
ENGROSSED SUBSTITUTE HOUSE BILL 1250

State of Washington

52nd Legislature

1991 Regular Session

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).

Read first time February 25, 1991.

1 AN ACT Relating to the nonconsumptive use of wildlife; amending RCW
2 82.08.020 and 77.12.170; adding new sections to chapter 77.12 RCW;
3 adding a new section to chapter 46.16 RCW; adding new sections to
4 chapter 82.08 RCW; creating new sections; providing an effective date;
5 and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that consumptive
8 users of the wildlife resource finance the majority of the department
9 of wildlife's budget, and that nonconsumptive users of wildlife are not
10 provided a mechanism to assist in funding the department of wildlife,
11 proportionate to their use of wildlife. It is the intent of the
12 legislature to seek realistic funding mechanisms that allow
13 nonconsumptive users of wildlife to assist in supporting the department
14 of wildlife.

1 NEW SECTION. **Sec. 2.** For the purposes of sections 3 and 4 of
2 this act, "department" means the department of wildlife and
3 "commission" means the wildlife commission.

4 NEW SECTION. **Sec. 3.** The commission shall appoint, by October
5 1, 1991, a blue ribbon task force to analyze the funding base for the
6 department of wildlife and to recommend how it can be broadened beyond
7 the hunting and fishing license buyer. The task force shall consist of
8 individuals that represent the commission, the department, the
9 legislature, the environmental community, and private industry. One
10 member of the house of representatives shall be appointed by the
11 speaker of the house of representatives, and one member of the senate
12 shall be appointed by the president of the senate, to serve on the blue
13 ribbon task force. The task force shall consider, at a minimum, the
14 following funding mechanisms:

- 15 (1) Fees for use of wildlife areas owned or managed by the
16 department;
- 17 (2) Fees for courses in wildlife appreciation;
- 18 (3) The sale of wildlife art and stamps;
- 19 (4) Active fundraising by the department; and
- 20 (5) A dedicated wildlife lottery.

21 The task force shall make recommendations to the commission and to
22 the legislature on feasible funding mechanisms. The commission shall
23 analyze these recommendations, identify those that are feasible,
24 identify additional funding opportunities as necessary and report its
25 recommendations to the legislature by December 1, 1992.

26 NEW SECTION. **Sec. 4.** Task force members who are not public
27 employees shall be reimbursed for subsistence and mileage by the
28 department of wildlife pursuant to RCW 43.03.050 and 43.03.060.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 77.12 RCW
2 to read as follows:

3 The department may solicit gifts, grants, conveyances, bequests,
4 and devises, whether real or personal property, or both, in trust or
5 otherwise, to be directed to the department for carrying out the
6 purposes of the department. The department may solicit contracts for
7 work, financial and in-kind contributions, and support from private
8 industries, interest groups, federal and state sources, and other
9 sources.

10 NEW SECTION. **Sec. 6.** A new section is added to chapter 77.12 RCW
11 to read as follows:

12 The director shall develop a plan to comply with the requirements
13 of the Americans with Disabilities Act of 1990 (104 Stat. 327).

14 NEW SECTION. **Sec. 7.** A new section is added to chapter 46.16 RCW
15 to read as follows:

16 In addition to the fees imposed in RCW 46.16.585 for application
17 and renewal of personalized license plates an additional fee of ten
18 dollars shall be charged. The revenue from the additional fee shall be
19 deposited in the state wildlife fund and used for the management of
20 resources associated with the nonconsumptive use of wildlife.

