

# SENATE BILL REPORT

## SB 6039

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As of January 22, 2014

**Title:** An act relating to ensuring hunter safety.

**Brief Description:** Ensuring hunter safety.

**Sponsors:** Senators Pearson, Rolfes, Sheldon, Hewitt and Conway; by request of Department of Fish and Wildlife.

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 1/21/14.

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Staff:** Richard Rodger (786-7401)

**Background:** Hunter Education Requirements. When purchasing a hunting license for the first time, all persons born after January 1, 1972, must present certification that they completed a program of hunter education.

The Washington hunter education program, which is approved by the Department of Fish and Wildlife (DFW), consists of at least ten hours of instruction in safety, conservation, sportsmanship, and firearm handling. Average classes involve four to six sessions and require the student to pass a written test and, other than students who are in the military, demonstrate firearms handling skills. A home study option is also offered by DFW. Hunter education courses are taught by volunteers that are trained and certified by DFW. All instructors must be at least 21 years of age and must undergo a background investigation by DFW. DFW does not charge a registration fee for the hunter education programs.

An exemption from the hunter education requirement is available, in the form of a one-year, once in a lifetime deferral, for prospective hunters who are over the age of 18. The deferral is only allowed when the person is hunting in the company of another licensed hunter who is over the age of 18 and has been licensed for the prior three years. DFW may also accept certificates from other states. DFW may collect a fee of up to \$20 for the deferral application.

Minimum Hunting Ages. Prior to 1994, all hunters under the age of 14 must have been accompanied by a parent, guardian, safety instructor, or other approved adult when they were

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in possession of a firearm for the purposes of hunting or target practice. Today there is no minimum age for a hunting license or for enrollment in a hunter education course. It still remains unlawful for a person under the age of 18 to be in possession or control of a firearm, with limited exceptions, including while hunting with a valid license or for attendance at a hunter education course.

Federal Limitations on Fees. DFW received federal grants that support both its wildlife restoration projects and hunter education and safety programs. By accepting grants for these programs, DFW is limited in how it may use any fees, referred to as program income, that it may impose. Fees may be charged, as incidental to the program, so long as the primary purpose of the agency activity is not to produce income. Any fees charged must be accounted for and expended according to the terms of the federal grants.

Natural Resource Infractions. The Washington State Supreme Court sets the monetary penalties for infractions, with a minimum of \$10 and a maximum of \$500. The court sets unscheduled infractions at \$73.

**Summary of Bill:** Hunter Education Modifications. Beginning July 1, 2014, DFW may charge a registration fee of up to \$20 for a hunter education training course and up to \$10 for a duplicate hunter education certificate. The fees must be collected consistent with federal regulations for program income associated with a federal grant. DFW may use the money to reimburse instructor expenditures incurred in providing the hunter education training courses. The Fish & Wildlife Commission must adopt rules regarding instructor reimbursement.

Additional changes to the hunter education program are made such as adding outdoor safety to the program's scope; changing sporting/hunting behavior to ethical behavior; specifying that only military members who are residents or stationed in Washington are eligible for the exemption from the firearms portion of the internet-based program; and removing the requirement that the licensed hunter accompanying a hunter education deferred hunter must have held a license for the prior three years.

New Age Requirements. No one under the age of eight is eligible to take a hunter education course or purchase a hunting license unless they were issued a hunter education certificate prior to the effective date of this change.

All hunters under the age of 14 must be accompanied by a licensed hunter age 18 or older who is not hunting on a deferral license, or by a person age 18 or older who successfully completed a hunter education training course. An exemption is provided for a youth who is hunting on private property owned or leased by an immediate family member. A violation of this requirement is a natural resource infraction.

**Appropriation:** None.

**Fiscal Note:** Available.

[OFM requested ten-year cost projection pursuant to I-960.]

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

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

**Staff Summary of Public Testimony:** PRO: This bill will enhance safety especially in regard to minors under certain ages, establish a minimum age for hunter education courses, and mandate mentor accompaniment. The bill will also help to limit no-show attendance issues on courses caused by people signing up for multiple classes and then showing up for just one.

**Persons Testifying:** PRO: Catherine Weed, Bill Montgomery, Mike Iyall, Martin Kotzke, Hunter Ed Instructors; David Whipple, DFW.