
HOUSE BILL 2368

State of Washington

57th Legislature

2002 Regular Session

By Representatives Buck, Hatfield, Schoesler, Sump, DeBolt, Pearson, Roach, McMorris, Boldt, Mielke, Mulliken, Holmquist, Ahern, Morell and Grant

Read first time 01/16/2002. Referred to Committee on Natural Resources.

1 AN ACT Relating to the state legislative fish and wildlife
2 committee; adding a new chapter to Title 77 RCW; and providing an
3 effective date.

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

5 NEW SECTION. **Sec. 1.** (1) All powers, duties, and functions of the
6 state fish and wildlife commission are transferred to the legislative
7 fish and wildlife committee. All references to the state fish and
8 wildlife commission in the Revised Code of Washington shall be
9 construed to mean the legislative fish and wildlife committee when
10 referring to the functions transferred in this section.

11 (2)(a) All reports, documents, surveys, books, records, files,
12 papers, or written material in the possession of the state fish and
13 wildlife commission pertaining to the powers, functions, and duties
14 transferred shall be delivered to the custody of the legislative fish
15 and wildlife committee. All cabinets, furniture, office equipment,
16 motor vehicles, and other tangible property employed by the state fish
17 and wildlife commission in carrying out the powers, functions, and
18 duties transferred shall be made available to the legislative fish and
19 wildlife committee. All funds, credits, or other assets held in

1 connection with the powers, functions, and duties transferred shall be
2 assigned to the legislative fish and wildlife committee.

3 (b) Any appropriations made to the state fish and wildlife
4 commission for carrying out the powers, functions, and duties
5 transferred shall, on the effective date of this section, be
6 transferred and credited to the legislative fish and wildlife
7 committee.

8 (c) Whenever any question arises as to the transfer of any
9 personnel, funds, books, documents, records, papers, files, equipment,
10 or other tangible property used or held in the exercise of the powers
11 and the performance of the duties and functions transferred, the
12 director of financial management shall make a determination as to the
13 proper allocation and certify the same to the state agencies concerned.

14 (3) All rules and all pending business before the state fish and
15 wildlife commission pertaining to the powers, functions, and duties
16 transferred shall be continued and acted upon by the legislative fish
17 and wildlife committee. All existing contracts and obligations shall
18 remain in full force and shall be performed by the legislative fish and
19 wildlife committee.

20 (4) The transfer of the powers, duties, functions, and personnel of
21 the state fish and wildlife commission shall not affect the validity of
22 any act performed before the effective date of this section.

23 (5) If apportionments of budgeted funds are required because of the
24 transfers directed by this section, the director of financial
25 management shall certify the apportionments to the agencies affected,
26 the state auditor, and the state treasurer. Each of these shall make
27 the appropriate transfer and adjustments in funds and appropriation
28 accounts and equipment records in accordance with the certification.

29 NEW SECTION. **Sec. 2.** The legislative fish and wildlife committee
30 is created. The committee consists of six senators to be appointed by
31 the president of the senate and six members of the house of
32 representatives to be appointed by the speaker of the house of
33 representatives. Not more than three members from the senate or the
34 house of representatives may be from the same political party. A list
35 of appointees must be submitted before the close of each regular
36 legislative session during an odd-numbered year or any successive
37 special session convened by the governor or the legislature prior to
38 the close of the regular session or a successive special session for

1 confirmation of senate members, by the senate, and house of
2 representative members, by the house of representatives. Vacancies
3 occurring must be filled by the appointing authority. All vacancies
4 must be filled from the same political party and from the same chamber
5 as the member whose seat was vacated. The committee must adopt rules
6 and procedures for its orderly operation.

7 NEW SECTION. **Sec. 3.** The committee must:

8 (1) Adopt rules and establish direction for implementing
9 legislative policy for fish and wildlife species;

10 (2) Monitor the department's implementation of the goals, policies,
11 and objectives established by the committee;

12 (3) Classify wildlife and adopt rules governing the time, place,
13 manner, and methods used to harvest or enjoy fish and wildlife;

14 (4) Handle all general administrative and personnel duties related
15 to the committee;

16 (5) Determine the number of committee staff needed to fulfill the
17 duties of the committee;

18 (6) Establish policies for committee staff;

19 (7) Adopt an interim work plan and meeting schedule; and

20 (8) Approve all contracts signed on behalf of the committee.

21 NEW SECTION. **Sec. 4.** The fish and wildlife citizen advisory
22 council is created, and is composed of nine members appointed by the
23 governor. Persons eligible for appointment as members of the fish and
24 wildlife citizens advisory council must have general knowledge of the
25 habits and distribution of fish and wildlife and may not hold another
26 state, county, or municipal elective or appointive office. The
27 governor must appoint the members of the fish and wildlife citizens
28 advisory council with the advice and consent of the senate. In making
29 these appointments, the governor must seek to maintain a balance
30 reflecting all aspects of fish and wildlife, including representation
31 recommended by organized groups representing sportfishers, commercial
32 fishers, hunters, private landowners, and environmentalists. Three
33 members of the fish and wildlife citizens advisory council must be
34 residents of that portion of the state lying east of the summit of the
35 Cascade mountains, and three members must be residents of that portion
36 of the state lying west of the summit of the Cascade mountains. Three
37 additional members of the fish and wildlife citizens advisory council

1 are appointed at-large. No two members may be residents of the same
2 county. Members of the fish and wildlife citizens advisory council
3 serve four-year terms. Of the initial members appointed to the
4 council, three members serve two-year terms, three members serve three-
5 year terms, and three members serve four-year terms. Thereafter,
6 members of the council are appointed to four-year terms. Vacancies to
7 the fish and wildlife citizens advisory council must be filled by
8 appointment in the same manner as the original appointment for the
9 remainder of the unexpired term of the position being vacated. Members
10 must be reimbursed for travel expenses as provided in RCW 43.03.050 and
11 43.03.060.

12 NEW SECTION. **Sec. 5.** (1) The fish and wildlife citizen advisory
13 council is authorized and directed to ascertain, study, and analyze all
14 available facts and matters relating or pertaining to:

15 (a) Wildlife, fish, and shellfish in the state;

16 (b) Preservation, protection, and management of wildlife, food
17 fish, game fish, and shellfish in the waters of the state and offshore
18 water;

19 (c) Conserving the wildlife, food fish, game fish, and shellfish
20 resources in a manner that does not impair the resource;

21 (d) The department's mandate to maintain the economic well-being
22 and stability of the state's fishing industry;

23 (e) The department's actions to promote orderly fisheries in the
24 state, and to enhance and improve recreational and commercial fishing
25 in the state;

26 (f) The taking of wildlife, food fish, game fish, and shellfish in
27 the state as authorized by the committee;

28 (g) The committee's efforts to maximize the public recreational
29 game fishing and hunting opportunities of all citizens, including
30 juveniles, disabled persons, and senior citizens;

31 (h) The department's work with volunteer groups and individuals to
32 achieve the goals expressed in Title 77 RCW; and

33 (i) Bills assigned to the natural resources committees in the
34 senate and the house of representatives.

35 (2) The fish and wildlife citizens advisory council is authorized
36 to ascertain, study, and analyze all available facts and matters
37 relating or pertaining to sources of revenue, appropriations,
38 expenditures, and the financial condition of the state wildlife fund

1 and all other funds or accounts related to fish and wildlife programs
2 of the state.

3 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act take effect
4 June 30, 2002.

5 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
6 a new chapter in Title 77 RCW.

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