
HOUSE BILL 2238

State of Washington

66th Legislature

2020 Regular Session

By Representatives Ormsby and Stokesbary; by request of Department of Fish and Wildlife

Prefiled 12/12/19.

1 AN ACT Relating to dividing the state wildlife account into the
2 fish, wildlife, and conservation account and the limited fish and
3 wildlife account; amending RCW 46.68.435, 77.12.170, 77.12.177,
4 77.12.184, 77.12.190, 77.12.210, 77.12.230, 77.12.240, 77.12.323,
5 77.12.380, 77.12.390, 77.12.670, 77.12.690, 77.32.050, 77.32.430,
6 77.32.460, 77.32.470, 77.32.530, 77.32.560, 77.36.070, 77.36.170,
7 77.44.050, 79A.55.090, 79A.80.090, and 82.27.070; reenacting and
8 amending RCW 9.41.070 and 43.84.092; creating a new section; and
9 providing an effective date.

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

11 NEW SECTION. **Sec. 1.** In 2017, the legislature directed the
12 department of fish and wildlife to conduct a budget and performance
13 assessment.

14 That assessment identified a structural deficit in the current
15 state wildlife account, which does not differentiate between
16 restricted use revenues and nonrestricted revenues.

17 The legislature intends to increase transparency and
18 accountability to the public by clearly dividing restricted and
19 nonrestricted revenues into two separate accounts.

20 This act does not alter any current legal restrictions on revenue
21 uses or alter the amounts of revenue collected.

1 **Sec. 2.** RCW 9.41.070 and 2019 c 249 s 1, 2019 c 135 s 1, and
2 2019 c 46 s 5004 are each reenacted and amended to read as follows:

3 (1) The chief of police of a municipality or the sheriff of a
4 county shall within thirty days after the filing of an application of
5 any person, issue a license to such person to carry a pistol
6 concealed on his or her person within this state for five years from
7 date of issue, for the purposes of protection or while engaged in
8 business, sport, or while traveling. However, if the applicant does
9 not have a valid permanent Washington driver's license or Washington
10 state identification card or has not been a resident of the state for
11 the previous consecutive ninety days, the issuing authority shall
12 have up to sixty days after the filing of the application to issue a
13 license. The issuing authority shall not refuse to accept completed
14 applications for concealed pistol licenses during regular business
15 hours.

16 The applicant's constitutional right to bear arms shall not be
17 denied, unless:

18 (a) He or she is ineligible to possess a firearm under the
19 provisions of RCW 9.41.040 or 9.41.045, or is prohibited from
20 possessing a firearm under federal law;

21 (b) The applicant's concealed pistol license is in a revoked
22 status;

23 (c) He or she is under twenty-one years of age;

24 (d) He or she is subject to a court order or injunction regarding
25 firearms pursuant to chapter 7.90, 7.92, or 7.94 RCW, or RCW
26 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060,
27 26.10.040, 26.10.115, 26.26B.020, 26.50.060, 26.50.070, or
28 26.26A.470;

29 (e) He or she is free on bond or personal recognizance pending
30 trial, appeal, or sentencing for a felony offense;

31 (f) He or she has an outstanding warrant for his or her arrest
32 from any court of competent jurisdiction for a felony or misdemeanor;
33 or

34 (g) He or she has been ordered to forfeit a firearm under RCW
35 9.41.098(1)(e) within one year before filing an application to carry
36 a pistol concealed on his or her person.

37 No person convicted of a felony may have his or her right to
38 possess firearms restored or his or her privilege to carry a
39 concealed pistol restored, unless the person has been granted relief

1 from disabilities by the attorney general under 18 U.S.C. Sec.
2 925(c), or RCW 9.41.040 (3) or (4) applies.

3 (2) (a) The issuing authority shall conduct a check through the
4 national instant criminal background check system, the Washington
5 state patrol electronic database, the health care authority
6 electronic database, and with other agencies or resources as
7 appropriate, to determine whether the applicant is ineligible under
8 RCW 9.41.040 or 9.41.045 to possess a firearm, or is prohibited from
9 possessing a firearm under federal law, and therefore ineligible for
10 a concealed pistol license.

11 (b) The issuing authority shall deny a permit to anyone who is
12 found to be prohibited from possessing a firearm under federal or
13 state law.

14 (c) (a) and (b) of this subsection apply whether the applicant is
15 applying for a new concealed pistol license or to renew a concealed
16 pistol license.

17 (d) A background check for an original license must be conducted
18 through the Washington state patrol criminal identification section
19 and shall include a national check from the federal bureau of
20 investigation through the submission of fingerprints. The results
21 will be returned to the issuing authority. The applicant may request
22 and receive a copy of the results of the background check from the
23 issuing authority. If the applicant seeks to amend or correct their
24 record, the applicant must contact the Washington state patrol for a
25 Washington state record or the federal bureau of investigation for
26 records from other jurisdictions.

27 (3) Any person whose firearms rights have been restricted and who
28 has been granted relief from disabilities by the attorney general
29 under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec.
30 921(a)(20)(A) shall have his or her right to acquire, receive,
31 transfer, ship, transport, carry, and possess firearms in accordance
32 with Washington state law restored except as otherwise prohibited by
33 this chapter.

34 (4) The license application shall bear the full name, residential
35 address, telephone number at the option of the applicant, email
36 address at the option of the applicant, date and place of birth,
37 race, gender, description, a complete set of fingerprints, and
38 signature of the licensee, and the licensee's driver's license number
39 or state identification card number if used for identification in
40 applying for the license. A signed application for a concealed pistol

1 license shall constitute a waiver of confidentiality and written
2 request that the health care authority, mental health institutions,
3 and other health care facilities release information relevant to the
4 applicant's eligibility for a concealed pistol license to an
5 inquiring court or law enforcement agency.

6 The application for an original license shall include a complete
7 set of fingerprints to be forwarded to the Washington state patrol.

8 The license and application shall contain a warning substantially
9 as follows:

10 CAUTION: Although state and local laws do not differ, federal
11 law and state law on the possession of firearms differ. If
12 you are prohibited by federal law from possessing a firearm,
13 you may be prosecuted in federal court. A state license is
14 not a defense to a federal prosecution.

15 The license shall contain a description of the major differences
16 between state and federal law and an explanation of the fact that
17 local laws and ordinances on firearms are preempted by state law and
18 must be consistent with state law.

19 The application shall contain questions about the applicant's
20 eligibility under RCW 9.41.040 and federal law to possess a pistol,
21 the applicant's place of birth, and whether the applicant is a United
22 States citizen. If the applicant is not a United States citizen, the
23 applicant must provide the applicant's country of citizenship, United
24 States issued alien number or admission number, and the basis on
25 which the applicant claims to be exempt from federal prohibitions on
26 firearm possession by aliens. The applicant shall not be required to
27 produce a birth certificate or other evidence of citizenship. A
28 person who is not a citizen of the United States shall, if
29 applicable, meet the additional requirements of RCW 9.41.173 and
30 produce proof of compliance with RCW 9.41.173 upon application. The
31 license may be in triplicate or in a form to be prescribed by the
32 department of licensing.

33 A photograph of the applicant may be required as part of the
34 application and printed on the face of the license.

35 The original thereof shall be delivered to the licensee, the
36 duplicate shall within seven days be sent to the director of
37 licensing and the triplicate shall be preserved for six years, by the
38 authority issuing the license.

