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**SUBSTITUTE SENATE BILL 6353**

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**State of Washington 57th Legislature**

**2002 Regular Session**

**By** Senate Committee on Natural Resources, Parks & Shorelines  
(originally sponsored by Senators Haugen, Oke and Jacobsen)

READ FIRST TIME 02/07/2002.

1 AN ACT Relating to migratory bird stamps; and amending RCW  
2 77.32.350 and 77.12.670.

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

4 **Sec. 1.** RCW 77.32.350 and 2000 c 107 s 270 are each amended to  
5 read as follows:

6 In addition to a small game hunting license, a supplemental permit  
7 or stamp is required to hunt for western Washington pheasant or  
8 migratory birds.

9 (1) A western Washington pheasant permit is required to hunt for  
10 pheasant in western Washington. Western Washington pheasant permits  
11 must contain numbered spaces for recording the location and date of  
12 harvest of each western Washington pheasant.

13 (2) The permit shall be available as a season option, a youth full  
14 season option, or a three-day option. The fee for this permit is:

15 (a) For the resident and nonresident full season option, thirty-six  
16 dollars;

17 (b) For the youth full season option, eighteen dollars;

18 (c) For the three-day option, twenty dollars.

1       (3) (~~(A migratory bird stamp affixed to a hunting license~~  
2 ~~designated by rule of the commission is required for all persons~~  
3 ~~sixteen years of age or older to hunt migratory birds. The fee for the~~  
4 ~~stamp for hunters is six dollars for residents and nonresidents. The~~  
5 ~~fee for the stamp for collectors is six dollars.~~

6       (4) ~~The migratory bird stamp shall be validated by the signature of~~  
7 ~~the licensee written across the face of the stamp))~~ A migratory bird  
8 validation is required for all persons sixteen years of age or older to  
9 hunt migratory birds. The fee for the validation for hunters is ten  
10 dollars for residents and nonresidents. The fee for the stamp for  
11 collectors is ten dollars.

12       (4) The migratory bird license must be validated at the time of  
13 signature of the licensee.

14       **Sec. 2.** RCW 77.12.670 and 1998 c 191 s 32 are each amended to read  
15 as follows:

16       (1) The migratory bird stamp to be produced by the department shall  
17 use the design as provided by the migratory waterfowl art committee.

18       (2) All revenue derived from the sale of the stamps by the  
19 department to any person hunting waterfowl or to any stamp collector  
20 shall be deposited in the state wildlife fund and shall be used only  
21 for that portion of the cost of printing and production of the stamps  
22 for migratory waterfowl hunters as determined by subsection (4) of this  
23 section, and for those migratory waterfowl projects specified by the  
24 director of the department for the acquisition and development of  
25 migratory waterfowl habitat in the state and for the enhancement,  
26 protection, and propagation of migratory waterfowl in the state.  
27 Migratory bird stamp funds may not be used on lands controlled by  
28 private hunting clubs or on lands that charge a fee for public access.  
29 Migratory bird stamp funds may be used for migratory waterfowl projects  
30 on private land where public hunting is provided by written permission  
31 or on areas established by the department as waterfowl hunting  
32 closures.

33       (3) All revenue derived from the sale of the stamp by the  
34 department to persons hunting solely nonwaterfowl migratory birds shall  
35 be deposited in the state wildlife fund and shall be used only for that  
36 portion of the cost of printing and production of the stamps for  
37 nonwaterfowl migratory bird hunters as determined by subsection (4) of  
38 this section, and for those nonwaterfowl migratory bird projects

1 specified by the director for the acquisition and development of  
2 nonwaterfowl migratory bird habitat in the state and for the  
3 enhancement, protection, and propagation of nonwaterfowl migratory  
4 birds in the state.

5 (4) With regard to the revenue from stamp sales that is not the  
6 result of sales to stamp collectors, the department shall determine the  
7 proportion of migratory waterfowl hunters and solely nonwaterfowl  
8 migratory bird hunters by using the yearly migratory bird hunter  
9 harvest information program survey results or, in the event that these  
10 results are not available, other similar survey results. A two-year  
11 average of the most recent survey results shall be used to determine  
12 the proportion of the revenue attributed to migratory waterfowl hunters  
13 and the proportion attributed to solely nonwaterfowl migratory bird  
14 hunters for each fiscal year. For fiscal year 1998-99 and for fiscal  
15 year 1999-2000, ninety-six percent of the stamp revenue shall be  
16 attributed to migratory waterfowl hunters and four percent of the stamp  
17 revenue shall be attributed to solely nonwaterfowl migratory game  
18 hunters.

19 (5) Acquisition shall include but not be limited to the acceptance  
20 of gifts of real estate or any interest therein or the rental, lease,  
21 or purchase of real estate or any interest therein. If the department  
22 acquires any fee interest, leasehold, or rental interest in real  
23 property under this section, it shall allow the general public  
24 reasonable access to that property and shall, if appropriate,  
25 ((insure)) ensure that the deed or other instrument creating the  
26 interest allows such access to the general public. If the department  
27 obtains a covenant in real property in its favor or an easement or any  
28 other interest in real property under this section, it shall exercise  
29 its best efforts to ((insure)) ensure that the deed or other instrument  
30 creating the interest grants to the general public in the form of a  
31 covenant running with the land reasonable access to the property. The  
32 private landowner from whom the department obtains such a covenant or  
33 easement shall retain the right of granting access to the lands by  
34 written permission, but may not charge a fee for access.

35 (6) The department may produce migratory bird stamps in any given  
36 year in excess of those necessary for sale in that year. The excess

1 stamps may be sold to the migratory waterfowl art committee for sale to  
2 the public.

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