

SENATE BILL REPORT

SHB 2055

AS REPORTED BY COMMITTEE ON NATURAL RESOURCES, APRIL 2, 1993

**Brief Description:** Creating the department of fish and wildlife.

**SPONSORS:** House Committee on State Government (originally sponsored by Representatives Hansen, Fuhrman, King, Basich, R. Fisher, Sheldon, Ogden, Lemmon and Conway; by request of Governor Lowry)

**HOUSE COMMITTEE ON STATE GOVERNMENT**

**SENATE COMMITTEE ON NATURAL RESOURCES**

**Majority Report:** Do pass as amended.

Signed by Senators Owen, Chairman; Amondson, Erwin, Franklin, Haugen, Oke, Sellar, L. Smith, and Snyder.

**Staff:** Ross Antipa (786-7413)

**Hearing Dates:** March 29, 1993; April 2, 1993

**BACKGROUND:**

Prior to 1932, fish and wildlife resources were managed by the Department of Fish and Game and the counties. In 1932, the Game Department and the Game Commission were established by Initiative 62 as separate entities. The Game Commission assumed responsibility for setting fishing and hunting seasons, limits for taking game, and license fees. The Game Commission was also authorized to hire the director of the Department of Game.

In 1945, the Legislature abolished the Game Commission and gave the Governor the authority to appoint the Director of the Department of Game. The voters overturned this legislation by referendum by a margin of seven to one. In 1987, the Legislature changed the name of the Department of Game to the Department of Wildlife (WDW), and gave the Governor the authority to appoint the Director of WDW.

Generally, the Department of Wildlife manages wildlife and game fish. The paramount mandate of WDW is to preserve, protect, and perpetuate all wildlife species. WDW is also charged with managing wildlife for recreational hunting and fishing activities. The Department of Fisheries (FIS) manages food fish and shellfish. The mandate of FIS is to preserve, protect, and perpetuate food fish and shellfish, and to maintain the economic well-being of the fishing industry in the state. Both FIS and WDW have enforcement and habitat protection responsibilities.

In most states, wildlife and fisheries management is consolidated in one agency. In 1980, the Legislative Budget Committee (LBC) issued a report evaluating the feasibility of combining the Departments of Fisheries and Wildlife. The report identified savings of \$1.4 million and nine full-time employees for the 1981-83 biennium, but did not make a recommendation as to whether the merger should occur. In 1984, the House Subcommittee on State Government Reorganization reviewed the merger possibility in light of the similarity of functions, but no action was taken. In 1990, the Efficiency Commission conducted a study of merging hunting and fishing licensing functions. Over the past decade, the Legislature has considered a variety of merger proposals.

**SUMMARY:**

The Department of Fish and Wildlife is established. Effective July 1, 1994, the Department of Fisheries and the Department of Wildlife are abolished and all of their powers, duties, and functions are transferred to the new Department of Fish and Wildlife. All records, documents, equipment, funds, assets, employees, rules, and pending business are transferred. The Office of Financial Management will resolve questions arising from the transfer.

The Director of the Department of Fish and Wildlife will be appointed by the Governor, subject to Senate confirmation, and will serve at the pleasure of the Governor. The director is given authority over the management of the department.

By November 15, 1993, the Director of Fisheries and the Director of Wildlife will jointly submit a transition plan to the Governor. The House Fisheries and Wildlife Committee and the Senate Natural Resources Committee will conduct a joint interim study to determine the role the Wildlife Commission should play in the new department. The committees will make recommendations by January 1, 1994.

**SUMMARY OF PROPOSED SENATE AMENDMENT:**

The rulemaking power of the Wildlife Commission is retained, as is the current commission. Three new at-large commissioners are added to the Wildlife Commission. A six-member food fish and shellfish advisory council is created. Persons eligible for appointment to the Wildlife Commission shall not have a monetary interest in game fish or wildlife. Sunset provisions are removed from the Department of Wildlife Authority to allow game fish mitigation from private aquaculturists. The wildlife fund is to be utilized for funding of game fish and wildlife purposes.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested March 4, 1993

**Effective Date:** Sections 1 through 8 and Sections 10 through 74 take effect July 1, 1994.

**TESTIMONY FOR:**

Combining the agencies would provide better resource management and eliminate duplication.

**TESTIMONY AGAINST:**

The Wildlife Commission must be retained, and its powers should not be diminished in order to protect the interests of the recreational fisher and hunter.

**TESTIFIED:** John Kelly, King County Outdoor Sports Council; J. K. Johnson, Washington State Muzzleloaders Association; Bob Panther, Inland Northwest Wildlife Council (con); Judith Freeman, WDF; Joe LaTourrette, Washington Wildlife Federation; John Douglas, Washington Wildlife Federation; Eric Weigand, WOW; Jeff Parsons, National Audubon Society; Gerald Rowland, Sr., Modern Firearm Hunters of Washington