1 The department of licensing shall make available to law
2 enforcement and corrections agencies, in an online format, all
3 information received under this subsection.

4 (5) The nonrefundable fee, paid upon application, for the
5 original five-year license shall be thirty-six dollars plus
6 additional charges imposed by the federal bureau of investigation
7 that are passed on to the applicant. No other state or local branch
8 or unit of government may impose any additional charges on the
9 applicant for the issuance of the license.

10 The fee shall be distributed as follows:

11 (a) Fifteen dollars shall be paid to the state general fund;

12 (b) Four dollars shall be paid to the agency taking the
13 fingerprints of the person licensed;

14 (c) Fourteen dollars shall be paid to the issuing authority for
15 the purpose of enforcing this chapter;

16 (d) Two dollars and sixteen cents to the firearms range account
17 in the general fund; and

18 (e) Eighty-four cents to the concealed pistol license renewal
19 notification account created in RCW 43.79.540.

20 (6) The nonrefundable fee for the renewal of such license shall
21 be thirty-two dollars. No other branch or unit of government may
22 impose any additional charges on the applicant for the renewal of the
23 license.

24 The renewal fee shall be distributed as follows:

25 (a) Fifteen dollars shall be paid to the state general fund;

26 (b) Fourteen dollars shall be paid to the issuing authority for
27 the purpose of enforcing this chapter;

28 (c) Two dollars and sixteen cents to the firearms range account
29 in the general fund; and

30 (d) Eighty-four cents to the concealed pistol license renewal
31 notification account created in RCW 43.79.540.

32 (7) The nonrefundable fee for replacement of lost or damaged
33 licenses is ten dollars to be paid to the issuing authority.

34 (8) Payment shall be by cash, check, or money order at the option
35 of the applicant. Additional methods of payment may be allowed at the
36 option of the issuing authority.

37 (9) (a) A licensee may renew a license if the licensee applies for
38 renewal within ninety days before or after the expiration date of the
39 license. A license so renewed shall take effect on the expiration
40 date of the prior license. A licensee renewing after the expiration

1 date of the license must pay a late renewal penalty of ten dollars in
2 addition to the renewal fee specified in subsection (6) of this
3 section. The fee shall be distributed as follows:

4 (i) Three dollars shall be deposited in the ((state)) limited
5 fish and wildlife account and used exclusively first for the printing
6 and distribution of a pamphlet on the legal limits of the use of
7 firearms, firearms safety, and the preemptive nature of state law,
8 and subsequently the support of volunteer instructors in the basic
9 firearms safety training program conducted by the department of fish
10 and wildlife. The pamphlet shall be given to each applicant for a
11 license; and

12 (ii) Seven dollars shall be paid to the issuing authority for the
13 purpose of enforcing this chapter.

14 (b) Beginning with concealed pistol licenses that expire on or
15 after August 1, 2018, the department of licensing shall mail a
16 renewal notice approximately ninety days before the license
17 expiration date to the licensee at the address listed on the
18 concealed pistol license application, or to the licensee's new
19 address if the licensee has notified the department of licensing of a
20 change of address. Alternatively, if the licensee provides an email
21 address at the time of license application, the department of
22 licensing may send the renewal notice to the licensee's email
23 address. The notice must contain the date the concealed pistol
24 license will expire, the amount of renewal fee, the penalty for late
25 renewal, and instructions on how to renew the license.

26 (10) Notwithstanding the requirements of subsections (1) through
27 (9) of this section, the chief of police of the municipality or the
28 sheriff of the county of the applicant's residence may issue a
29 temporary emergency license for good cause pending review under
30 subsection (1) of this section. However, a temporary emergency
31 license issued under this subsection shall not exempt the holder of
32 the license from any records check requirement. Temporary emergency
33 licenses shall be easily distinguishable from regular licenses.

34 (11) A political subdivision of the state shall not modify the
35 requirements of this section or chapter, nor may a political
36 subdivision ask the applicant to voluntarily submit any information
37 not required by this section.

38 (12) A person who knowingly makes a false statement regarding
39 citizenship or identity on an application for a concealed pistol
40 license is guilty of false swearing under RCW 9A.72.040. In addition

1 to any other penalty provided for by law, the concealed pistol
2 license of a person who knowingly makes a false statement shall be
3 revoked, and the person shall be permanently ineligible for a
4 concealed pistol license.

5 (13) A person may apply for a concealed pistol license:

6 (a) To the municipality or to the county in which the applicant
7 resides if the applicant resides in a municipality;

8 (b) To the county in which the applicant resides if the applicant
9 resides in an unincorporated area; or

10 (c) Anywhere in the state if the applicant is a nonresident.

11 (14) Any person who, as a member of the armed forces, including
12 the national guard and armed forces reserves, is unable to renew his
13 or her license under subsections (6) and (9) of this section because
14 of the person's assignment, reassignment, or deployment for out-of-
15 state military service may renew his or her license within ninety
16 days after the person returns to this state from out-of-state
17 military service, if the person provides the following to the issuing
18 authority no later than ninety days after the person's date of
19 discharge or assignment, reassignment, or deployment back to this
20 state: (a) A copy of the person's original order designating the
21 specific period of assignment, reassignment, or deployment for out-
22 of-state military service, and (b) if appropriate, a copy of the
23 person's discharge or amended or subsequent assignment, reassignment,
24 or deployment order back to this state. A license so renewed under
25 this subsection (14) shall take effect on the expiration date of the
26 prior license. A licensee renewing after the expiration date of the
27 license under this subsection (14) shall pay only the renewal fee
28 specified in subsection (6) of this section and shall not be required
29 to pay a late renewal penalty in addition to the renewal fee.

30 (15)(a) By October 1, 2019, law enforcement agencies that issue
31 concealed pistol licenses shall develop and implement a procedure for
32 the renewal of concealed pistol licenses through a mail application
33 process, and may develop an online renewal application process, for
34 any person who, as a member of the armed forces, including the
35 national guard and armed forces reserves, is unable to renew his or
36 her license under subsections (6) and (9) of this section because of
37 the person's assignment, reassignment, or deployment for out-of-state
38 military service.

39 (b) A person applying for a license renewal under this subsection
40 shall:

1 (i) Provide a copy of the person's original order designating the
2 specific period of assignment, reassignment, or deployment for out-
3 of-state military service;

4 (ii) Apply for renewal within ninety days before or after the
5 expiration date of the license; and

6 (iii) Pay the renewal licensing fee under subsection (6) of this
7 section, and, if applicable, the late renewal penalty under
8 subsection (9) of this section.

9 (c) A license renewed under this subsection takes effect on the
10 expiration date of the prior license and is valid for a period of one
11 year.

12 **Sec. 3.** RCW 43.84.092 and 2019 c 421 s 15, 2019 c 403 s 14, 2019
13 c 365 s 19, 2019 c 287 s 19, and 2019 c 95 s 6 are each reenacted and
14 amended to read as follows:

15 (1) All earnings of investments of surplus balances in the state
16 treasury shall be deposited to the treasury income account, which
17 account is hereby established in the state treasury.