21 NEW SECTION. **Sec. 8.** A new section is added to chapter 82.08 RCW
22 to read as follows:

23 (1) For the purposes of this chapter, "outdoor recreation equipment
24 product" means any item in the following product categories, regardless
25 of the actual use of the product by the final consumer:

26 (a) Bicycles and related equipment such as helmets, tires, tubes,
27 panniers, bags, and racks;

- 1 (b) Binoculars, telescopes, and related equipment such as tripods;
- 2 (c) Human-powered boats, canoes, kayaks, rafts, rowing shells,
3 rowboats, dinghies, and related equipment such as paddles, oars, and
4 helmets;
- 5 (d) Camping equipment such as sleeping bags, sleeping pads, air
6 mattresses, coolers, ice chests, stoves, tents, and backpacks;
- 7 (e) Equestrian related equipment such as saddles, bridles, and
8 other tack;
- 9 (f) Hang gliders and related equipment such as helmets, slings, and
10 harnesses;
- 11 (g) Jet skis, water skis, and related equipment such as tow ropes
12 and bindings;
- 13 (h) Climbing equipment such as mountaineering boots, rock climbing
14 shoes, ropes, carabineers, crampons, ice axes, and helmets;
- 15 (i) Cameras, video camcorders, and related photographic products
16 such as film, videotapes, and all photographic developing equipment and
17 products but not including film developing;
- 18 (j) SCUBA and skin diving related equipment such as masks, fins,
19 snorkels, weight belts, tanks, backpacks, regulators, gauges, and
20 buoyancy control devices;
- 21 (k) Snow skis, snowshoes, snowboards, and related equipment such as
22 ski boots, poles, bindings, and snowshoe bindings;
- 23 (l) Snowmobiles and related parts and equipment;
- 24 (m) Windsurfing boards and related equipment such as masts and
25 sails;
- 26 (n) Wet suits, booties, hoods, gloves, dry suits, and personal
27 flotation devices;
- 28 (o) Car racks and accessories designed to transport outdoor
29 recreation equipment.

1 (2) The department of revenue shall adopt rules further defining
2 the products in subsection (1) of this section. In defining "related
3 equipment," the department shall include products designed to be used
4 in conjunction with the products listed in the categories in subsection
5 (1) of this section.

6 **Sec. 9.** RCW 82.08.020 and 1985 c 32 s 1 are each amended to read
7 as follows:

8 (1) There is levied and there shall be collected a tax on each
9 retail sale in this state equal to six and five-tenths percent of the
10 selling price.

11 (2) In addition to the tax imposed in subsection (1) of this
12 section, there is levied and there shall be collected a tax on each
13 retail sale of an outdoor recreation product equal to five-tenths
14 percent of the selling price.

15 (3) The tax imposed under this chapter shall apply to successive
16 retail sales of the same property.

17 (~~(3)~~) (4) The rates provided in this section (~~applies~~) apply to
18 taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

19 NEW SECTION. **Sec. 10.** A new section is added to chapter 82.08 RCW
20 to read as follows:

21 Revenue from the tax imposed in RCW 82.08.020(2) and revenue from
22 the equivalent rate of tax under chapter 82.12 RCW shall be deposited
23 in the state wildlife fund.

24 **Sec. 11.** RCW 77.12.170 and 1989 c 314 s 4 are each amended to read
25 as follows:

26 (1) There is established in the state treasury the state wildlife
27 fund which consists of moneys received from:

- 1 (a) Rentals or concessions of the department;
- 2 (b) The sale of real or personal property held for department
3 purposes;
- 4 (c) The sale of licenses, permits, tags, stamps, and punchcards
5 required by this title;
- 6 (d) Fees for informational materials published by the department;
- 7 (e) Fees for personalized vehicle license plates as provided in
8 chapter 46.16 RCW;
- 9 (f) Articles or wildlife sold by the director under this title;
- 10 (g) Compensation for wildlife losses or gifts or grants received
11 under RCW 77.12.320;
- 12 (h) Excise tax on anadromous game fish collected under chapter
13 82.27 RCW; (~~and~~)
- 14 (i) The sale of personal property seized by the department for
15 wildlife violations; and
- 16 (j) Tax on outdoor recreation products collected under sections 9
17 through 11 of this act.
- 18 (2) State and county officers receiving any moneys listed in
19 subsection (1) of this section shall deposit them in the state treasury
20 to be credited to the state wildlife fund.

21 NEW SECTION. Sec. 12. This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and shall take
24 effect July 1, 1991. Unless both this act and chapter, Laws of
25 1991 (SHB 1850) are referenced by bill number in an omnibus
26 appropriations act enacted before July 1, 1991, this act shall be null
27 and void.