

CERTIFICATION OF ENROLLMENT  
SUBSTITUTE SENATE BILL 5385

62nd Legislature  
2011 Regular Session

Passed by the Senate April 20, 2011  
YEAS 38 NAYS 8

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**President of the Senate**

Passed by the House April 21, 2011  
YEAS 55 NAYS 42

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5385** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5385**

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Passed Legislature - 2011 Regular Session

**State of Washington                      62nd Legislature                      2011 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Regala, Ranker, Rockefeller, and Fraser; by request of Department of Fish and Wildlife)

READ FIRST TIME 04/15/11.

1            AN ACT Relating to increasing revenue to the state wildlife  
2 account; amending RCW 77.08.045, 77.12.170, 77.12.177, 77.32.050,  
3 77.32.240, 77.32.350, 77.32.370, 77.32.430, 77.32.450, 77.32.460,  
4 77.32.470, 77.32.520, 77.32.580, 77.65.020, 77.65.090, 77.65.110,  
5 77.65.150, 77.65.160, 77.65.170, 77.65.190, 77.65.200, 77.65.210,  
6 77.65.220, 77.65.280, 77.65.340, 77.65.390, 77.65.440, 77.65.450,  
7 77.65.480, 77.65.510, 77.70.080, 77.70.190, 77.70.220, 77.70.260,  
8 77.70.490, and 77.115.040; reenacting and amending RCW 43.84.092;  
9 repealing RCW 77.32.510; providing effective dates; providing an  
10 expiration date; and declaring an emergency.

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

12            **Sec. 1.** RCW 43.84.092 and 2010 1st sp.s. c 30 s 20, 2010 1st sp.s.  
13 c 9 s 7, 2010 c 248 s 6, 2010 c 222 s 5, 2010 c 162 s 6, and 2010 c 145  
14 s 11 are each reenacted and 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 receive  
19 funds associated with federal programs as required by the federal cash

1 management improvement act of 1990. The treasury income account is  
2 subject in all respects to chapter 43.88 RCW, but no appropriation is  
3 required for refunds or allocations of interest earnings required by  
4 the cash management improvement act. Refunds of interest to the  
5 federal treasury required under the cash management improvement act  
6 fall under RCW 43.88.180 and shall not require appropriation. The  
7 office of financial management shall determine the amounts due to or  
8 from the federal government pursuant to the cash management improvement  
9 act. The office of financial management may direct transfers of funds  
10 between accounts as deemed necessary to implement the provisions of the  
11 cash management improvement act, and this subsection. Refunds or  
12 allocations shall occur prior to the distributions of earnings set  
13 forth in subsection (4) of this section.

14 (3) Except for the provisions of RCW 43.84.160, the treasury income  
15 account may be utilized for the payment of purchased banking services  
16 on behalf of treasury funds including, but not limited to, depository,  
17 safekeeping, and disbursement functions for the state treasury and  
18 affected state agencies. The treasury income account is subject in all  
19 respects to chapter 43.88 RCW, but no appropriation is required for  
20 payments to financial institutions. Payments shall occur prior to  
21 distribution of earnings set forth in subsection (4) of this section.

22 (4) Monthly, the state treasurer shall distribute the earnings  
23 credited to the treasury income account. The state treasurer shall  
24 credit the general fund with all the earnings credited to the treasury  
25 income account except:

26 (a) The following accounts and funds shall receive their  
27 proportionate share of earnings based upon each account's and fund's  
28 average daily balance for the period: The aeronautics account, the  
29 aircraft search and rescue account, the budget stabilization account,  
30 the capitol building construction account, the Cedar River channel  
31 construction and operation account, the Central Washington University  
32 capital projects account, the charitable, educational, penal and  
33 reformatory institutions account, the cleanup settlement account, the  
34 Columbia river basin water supply development account, the common  
35 school construction fund, the county arterial preservation account, the  
36 county criminal justice assistance account, the county sales and use  
37 tax equalization account, the deferred compensation administrative  
38 account, the deferred compensation principal account, the department of

1 licensing services account, the department of retirement systems  
2 expense account, the developmental disabilities community trust  
3 account, the drinking water assistance account, the drinking water  
4 assistance administrative account, the drinking water assistance  
5 repayment account, the Eastern Washington University capital projects  
6 account, the education construction fund, the education legacy trust  
7 account, the election account, the energy freedom account, the energy  
8 recovery act account, the essential rail assistance account, The  
9 Evergreen State College capital projects account, the federal forest  
10 revolving account, the ferry bond retirement fund, the freight  
11 congestion relief account, the freight mobility investment account, the  
12 freight mobility multimodal account, the grade crossing protective  
13 fund, the public health services account, the health system capacity  
14 account, the high capacity transportation account, the state higher  
15 education construction account, the higher education construction  
16 account, the highway bond retirement fund, the highway infrastructure  
17 account, the highway safety account, the high occupancy toll lanes  
18 operations account, the hospital safety net assessment fund, the  
19 industrial insurance premium refund account, the judges' retirement  
20 account, the judicial retirement administrative account, the judicial  
21 retirement principal account, the local leasehold excise tax account,  
22 the local real estate excise tax account, the local sales and use tax  
23 account, the marine resources stewardship trust account, the medical  
24 aid account, the mobile home park relocation fund, the motor vehicle  
25 fund, the motorcycle safety education account, the multiagency  
26 permitting team account, the multimodal transportation account, the  
27 municipal criminal justice assistance account, the municipal sales and  
28 use tax equalization account, the natural resources deposit account,  
29 the oyster reserve land account, the pension funding stabilization  
30 account, the perpetual surveillance and maintenance account, the public  
31 employees' retirement system plan 1 account, the public employees'  
32 retirement system combined plan 2 and plan 3 account, the public  
33 facilities construction loan revolving account beginning July 1, 2004,  
34 the public health supplemental account, the public transportation  
35 systems account, the public works assistance account, the Puget Sound  
36 capital construction account, the Puget Sound ferry operations account,  
37 the Puyallup tribal settlement account, the real estate appraiser  
38 commission account, the recreational vehicle account, the regional

1 mobility grant program account, the resource management cost account,  
2 the rural arterial trust account, the rural Washington loan fund, the  
3 site closure account, the small city pavement and sidewalk account, the  
4 special category C account, the special wildlife account, the state  
5 employees' insurance account, the state employees' insurance reserve  
6 account, the state investment board expense account, the state  
7 investment board commingled trust fund accounts, the state patrol  
8 highway account, the state route number 520 civil penalties account,  
9 the state route number 520 corridor account, the state wildlife  
10 account, the supplemental pension account, the Tacoma Narrows toll  
11 bridge account, the teachers' retirement system plan 1 account, the  
12 teachers' retirement system combined plan 2 and plan 3 account, the  
13 tobacco prevention and control account, the tobacco settlement account,  
14 the transportation 2003 account (nickel account), the transportation  
15 equipment fund, the transportation fund, the transportation improvement  
16 account, the transportation improvement board bond retirement account,  
17 the transportation infrastructure account, the transportation  
18 partnership account, the traumatic brain injury account, the tuition  
19 recovery trust fund, the University of Washington bond retirement fund,  
20 the University of Washington building account, the urban arterial trust  
21 account, the volunteer firefighters' and reserve officers' relief and  
22 pension principal fund, the volunteer firefighters' and reserve  
23 officers' administrative fund, the Washington judicial retirement  
24 system account, the Washington law enforcement officers' and  
25 firefighters' system plan 1 retirement account, the Washington law  
26 enforcement officers' and firefighters' system plan 2 retirement  
27 account, the Washington public safety employees' plan 2 retirement  
28 account, the Washington school employees' retirement system combined  
29 plan 2 and 3 account, the Washington state health insurance pool  
30 account, the Washington state patrol retirement account, the Washington  
31 State University building account, the Washington State University bond  
32 retirement fund, the water pollution control revolving fund, and the  
33 Western Washington University capital projects account. Earnings  
34 derived from investing balances of the agricultural permanent fund, the  
35 normal school permanent fund, the permanent common school fund, the  
36 scientific permanent fund, and the state university permanent fund  
37 shall be allocated to their respective beneficiary accounts.

