

# SENATE BILL REPORT

## SB 6268

---

---

As of January 31, 2012

**Title:** An act relating to achieving efficiencies in the stocking of trout in freshwater areas to enhance recreational fishing opportunities.

**Brief Description:** Achieving efficiencies in the stocking of trout in freshwater areas to enhance recreational fishing opportunities.

**Sponsors:** Senators Swecker, Sheldon, Schoesler, Roach, Tom and Hobbs.

**Brief History:**

**Committee Activity:** Energy, Natural Resources & Marine Waters: 2/01/12.

---

### SENATE COMMITTEE ON ENERGY, NATURAL RESOURCES & MARINE WATERS

**Staff:** Curt Gavigan (786-7437)

**Background:** The Department of Fish and Wildlife (DFW) Generally. DFW serves as manager of the state's fish and wildlife resources. Among other duties, DFW must protect and manage fish and wildlife, including establishing the time, place, manner, and methods used to harvest or enjoy fish and wildlife. DFW also manages nearly one million acres of public land for fish and wildlife, habitat conservation, and wildlife-oriented recreation.

DFW Trout Production and Planting. DFW operates hatchery facilities throughout the state, with about 75 percent of facilities raising salmon or steelhead and 25 percent rearing trout and other game fish.

DFW annually stocks freshwater areas with catchable trout for recreational purposes. According to DFW's Trout Stocking Plan, planned activities for 2011 included:

- release of over 3.4 million trout of 8 inches or longer;
- purchase by contract and release of approximately 50,000 triploid trout averaging about 1.5 pounds; and
- release of over 16.6 million fry and fingerlings, as 2 to 5 inch long trout, into almost 630 lakes and ponds.

State Agency Contracting Procedures. Current law authorizes state agencies to contract for services, including services historically provided by state employees. State employees whose position or work would be displaced by the contract must generally be given an opportunity

---

*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.*

to offer alternatives to contracting and compete for the contract under a process specified in statute.

**Summary of Bill:** Directs DFW to Meet Certain Requirements for the Contracting of Trout Production. By July 1, 2014, DFW must use at least 50 percent of operating monies expended to produce or obtain trout for recreational stocking purposes on contracts with registered aquatic farmers. The agency must incrementally increase contracting to specified levels during the period leading up to July 1, 2014. The bill specifies criteria for determining and implementing required contracting levels, including describing operating expenditures subject to the requirement and excluding current contracting levels from counting towards the requirement.

In determining what trout production to obtain through contract, DFW must consider specified factors including its actual trout production costs, the relative effectiveness and efficiency of its various production programs, and the relative effectiveness and efficiency of its programs compared to contracts with registered aquatic farmers.

Contracting activities of DFW under the bill are not subject to the general procedures for the contracting out of services historically provided by state employees.

DFW must submit an annual progress report that includes a summary of its progress in implementing the contracting requirements.

Requires a Performance Audit. By July 1, 2013, the State Auditor must complete a performance audit of DFW's program to produce, obtain, and stock freshwater areas with trout for recreational purposes.

**Appropriation:** None.

**Fiscal Note:** Requested on January 28, 2012.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.