18 (2) The treasury income account shall be utilized to pay or
19 receive funds associated with federal programs as required by the
20 federal cash management improvement act of 1990. The treasury income
21 account is subject in all respects to chapter 43.88 RCW, but no
22 appropriation is required for refunds or allocations of interest
23 earnings required by the cash management improvement act. Refunds of
24 interest to the federal treasury required under the cash management
25 improvement act fall under RCW 43.88.180 and shall not require
26 appropriation. The office of financial management shall determine the
27 amounts due to or from the federal government pursuant to the cash
28 management improvement act. The office of financial management may
29 direct transfers of funds between accounts as deemed necessary to
30 implement the provisions of the cash management improvement act, and
31 this subsection. Refunds or allocations shall occur prior to the
32 distributions of earnings set forth in subsection (4) of this
33 section.

34 (3) Except for the provisions of RCW 43.84.160, the treasury
35 income account may be utilized for the payment of purchased banking
36 services on behalf of treasury funds including, but not limited to,
37 depository, safekeeping, and disbursement functions for the state
38 treasury and affected state agencies. The treasury income account is
39 subject in all respects to chapter 43.88 RCW, but no appropriation is

1 required for payments to financial institutions. Payments shall occur
2 prior to distribution of earnings set forth in subsection (4) of this
3 section.

4 (4) Monthly, the state treasurer shall distribute the earnings
5 credited to the treasury income account. The state treasurer shall
6 credit the general fund with all the earnings credited to the
7 treasury income account except:

8 (a) The following accounts and funds shall receive their
9 proportionate share of earnings based upon each account's and fund's
10 average daily balance for the period: The abandoned recreational
11 vehicle disposal account, the aeronautics account, the aircraft
12 search and rescue account, the Alaskan Way viaduct replacement
13 project account, the brownfield redevelopment trust fund account, the
14 budget stabilization account, the capital vessel replacement account,
15 the capitol building construction account, the Cedar River channel
16 construction and operation account, the Central Washington University
17 capital projects account, the charitable, educational, penal and
18 reformatory institutions account, the Chehalis basin account, the
19 cleanup settlement account, the Columbia river basin water supply
20 development account, the Columbia river basin taxable bond water
21 supply development account, the Columbia river basin water supply
22 revenue recovery account, the common school construction fund, the
23 community forest trust account, the connecting Washington account,
24 the county arterial preservation account, the county criminal justice
25 assistance account, the deferred compensation administrative account,
26 the deferred compensation principal account, the department of
27 licensing services account, the department of licensing tuition
28 recovery trust fund, the department of retirement systems expense
29 account, the developmental disabilities community trust account, the
30 diesel idle reduction account, the drinking water assistance account,
31 the drinking water assistance administrative account, the early
32 learning facilities development account, the early learning
33 facilities revolving account, the Eastern Washington University
34 capital projects account, the education construction fund, the
35 education legacy trust account, the election account, the electric
36 vehicle account, the energy freedom account, the energy recovery act
37 account, the essential rail assistance account, The Evergreen State
38 College capital projects account, the federal forest revolving
39 account, the ferry bond retirement fund, the fish, wildlife, and
40 conservation account, the freight mobility investment account, the

1 freight mobility multimodal account, the grade crossing protective
2 fund, the public health services account, the state higher education
3 construction account, the higher education construction account, the
4 highway bond retirement fund, the highway infrastructure account, the
5 highway safety fund, the hospital safety net assessment fund, the
6 industrial insurance premium refund account, the Interstate 405 and
7 state route number 167 express toll lanes account, the judges'
8 retirement account, the judicial retirement administrative account,
9 the judicial retirement principal account, the limited fish and
10 wildlife account, the local leasehold excise tax account, the local
11 real estate excise tax account, the local sales and use tax account,
12 the marine resources stewardship trust account, the medical aid
13 account, the mobile home park relocation fund, the money-purchase
14 retirement savings administrative account, the money-purchase
15 retirement savings principal account, the motor vehicle fund, the
16 motorcycle safety education account, the multimodal transportation
17 account, the multiuse roadway safety account, the municipal criminal
18 justice assistance account, the natural resources deposit account,
19 the oyster reserve land account, the pension funding stabilization
20 account, the perpetual surveillance and maintenance account, the
21 pollution liability insurance agency underground storage tank
22 revolving account, the public employees' retirement system plan 1
23 account, the public employees' retirement system combined plan 2 and
24 plan 3 account, the public facilities construction loan revolving
25 account beginning July 1, 2004, the public health supplemental
26 account, the public works assistance account, the Puget Sound capital
27 construction account, the Puget Sound ferry operations account, the
28 Puget Sound Gateway facility account, the Puget Sound taxpayer
29 accountability account, the real estate appraiser commission account,
30 the recreational vehicle account, the regional mobility grant program
31 account, the resource management cost account, the rural arterial
32 trust account, the rural mobility grant program account, the rural
33 Washington loan fund, the sexual assault prevention and response
34 account, the site closure account, the skilled nursing facility
35 safety net trust fund, the small city pavement and sidewalk account,
36 the special category C account, the special wildlife account, the
37 state employees' insurance account, the state employees' insurance
38 reserve account, the state investment board expense account, the
39 state investment board commingled trust fund accounts, the state
40 patrol highway account, the state route number 520 civil penalties

1 account, the state route number 520 corridor account, (~~the state~~
2 ~~wildlife account,~~) the statewide broadband account, the statewide
3 tourism marketing account, the student achievement council tuition
4 recovery trust fund, the supplemental pension account, the Tacoma
5 Narrows toll bridge account, the teachers' retirement system plan 1
6 account, the teachers' retirement system combined plan 2 and plan 3
7 account, the tobacco prevention and control account, the tobacco
8 settlement account, the toll facility bond retirement account, the
9 transportation 2003 account (nickel account), the transportation
10 equipment fund, the transportation future funding program account,
11 the transportation improvement account, the transportation
12 improvement board bond retirement account, the transportation
13 infrastructure account, the transportation partnership account, the
14 traumatic brain injury account, the tuition recovery trust fund, the
15 University of Washington bond retirement fund, the University of
16 Washington building account, the voluntary cleanup account, the
17 volunteer firefighters' and reserve officers' relief and pension
18 principal fund, the volunteer firefighters' and reserve officers'
19 administrative fund, the vulnerable roadway user education account,
20 the Washington judicial retirement system account, the Washington law
21 enforcement officers' and firefighters' system plan 1 retirement
22 account, the Washington law enforcement officers' and firefighters'
23 system plan 2 retirement account, the Washington public safety
24 employees' plan 2 retirement account, the Washington school
25 employees' retirement system combined plan 2 and 3 account, the
26 Washington state health insurance pool account, the Washington state
27 patrol retirement account, the Washington State University building
28 account, the Washington State University bond retirement fund, the
29 water pollution control revolving administration account, the water
30 pollution control revolving fund, the Western Washington University
31 capital projects account, the Yakima integrated plan implementation
32 account, the Yakima integrated plan implementation revenue recovery
33 account, and the Yakima integrated plan implementation taxable bond
34 account. Earnings derived from investing balances of the agricultural
35 permanent fund, the normal school permanent fund, the permanent
36 common school fund, the scientific permanent fund, the state
37 university permanent fund, and the state reclamation revolving
38 account shall be allocated to their respective beneficiary accounts.

39 (b) Any state agency that has independent authority over accounts
40 or funds not statutorily required to be held in the state treasury

1 that deposits funds into a fund or account in the state treasury
2 pursuant to an agreement with the office of the state treasurer shall
3 receive its proportionate share of earnings based upon each account's
4 or fund's average daily balance for the period.