1 (b) Any state agency that has independent authority over accounts  
2 or funds not statutorily required to be held in the state treasury that  
3 deposits funds into a fund or account in the state treasury pursuant to  
4 an agreement with the office of the state treasurer shall receive its  
5 proportionate share of earnings based upon each account's or fund's  
6 average daily balance for the period.

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

10 **Sec. 2.** RCW 77.08.045 and 1998 c 191 s 31 are each amended to read  
11 as follows:

12 As used in this title or rules adopted pursuant to this title:

13 (1) "Migratory waterfowl" means members of the family Anatidae,  
14 including brants, ducks, geese, and swans;

15 (2) "Migratory bird" means migratory waterfowl and coots, snipe,  
16 doves, and band-tailed pigeon;

17 (3) "Migratory bird (~~stamp~~) permit" means the (~~stamp~~) permit  
18 that is required by RCW 77.32.350 to be in the possession of all  
19 persons to hunt migratory birds;

20 (4) "Prints and artwork" means replicas of the original stamp  
21 design that are sold to the general public. Prints and artwork are not  
22 to be construed to be the migratory bird (~~stamp~~) permit that is  
23 required by RCW 77.32.350. Artwork may be any facsimile of the  
24 original stamp design, including color renditions, metal duplications,  
25 or any other kind of design; and

26 (5) "Migratory waterfowl art committee" means the committee created  
27 by RCW 77.12.680. The committee's primary function is to select the  
28 annual migratory bird stamp design.

29 **Sec. 3.** RCW 77.12.170 and 2009 c 333 s 13 are each amended to read  
30 as follows:

31 (1) There is established in the state treasury the state wildlife  
32 account which consists of moneys received from:

33 (a) Rentals or concessions of the department;

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

1 (c) The assessment of administrative penalties(~~(, and)~~);  
2 (d) The sale of licenses, permits, tags, and stamps required by  
3 chapter 77.32 RCW (~~and~~), RCW 77.65.490, (~~except annual resident~~  
4 ~~adult saltwater and all annual razor clam and shellfish licenses, which~~  
5 ~~shall be deposited into the state general fund~~) and application fees;  
6 ~~((d))~~ (e) Fees for informational materials published by the  
7 department;  
8 ~~((e))~~ (f) Fees for personalized vehicle, Wild on Washington, and  
9 Endangered Wildlife license plates and Washington's Wildlife license  
10 plate collection as provided in chapter 46.16 RCW;  
11 ~~((f))~~ (g) Articles or wildlife sold by the director under this  
12 title;  
13 ~~((g))~~ (h) Compensation for damage to department property or  
14 wildlife 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 ~~((h))~~ (i) Excise tax on anadromous game fish collected under  
20 chapter 82.27 RCW;  
21 ~~((i))~~ (j) The department's share of revenues from auctions and  
22 raffles authorized by the commission; (~~and~~  
23 ~~(j)~~) (k) The sale of watchable wildlife decals under RCW  
24 77.32.560; and  
25 (1) Donations received by the director under RCW 77.12.039.  
26 (2) State and county officers receiving any moneys listed in  
27 subsection (1) of this section shall deposit them in the state treasury  
28 to be credited to the state wildlife account.

29 **Sec. 4.** RCW 77.12.177 and 2001 c 253 s 16 are each amended to read  
30 as follows:

31 (1) Except as provided in this title, state and county officers  
32 receiving the following moneys shall deposit them in the state general  
33 fund:

34 (a) The sale of commercial licenses required under this title,  
35 except for licenses issued under RCW 77.65.490; and

36 (b) Moneys received for damages to food fish or shellfish.

1 (2) The director shall make weekly remittances to the state  
2 treasurer of moneys collected by the department.

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

6 (4) Proceeds from the sale of food fish or shellfish taken in test  
7 fishing conducted by the department, to the extent that these proceeds  
8 exceed the estimates in the budget approved by the legislature, may be  
9 allocated as unanticipated receipts under RCW 43.79.270 to reimburse  
10 the department for unanticipated costs for test fishing operations in  
11 excess of the allowance in the budget approved by the legislature.

12 (5) Proceeds from the sale of salmon carcasses and salmon eggs from  
13 state general funded hatcheries by the department of general  
14 administration shall be deposited in the regional fisheries enhancement  
15 group account established in RCW 77.95.090.

16 ~~(6) ((Moneys received by the commission under RCW 77.12.039, to the  
17 extent these moneys exceed estimates in the budget approved by the  
18 legislature, may be allocated as unanticipated receipts under RCW  
19 43.79.270. Allocations under this subsection shall be made only for  
20 the specific purpose for which the moneys were received, unless the  
21 moneys were received in settlement of a claim for damages to food fish  
22 or shellfish, in which case the moneys may be expended for the  
23 conservation of these resources.~~

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

30 **Sec. 5.** RCW 77.32.050 and 2009 c 333 s 71 are each amended to read  
31 as follows:

32 (1) All recreational and commercial licenses, permits, tags,  
33 ~~((and)) stamps ((required by this title and raffle tickets authorized  
34 under chapter 77.12 RCW)), and raffle tickets shall be issued under the  
35 authority of the commission. The commission shall adopt rules for the  
36 issuance of ~~((recreational))~~ licenses, permits, tags, stamps, and  
37 raffle tickets, and for the collection, payment, and handling of~~



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

16 (2) (~~For the 2009-2011 biennium~~) Until September 1, 2011, the  
17 department shall charge an additional transaction fee of ten percent on  
18 all recreational licenses, permits, tags, stamps, or raffle tickets.  
19 These transaction fees must be deposited into the state wildlife  
20 account, created in RCW 77.12.170, for funding fishing and hunting  
21 opportunities for recreational license holders.

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

24 **Sec. 6.** RCW 77.32.240 and 1998 c 191 s 21 are each amended to read  
25 as follows:

26 A scientific permit allows the holder to collect for research or  
27 display food fish, game fish, shellfish, and wildlife, including avian  
28 nests and eggs as required in RCW 77.32.010, under conditions  
29 prescribed by the director. Before a permit is issued, the applicant  
30 shall demonstrate to the director their qualifications and establish  
31 the need for the permit. The director may require a bond of up to one  
32 thousand dollars to ensure compliance with the permit. Permits are  
33 valid for the time specified, unless sooner revoked.

34 Holders of permits may exchange specimens with the approval of the  
35 director.

36 A permit holder who violates this section shall forfeit the permit

1 and bond and shall not receive a similar permit for one year. The fee  
2 for a scientific permit is twelve dollars. The application fee is one  
3 hundred five dollars.

