

RCW 77.12.170 Limited fish and wildlife account—Deposits—Fish, wildlife, and conservation account—Established—Deposits. (1) There is established in the state treasury the limited fish and wildlife account which consists of moneys received from:

(a) Fees for personalized vehicle, Wild on Washington, and Endangered Wildlife license plates, Washington's Wildlife license plate collection, and Washington's fish license plate collection as provided in chapter 46.17 RCW;

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

(c) The sale of watchable wildlife decals under RCW 77.32.560;

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

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

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

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

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

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

(a) Rentals or concessions of the department;

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

(c) The assessment of administrative penalties;

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

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

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

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

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

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

(5) Compensation for damage to department property or wildlife losses or contributions, gifts, or grants received under RCW 77.12.320 must be deposited into the special wildlife account created in RCW 77.12.323. However, this excludes fish and shellfish overages and court-ordered restitution or donations associated with any fish, shellfish, or wildlife enforcement action, as such moneys must be deposited in the enforcement reward account pursuant to RCW 77.15.425. [2020 c 148 s 5; 2017 3rd sp.s. c 8 s 3; 2016 c 30 s 5. Prior: 2011 c 339 s 3; 2011 c 320 s 23; 2011 c 171 s 112; 2009 c 333 s 13; prior: 2005 c 418 s 3; 2005 c 225 s 4; 2005 c 224 s 4; 2005 c 42 s 4; 2004 c

248 s 4; 2003 c 317 s 3; 2001 c 253 s 15; 2000 c 107 s 216; prior: 1998 c 191 s 38; 1998 c 87 s 2; 1996 c 101 s 7; 1989 c 314 s 4; 1987 c 506 s 25; 1984 c 258 s 334; prior: 1983 1st ex.s. c 8 s 2; 1983 c 284 s 1; 1981 c 310 s 2; 1980 c 78 s 30; 1979 c 56 s 1; 1973 1st ex.s. c 200 s 12 (Referendum Bill No. 33); 1969 ex.s. c 199 s 33; 1955 c 36 s 77.12.170; prior: 1947 c 275 s 27; Rem. Supp. 1947 s 5992-37.]

Calculation, transfer of money—2020 c 148: "The department of fish and wildlife must calculate the amount of money contained in the state wildlife account on July 1, 2021, that is derived from the revenue sources described in RCW 77.12.170(3) and provide this information to the office of financial management. If the office of financial management certifies the amount to be correct, the state treasurer must transfer the amount certified from the state wildlife account to the fish, wildlife, and conservation account created in RCW 77.12.170." [2020 c 148 s 29.]

Intent—2020 c 148: "In 2017, the legislature directed the department of fish and wildlife to conduct a budget and performance assessment.

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

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

This act does not alter any current legal restrictions on revenue uses or alter the amounts of revenue collected." [2020 c 148 s 1.]

Effective date—2020 c 148: "This act takes effect July 1, 2021." [2020 c 148 s 30.]

Finding—Intent—Effective date—2017 3rd sp.s. c 8: See notes following RCW 77.08.010.

Effective date—2016 c 30: See note following RCW 46.18.200.

Effective date—2011 c 339: See note following RCW 43.84.092.

Effective date—2011 c 320: See note following RCW 79A.80.005.

Findings—Intent—2011 c 320: See RCW 79A.80.005.

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Findings—2003 c 317: See note following RCW 77.32.560.

Effective date—1998 c 191: See note following RCW 77.32.410.

Effective date—1998 c 87: "This act takes effect January 1, 1999." [1998 c 87 s 3.]

Findings—1996 c 101: See note following RCW 77.32.530.

Finding—1989 c 314: See note following RCW 77.15.098.

Legislative findings and intent—1987 c 506: See note following RCW 77.04.020.

Court Improvement Act of 1984—Effective dates—Severability—Short title—1984 c 258: See notes following RCW 3.30.010.

Intent—1984 c 258: See note following RCW 3.34.130.

Findings—Intent—1983 c 284: See note following RCW 82.27.020.

Effective dates—1981 c 310: "(1) Sections 9 and 10 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect on July 1, 1981.

(2) Section 13 of this act shall take effect on May 1, 1982.

(3) Sections 8, 11, 12, and 14 of this act shall take effect on July 1, 1982.

(4) All other sections of this act shall take effect on January 1, 1982." [1981 c 310 s 32.]

Legislative intent—1981 c 310: "The legislature finds that abundant deer and elk populations are in the best interest of the state, and for many reasons the state's deer and elk populations have apparently declined. The legislature further finds that antlerless deer and elk seasons have been an issue of great controversy throughout the state, and that antlerless deer and elk seasons may contribute to a further decline in the state's deer and elk populations." [1981 c 310 s 1.]

Effective date—Intent, construction—Savings—Severability—1980 c 78: See notes following RCW 77.04.010.

Personalized license plates—Legislative declaration: "It is declared to be the public policy of the state of Washington to direct financial resources of this state toward the support and aid of the wildlife resources existing within the state of Washington in order that the general welfare of these inhabitants of the state be served. For the purposes of *this chapter, wildlife resources are understood to be those species of wildlife other than that managed by the department of fisheries under their existing jurisdiction as well as all unclassified marine fish, shellfish, and marine invertebrates which shall remain under the jurisdiction of the director of fisheries. The legislature further finds that the preservation, protection, perpetuation, and enhancement of such wildlife resources of the state is of major concern to it, and that aid for a satisfactory environment and ecological balance in this state for such wildlife resources serves a public interest, purpose, and desire.

It is further declared that such preservation, protection, perpetuation, and enhancement can be fostered through financial support derived on a voluntary basis from those citizens of the state of Washington who wish to assist in such objectives; that a desirable manner of accomplishing this is through offering personalized license plates for certain vehicles and campers the fees for which are to be directed to the state treasury to the credit of the **state game fund

for the furtherance of the programs, policies, and activities of the state **game department in preservation, protection, perpetuation, and enhancement of the wildlife resources that abound within the geographical limits of the state of Washington.

In particular, the legislature recognizes the benefit of this program to be specifically directed toward those species of wildlife including but not limited to song birds, protected wildlife, rare and endangered wildlife, aquatic life, and specialized-habitat types, both terrestrial and aquatic, as well as all unclassified marine fish, shellfish, and marine invertebrates which shall remain under the jurisdiction of the director of fisheries that exist within the limits of the state of Washington." [1975 c 59 s 7; 1973 1st ex.s. c 200 s 1. Formerly RCW 77.12.175.]

Reviser's note: *(1) The term "this chapter" refers to chapter 77.12 RCW, where this section was originally codified, pursuant to legislative directive, as RCW 77.12.175. It was subsequently decodified by 1980 c 78 s 32.

** (2) References to the "state game fund" and "game department" mean the "state wildlife fund" and "department of wildlife." See note following RCW 77.04.020. The "state wildlife fund" was renamed the "state wildlife account" pursuant to 2005 c 224 s 4 and 2005 c 225 s 4.