5 (5) In conformance with Article II, section 37 of the state
6 Constitution, no treasury accounts or funds shall be allocated
7 earnings without the specific affirmative directive of this section.

8 **Sec. 4.** RCW 46.68.435 and 2010 c 161 s 821 are each amended to
9 read as follows:

10 (1) All revenue derived from personalized license plate fees
11 provided for in RCW 46.17.210 must be forwarded to the state
12 treasurer and deposited as follows:

13 (a) Ten dollars to the ((state)) limited fish and wildlife
14 account and used for the management of resources associated with the
15 nonconsumptive use of wildlife;

16 (b) Two dollars to the wildlife rehabilitation account created
17 under RCW 77.12.471; and

18 (c) The remainder to the ((state)) limited fish and wildlife
19 account to be used for the preservation, protection, perpetuation,
20 and enhancement of nongame species of wildlife including, but not
21 limited to, song birds, raptors, protected wildlife, rare and
22 endangered wildlife, aquatic life, and specialized-habitat types,
23 both terrestrial and aquatic, as well as all unclassified marine
24 fish, shellfish, and marine invertebrates.

25 (2) Administrative costs incurred by the department as a direct
26 result of administering the personalized license plate program must
27 be appropriated by the legislature from the ((state)) limited fish
28 and wildlife account from those funds deposited in the account
29 resulting from the sale of personalized license plates. If the actual
30 costs incurred by the department are less than that which has been
31 appropriated by the legislature, the remainder must revert to the
32 ((state)) limited fish and wildlife account.

33 **Sec. 5.** RCW 77.12.170 and 2017 3rd sp.s. c 8 s 3 are each
34 amended to read as follows:

35 (1) There is established in the state treasury the ((state))
36 limited fish and wildlife account which consists of moneys received
37 from:

38 (a) ~~((Rentals or concessions of the department;~~

1 ~~(b) The sale of real or personal property held for department~~
2 ~~purposes, unless the property is seized or recovered through a fish,~~
3 ~~shellfish, or wildlife enforcement action;~~

4 ~~(c) The assessment of administrative penalties;~~

5 ~~(d) The sale of licenses, permits, tags, and stamps required by~~
6 ~~chapters 77.32, 77.65, and 77.70 RCW and application fees;~~

7 ~~(e) Fees for informational materials published by the department;~~

8 ~~(f)) Fees for personalized vehicle, Wild on Washington, and~~
9 ~~Endangered Wildlife license plates, Washington's Wildlife license~~
10 ~~plate collection, and Washington's fish license plate collection as~~
11 ~~provided in chapter 46.17 RCW;~~

12 ~~((g) Articles or wildlife sold by the director under this title;~~

13 ~~(h) Compensation for damage to department property or wildlife~~
14 ~~losses or contributions, gifts, or grants received under RCW~~
15 ~~77.12.320. However, this excludes fish and shellfish overages, and~~
16 ~~court-ordered restitution or donations associated with any fish,~~
17 ~~shellfish, or wildlife enforcement action, as such moneys must be~~
18 ~~deposited pursuant to RCW 77.15.425;~~

19 ~~(i) Excise tax on anadromous game fish collected under chapter~~
20 ~~82.27 RCW;~~

21 ~~(j)) (b) The department's share of revenues from auctions and~~
22 ~~raffles authorized by the commission;~~

23 ~~((k)) (c) The sale of watchable wildlife decals under RCW~~
24 ~~77.32.560;~~

25 ~~((l)) (d) Moneys received from the recreation access pass~~
26 ~~account created in RCW 79A.80.090 must be dedicated to stewardship,~~
27 ~~operations, and maintenance of department lands used for public~~
28 ~~recreation purposes; ((and~~

29 ~~(m) Donations received by the director under RCW 77.12.039)) (e)~~
30 ~~Fees for informational materials published by the department;~~

31 ~~(f) Those portions of the sale of licenses, permits, tags,~~
32 ~~stamps, endorsements, and application fees that are specified for a~~
33 ~~limited purpose within chapters 77.32, 77.65, and 77.70 RCW; and~~

34 ~~(g) Income directed to the limited fish and wildlife account by~~
35 ~~any other statute not listed in this subsection.~~

36 (2) State and county officers receiving any moneys listed in
37 subsection (1) of this section shall deposit them in the state
38 treasury to be credited to the ((state)) limited fish and wildlife
39 account.

1 (3) There is established in the state treasury the fish,
2 wildlife, and conservation account that consists of moneys received
3 from:

4 (a) Rentals or concessions of the department;

5 (b) The sale of real or personal property held for department
6 purposes, unless the property is seized or recovered through a fish,
7 shellfish, or wildlife enforcement action;

8 (c) The assessment of administrative penalties;

9 (d) Those portions of the sale of licenses, permits, tags,
10 stamps, endorsements, and application fees that are not specified for
11 a limited purpose within chapters 77.32, 77.65, and 77.70 RCW;

12 (e) Articles or wildlife sold by the director under RCW
13 77.12.140;

14 (f) Excise tax on anadromous game fish collected under chapter
15 82.27 RCW;

16 (g) Donations received by the director under RCW 77.12.039;

17 (h) Income directed to the fish, wildlife, and conservation
18 account by any other statute not listed in this subsection.

19 (4) State and county officers receiving any moneys listed in
20 subsection (3) of this section shall deposit them in the state
21 treasury to be credited to the fish, wildlife, and conservation
22 account.

23 (5) Compensation for damage to department property or wildlife
24 losses or contributions, gifts, or grants received under RCW
25 77.12.320 must be deposited into the special wildlife account created
26 in RCW 77.12.323. However, this excludes fish and shellfish overages
27 and court-ordered restitution or donations associated with any fish,
28 shellfish, or wildlife enforcement action, as such moneys must be
29 deposited in the enforcement reward account pursuant to RCW
30 77.15.425.

31 **Sec. 6.** RCW 77.12.177 and 2017 3rd sp.s. c 8 s 4 are each
32 amended to read as follows:

33 (1) Except as provided in this title, state and county officers
34 receiving the following moneys shall deposit them in the ((state
35 wildlife)) fish, wildlife, and conservation account:

36 (a) The sale of commercial licenses required under this title;
37 and

38 (b) Moneys received for damages to fish, shellfish, or wildlife.

1 (2) Beginning with fiscal year 2018, and each fiscal year
2 thereafter, the director must determine both the total amount of fees
3 deposited in the ((state-wildlife)) fish, wildlife, and conservation
4 account for the sale of commercial licenses required under this
5 title, and the portion of those fees that is attributable to the fee
6 increases enacted in chapter 8, Laws of 2017 3rd sp. sess. The
7 director must certify these amounts to the state treasurer, who must
8 transfer the difference between these two amounts to the state
9 general fund within one month of the close of the fiscal year. The
10 portion of those fees that is attributable to the fee increases
11 enacted in chapter 8, Laws of 2017 3rd sp. sess. is retained in the
12 ((state-wildlife)) fish, wildlife, and conservation account.

13 (3) All fines and forfeitures collected or assessed by a district
14 court for a violation of this title or rule of the department shall
15 be remitted as provided in chapter 3.62 RCW.

