H-2580.2

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**HOUSE BILL 2434**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representative Wilcox

AN ACT Relating to eliminating the fish and wildlife commission in order to redirect efforts towards fishing and hunting culture for tribal and nontribal persons; amending RCW 43.300.010, 43.300.020, 77.04.055, and 77.04.080; creating a new section; repealing RCW 43.300.040, 77.04.020, 77.04.030, 77.04.040, and 77.04.060; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) The legislature finds that our government's first promise to uphold the rights of tribal members to hunt and fish in their traditional territories began with the treaties in the 1850s. The Boldt decision further solidified these rights by affirming the tribes' entitlement to 50 percent of the available fishery resources. This allocation ensures a balance, allowing tribal and nontribal members, including sport and commercial hunters and fishers, access to abundant opportunities for fishing and hunting. Today, the fish and wildlife commission is tasked with fulfilling the state's commitment to hunters and fishers in Washington. The fish and wildlife commission's mission, as outlined in their legislative mandate, is to "maximize fishing, hunting, and outdoor recreational opportunities compatible with healthy and diverse fish and wildlife populations." They have failed to live up to their purpose. They have made decisions contrary to the promises they and those that have come before them have made. They have ignored the science and their own staff, letting special interests dictate the department of fish and wildlife's direction and ignoring legislated mandates.

(2) The legislature further finds that Washington state has a rich fishing and hunting culture for both tribal and nontribal people that is deeply intertwined with the state's history. These traditions often include rituals, stories, and values that bind communities together, fostering a deep appreciation for nature and the responsible use and stewardship of natural resources. It is imperative that the legislature take decisive action to preserve this valuable culture and prevent it from being lost due to broken promises.

(3) The legislature intends to dissolve the fish and wildlife commission and entrust the department of fish and wildlife to a director who will uphold Washington state's promises to its citizens. This new structure will allow the state to keep its commitment to managing a diverse and robust ecosystem, thereby ensuring the continued legacy of the people of the state.

**Sec.**  RCW 43.300.010 and 1993 sp.s. c 2 s 2 are each amended to read as follows:

There is hereby created a department of state government to be known as the department of fish and wildlife. The department shall be vested with all powers and duties transferred to it under this chapter and such other powers and duties as may be authorized by law. All powers, duties, and functions of the department of fisheries and the department of wildlife are transferred to the department of fish and wildlife. All references in the Revised Code of Washington to the director or the department of fisheries ((~~or~~)), the director or department of wildlife, or the fish and wildlife commission shall be construed to mean the director or department of fish and wildlife.

**Sec.**  RCW 43.300.020 and 1993 sp.s. c 2 s 3 are each amended to read as follows:

As used in this chapter, unless the context indicates otherwise:

(1) "Department" means the department of fish and wildlife.

(2) "Director" means the director of fish and wildlife.

((~~(3) "Commission" means the fish and wildlife commission.~~))

**Sec.**  RCW 77.04.055 and 2000 c 107 s 204 are each amended to read as follows:

(1) In establishing policies to preserve, protect, and perpetuate wildlife, fish, and wildlife and fish habitat, the ((~~commission~~)) director shall meet annually with the governor to:

(a) Review and prescribe basic goals and objectives related to those policies; and

(b) Review the performance of the department in implementing fish and wildlife policies.

The ((~~commission~~)) director shall maximize fishing, hunting, and outdoor recreational opportunities compatible with healthy and diverse fish and wildlife populations for tribal and nontribal persons.

(2) The ((~~commission~~)) director shall establish hunting, trapping, and fishing seasons and prescribe the time, place, manner, and methods that may be used to harvest or enjoy game fish and wildlife using the best available science.

(3) The ((~~commission~~)) director shall establish provisions regulating food fish and shellfish as provided in RCW 77.12.047.

(4) The ((~~commission~~)) director shall have final approval authority for tribal, interstate, international, and any other department agreements relating to fish and wildlife.

(5) The ((~~commission~~)) director shall adopt rules to implement the state's fish and wildlife laws.

(6) The ((~~commission~~)) director shall have final approval authority for the department's budget proposals.

(7) The ((~~commission shall select its own staff and shall appoint the director of the~~)) department((~~. The director and commission~~)) staff shall serve at the pleasure of the ((~~commission~~)) director.

**Sec.**  RCW 77.04.080 and 2000 c 107 s 205 are each amended to read as follows:

The executive and administrative head of the department of fish and wildlife shall be the director. The director shall be appointed by the governor with the consent of both the senate and the house of representatives and shall have complete charge of and supervisory power over the department. A person may not serve in the capacity of director without the consent of both the senate and the house of representatives. Persons eligible for appointment as director shall have practical knowledge of the habits and distribution of fish and wildlife. The director shall supervise the administration and operation of the department and perform the duties prescribed by law ((~~and delegated by the commission~~)). The director shall carry out the basic goals and objectives prescribed under RCW 77.04.055. The director may appoint and employ necessary personnel. The director may delegate, in writing, to department personnel the duties and powers necessary for efficient operation and administration of the department.

Only persons having general knowledge of the fisheries and wildlife resources and of the commercial and recreational fishing industry in this state are eligible for appointment as director. The director shall not have a financial interest in the fishing industry or a directly related industry. The director shall receive the salary fixed by the governor under RCW 43.03.040.

((~~The director is the ex officio secretary of the commission and shall attend its meetings and keep a record of its business.~~))

NEW SECTION. **Sec.**  The following acts or parts of acts are each repealed:

(1) RCW 43.300.040 (Director's duties) and 1996 c 267 s 33 & 1993 sp.s. c 2 s 5;

(2) RCW 77.04.020 (Composition of department—Powers and duties) and 2000 c 107 s 202, 1996 c 267 s 32, 1993 sp.s. c 2 s 59, 1987 c 506 s 4, 1980 c 78 s 3, & 1955 c 36 s 77.04.020;

(3) RCW 77.04.030 (Commission—Appointment) and 2001 c 155 s 1, 2000 c 107 s 203, 1994 c 264 s 52, 1993 sp.s. c 2 s 60, 1987 c 506 s 5, 1981 c 338 s 11, 1980 c 78 s 4, & 1955 c 36 s 77.04.030;

(4) RCW 77.04.040 (Commission—Qualifications of members) and 1995 1st sp.s. c 2 s 3 (Referendum Bill No. 45, approved November 7, 1995), 1993 sp.s. c 2 s 61, 1987 c 506 s 6, 1980 c 78 s 5, & 1955 c 36 s 77.04.040; and

(5) RCW 77.04.060 (Commission—Meetings—Officers—Compensation, travel expenses) and 2013 c 23 s 238 & 1993 sp.s. c 2 s 63.

NEW SECTION. **Sec.**  This act takes effect June 30, 2025.

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