

HOUSE BILL REPORT

SHB 1079

As Amended by the Senate

Title: An act relating to hunting and fishing license fees.

Brief Description: Merging fishing and hunting license fees for certain veterans and persons with disabilities.

Sponsors: By House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Kretz, Blake, Upthegrove, Ormsby, O'Brien, Morrell, Conway, Haigh, Moeller, McCune and Simpson; by request of Department of Fish and Wildlife).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 1/15/07, 1/22/07 [DPS].

Floor Activity:

Passed House: 1/29/07, 95-0.

Senate Amended.

Passed Senate: 4/12/07, 45-0.

Brief Summary of Substitute Bill

- Creates a new definition for "person with a disability" in the Fish and Wildlife Code.
- Changes references in the Fish and Wildlife Code to language that meets respectful language requirements.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives B. Sullivan, Chair; Blake, Vice Chair; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson, Eickmeyer, Grant, Hailey, Kagi, Lantz, McCoy, Newhouse, Orcutt, Strow and VanDeWege.

Staff: Jason Callahan (786-7117).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Persons With Disabilities and the Department of Fish and Wildlife

The Department of Fish and Wildlife (Department) offers reduced license fees and additional hunting opportunities to persons with a disability. For instance, the Department offers special permits to hunters with a disability and permits hunters with a disability to hunt in manners unlawful for a person without a disability.

A reduced rate of \$5 for a fishing license is available to persons with developmental disabilities, people who are blind, and honorably discharged armed services veterans with a disability arising from military service. Reduced rate hunting licenses are available only to honorably discharged armed forces veterans with a service-related disability.

For the Department's purposes, a person is considered disabled if he or she has a permanent condition that requires the use of a wheelchair, crutches, or similar device. However, some of the reduced licence fees and increased opportunities also apply to individuals that satisfy various other standards for ascertaining a disability.

"People First" Requirements

The Office of the Code Revisor (CRO) is directed to avoid and change language in the Revised Code of Washington that is not respectful to people with disabilities. This includes identifying the individual as a person prior to identifying the disability. For instance, the CRO is directed to use the terminology "individuals with mental retardation" instead of "mentally retarded" and "individual with a handicap" instead of "handicapped" or "cripple."

Summary of Substitute Bill:

Definition of "Person With a Disability"

An individual can meet the definition of a "person with a disability" for the Department's purposes if he or she satisfies one of three conditions. The defined conditions include: ambulatory difficulty, difficulty handling or operating hunting or fishing equipment, and visual impairments.

"People First" Changes

Terminology changes are made in the Fish and Wildlife Code that conform with the respectful language requirements placed on the CRO. The terms "disabled person" and "person of disability" is replaced with "person with a disability."

Licensure Changes

The authorization to provide reduced hunting and fishing licenses for individuals with disabilities is consolidated from two separate sections into one section.

EFFECT OF SENATE AMENDMENT(S):

Removes the definition of "person with a disability" from the Fish and Wildlife Code, directs the Fish and Wildlife Commission to adopt rules that define the term "persons with a disability", requires individuals opting for the military discount for fishing licences to be honorably discharged, requires individuals opting for the developmental disability discount for fishing licences to provide certification by a physician, gives the Fish and Wildlife Commission the authority to allow hunting from a vehicle along a public road.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This bill was developed in conjunction with the Department's Americans with Disabilities Act Compliance Committee and the advisory committee formed to advise the Fish and Wildlife Commission on disability issues.

Historically, the hunting laws and fishing laws were in two separate titles of law. The two were combined in the 1990s, but there are still some legacy provisions that treat hunting and fishing in different ways. This disparity between hunting and fishing is present in the laws that allow for reduced rate licenses, and this bill combines the two laws into one consistent section. The bill also combines the statutory definition of "persons with a disability" with the definition used in the Washington Administrative Code to allow an easier understanding of the definition.

(Opposed) None.

Persons Testifying: Representative Kretz, prime sponsor; and Tom Davis, Washington Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: None.