4 **Sec. 7.** RCW 77.32.350 and 2009 c 333 s 72 are each amended to read  
5 as follows:

6 In addition to a small game hunting license, a supplemental permit  
7 (~~(or stamp)~~) is required to hunt for migratory birds.

8 ~~((1))~~ A migratory bird (~~(validation)~~) permit is required for all  
9 persons sixteen years of age or older to hunt migratory birds. The fee  
10 for the (~~(validation)~~) permit for hunters is (~~(ten)~~) fifteen dollars  
11 for residents and nonresidents. (~~The fee for the stamp for collectors~~  
12 ~~is ten dollars.~~)

13 ~~(2) The migratory bird license must be validated at the time of~~  
14 ~~signature of the licensee.))~~

15 **Sec. 8.** RCW 77.32.370 and 1998 c 191 s 26 are each amended to read  
16 as follows:

17 (1) A special hunting season permit is required to hunt in each  
18 special season (~~(established under chapter 77.12 RCW)~~).

19 (2) Persons may apply for special hunting season permits as  
20 provided by rule of the commission.

21 (~~The application fee to enter the drawing for a special~~  
22 ~~hunting permit is five dollars for residents, fifty dollars for~~  
23 ~~nonresidents, and three dollars for youth.)) The application fee to  
24 enter a drawing for a special hunting season permit or authorization  
25 is:~~

26 (a) Six dollars for residents, or one hundred dollars for  
27 nonresidents, for the permits in categories designated by the  
28 commission for deer or elk, female big game, or for small game;

29 (b) Twelve dollars for residents, or one hundred dollars for  
30 nonresidents, for the permits that the commission designates as  
31 "quality" hunts that allow the harvest of buck deer, bull elk, or allow  
32 the harvest of male big game species that are only available for  
33 hunting by special permit;

34 (c) Twelve dollars for residents and nonresidents to apply for  
35 special authorizations to hunt for migratory birds; and

1        (d) Three dollars for youth for any special hunt drawing or special  
2 authorization.

3        **Sec. 9.** RCW 77.32.430 and 2010 c 193 s 11 are each amended to read  
4 as follows:

5        (1) Catch record card information is necessary for proper  
6 management of the state's food fish and game fish species and shellfish  
7 resources. Catch record card administration shall be under rules  
8 adopted by the commission. There is no charge for an initial catch  
9 record card. Each subsequent or duplicate catch record card costs  
10 ~~((ten))~~ eleven dollars.

11        (2) A license to take and possess Dungeness crab is only valid in  
12 Puget Sound waters east of the Bonilla-Tatoosh line if the fisher has  
13 in possession a valid catch record card officially endorsed for  
14 Dungeness crab. The endorsement shall cost no more than ~~((three))~~  
15 seven dollars~~((, including any or all fees authorized under RCW~~  
16 ~~77.32.050,))~~ and fifty cents when purchased for a personal use  
17 saltwater, combination, or shellfish and seaweed license. The  
18 endorsement shall cost no more than ~~((one dollar, including any or all~~  
19 ~~fees authorized under RCW 77.32.050,))~~ three dollars when purchased for  
20 a temporary combination fishing license authorized under RCW  
21 77.32.470(3)(a).

22        (3) Catch record cards issued with affixed temporary short-term  
23 charter stamp licenses are ~~((not))~~ neither subject to the ten-dollar  
24 charge nor to the Dungeness crab endorsement fee provided for in this  
25 section. Charter boat or guide operators issuing temporary short-term  
26 charter stamp licenses shall affix the stamp to each catch record card  
27 issued before fishing commences. Catch record cards issued with a  
28 temporary short-term charter stamp are valid for one day.

29        (4) The department shall include provisions for recording marked  
30 and unmarked salmon in catch record cards issued after March 31, 2004.

31        (5)(a) The funds received from the sale of catch record cards,  
32 catch card penalty fees, and the Dungeness crab endorsement must be  
33 deposited into the state wildlife account created in RCW 77.12.170.  
34 ~~((The funds received from the Dungeness crab endorsement may be used~~  
35 ~~only for the sampling, monitoring, and management of catch associated~~  
36 ~~with the Dungeness crab recreational fisheries. Until June 30, 2011,~~  
37 ~~funds received from the Dungeness crab endorsement may be used for the~~

1 ~~removal and disposal of derelict shellfish gear either directly by the~~  
2 ~~department or under contract with a third party.))~~ One dollar of the  
3 funds received from the sale of each Dungeness crab endorsement must be  
4 used for the removal and disposal of derelict shellfish gear either  
5 directly by the department or under contract with a third party. The  
6 department is required to maintain a separate accounting of these funds  
7 and provide an annual report to the commission and the legislature by  
8 January 1st of every year. The remaining portion of the funds received  
9 from the sale of each Dungeness crab endorsement must be used for  
10 education, sampling, monitoring, and management of catch associated  
11 with the Dungeness crab recreational fisheries.

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

15 **Sec. 10.** RCW 77.32.450 and 2005 c 140 s 1 are each amended to read  
16 as follows:

17 (1) A big game hunting license is required to hunt for big game.  
18 A big game license allows the holder to hunt for forest grouse,  
19 unclassified wildlife, and the individual species identified within a  
20 specific big game combination license package. Each big game license  
21 includes one transport tag for each species purchased in that package.  
22 A hunter may not purchase more than one license for each big game  
23 species except as authorized by rule of the commission. The fees for  
24 annual big game combination packages are as follows:

25 (a) Big game number 1: Deer, elk, bear, and cougar. The fee for  
26 this license is ~~((sixty-six))~~ eighty-five dollars for residents, ~~((six~~  
27 ~~hundred sixty))~~ seven hundred eighty dollars for nonresidents, and  
28 ~~((thirty-three))~~ forty dollars for youth.

29 (b) Big game number 2: Deer and elk. The fee for this license is  
30 ~~((fifty-six))~~ seventy-five dollars for residents, ~~((five hundred~~  
31 ~~sixty))~~ six hundred seventy dollars for nonresidents, and ~~((twenty-~~  
32 ~~eight))~~ thirty-five dollars for youth.

33 (c) Big game number 3: ~~((Deer or elk, bear, and cougar. At the~~  
34 ~~time of purchase, the holder must identify either deer or elk. The fee~~  
35 ~~for this license is forty-six dollars for residents, four hundred sixty~~  
36 ~~dollars for nonresidents, and twenty-three dollars for youth.~~

1 ~~(d) Big game number 4:)) Deer ((or elk. At the time of purchase,~~  
2 ~~the holder must identify either deer or elk)).~~ The fee for this  
3 license is ~~((thirty-six))~~ thirty-nine dollars for residents, three  
4 hundred ~~((sixty))~~ ninety-three dollars for nonresidents, and eighteen  
5 dollars for youth.

6 ~~((e))~~ (d) Big game number 4: Elk. The fee for this license is  
7 forty-four dollars for residents, four hundred fifty dollars for  
8 nonresidents, and eighteen dollars for youth.

9 (e) Big game number 5: Bear ((and cougar)). The fee for this  
10 license is twenty dollars for residents, two hundred dollars for  
11 nonresidents, and ten dollars for youth.

12 (f) Big game number 6: Cougar. The fee for this license is twenty  
13 dollars for residents, two hundred dollars for nonresidents, and ten  
14 dollars for youth.

