

SENATE BILL 5360

State of Washington 55th Legislature 1997 Regular Session

By Senators Hargrove, Anderson, Spanel, Swecker, Haugen, Oke, Snyder and Kline

Read first time 01/24/97. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to the renewal of commercial fishery and salmon
2 charter licenses; amending RCW 75.28.110 and 75.28.095; and declaring
3 an emergency.

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

5 Sec. 1. RCW 75.28.110 and 1996 c 267 s 28 are each amended to read
6 as follows:

7 (1) The following commercial salmon fishery licenses are required
8 for the license holder to use the specified gear to fish for salmon in
9 state waters. Only a person who meets the qualifications of RCW
10 75.30.120 may hold a license listed in this subsection. The licenses
11 and their annual fees and surcharges under RCW 75.50.100 are:

	Fishery	Resident	Nonresident	Surcharge
	License	Fee	Fee	
14	(a) Salmon Gill Net--Grays	\$380	\$685	plus \$100
15	Harbor-Columbia river			
16	(b) Salmon Gill Net--Puget	\$380	\$685	plus \$100
17	Sound			
18	(c) Salmon Gill Net--Willapa	\$380	\$685	plus \$100
19	Bay-Columbia river			
20	(d) Salmon purse seine	\$530	\$985	plus \$100

1	(e) Salmon reef net	\$380	\$685	plus \$100
2	(f) Salmon troll	\$380	\$685	plus \$100

3 (2) A license issued under this section authorizes no taking or
4 delivery of salmon or other food fish unless a vessel is designated
5 under RCW 75.28.045.

6 (3) Holders of commercial salmon fishery licenses may retain
7 incidentally caught food fish other than salmon, subject to rules of
8 the department.

9 (4) A salmon troll license includes a salmon delivery license.

10 (5) A salmon gill net license authorizes the taking of salmon only
11 in the geographical area for which the license is issued. The
12 geographical designations in subsection (1) of this section have the
13 following meanings:

14 (a) "Puget Sound" includes waters of the Strait of Juan de Fuca,
15 Georgia Strait, Puget Sound and all bays, inlets, canals, coves,
16 sounds, and estuaries lying easterly and southerly of the international
17 boundary line and a line at the entrance to the Strait of Juan de Fuca
18 projected northerly from Cape Flattery to the lighthouse on Tatoosh
19 Island and then to Bonilla Point on Vancouver Island.

20 (b) "Grays Harbor-Columbia river" includes waters of Grays Harbor
21 and tributary estuaries lying easterly of a line projected northerly
22 from Point Chehalis Light to Point Brown and those waters of the
23 Columbia river and tributary sloughs and estuaries easterly of a line
24 at the entrance to the Columbia river projected southerly from the most
25 westerly point of the North jetty to the most westerly point of the
26 South jetty.

27 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay and
28 tributary estuaries and easterly of a line projected northerly from
29 Leadbetter Point to the Cape Shoalwater tower and those waters of the
30 Columbia river and tributary sloughs described in (b) of this
31 subsection.

32 (6) A commercial salmon fishery license may be renewed under this
33 section if the license holder notifies the department by May 1st of
34 that year that he or she will not participate in the fishery during
35 that calendar year. The license holder must pay the one hundred-dollar
36 enhancement surcharge, plus a fifteen-dollar handling charge, in order
37 to be considered a valid renewal and eligible to renew the license the
38 following year.

1 **Sec. 2.** RCW 75.28.095 and 1995 c 104 s 1 are each amended to read
2 as follows:

3 (1) The director shall issue the charter licenses and angler
4 permits listed in this section according to the requirements of this
5 title. The licenses and permits and their annual fees and surcharges
6 are:

	License or Permit	Annual Fee (RCW 75.50.100 Surcharge)		Governing Section
		Resident	Nonresident	
10	(a) Nonsalmon charter	\$225	\$375	
11	(b) Salmon charter	\$380	\$685	RCW 75.30.065
12		(plus \$100)	(plus \$100)	
13	(c) Salmon angler	\$ 0	\$ 0	RCW 75.30.070
14	(d) Salmon roe	\$ 95	\$ 95	RCW 75.28.690

15 (2) Except as provided in subsection (5) of this section, it is
16 unlawful to operate a vessel as a charter boat from which salmon or
17 salmon and other food fish or shellfish are taken without a salmon
18 charter license designating the vessel. The director may issue a
19 salmon charter license only to a person who meets the qualifications of
20 RCW 75.30.065.

21 (3) Except as provided in subsections (2) and (5) of this section,
22 it is unlawful to operate a vessel as a charter boat from which food
23 fish or shellfish are taken without a nonsalmon charter license. As
24 used in this subsection, "food fish" does not include salmon.

25 (4) "Charter boat" means a vessel from which persons may, for a
26 fee, fish for food fish or shellfish for personal use, and that brings
27 food fish or shellfish into state ports or brings food fish or
28 shellfish taken from state waters into United States ports. The
29 director may specify by rule when a vessel is a "charter boat" within
30 this definition. "Charter boat" does not mean a vessel used by a guide
31 for clients fishing for food fish for personal use in freshwater
32 rivers, streams, and lakes, other than Lake Washington or that part of
33 the Columbia River below the bridge at Longview.

34 (5) A charter boat licensed in Oregon may fish without a Washington
35 charter license under the same rules as Washington charter boat
36 operators in ocean waters within the jurisdiction of Washington state
37 from the southern border of the state of Washington to Leadbetter
38 Point, as long as the Oregon vessel does not land at any Washington

1 port with the purpose of taking on or discharging passengers. The
2 provisions of this subsection shall be in effect as long as the state
3 of Oregon has reciprocal laws and regulations.

4 (6) A salmon charter license under subsection (1)(b) of this
5 section may be renewed if the license holder notifies the department by
6 May 1st of that year that he or she will not participate in the fishery
7 during that calendar year. The license holder must pay the one
8 hundred-dollar enhancement surcharge, plus a fifteen-dollar handling
9 charge, in order to be considered a valid renewal and eligible to renew
10 the license the following year.

11 NEW SECTION. Sec. 3. This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 immediately.

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