may adopt a surcharge on recreational and commercial fishing licenses if determined necessary by the Commission to fund inflationary or other costs approved by the Legislature in the biennial budget.

Portions of revenue for hunting and fishing licenses must be deposited into enhancement accounts as follows:

- Warm Water Game Fish Account: 5 percent of all freshwater and combination fishing licenses, including temporary combination licenses;
- Recreational Fisheries Account: 11 percent of all saltwater and combination fishing licenses, including temporary combination fishing licenses;
- Regional Fisheries Enhancement Group Account: 2 percent of all saltwater, freshwater, and combination fishing licenses, including temporary combination fishing licenses;
- Rockfish Research Account: 1 percent of all saltwater and combination fishing licenses, including temporary combination fishing licenses; and
- Eastern Washington Pheasant Account: 4 percent of all small game hunting licenses.

The amount of revenue from each Puget Sound Dungeness Crab Endorsement applied to the removal of derelict fishing gear is changed from \$1 to 12 percent of the license revenue.

Hunter Education.

The Commission may offer a one-time \$20 discount on the purchase of the first hunting license for new hunters upon completion of the Washington's hunter education program. An individual may receive a one-year deferral from the hunter education program if they are accompanied by a Washington-licensed hunter over age 18 while hunting.

Substitute Bill Compared to Original Bill:

The substitute bill adds the provision requiring the Department of Fish and Wildlife (Department) to develop a strategy to increase youth participation in hunting, and requires the Department to report on the strategy and implementation plan by December 31, 2019.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect July 1, 2019, except for section 19, relating to establishing a license surcharge, which takes effect September 1, 2021.

Staff Summary of Public Testimony:

(In support) The Agriculture and Natural Resources Committee held a work session and heard from the Department of Fish and Wildlife (Department) and several stakeholders about the recent performance audit; this bill is a result of that process. The stakeholders have come out in enthusiastic support. The last recreational fee increases occurred in 2011 at a time when the Department was facing a structural deficit. Currently, expenditures are up and revenues are down. Fee increases were proposed but not implemented in 2017. Instead, the Legislature provided bridge funds from the General Fund and directed the Department to

conduct a performance review and zero-based budget process. During the review, the Department heard that conservation work should be funded by a broader fund source and hunting and fishing revenue should be used to augment hunting and fishing opportunities. The 15 percent across-the-board increase ensures no user group is impacted more than another. Both the fee increase caps and new license packages will decrease costs for those who participate in multiple hunting or fishing opportunities. Other natural resource agencies have fee-setting authority, unlike the Department. The limited new fee authorization to address inflationary costs is appropriate to address gradual increasing costs as they occur, and prevents big license fee jumps. Extending the Columbia River Salmon and Steelhead Endorsement (Endorsement) will support the specific fishery. This bill also addresses recruitment. It aligns youth under age 16 for hunting and fishing licenses, and allows fishing during the opening of the lowland lakes fishing season, one of the most popular fishing events of the year, with a temporary fishing license. Many things have recovered since 2009, but the Department's budget is not one of them. The Department has more management responsibilities than inland states do, and the Department is funded with cobbled together fund sources. There is a need for users of the resources to pay more. The Department is headed in the right direction with this bill. There is support for the hunter education discount, combined license packages, and other license discounts. It is important to increase funds for Regional Fish Enhancement Groups. Some of the fishing opportunity challenges are out of the Department's control. Many constituents are in support of the bill without changes. There have been challenges in the past, but it is a new day.

(Opposed) None.

(Other) The concerns with this bill are not about the money, but about the policy. Consumptive users should not be constantly asked to pay more for fewer opportunities. Providing predictable, meaningful harvest seasons through effective fishery management is important. There is concern about granting the Fish and Wildlife Commission uncontrolled authorization to increase license fees.

While there is support for increasing revenue for the Department, there is a lack of confidence in the policy decisions made by the Department. There should be increased hatchery production to support fisheries and more selective harvest methods used. Additionally, there is concern that the Endorsement funds have been used to backfill the general agency budget rather than enhancing the fisheries in the Columbia River.

Persons Testifying: (In support) Representative Blake, prime sponsor; Aaron Peterson, Regional Fisheries Coalition; Jonathan Sawin, Westport Charter Boat Association; Kelly Susewind and Nate Pamplin, Washington Department of Fish and Wildlife; Bill Clarke, Trout Unlimited; Tom Echols, Hunters Heritage Council; and Bob Kratzer, Northwest Guides and Anglers Association.