16 (4) Proceeds from the sale of fish or shellfish taken in test
17 fishing conducted by the department, to the extent that these
18 proceeds exceed the estimates in the budget approved by the
19 legislature, may be allocated as unanticipated receipts under RCW
20 43.79.270 to reimburse the department for unanticipated costs for
21 test fishing operations in excess of the allowance in the budget
22 approved by the legislature.

23 (5) Proceeds from the sale of salmon carcasses and salmon eggs
24 from state general funded hatcheries by the department shall be
25 deposited in the regional fisheries enhancement group account
26 established in RCW 77.95.090.

27 (6) Proceeds from the sale of herring spawn on kelp fishery
28 licenses by the department, to the extent those proceeds exceed
29 estimates in the budget approved by the legislature, may be allocated
30 as unanticipated receipts under RCW 43.79.270. Allocations under this
31 subsection shall be made only for herring management, enhancement,
32 and enforcement.

33 **Sec. 7.** RCW 77.12.184 and 2009 c 333 s 31 are each amended to
34 read as follows:

35 (1) The department shall deposit all moneys received from the
36 following activities into the ((state-wildlife)) fish, wildlife, and
37 conservation account created in RCW 77.12.170(3):

38 (a) The sale of interpretive, recreational, historical,
39 educational, and informational literature and materials;

1 (b) The sale of advertisements in regulation pamphlets and other
2 appropriate mediums; and

3 (c) Enrollment fees in department-sponsored educational training
4 events.

5 (2) Moneys collected under subsection (1) of this section shall
6 be spent primarily for producing regulation booklets for users and
7 for the development, production, reprinting, and distribution of
8 informational and educational materials. The department may also
9 spend these moneys for necessary expenses associated with training
10 activities, and other activities as determined by the director.

11 (3) Regulation pamphlets may be subsidized through appropriate
12 advertising, but must be made available free of charge to the users.

13 (4) The director may enter into joint ventures with other
14 agencies and organizations to generate revenue for providing public
15 information and education on wildlife and hunting and fishing rules.

16 **Sec. 8.** RCW 77.12.190 and 2009 c 333 s 32 are each amended to
17 read as follows:

18 Moneys in the ((state)) limited fish and wildlife account and
19 fish, wildlife, and conservation account created in RCW 77.12.170 may
20 be used only for the purposes of this title, including the payment of
21 principal and interest on bonds issued for capital projects.

22 **Sec. 9.** RCW 77.12.210 and 2009 c 333 s 33 are each amended to
23 read as follows:

24 The director shall maintain and manage real or personal property
25 owned, leased, or held by the department and shall control the
26 construction of buildings, structures, and improvements in or on the
27 property. The director may adopt rules for the operation and
28 maintenance of the property.

29 The commission may authorize the director to sell, lease, convey,
30 or grant concessions upon real or personal property under the control
31 of the department. This includes the authority to sell timber,
32 gravel, sand, and other materials or products from real property held
33 by the department, and to sell or lease the department's real or
34 personal property or grant concessions or rights-of-way for roads or
35 utilities in the property. Oil and gas resources owned by the state
36 which lie below lands owned, leased, or held by the department shall
37 be offered for lease by the commissioner of public lands pursuant to
38 chapter 79.14 RCW with the proceeds being deposited in the ((state

1 ~~wildlife~~) fish, wildlife, and conservation account created in RCW
2 77.12.170(3): PROVIDED, That the commissioner of public lands shall
3 condition such leases at the request of the department to protect
4 wildlife and its habitat.

5 If the commission determines that real or personal property held
6 by the department cannot be used advantageously by the department,
7 the director may dispose of that property if it is in the public
8 interest.

9 If the state acquired real property with use limited to specific
10 purposes, the director may negotiate terms for the return of the
11 property to the donor or grantor. Other real property shall be sold
12 to the highest bidder at public auction. After appraisal, notice of
13 the auction shall be published at least once a week for two
14 successive weeks in a newspaper of general circulation within the
15 county where the property is located at least twenty days prior to
16 sale.

17 Proceeds from the sales shall be deposited in the ((~~state~~
18 ~~wildlife~~) fish, wildlife, and conservation account created in RCW
19 77.12.170(3)).

20 **Sec. 10.** RCW 77.12.230 and 2009 c 333 s 34 are each amended to
21 read as follows:

22 The director may pay lawful local improvement district
23 assessments for projects that may benefit wildlife or wildlife-
24 oriented recreation made against lands held by the state for
25 department purposes. The payments may be made from money appropriated
26 from the ((~~state-wildlife~~) fish, wildlife, and conservation account
27 created in RCW 77.12.170(3) to the department.

28 **Sec. 11.** RCW 77.12.240 and 2009 c 333 s 63 are each amended to
29 read as follows:

30 (1) The department may authorize the removal or killing of
31 wildlife that is destroying or injuring property, or when it is
32 necessary for wildlife management or research.

33 (2) The department shall dispose of wildlife taken or possessed
34 by them under this title in the manner determined by the director to
35 be in the best interest of the state. Proceeds from sales shall be
36 deposited in the state treasury to be credited to the ((~~state~~
37 ~~wildlife~~) fish, wildlife, and conservation account created in RCW
38 77.12.170(3)).

1 **Sec. 12.** RCW 77.12.323 and 2012 c 187 s 7 are each amended to
2 read as follows:

3 (1) There is established in the state (~~(wildlife account created~~
4 ~~in RCW 77.12.170)~~) treasury a special wildlife account. Moneys
5 received under RCW 77.12.320 as now or hereafter amended as
6 compensation for wildlife losses shall be deposited in the state
7 treasury to be credited to the special wildlife account.

8 (2) The state treasurer may invest and reinvest the surplus as
9 provided by RCW 43.84.080.

10 **Sec. 13.** RCW 77.12.380 and 2009 c 333 s 36 are each amended to
11 read as follows:

12 Upon receipt of a request under RCW 77.12.360, the commissioner
13 of public lands shall determine if the withdrawal would benefit the
14 people of the state. If the withdrawal would be beneficial, the
15 commissioner shall have the lands appraised for their lease value.
16 Before withdrawal, the department shall transmit to the commissioner
17 a voucher authorizing payment from the (~~(state wildlife)~~) fish,
18 wildlife, and conservation account created in RCW 77.12.170(3) in
19 favor of the fund for which the lands are held. The payment shall
20 equal the amount of the lease value for the duration of the
21 withdrawal.

22 **Sec. 14.** RCW 77.12.390 and 2009 c 333 s 37 are each amended to
23 read as follows:

24 Upon receipt of a voucher under RCW 77.12.380, the commissioner
25 of public lands shall withdraw the lands from lease. The commissioner
26 shall forward the voucher to the state treasurer, who shall draw a
27 warrant against the (~~(state wildlife)~~) fish, wildlife, and
28 conservation account created in RCW 77.12.170(3) in favor of the fund
29 for which the withdrawn lands are held.

30 **Sec. 15.** RCW 77.12.670 and 2011 1st sp.s. c 21 s 15 are each
31 amended to read as follows:

32 (1) Beginning July 1, 2011, the department, after soliciting
33 recommendations from the public, shall select the design for the
34 migratory bird stamp.