15 (2) In the event that the commission authorizes a two animal big  
16 game limit, the fees for the second animal are as follows:

17 (a) Elk: The fee is ~~((twenty))~~ sixty dollars for residents, ~~((two~~  
18 ~~hundred))~~ three hundred fifty dollars for nonresidents, and ~~((ten))~~  
19 twenty dollars for youth.

20 (b) Deer: The fee is ~~((twenty))~~ sixty dollars for residents, two  
21 hundred fifty dollars for nonresidents, and ~~((ten))~~ twenty dollars for  
22 youth.

23 ~~((c) Bear: The fee is ten dollars for residents, one hundred~~  
24 ~~dollars for nonresidents, and five dollars for youth.~~

25 ~~(d) Cougar: The fee is ten dollars for residents, one hundred~~  
26 ~~dollars for nonresidents, and five dollars for youth.))~~

27 (3) In the event that the commission authorizes a special permit  
28 hunt for goat, sheep, ~~((or))~~ moose, or other big game species not  
29 specified the permit fees are ~~((as follows:~~

30 ~~(a) Mountain goat: The fee is one))~~ three hundred dollars for  
31 residents, one thousand five hundred dollars for nonresidents, and  
32 fifty dollars for youth.

33 ~~((b) Sheep: The fee is one hundred dollars for residents, one~~  
34 ~~thousand dollars for nonresidents, and fifty dollars for youth.~~

35 ~~(c) Moose: The fee is one hundred dollars for residents, one~~  
36 ~~thousand dollars for nonresidents, and fifty dollars for youth.))~~

37 (4) Multiple season big game permit: The commission may, by rule,  
38 offer permits for hunters to hunt deer or elk during more than one

1 general season. Only one deer or elk may be harvested annually under  
2 a multiple season big game permit. The fee is one hundred (~~(fifty)~~)  
3 sixty-five dollars (~~(for residents and one thousand five hundred~~  
4 ~~dollars for nonresidents)~~).

5 (5) Authorization to hunt the species set out under subsection  
6 (3)(~~(a) through (c)~~) of this section (~~(or in multiple seasons as set~~  
7 ~~out in subsection (4) of this section)~~) is by special permit issued  
8 under RCW 77.32.370.

9 (~~(6) The commission may adopt rules to reduce the price of a~~  
10 ~~license or eliminate the transportation tag requirements concerning~~  
11 ~~bear or cougar when necessary to meet harvest objectives.)~~)

12 **Sec. 11.** RCW 77.32.460 and 2006 c 15 s 1 are each amended to read  
13 as follows:

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

17 (a) The fee for this license is thirty-five dollars for residents,  
18 one hundred (~~(fifty)~~) sixty-five dollars for nonresidents, and fifteen  
19 dollars for youth.

20 (b) The fee for this license if purchased (~~(in conjunction with)~~)  
21 at the same time as a big game combination license package is  
22 (~~(sixteen)~~) twenty dollars for residents, eighty-eight dollars for  
23 nonresidents, and eight dollars for youth.

24 (c) The fee for a three-consecutive-day small game license is  
25 (~~(fifty)~~) sixty dollars for nonresidents.

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

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

32 (b) The fee for each additional turkey tag is fourteen dollars for  
33 residents, sixty dollars for nonresidents, and (~~(nine)~~) ten dollars for  
34 youth.

35 (c) All moneys received from turkey tags must be deposited in the  
36 state wildlife account. One-third of the moneys received from turkey  
37 tags must be appropriated solely for the purposes of turkey management.

1 An additional one-third of the moneys received from turkey tags must be  
2 appropriated solely for upland game bird management. Moneys received  
3 from turkey tags may not supplant existing funds provided for these  
4 purposes.

5 **Sec. 12.** RCW 77.32.470 and 2009 c 333 s 6 are each amended to read  
6 as follows:

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

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

13 (a) A combination license allows the holder to fish for or possess  
14 fish, shellfish, and seaweed from state waters or offshore waters. The  
15 fee for this license is ~~((thirty-six))~~ forty-five dollars for  
16 residents, ~~((seventy-two))~~ one hundred eight dollars for nonresidents,  
17 and five dollars for youth. There is an additional fifty-cent  
18 surcharge for this license, to be deposited in the rockfish research  
19 account created in RCW 77.12.702.

20 (b) A saltwater license allows the holder to fish for or possess  
21 fish taken from saltwater areas. The fee for this license is  
22 ~~((eighteen))~~ twenty-five dollars for residents, ~~((thirty-six))~~ fifty-  
23 two dollars for nonresidents, and five dollars for resident seniors.  
24 There is an additional fifty-cent surcharge for this license, to be  
25 deposited in the rockfish research account created in RCW 77.12.702.

26 (c) A freshwater license allows the holder to fish for, take, or  
27 possess food fish or game fish species in all freshwater areas. The  
28 fee for this license is twenty-five dollars for residents, ~~((forty))~~  
29 seventy-five dollars for nonresidents, and five dollars for resident  
30 seniors.

31 (3)(a) A temporary combination fishing license is valid for one to  
32 ~~((five))~~ three consecutive days and allows the holder to fish for or  
33 possess fish, shellfish, and seaweed taken from state waters or  
34 offshore waters. The fee for this temporary fishing license is:

35 (i) One day - ~~((Seven))~~ Eight dollars for residents and  
36 ~~((fourteen))~~ sixteen dollars for nonresidents;

1 (ii) Two days - (~~Ten~~) Twelve dollars for residents and twenty-  
2 four dollars for nonresidents; and

3 (iii) Three days - (~~Thirteen~~) Fifteen dollars for residents and  
4 (~~twenty-six~~) thirty dollars for nonresidents( (+

5 ~~(iv) Four days — Fifteen dollars for residents and thirty dollars~~  
6 ~~for nonresidents; and~~

7 ~~(v) Five days — Seventeen dollars for residents and thirty-four~~  
8 ~~dollars for nonresidents)).~~

9 (b) The fee for a charter stamp is (~~seven~~) eight dollars for a  
10 one-day temporary combination fishing license for residents and  
11 nonresidents for use on a charter boat as defined in RCW 77.65.150.

12 (c) (~~A transaction fee to support the automated licensing system~~  
13 ~~will be taken from the amounts set forth in this subsection for~~  
14 ~~temporary licenses.~~

15 ~~(d))~~ Except for active duty military personnel serving in any  
16 branch of the United States armed forces, the temporary combination  
17 fishing license is not valid on game fish species for an eight-  
18 consecutive-day period beginning on the opening day of the lowland lake  
19 fishing season as defined by rule of the commission.

20 (~~(e))~~ (d) The temporary combination fishing license fee for  
21 active duty military personnel serving in any branch of the United  
22 States armed forces is the resident rate as set forth in (a) of this  
23 subsection. Active duty military personnel must provide a valid  
24 military identification card at the time of purchase of the temporary  
25 license to qualify for the resident rate.

26 (~~(f))~~ (e) There is an additional fifty-cent surcharge on the  
27 temporary combination fishing license and the associated charter stamp,  
28 to be deposited in the rockfish research account created in RCW  
29 77.12.702.

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

36 (5) The commission may adopt rules to create and sell combination  
37 licenses for all hunting and fishing activities at or below a fee equal



1 to the total cost of the individual license contained within any  
2 combination.