(Other) Randy LeDuc, Coastal Conservation Association; and Carl Burke, Northwest Sportfishing Industry Association and Fish Northwest.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Rural Development, Agriculture, & Natural Resources. Signed by 22 members: Representatives Ormsby, Chair; Bergquist, 2nd Vice Chair; Robinson, 1st Vice Chair; Rude, Assistant Ranking Minority Member; Caldier, Chandler, Cody, Dolan, Fitzgibbon, Hansen, Hudgins, Jinkins, Macri, Pettigrew, Pollet, Ryu, Senn, Springer, Stanford, Sullivan, Tarleton and Tharinger.

Minority Report: Do not pass. Signed by 11 members: Representatives Stokesbary, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Dye, Hoff, Kraft, Mosbrucker, Schmick, Steele, Sutherland, Volz and Ybarra.

Staff: Dan Jones (786-7118).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Rural Development, Agriculture, & Natural Resources:

The second substitute bill makes the following changes:

- requires the Washington Fish and Wildlife Commission (Commission) to work with the Oregon Fish and Wildlife Commission to advance the conservation and recovery of wild salmon and steelhead in the Columbia River;
- requires the Washington Department of Fish and Wildlife (WDFW) to assess and prosecute fisheries using gears that limit impacts on constraining stocks and reduce mortality, maximize hatchery production in the Columbia River, reduce less selective gear types in the mainstem of the Columbia River, and improve the effectiveness of off-channel commercial fishing areas;
- requires the WDFW to report to the Legislature on the latest science on selective gear, appropriate locations for use, and impacts on listed salmon and steelhead populations in the Columbia River;
- changes the expiration date of the Columbia River Recreational Salmon and Steelhead Endorsement Program from June 30, 2023, to June 30, 2022;
- authorizes the WDFW to add a surcharge to fishing and hunting fees only when it is required to cover increased costs approved by the Legislature in the biennial budget, rather than if the Commission determines the surcharge is necessary to fund inflationary and other increased costs; and
- specifies that the surcharge may not be increased more than 3 percent per fiscal year or the rate of inflation according to the consumer price index, whichever amount is lower.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: The bill contains an emergency clause and takes effect July 1, 2019, except for section 19, relating to establishing a license surcharge, which takes effect September 1, 2021.

Staff Summary of Public Testimony:

(In support) This is part of a package of agency requests from the Washington Department of Fish and Wildlife (WDFW). The State Wildlife Account has been eroded in part because fee increases have not accompanied increasing costs of living. User fees should supplement new costs. There has been some consternation with recent Washington Fish and Wildlife Commission (Commission) fisheries management decisions. The WDFW is working with members in both chambers on amendment language. The WDFW needs more funding to continue its work, and to act as a referee on a variety of issues. Dedicated revenue to the enhancement accounts will help Regional Fishery Enhancement Groups continue important conservation work. It is time to support the direction of the WDFW, and the fee increases are needed. A license fee increase alone is not enough, and a well-funded agency is needed. Other natural resource agencies in Washington have fee-setting authority, unlike the WDFW. The state population is growing and habitat is being lost. Hatchery production is critical to supporting fisheries.

(Opposed) Recreational anglers contribute a great deal to Washington's economy. The WDFW has made policy decisions that have resulted in reduced fishing opportunity. The recent decision affecting Columbia River and Willapa Bay fisheries is an example. Anglers would gladly pay more if they had confidence that it would mean more recreational fishing opportunities. The Columbia River Salmon and Steelhead Endorsement Program was supposed to result in increased fishing opportunity in the Columbia River. There is not confidence in the WDFW that fee increases will result in more opportunity. The Commission recently voted to undo important reforms to require more selective fishing gear on the Columbia River. Sport fishing revenue makes up about 40 percent of the WDFW's budget. The Governor's Southern Resident Killer Whale Task Force identified the mouth of the Columbia River as a critical area for salmon and orca recovery. Overharvest in the lower Columbia River closes recreational fisheries in both Washington and Idaho. The WDFW should not continue to push costs on license holders; there should be a statewide funding solution. Policy reform should accompany fee increases.

(Other) The WDFW does not take care of the fishing management tasks they've been given. The WDFW should be run like a business. Sports fishers should not have to pay any more than they already do. The WDFW should stand up to the commercial fishing industry.

Persons Testifying: (In support) Neil Beaver, Audubon Washington and The Lands Council; Aaron Peterson, Regional Fisheries Coalition; Nate Pamplin, Washington Department of Fish and Wildlife; Tom Echols, Hunters Heritage Council; Bill Clarke, Trout Unlimited; and Ron Garner, Puget Sound Anglers.

(Opposed) Michael Carter and Nello Picinich, Coastal Conservation Association; David Smart; Carl Burke, Northwest Marine Trade Association and Northwest Sportsfishing Industry Association; George Harris, Northwest Marine Trade Association; Wayne Brown; Jason Zittel, Zittel's Marina, Incorporated.

(Other) Roger Burton.

Persons Signed In To Testify But Not Testifying: None.