

Commission Position on SB 5127

Adopted March 13, 2009

The Commission is opposed to passage of SB 5127.

The Commission is very concerned about the implications of the proposed changes. The far-reaching changes proposed in SB 5127 reverse the will of the majority of the people as reflected in Referendum 45. Following approval of that Referendum, the Legislature fully endorsed the enhanced role of the Commission as envisioned by the popular vote.

The commission acts in an open and deliberative process that encourages public involvement and increases public confidence in department decision making (RCW 77.04.013).

The Commission firmly believes that public access to decision-makers does increase public confidence. That is one of the prime reasons that the people voted overwhelmingly to support the Commission process and why Referendum 45 was approved in every county of the state.

SB5127 eliminates a key aspect of the Commission's authority—the power to appoint and remove the Director of the Department. That power is essential if the Commission is to establish policy for the agency as the people intended. Without this authority, the Commission will not be able to set performance measures and to hold the Director and agency accountable for achieving those measures. The role of the Commission would be reduced to one that is primarily advisory in nature.

The reductions in the duration of Commissioner terms and in the frequency of meetings would lead to a Commission made up of less-experienced Commissioners who are faced with a greater array at each meeting of complex factual and legal issues associated with fish and wildlife rulemaking. Commissioners would be less able to make sound decisions. It is also likely that the Commission would become more subject to short-term shifts in political attitudes.

The reduction in composition from 9 members to 5 members would diminish the Commission's ability to represent a wide diversity of geographic areas of the state and a wide range of perspectives. The reduction would also lessen the professional expertise and educational background represented on the Commission.

The Commission process represents an unusual example of direct democracy. Almost everywhere in the US, a Commission is in place to set seasons and policies for fish and wildlife management. This is true

because so many people feel so passionately about and feel so directly and personally affected by decisions made about fish and wildlife management. Few subjects raise the level of user group conflict and competition as natural resource issues. For this reason, it is particularly vital that all people feel that there is a forum in which their views can be heard and may have an effect on the outcome of rule-making.

The Commission process has achieved the intent of the Referendum to reduce the influence of politics on natural resource management. While no issue can, or should, be fully insulated from the political process, natural resource management should be seen as a special category of issues. In the natural resource arena, it is important to limit the impact of short-term, parochial, political motivations, so that the long-term statewide interest is safeguarded. This is because successful natural resource management demands that decisions are made that, on occasion, disappoint certain user groups in the short term, but assure that fish and wildlife are protected and sustained for the long term.

Citizens in this state and in almost all other states around the country have put their faith in the Commission process as a way to assure that the long-term well being of the resources are not sacrificed to the shifting political interests of the day.

The Commission is always willing to enter into a dialogue with members of the Legislature regarding how the Commission process may be improved. We stand ready to immediately engage in such a discussion to assure that the integrity and value of the Commission process is not lost.

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Washington Fish and Wildlife Commission
As approved during March 13, 2009
Special meeting via conference call