3 (6) The commission may adopt rules to allow the use of two fishing  
4 poles per fishing license holder for use on selected state waters. If  
5 authorized by the commission, license holders must purchase a two-pole  
6 stamp to use a second pole. The proceeds from the sale of the two-pole  
7 stamp must be deposited into the state wildlife account created in RCW  
8 77.12.170 and used for the operation and maintenance of state-owned  
9 fish hatcheries. The fee for a two-pole stamp is ~~((twenty))~~ thirteen  
10 dollars for residents and nonresidents, and five dollars for  
11 ~~((resident))~~ seniors.

12 **Sec. 13.** RCW 77.32.520 and 2007 c 336 s 1 are each amended to read  
13 as follows:

14 (1) A personal use shellfish and seaweed license is required for  
15 all persons other than residents or nonresidents under fifteen years of  
16 age to fish for, take, dig for, or possess seaweed or shellfish,  
17 including razor clams, for personal use from state waters or offshore  
18 waters including national park beaches.

19 (2) A razor clam license allows a person to harvest only razor  
20 clams for personal use from state waters, including national park  
21 beaches.

22 (3) The fees for annual personal use shellfish and seaweed licenses  
23 are:

24 (a) For a resident fifteen years of age or older, ~~((seven))~~ ten  
25 dollars;

26 (b) For a nonresident fifteen years of age or older, twenty-seven  
27 dollars; and

28 (c) For a senior, five dollars.

29 (4) The fee for an annual razor clam license is ~~((five))~~ eight  
30 dollars ~~((and fifty cents))~~ for residents ~~((and eleven))~~, fifteen  
31 dollars for nonresidents, and eight dollars for seniors.

32 (5) The fee for a three-day razor clam license is ~~((three))~~ five  
33 dollars ~~((and fifty cents))~~ for both residents and nonresidents.

34 (6) A personal use shellfish and seaweed license or razor clam  
35 license must be in immediate possession of the licensee and available  
36 for inspection while a licensee is harvesting shellfish or seaweed.  
37 However, the license does not need to be visible at all times.

1           **Sec. 14.** RCW 77.32.580 and 2009 c 420 s 3 are each amended to read  
2 as follows:

3           (1) In addition to a recreational license required under this  
4 chapter, a Columbia river salmon and steelhead stamp or endorsement is  
5 required in order for any person fifteen years of age or older to fish  
6 recreationally for salmon or steelhead in the Columbia river and its  
7 tributaries where these fisheries have been authorized by the  
8 department. The cost for each stamp or endorsement is seven dollars  
9 and fifty cents for residents and nonresidents and six dollars for  
10 youth and seniors. The department shall deposit all receipts from  
11 stamp or endorsement purchases into the Columbia river recreational  
12 salmon and steelhead pilot stamp program account created in RCW  
13 77.12.714.

14           (2) For the purposes of this section and RCW 77.12.712 and  
15 77.12.714 through 77.12.718, the term "Columbia river" means the  
16 Columbia river from a line across the Columbia river between Rocky  
17 Point in Washington and Tongue Point in Oregon to the Chief Joseph dam.

18           **Sec. 15.** RCW 77.65.020 and 2000 c 107 s 28 are each amended to  
19 read as follows:

20           (1) Unless otherwise provided in this title, a license issued under  
21 this chapter is not transferable from the license holder to any other  
22 person.

23           (2) The following restrictions apply to transfers of commercial  
24 fishery licenses, salmon delivery licenses, and salmon charter licenses  
25 that are transferable between license holders:

26           (a) The license holder shall surrender the previously issued  
27 license to the department.

28           (b) The department shall complete no more than one transfer of the  
29 license in any seven-day period.

30           (c) The fee to transfer a license from one license holder to  
31 another is:

32           (i) The same as the resident license renewal fee if the license is  
33 not limited under chapter 77.70 RCW;

34           (ii) Three and one-half times the resident renewal fee if the  
35 license is not a commercial salmon license and the license is limited  
36 under chapter 77.70 RCW;

1 (iii) Fifty dollars if the license is a commercial salmon license  
2 and is limited under chapter 77.70 RCW;

3 (iv) Five hundred dollars if the license is a Dungeness crab-  
4 coastal fishery license; or

5 (v) If a license is transferred from a resident to a nonresident,  
6 an additional fee is assessed that is equal to the difference between  
7 the resident and nonresident license fees at the time of transfer, to  
8 be paid by the transferee.

9 (d) In addition to the fees under (c) of this subsection, an  
10 application fee of one hundred five dollars applies to all commercial  
11 license transfers.

12 (3) A commercial license that is transferable under this title  
13 survives the death of the holder. Though such licenses are not  
14 personal property, they shall be treated as analogous to personal  
15 property for purposes of inheritance and intestacy. Such licenses are  
16 subject to state laws governing wills, trusts, estates, intestate  
17 succession, and community property, except that such licenses are  
18 exempt from claims of creditors of the estate and tax liens. The  
19 surviving spouse, estate, or beneficiary of the estate may apply for a  
20 renewal of the license. There is no fee for transfer of a license from  
21 a license holder to the license holder's surviving spouse or estate, or  
22 to a beneficiary of the estate.

23 **Sec. 16.** RCW 77.65.090 and 1994 c 260 s 11 are each amended to  
24 read as follows:

25 This section applies to all commercial fishery licenses, delivery  
26 licenses, and charter licenses, except for emergency salmon delivery  
27 licenses.

28 (1) The holder of a license subject to this section may substitute  
29 the vessel designated on the license or designate a vessel if none has  
30 previously been designated if the license holder:

31 (a) Surrenders the previously issued license to the department;

32 (b) Submits to the department an application that identifies the  
33 currently designated vessel, the vessel proposed to be designated, and  
34 any other information required by the department; and

35 (c) Pays to the department a fee of thirty-five dollars and an  
36 application fee of one hundred five dollars.

1 (2) Unless the license holder owns all vessels identified on the  
2 application described in subsection (1)(b) of this section or unless  
3 the vessel is designated on a Dungeness crab-coastal or a Dungeness  
4 crab-coastal class B fishery license, the following restrictions apply  
5 to changes in vessel designation:

6 (a) The department shall change the vessel designation on the  
7 license no more than four times per calendar year.

8 (b) The department shall change the vessel designation on the  
9 license no more than once in any seven-day period.

10 **Sec. 17.** RCW 77.65.110 and 2001 c 105 s 4 are each amended to read  
11 as follows:

12 This section applies to all commercial fishery licenses, charter  
13 boat (~~(license[s])~~) licenses, and delivery licenses.

14 (1) A person designated as an alternate operator must possess an  
15 alternate operator license issued under RCW 77.65.130, and be  
16 designated on the license prior to engaging in the activities  
17 authorized by the license. The holder of the commercial fishery  
18 license, charter boat license, or delivery license may designate up to  
19 two alternate operators for the license, except:

20 (a) Whiting--Puget Sound fishery licensees may not designate  
21 alternate operators;

22 (b) Emergency salmon delivery licensees may not designate alternate  
23 operators;

24 (c) Shrimp pot-Puget Sound fishery licensees may designate no more  
25 than one alternate operator at a time; and

26 (d) Shrimp trawl-Puget Sound fishery licensees may designate no  
27 more than one alternate operator at a time.

28 (2) The fee to change the alternate operator designation is twenty-  
29 two dollars in addition to the application fee of one hundred five  
30 dollars.