35 (2) All revenue derived from the sale of migratory bird license
36 validations or stamps by the department to any person hunting
37 waterfowl or to any stamp collector shall be deposited in the

1 ((state)) limited fish and wildlife account and shall be used only
2 for that portion of the cost of printing and production of the stamps
3 for migratory waterfowl hunters as determined by subsection (4) of
4 this section, and for those migratory waterfowl projects specified by
5 the director of the department for the acquisition and development of
6 migratory waterfowl habitat in the state and for the enhancement,
7 protection, and propagation of migratory waterfowl in the state.
8 Migratory bird license validation and stamp funds may not be used on
9 lands controlled by private hunting clubs or on private lands that
10 charge a fee for public access. Migratory bird license validation and
11 stamp funds may be used for migratory waterfowl projects on private
12 land where public hunting is provided by written permission or on
13 areas established by the department as waterfowl hunting closures.

14 (3) All revenue derived from the sale of the license validation
15 and stamp by the department to persons hunting solely nonwaterfowl
16 migratory birds shall be deposited in the ((state)) limited fish and
17 wildlife account and shall be used only for that portion of the cost
18 of printing and production of the stamps for nonwaterfowl migratory
19 bird hunters as determined by subsection (4) of this section, and for
20 those nonwaterfowl migratory bird projects specified by the director
21 for the acquisition and development of nonwaterfowl migratory bird
22 habitat in the state and for the enhancement, protection, and
23 propagation of nonwaterfowl migratory birds in the state.

24 (4) With regard to the revenue from license validation and stamp
25 sales that is not the result of sales to stamp collectors, the
26 department shall determine the proportion of migratory waterfowl
27 hunters and solely nonwaterfowl migratory bird hunters by using the
28 yearly migratory bird hunter harvest information program survey
29 results or, in the event that these results are not available, other
30 similar survey results. A two-year average of the most recent survey
31 results shall be used to determine the proportion of the revenue
32 attributed to migratory waterfowl hunters and the proportion
33 attributed to solely nonwaterfowl migratory bird hunters for each
34 fiscal year. For fiscal year 1998-99 and for fiscal year 1999-2000,
35 ninety-six percent of the stamp revenue shall be attributed to
36 migratory waterfowl hunters and four percent of the stamp revenue
37 shall be attributed to solely nonwaterfowl migratory game hunters.

38 (5) Acquisition shall include but not be limited to the
39 acceptance of gifts of real estate or any interest therein or the
40 rental, lease, or purchase of real estate or any interest therein. If

1 the department acquires any fee interest, leasehold, or rental
2 interest in real property under this section, it shall allow the
3 general public reasonable access to that property and shall, if
4 appropriate, ensure that the deed or other instrument creating the
5 interest allows such access to the general public. If the department
6 obtains a covenant in real property in its favor or an easement or
7 any other interest in real property under this section, it shall
8 exercise its best efforts to ensure that the deed or other instrument
9 creating the interest grants to the general public in the form of a
10 covenant running with the land reasonable access to the property. The
11 private landowner from whom the department obtains such a covenant or
12 easement shall retain the right of granting access to the lands by
13 written permission, but may not charge a fee for access.

14 (6) The department may produce migratory bird stamps in any given
15 year in excess of those necessary for sale in that year. The excess
16 stamps may be sold to the public.

17 **Sec. 16.** RCW 77.12.690 and 2011 1st sp.s. c 21 s 16 are each
18 amended to read as follows:

19 (1) The director is responsible for the selection of the annual
20 migratory bird stamp design. The department shall create collector
21 art prints and related artwork, utilizing the same design. The
22 administration, sale, distribution, and other matters relating to the
23 prints and sales of stamps with prints and related artwork shall be
24 the responsibility of the department.

25 (2) The total amount brought in from the sale of prints and
26 related artwork shall be deposited in the (~~state~~) limited fish and
27 wildlife account created in RCW 77.12.170(1). The costs of producing
28 and marketing of prints and related artwork shall be paid out of the
29 total amount brought in from sales of those same items. Net funds
30 derived from the sale of prints and related artwork shall be used by
31 the director to contract with one or more appropriate individuals or
32 nonprofit organizations for the development of waterfowl propagation
33 projects within Washington which specifically provide waterfowl for
34 the Pacific flyway. The department shall not contract with any
35 individual or organization that obtains compensation for allowing
36 waterfowl hunting except if the individual or organization does not
37 permit hunting for compensation on the subject property.

1 **Sec. 17.** RCW 77.32.050 and 2011 c 339 s 5 are each amended to
2 read as follows:

3 (1) All recreational and commercial licenses, permits, tags,
4 stamps, and raffle tickets shall be issued under the authority of the
5 commission. The commission shall adopt rules for the issuance of
6 licenses, permits, tags, stamps, and raffle tickets, and for the
7 collection, payment, and handling of license fees, including terms
8 and conditions to govern dealers, and dealer fees. A transaction fee
9 on commercial and recreational documents issued through an automated
10 licensing system may be set by the commission and collected from
11 licensees. The department may authorize all or part of such fee to be
12 paid directly to a contractor providing automated licensing system
13 services. The department and dealers shall collect and retain dealer
14 fees of at least two dollars for purchase of a standard hunting or
15 fishing recreational license document or commercial license document,
16 except that the commission may set a lower dealer fee for issuance of
17 tags or when a licensee buys a license that involves a stamp or
18 display card format rather than a standard department licensing
19 document form. Dealer fees must be uniform throughout the state.

20 (2) ~~((Until September 1, 2011, the department shall charge an
21 additional transaction fee of ten percent on all recreational
22 licenses, permits, tags, stamps, or raffle tickets. These transaction
23 fees must be deposited into the state wildlife account, created in
24 RCW 77.12.170, for funding fishing and hunting opportunities for
25 recreational license holders.~~

26 ~~(3))~~ The application fee is waived for all commercial license
27 documents that are issued through the automated licensing system.

28 **Sec. 18.** RCW 77.32.430 and 2018 c 190 s 1 are each amended to
29 read as follows:

30 (1) Catch record card information is necessary for proper
31 management of the state's food fish and game fish species and
32 shellfish resources. Catch record card administration shall be under
33 rules adopted by the commission. Except as provided in this section,
34 there is no charge for an initial catch record card. Each subsequent
35 or duplicate catch record card costs eleven dollars.

36 (2) A license to take and possess Dungeness crab is only valid in
37 Puget Sound waters east of the Bonilla-Tatoosh line if the fisher has
38 in possession a valid catch record card officially endorsed for
39 Dungeness crab. The endorsement shall cost no more than seven dollars

1 and fifty cents when purchased for a personal use saltwater,
2 combination, or shellfish and seaweed license. The endorsement shall
3 cost no more than three dollars when purchased for a temporary
4 combination fishing license authorized under RCW 77.32.470(3)(a).

5 (3) Catch record cards issued with affixed temporary short-term
6 charter stamp licenses are neither subject to the ten-dollar charge
7 nor to the Dungeness crab endorsement fee provided for in this
8 section. Charter boat or guide operators issuing temporary short-term
9 charter stamp licenses shall affix the stamp to each catch record
10 card issued before fishing commences. Catch record cards issued with
11 a temporary short-term charter stamp are valid for one day.

12 (4) A catch record card for halibut may not cost more than five
13 dollars when purchased with an annual saltwater or combination
14 fishing license and must be provided at no cost for those who
15 purchase a one-day temporary saltwater fishing license or one-day
16 temporary charter stamp.

17 (5) The department shall include provisions for recording marked
18 and unmarked salmon in catch record cards issued after March 31,
19 2004.

