

SENATE BILL REPORT

SB 5102

AS REPORTED BY COMMITTEE ON WAYS & MEANS, MARCH 7, 1991

Brief Description: Allowing an increased penalty for violations involving big game and endangered species.

SPONSORS: Senators Metcalf, Owen, Sutherland, Snyder, McMullen, L. Kreidler and Roach.

SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

Majority Report: That Substitute Senate Bill No. 5102 be substituted therefor, and the substitute bill do pass.

Signed by Senators Metcalf, Chairman; Oke, Vice Chairman; Barr, Conner, Owen, and Sutherland.

Staff: Vic Moon (786-7469)

Hearing Dates: January 21, 1991; February 5, 1991

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5102 be substituted therefor, and the second substitute bill do pass.

Signed by Senators McDonald, Chairman; Craswell, Vice Chairman; Bailey, Bauer, Gaspard, Johnson, L. Kreidler, Metcalf, Murray, Newhouse, Niemi, Rinehart, Saling, Talmadge, West, Williams, and Wojahn.

Staff: Michael Groesch (786-7715)

Hearing Dates: March 6, 1991; March 7, 1991

BACKGROUND:

There are major problems with poaching of fish and wildlife in the state of Washington. For example, as much as 45 percent of the deer killed in the state of Washington are taken illegally.

SUMMARY:

The courts are allowed to impose an additional penalty upon conviction of violations of the wildlife statutes. The penalty can be up to 100 percent of the prescribed penalty and the additional money will be divided between the court, the prosecutor's office and the Department of Wildlife.

EFFECT OF PROPOSED SUBSTITUTE:

The penalty is made uniform with the gross misdemeanor statute, increasing the maximum from \$1,000 to up to \$5,000 and from 30 days in jail to up to one year. A minimum fee is set. The court will not suspend or defer any penalty until both the criminal and civil penalties are paid. The funds from the civil penalty dealing with wildlife damage will go to support wildlife enforcement.

EFFECT OF PROPOSED SECOND SUBSTITUTE:

The transfer of funds to the special game wildlife fund is deleted.

Appropriation: none

Revenue: yes

Fiscal Note: requested

TESTIMONY FOR (Environment & Natural Resources):

Greater penalties are needed but a slightly different approach would benefit the Department of Wildlife more. (Therefore, the substitute bill is proposed.)

TESTIMONY AGAINST (Environment & Natural Resources): None

TESTIFIED (Environment & Natural Resources): Jim King, Sportsmen's Council (for); Larry Bell, Washington Hound Council (for); Ron Peregrin, Department of Wildlife (for)

TESTIMONY FOR (Ways & Means):

The bill directs the reimbursements to the proper fund and ensures their collection.

TESTIMONY AGAINST (Ways & Means): None

TESTIFIED (Ways & Means): Ron Peregrin, Dept. of Wildlife (pro)