31 **Sec. 18.** RCW 77.65.150 and 2007 c 442 s 3 are each amended to read  
32 as follows:

33 (1) The director shall issue the charter licenses and angler  
34 permits listed in this section according to the requirements of this  
35 title. The licenses and permits and their annual license fees,  
36 application fees, and surcharges are:

|    |                       | Annual Fee                   |                      |                        |               |
|----|-----------------------|------------------------------|----------------------|------------------------|---------------|
|    |                       | (RCW 77.95.090 Surcharge)    |                      |                        | Governing     |
|    | License or Permit     | (RCW 77.12.702 Surcharge)    |                      | <u>Application Fee</u> | Section       |
|    |                       | Resident                     | Nonresident          |                        |               |
| 5  | (a) Nonsalmon charter | \$225                        | \$375                | <u>\$ 70</u>           |               |
| 6  |                       | (plus \$35 for RCW 77.12.702 | (plus \$35 for RCW   |                        |               |
| 7  |                       | Surcharge)                   | 77.12.702 Surcharge) |                        |               |
| 8  | (b) Salmon charter    | \$380                        | \$685                | <u>\$105</u>           | RCW 77.70.050 |
| 9  |                       | (plus \$100)                 | (plus \$100)         |                        |               |
| 10 |                       | (plus \$35 for RCW 77.12.702 | (plus \$35 for RCW   |                        |               |
| 11 |                       | Surcharge)                   | 77.12.702 Surcharge) |                        |               |
| 12 | (c) Salmon angler     | \$ 0                         | \$ 0                 | <u>\$ 0</u>            | RCW 77.70.060 |
| 13 | (d) Salmon roe        | \$ 95                        | \$ 95                | <u>\$ 70</u>           | RCW 77.65.350 |

14 (2) A salmon charter license designating a vessel is required to  
15 operate a charter boat from which persons may, for a fee, fish for  
16 salmon, other food fish, and shellfish. The director may issue a  
17 salmon charter license only to a person who meets the qualifications of  
18 RCW 77.70.050.

19 (3) A nonsalmon charter license designating a vessel is required to  
20 operate a charter boat from which persons may, for a fee, fish for food  
21 fish other than salmon, albacore tuna, and shellfish.

22 (4)(a) "Charter boat" means a vessel from which persons may, for a  
23 fee, fish for food fish or shellfish for personal use in those state  
24 waters set forth in (b) of this subsection. "Charter boat" also means  
25 a vessel from which persons may, for a fee, fish for food fish or  
26 shellfish for personal use in offshore waters or in the waters of other  
27 states. The director may specify by rule when a vessel is a "charter  
28 boat" within this definition.

29 (b) A person may not operate a vessel from which persons may, for  
30 a fee, fish for food fish or shellfish in Puget Sound, Grays Harbor,  
31 Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia  
32 river below the bridge at Longview unless the vessel is designated on  
33 a charter boat license.

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

1 Point, as long as the Oregon vessel does not take on or discharge  
 2 passengers for any purpose from any Washington port, the Washington  
 3 shore, or a dock, landing, or other point in Washington. The  
 4 provisions of this subsection shall be in effect as long as the state  
 5 of Oregon has reciprocal laws and regulations.

6 (6) A salmon charter license under subsection (1)(b) of this  
 7 section may be renewed if the license holder notifies the department by  
 8 May 1st of that year that he or she will not participate in the fishery  
 9 during that calendar year. The license holder must pay the one hundred  
 10 dollar enhancement surcharge (~~(and)~~) a thirty-five dollar surcharge to  
 11 be deposited in the rockfish research account created in RCW 77.12.702,  
 12 plus a (~~fifteen-dollar handling charge~~) one hundred five dollar  
 13 application fee, in order to be considered a valid renewal and eligible  
 14 to renew the license the following year.

15 **Sec. 19.** RCW 77.65.160 and 2001 c 244 s 1 are each amended to read  
 16 as follows:

17 (1) The following commercial salmon fishery licenses are required  
 18 for the license holder to use the specified gear to fish for salmon in  
 19 state waters. Only a person who meets the qualifications of RCW  
 20 77.70.090 may hold a license listed in this subsection. The licenses  
 21 and their annual license fees, application fees, and surcharges under  
 22 RCW 77.95.090 are:

| 23 | Fishery                            | Resident | Nonresident | Surcharge  | Application Fee |
|----|------------------------------------|----------|-------------|------------|-----------------|
| 24 | License                            | Fee      | Fee         |            |                 |
| 25 | (a) Salmon Gill Net--Grays Harbor- | \$380    | \$685       | plus \$100 | <u>\$105</u>    |
| 26 | Columbia river                     |          |             |            |                 |
| 27 | (b) Salmon Gill Net--Puget Sound   | \$380    | \$685       | plus \$100 | <u>\$105</u>    |
| 28 | (c) Salmon Gill Net--Willapa Bay-  | \$380    | \$685       | plus \$100 | <u>\$105</u>    |
| 29 | Columbia river                     |          |             |            |                 |
| 30 | (d) Salmon purse seine             | \$530    | \$985       | plus \$100 | <u>\$105</u>    |
| 31 | (e) Salmon reef net                | \$380    | \$685       | plus \$100 | <u>\$105</u>    |
| 32 | (f) Salmon troll                   | \$380    | \$685       | plus \$100 | <u>\$105</u>    |

33 (2) A license issued under this section authorizes no taking or  
 34 delivery of salmon or other food fish unless a vessel is designated  
 35 under RCW 77.65.100.

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

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

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

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

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

22 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay and  
23 tributary estuaries and easterly of a line projected northerly from  
24 Leadbetter Point to the Cape Shoalwater tower and those waters of the  
25 Columbia river and tributary sloughs described in (b) of this  
26 subsection.

27 (6) A commercial salmon troll fishery license may be renewed under  
28 this section if the license holder notifies the department by May 1st  
29 of that year that he or she will not participate in the fishery during  
30 that calendar year. A commercial salmon gill net, reef net, or seine  
31 fishery license may be renewed under this section if the license holder  
32 notifies the department before the third Monday in September of that  
33 year that he or she will not participate in the fishery during that  
34 calendar year. The license holder must pay the one hundred dollar  
35 enhancement surcharge, plus a (~~fifteen-dollar handling charge~~) one  
36 hundred five dollar application fee before the third Monday in  
37 September, in order to be considered a valid renewal and eligible to  
38 renew the license the following year.

1 (7) Notwithstanding the annual license fees and surcharges  
2 established in subsection (1) of this section, a person who holds a  
3 resident commercial salmon fishery license shall pay an annual license  
4 fee of one hundred dollars plus the surcharge and application fee if  
5 all of the following conditions are met:

6 (a) The license holder is at least seventy-five years of age;

7 (b) The license holder owns a fishing vessel and has fished with a  
8 resident commercial salmon fishery license for at least thirty years;  
9 and

10 (c) The commercial salmon fishery license is for a geographical  
11 area other than the Puget Sound.

12 An alternate operator may not be designated for a license renewed  
13 at the one hundred dollar annual fee under this subsection (7).

14 **Sec. 20.** RCW 77.65.170 and 2005 c 20 s 2 are each amended to read  
15 as follows:

16 (1) A salmon delivery license is required for a commercial fishing  
17 vessel to deliver salmon taken for commercial purposes in offshore  
18 waters to a place or port in the state. As used in this section,  
19 "deliver" and "delivery" mean arrival at a place or port, and include  
20 arrivals from offshore waters to waters within the state and arrivals  
21 ashore from offshore waters. The annual fee for a salmon delivery  
22 license is three hundred eighty dollars for residents and six hundred  
23 eighty-five dollars for nonresidents. The application fee for a salmon  
24 delivery license is one hundred five dollars. The annual surcharge  
25 under RCW 77.95.090 is one hundred dollars for each license. Holders  
26 of nonlimited entry delivery licenses issued under RCW 77.65.210 may  
27 apply the nonlimited entry delivery license fee against the salmon  
28 delivery license fee.