20 (6)(a) The funds received from the sale of catch record cards,
21 catch card penalty fees, and the Dungeness crab endorsement must be
22 deposited into the ((state)) limited fish and wildlife account
23 created in RCW 77.12.170(1).

24 (i)(A) One dollar of the funds received from the sale of each
25 Dungeness crab endorsement must be used for the removal and disposal
26 of derelict shellfish gear either directly by the department or under
27 contract with a third party. The department is required to maintain a
28 separate accounting of these funds and provide an annual report to
29 the commission and the legislature by January 1st of every year.

30 (B) The remaining portion of the funds received from the sale of
31 each Dungeness crab endorsement must be used for education, sampling,
32 monitoring, and management of catch associated with the Dungeness
33 crab recreational fisheries.

34 (ii) Funds received from the sale of halibut catch record cards
35 must be used for monitoring and management of recreational halibut
36 fisheries, including expanding opportunities for recreational
37 anglers.

38 (b) Moneys allocated under this section shall supplement and not
39 supplant other federal, state, and local funds used for Dungeness
40 crab recreational fisheries management.

1 **Sec. 19.** RCW 77.32.460 and 2011 c 339 s 11 are each amended to
2 read as follows:

3 (1) A small game hunting license is required to hunt for all
4 classified wild animals and wild birds, except big game. A small game
5 license also allows the holder to hunt for unclassified wildlife.

6 (a) The fee for this license is thirty-five dollars for
7 residents, one hundred sixty-five dollars for nonresidents, and
8 fifteen dollars for youth.

9 (b) The fee for this license if purchased at the same time as a
10 big game combination license package is twenty dollars for residents,
11 eighty-eight dollars for nonresidents, and eight dollars for youth.

12 (c) The fee for a three-consecutive-day small game license is
13 sixty dollars for nonresidents.

14 (2) In addition to a small game license, a turkey tag is required
15 to hunt for turkey.

16 (a) The fee for a primary turkey tag is fourteen dollars for
17 residents and forty dollars for nonresidents. A primary turkey tag
18 will, on request, be issued to the purchaser of a youth small game
19 license at no charge.

20 (b) The fee for each additional turkey tag is fourteen dollars
21 for residents, sixty dollars for nonresidents, and ten dollars for
22 youth.

23 (c) ~~((All moneys received from turkey tags must be deposited in~~
24 ~~the state wildlife account.))~~ One-third of the moneys received from
25 turkey tags must be appropriated solely for the purposes of turkey
26 management within the limited fish and wildlife account. An
27 additional one-third of the moneys received from turkey tags must be
28 appropriated solely for upland game bird management within the
29 limited fish and wildlife account created in RCW 77.12.170(1). The
30 remainder of the moneys received from turkey tags must be
31 appropriated to the fish, wildlife, and conservation account created
32 in RCW 77.12.170(3). Moneys received from turkey tags may not
33 supplant existing funds provided for these purposes.

34 **Sec. 20.** RCW 77.32.470 and 2011 c 339 s 12 are each amended to
35 read as follows:

36 (1) A personal use saltwater, freshwater, combination, temporary,
37 or family fishing weekend license is required for all persons fifteen
38 years of age or older to fish for or possess fish taken for personal
39 use from state waters or offshore waters.

1 (2) The fees for annual personal use saltwater, freshwater, or
2 combination licenses are as follows:

3 (a) A combination license allows the holder to fish for or
4 possess fish, shellfish, and seaweed from state waters or offshore
5 waters. The fee for this license is forty-five dollars for residents,
6 one hundred eight dollars for nonresidents, and five dollars for
7 youth. There is an additional fifty-cent surcharge for this license,
8 to be deposited in the rockfish research account created in RCW
9 77.12.702.

10 (b) A saltwater license allows the holder to fish for or possess
11 fish taken from saltwater areas. The fee for this license is twenty-
12 five dollars for residents, fifty-two dollars for nonresidents, and
13 five dollars for resident seniors. There is an additional fifty-cent
14 surcharge for this license, to be deposited in the rockfish research
15 account created in RCW 77.12.702.

16 (c) A freshwater license allows the holder to fish for, take, or
17 possess food fish or game fish species in all freshwater areas. The
18 fee for this license is twenty-five dollars for residents, seventy-
19 five dollars for nonresidents, and five dollars for resident seniors.

20 (3)(a) A temporary combination fishing license is valid for one
21 to three consecutive days and allows the holder to fish for or
22 possess fish, shellfish, and seaweed taken from state waters or
23 offshore waters. The fee for this temporary fishing license is:

24 (i) One day - Eight dollars for residents and sixteen dollars for
25 nonresidents;

26 (ii) Two days - Twelve dollars for residents and twenty-four
27 dollars for nonresidents; and

28 (iii) Three days - Fifteen dollars for residents and thirty
29 dollars for nonresidents.

30 (b) The fee for a charter stamp is eight dollars for a one-day
31 temporary combination fishing license for residents and nonresidents
32 for use on a charter boat as defined in RCW 77.65.150.

33 (c) Except for active duty military personnel serving in any
34 branch of the United States armed forces, the temporary combination
35 fishing license is not valid on game fish species for an eight-
36 consecutive-day period beginning on the opening day of the lowland
37 lake fishing season as defined by rule of the commission.

38 (d) The temporary combination fishing license fee for active duty
39 military personnel serving in any branch of the United States armed
40 forces is the resident rate as set forth in (a) of this subsection.

1 Active duty military personnel must provide a valid military
2 identification card at the time of purchase of the temporary license
3 to qualify for the resident rate.

4 (e) There is an additional fifty-cent surcharge on the temporary
5 combination fishing license and the associated charter stamp, to be
6 deposited in the rockfish research account created in RCW 77.12.702.

7 (4) A family fishing weekend license allows for a maximum of six
8 anglers: One resident and five youth; two residents and four youth;
9 or one resident, one nonresident, and four youth. This license allows
10 the holders to fish for or possess fish taken from state waters or
11 offshore waters. The fee for this license is twenty dollars. This
12 license is only valid during periods as specified by rule of the
13 department.

14 (5) The commission may adopt rules to create and sell combination
15 licenses for all hunting and fishing activities at or below a fee
16 equal to the total cost of the individual license contained within
17 any combination.

18 (6) The commission may adopt rules to allow the use of two
19 fishing poles per fishing license holder for use on selected state
20 waters. If authorized by the commission, license holders must
21 purchase a two-pole stamp to use a second pole. The proceeds from the
22 sale of the two-pole stamp must be deposited into the ((state))
23 limited fish and wildlife account created in RCW 77.12.170(1) and
24 used for the operation and maintenance of state-owned fish
25 hatcheries. The fee for a two-pole stamp is thirteen dollars for
26 residents and nonresidents, and five dollars for seniors.

27 **Sec. 21.** RCW 77.32.530 and 2009 c 333 s 41 are each amended to
28 read as follows:

29 (1) The commission in consultation with the director may
30 authorize hunting of big game animals and wild turkeys through
31 auction. The department may conduct the auction for the hunt or
32 contract with a nonprofit wildlife conservation organization to
33 conduct the auction for the hunt.

34 (2) The commission in consultation with the director may
35 authorize hunting of up to a total of thirty big game animals and
36 wild turkeys per year through raffle. The department may conduct
37 raffles or contract with a nonprofit wildlife conservation
38 organization to conduct raffles for hunting these animals. In

1 consultation with the gambling commission, the director may adopt
2 rules for the implementation of raffles involving hunting.

3 (3) The director shall establish the procedures for the hunts,
4 which shall require any participants to obtain any required license,
5 permit, or tag. Representatives of the department may participate in
6 the hunt upon the request of the commission to ensure that the
7 animals to be killed are properly identified.

8 (4) After deducting the expenses of conducting an auction or
9 raffle, any revenues retained by a nonprofit organization, as
10 specified under contract with the department, shall be devoted solely
11 for wildlife conservation, consistent with its qualification as a
12 bona fide nonprofit organization for wildlife conservation.

13 (5) The department's share of revenues from auctions and raffles
14 shall be deposited in the (~~state~~) limited fish and wildlife account
15 created in RCW 77.12.170(1). The revenues shall be used to improve
16 game management and shall supplement, rather than replace, other
17 funds budgeted for management of game species. The commission may
18 solicit input from groups or individuals with special interest in and
19 expertise on a species in determining how to use these revenues.

20 (6) A nonprofit wildlife conservation organization may petition
21 the commission to authorize an auction or raffle for a special hunt
22 for big game animals and wild turkeys.

23 **Sec. 22.** RCW 77.32.560 and 2011 c 320 s 18 are each amended to
24 read as follows:

25 (1) The department may sell watchable wildlife decals. Proceeds
26 from the sale of the decal must be deposited into the (~~state~~)
27 limited fish and wildlife account created in RCW 77.12.170(1) and
28 must be dedicated to the support of the department's watchable
29 wildlife activities. The department may also use proceeds from the
30 sale of the decal for marketing the decal and for marketing watchable
31 wildlife activities in the state.

32 (2) The term "watchable wildlife activities" includes but is not
33 limited to: Initiating partnerships with communities to jointly
34 develop watchable wildlife projects, building infrastructure to serve
35 wildlife viewers, assisting and training communities in conducting
36 wildlife watching events, developing destination wildlife viewing
37 corridors and trails, tours, maps, brochures, and travel aides, and
38 offering grants to assist rural communities in identifying key
39 wildlife attractions and ways to protect and promote them.

1 (3) The commission must adopt by rule the cost of the watchable
2 wildlife decal. A person may, at their discretion, contribute more
3 than the cost as set by the commission by rule for the watchable
4 wildlife decal in order to support watchable wildlife activities.

5 **Sec. 23.** RCW 77.36.070 and 2009 c 333 s 59 are each amended to
6 read as follows:

7 The department may pay no more than one hundred twenty thousand
8 dollars per fiscal year from the ((state wildlife)) fish, wildlife,
9 and conservation account created in RCW 77.12.170(3) for claims and
10 assessment costs for damage to commercial crops caused by wild deer
11 or elk submitted under RCW 77.36.100.

12 **Sec. 24.** RCW 77.36.170 and 2014 c 221 s 922 are each amended to
13 read as follows:

14 (1) The department may pay no more than fifty thousand dollars
15 per fiscal year from the ((state wildlife)) fish, wildlife, and
16 conservation account created in RCW 77.12.170(3) for claims and
17 assessment costs for injury or loss of livestock caused by wolves
18 submitted under RCW 77.36.100.

19 (2) Notwithstanding other provisions of this chapter, the
20 department may also accept and expend money from other sources to
21 address injury or loss of livestock or other property caused by
22 wolves consistent with the requirements on that source of funding.

23 (3) If any wildlife account expenditures authorized under
24 subsection((s)) (1) ((and(4))) of this section are unspent as of
25 June 30th of a fiscal year, the state treasurer shall transfer the
26 unspent amount to the wolf-livestock conflict account created in RCW
27 77.36.180.

28 ((4) During the 2014 fiscal year, the department may pay no more
29 than two hundred and fifty thousand dollars from the state wildlife
30 account created in RCW 77.12.170 for claims and assessment costs for
31 injury or loss of livestock caused by wolves submitted under RCW
32 77.36.100.))

33 **Sec. 25.** RCW 77.44.050 and 2009 c 333 s 43 are each amended to
34 read as follows:

35 The warm water game fish account is ((hereby)) created in the
36 state ((wildlife account created in RCW 77.12.170)) treasury. Moneys
37 in the account are subject to legislative appropriation and shall be

1 used for the purpose of funding the warm water game fish enhancement
2 program, including the development of warm water pond and lake
3 habitat, culture of warm water game fish, improvement of warm water
4 fish habitat, management of warm water fish populations, and other
5 practical activities that will improve the fishing for warm water
6 fish. Funds for warm water game fish as provided in RCW 77.32.440
7 shall not serve as replacement funding for department-operated warm
8 water fish projects existing on December 31, 1994.

9 **Sec. 26.** RCW 79A.55.090 and 1988 c 36 s 59 are each amended to
10 read as follows:

11 No funds shall be expended from the ((wildlife fund)) limited
12 fish and wildlife account created in RCW 77.12.170(1) or the fish,
13 wildlife, and conservation account created in RCW 77.12.170(3) to
14 carry out the provisions of this chapter.

15 **Sec. 27.** RCW 79A.80.090 and 2017 3rd sp.s. c 1 s 988 are each
16 amended to read as follows:

17 (1) The recreation access pass account is created in the state
18 treasury. All moneys received from the sale of discover passes and
19 day-use permits must be deposited into the account.

20 (2) Each fiscal biennium, the first seventy-one million dollars
21 in revenue must be distributed to the agencies in the following
22 manner:

23 (a) Eight percent to the department of fish and wildlife and
24 deposited into the ((state)) limited fish and wildlife account
25 created in RCW 77.12.170(1);

26 (b) Eight percent to the department of natural resources and
27 deposited into the parkland trust revolving fund created in RCW
28 43.30.385;

29 (c) Eighty-four percent to the state parks and recreation
30 commission and deposited into the state parks renewal and stewardship
31 account created in RCW 79A.05.215;

32 (d) During the 2015-2017 fiscal biennium, expenditures from the
33 recreation access pass account may be used for Skamania county court
34 costs. During the 2015-2017 and 2017-2019 fiscal biennia,
35 expenditures from the recreation access pass account may be used for
36 the state parks and recreation commission, in partnership with the
37 departments of fish and wildlife and natural resources, to develop

1 options and recommendations to improve recreational access fee
2 systems.

3 (3) Each fiscal biennium, revenues in excess of seventy-one
4 million dollars must be distributed equally among the agencies to the
5 accounts identified in subsection (2) of this section.

6 **Sec. 28.** RCW 82.27.070 and 2017 3rd sp.s. c 8 s 54 are each
7 amended to read as follows:

8 All taxes collected by the department of revenue under this
9 chapter shall be deposited in the state general fund except for the
10 following:

11 (1) The excise tax on anadromous game fish is deposited in the
12 ((state-wildlife)) fish, wildlife, and conservation account created
13 in RCW 77.12.170(3).

14 (2) The excise tax on ocean waters, Columbia river, Willapa Bay,
15 and Grays Harbor chinook, coho, and chum salmon is deposited as
16 follows:

17 (a) The equivalent of five and twenty-five one-hundredths percent
18 shall be deposited in the state general fund.

19 (b) The equivalent of one percent shall be deposited in the
20 ((state-wildlife)) fish, wildlife, and conservation account created
21 in RCW 77.12.170(3).

22 NEW SECTION. **Sec. 29.** This act takes effect July 1, 2021.

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