29 (2) Only a person who meets the qualifications established in RCW  
30 77.70.090 may hold a salmon delivery license issued under this section.

31 (3) A salmon delivery license authorizes no taking of salmon or  
32 other food fish or shellfish from the waters of the state.

33 (4) If the director determines that the operation of a vessel under  
34 a salmon delivery license results in the depletion or destruction of  
35 the state's salmon resource or the delivery into this state of salmon  
36 products prohibited by law, the director may revoke the license under  
37 the procedures of chapter 34.05 RCW.



1       **Sec. 21.** RCW 77.65.190 and 2005 c 20 s 3 are each amended to read  
2 as follows:

3       A person who does not qualify for a license under RCW 77.70.090  
4 shall obtain a nontransferable emergency salmon delivery license to  
5 make one delivery from a commercial fishing vessel of salmon taken for  
6 commercial purposes in offshore waters. As used in this section,  
7 "delivery" means arrival at a place or port, and include arrivals from  
8 offshore waters to waters within the state and arrivals ashore from  
9 offshore waters. The director shall not issue an emergency salmon  
10 delivery license unless, as determined by the director, a bona fide  
11 emergency exists. The license fee is two hundred twenty-five dollars  
12 for residents and four hundred seventy-five dollars for nonresidents.  
13 The application fee is one hundred five dollars. An applicant for an  
14 emergency salmon delivery license shall designate no more than one  
15 vessel that will be used with the license. Alternate operator licenses  
16 are not required of persons delivering salmon under an emergency salmon  
17 delivery license. Emergency salmon delivery licenses are not  
18 renewable.

19       **Sec. 22.** RCW 77.65.200 and 2009 c 331 s 4 are each amended to read  
20 as follows:

21       (1) This section establishes commercial fishery licenses required  
22 for food fish fisheries and the annual fees for those licenses. As  
23 used in this section, "food fish" does not include salmon. The  
24 director may issue a limited-entry commercial fishery license only to  
25 a person who meets the qualifications established in applicable  
26 governing sections of this title.

| 27 Fishery<br>28 (Governing section(s)) | 29 Annual Fee |                | 30 <u>Application Fee</u> | 31 Vessel<br>32 Required? | 33 Limited<br>34 Entry? |
|---|---------------|----------------|---------------------------|---------------------------|-------------------------|
|   | 35 Resident   | 36 Nonresident |                           |                           |                         |
| 31 (a) Baitfish Lampara                 | \$185         | \$295          | <u>\$ 70</u>              | Yes                       | No                      |
| 32 (b) Baitfish purse seine             | \$530         | \$985          | <u>\$ 70</u>              | Yes                       | No                      |
| 33 (c) Bottom fish jig                  | \$130         | \$185          | <u>\$ 70</u>              | Yes                       | No                      |
| 34 (d) Bottom fish pot                  | \$130         | \$185          | <u>\$ 70</u>              | Yes                       | No                      |
| 35 (e) Bottom fish troll                | \$130         | \$185          | <u>\$ 70</u>              | Yes                       | No                      |
| 36 (f) Carp                             | \$130         | \$185          | <u>\$ 70</u>              | No                        | No                      |

|    |                              |       |       |               |                    |                    |
|----|------------------------------|-------|-------|---------------|--------------------|--------------------|
| 1  | (g) Columbia river smelt     | \$380 | \$685 | <u>\$ 70</u>  | No                 | No                 |
| 2  | (h) Dog fish set net         | \$130 | \$185 | <u>\$ 70</u>  | Yes                | No                 |
| 3  | (i) Emerging commercial      | \$185 | \$295 | <u>\$ 105</u> | Determined by rule | Determined by rule |
| 4  | fishery (RCW 77.70.160       |       |       |               |                    |                    |
| 5  | and 77.65.400)               |       |       |               |                    |                    |
| 6  | (j) Food fish drag seine     | \$130 | \$185 | <u>\$ 70</u>  | Yes                | No                 |
| 7  | (k) Food fish set line       | \$130 | \$185 | <u>\$ 70</u>  | Yes                | No                 |
| 8  | (l) Food fish trawl-         | \$240 | \$405 | <u>\$ 70</u>  | Yes                | No                 |
| 9  | Non-Puget Sound              |       |       |               |                    |                    |
| 10 | (m) Food fish trawl-         | \$185 | \$295 | <u>\$ 70</u>  | Yes                | No                 |
| 11 | Puget Sound                  |       |       |               |                    |                    |
| 12 | (n) Herring dip bag net      | \$175 | \$275 | <u>\$ 70</u>  | Yes                | Yes                |
| 13 | (RCW 77.70.120)              |       |       |               |                    |                    |
| 14 | (o) Herring drag seine       | \$175 | \$275 | <u>\$ 70</u>  | Yes                | Yes                |
| 15 | (RCW 77.70.120)              |       |       |               |                    |                    |
| 16 | (p) Herring gill net         | \$175 | \$275 | <u>\$ 105</u> | Yes                | Yes                |
| 17 | (RCW 77.70.120)              |       |       |               |                    |                    |
| 18 | (q) Herring Lampara          | \$175 | \$275 | <u>\$ 70</u>  | Yes                | Yes                |
| 19 | (RCW 77.70.120)              |       |       |               |                    |                    |
| 20 | (r) Herring purse seine      | \$175 | \$275 | <u>\$105</u>  | Yes                | Yes                |
| 21 | (RCW 77.70.120)              |       |       |               |                    |                    |
| 22 | (s) Herring spawn-on-kelp    | N/A   | N/A   | <u>N/A</u>    | Yes                | Yes                |
| 23 | (RCW 77.70.210)              |       |       |               |                    |                    |
| 24 | (t) Sardine purse seine (RCW | \$185 | \$295 | <u>\$ 105</u> | Yes                | Yes                |
| 25 | 77.70.480)                   |       |       |               |                    |                    |
| 26 | (u) Sardine purse seine      | \$185 | \$295 | <u>\$ 105</u> | Yes                | No                 |
| 27 | temporary (RCW               |       |       |               |                    |                    |
| 28 | 77.70.480)                   |       |       |               |                    |                    |
| 29 | (v) Smelt dip bag net        | \$130 | \$185 | <u>\$ 70</u>  | No                 | No                 |
| 30 | (w) Smelt gill net           | \$380 | \$685 | <u>\$ 70</u>  | Yes                | No                 |
| 31 | (x) Whiting-Puget Sound      | \$295 | \$520 | <u>\$ 105</u> | Yes                | Yes                |
| 32 | (RCW 77.70.130)              |       |       |               |                    |                    |

33 (2) The director may by rule determine the species of food fish  
34 that may be taken with the commercial fishery licenses established in  
35 this section, the gear that may be used with the licenses, and the  
36 areas or waters in which the licenses may be used. Where a fishery  
37 license has been established for a particular species, gear,  
38 geographical area, or combination thereof, a more general fishery  
39 license may not be used to take food fish in that fishery.

40 **Sec. 23.** RCW 77.65.210 and 2007 c 442 s 4 are each amended to read  
41 as follows:

1 (1) Except as provided in subsection (2) of this section, a person  
2 may not use a commercial fishing vessel to deliver food fish or  
3 shellfish taken for commercial purposes in offshore waters to a port in  
4 the state without a nonlimited entry delivery license. As used in this  
5 section, "deliver" and "delivery" mean arrival at a place or port, and  
6 include arrivals from offshore waters to waters within the state and  
7 arrivals ashore from offshore waters. As used in this section, "food  
8 fish" does not include salmon. As used in this section, "shellfish"  
9 does not include ocean pink shrimp, coastal crab, or fish or shellfish  
10 taken under an emerging commercial fisheries license if taken from off-  
11 shore waters. The annual license fee for a nonlimited entry delivery  
12 license is one hundred ten dollars for residents and two hundred  
13 dollars for nonresidents, and an additional thirty-five dollar  
14 surcharge for both residents and nonresidents to be deposited in the  
15 rockfish research account created in RCW 77.12.702. The application  
16 fee for a nonlimited entry delivery license is one hundred five  
17 dollars.

18 (2) Holders of salmon troll fishery licenses issued under RCW  
19 77.65.160, salmon delivery licenses issued under RCW 77.65.170, crab  
20 pot fishery licenses issued under RCW 77.65.220, food fish trawl--Non-  
21 Puget Sound fishery licenses, and emerging commercial fishery licenses  
22 issued under RCW 77.65.200, Dungeness crab--coastal fishery licenses,  
23 ocean pink shrimp delivery licenses, shrimp trawl--Non-Puget Sound  
24 fishery licenses, and emerging commercial fishery licenses issued under  
25 RCW 77.65.220 may deliver food fish or shellfish taken in offshore  
26 waters without a nonlimited entry delivery license.

27 (3) A nonlimited entry delivery license authorizes no taking of  
28 food fish or shellfish from state waters.

29 **Sec. 24.** RCW 77.65.220 and 2000 c 107 s 43 are each amended to  
30 read as follows:

31 (1) This section establishes commercial fishery licenses required  
32 for shellfish fisheries and the annual fees for those licenses. The  
33 director may issue a limited-entry commercial fishery license only to  
34 a person who meets the qualifications established in applicable  
35 governing sections of this title.

| 1  | Fishery<br>(Governing section(s)) | Annual Fee |             | Application Fee | Vessel     | Limited    |
|----|-----------------------------------|------------|-------------|-----------------|------------|------------|
|    |                                   | Resident   | Nonresident |                 | Required?  | Entry?     |
| 4  | (a) Burrowing shrimp              | \$185      | \$295       | <u>\$ 105</u>   | Yes        | No         |
| 5  | (b) Crab ring net-                | \$130      | \$185       | <u>\$ 70</u>    | Yes        | No         |
| 6  | Non-Puget Sound                   |            |             |                 |            |            |
| 7  | (c) Crab ring net-                | \$130      | \$185       | <u>\$ 70</u>    | Yes        | No         |
| 8  | Puget Sound                       |            |             |                 |            |            |
| 9  | (d) Dungeness crab-coastal        | \$295      | \$520       | <u>\$ 105</u>   | Yes        | Yes        |
| 10 | (RCW 77.70.280)                   |            |             |                 |            |            |
| 11 | (e) Dungeness crab-               | \$295      | \$520       | <u>\$ 105</u>   | Yes        | Yes        |
| 12 | coastal, class B                  |            |             |                 |            |            |
| 13 | (RCW 77.70.280)                   |            |             |                 |            |            |
| 14 | (f) Dungeness crab-               | \$130      | \$185       | <u>\$ 105</u>   | Yes        | Yes        |
| 15 | Puget Sound                       |            |             |                 |            |            |
| 16 | (RCW 77.70.110)                   |            |             |                 |            |            |
| 17 | (g) Emerging commercial           | \$185      | \$295       | <u>\$ 105</u>   | Determined | Determined |
| 18 | fishery (RCW 77.70.160            |            |             |                 | by rule    | by rule    |
| 19 | and 77.65.400)                    |            |             |                 |            |            |
| 20 | (h) Geoduck (RCW                  | \$ 0       | \$ 0        | <u>\$ 70</u>    | Yes        | Yes        |
| 21 | 77.70.220)                        |            |             |                 |            |            |
| 22 | (i) Hardshell clam                | \$530      | \$985       | <u>\$ 70</u>    | Yes        | No         |
| 23 | mechanical                        |            |             |                 |            |            |
| 24 | harvester                         |            |             |                 |            |            |
| 25 | (RCW 77.65.250)                   |            |             |                 |            |            |
| 26 | (j) Oyster reserve                | \$130      | \$185       | <u>\$ 70</u>    | No         | No         |
| 27 | (RCW 77.65.260)                   |            |             |                 |            |            |
| 28 | (k) Razor clam                    | \$130      | \$185       | <u>\$ 105</u>   | No         | No         |
| 29 | (l) Sea cucumber dive             | \$130      | \$185       | <u>\$ 105</u>   | Yes        | Yes        |
| 30 | (RCW 77.70.190)                   |            |             |                 |            |            |
| 31 | (m) Sea urchin dive               | \$130      | \$185       | <u>\$105</u>    | Yes        | Yes        |
| 32 | (RCW 77.70.150)                   |            |             |                 |            |            |
| 33 | (n) Shellfish dive                | \$130      | \$185       | <u>\$ 70</u>    | Yes        | No         |
| 34 | (o) Shellfish pot                 | \$130      | \$185       | <u>\$ 70</u>    | Yes        | No         |
| 35 | (p) Shrimp pot-                   | \$185      | \$295       | <u>\$ 105</u>   | Yes        | Yes        |
| 36 | Puget Sound                       |            |             |                 |            |            |
| 37 | (RCW 77.70.410)                   |            |             |                 |            |            |
| 38 | (q) Shrimp trawl-                 | \$240      | \$405       | <u>\$ 105</u>   | Yes        | No         |
| 39 | Non-Puget Sound                   |            |             |                 |            |            |
| 40 | (r) Shrimp trawl-                 | \$185      | \$295       | <u>\$105</u>    | Yes        | Yes        |
| 41 | Puget Sound                       |            |             |                 |            |            |
| 42 | (RCW 77.70.420)                   |            |             |                 |            |            |

2 (2) The director may by rule determine the species of shellfish  
3 that may be taken with the commercial fishery licenses established in  
4 this section, the gear that may be used with the licenses, and the  
5 areas or waters in which the licenses may be used. Where a fishery  
6 license has been established for a particular species, gear,  
7 geographical area, or combination thereof, a more general fishery  
8 license may not be used to take shellfish in that fishery.

9 **Sec. 25.** RCW 77.65.280 and 2002 c 301 s 5 are each amended to read  
10 as follows:

11 A wholesale fish dealer's license is required for:

12 (1) A business in the state to engage in the commercial processing  
13 of food fish or shellfish, including custom canning or processing of  
14 personal use food fish or shellfish.

15 (2) A business in the state to engage in the wholesale selling,  
16 buying, or brokering of food fish or shellfish. A wholesale fish  
17 dealer's license is not required of those businesses which buy  
18 exclusively from Washington licensed wholesale dealers and sell solely  
19 at retail.

20 (3) Fishermen who land and sell their catch or harvest in the state  
21 to anyone other than a licensed wholesale dealer within or outside the  
22 state, unless the fisher has a direct retail endorsement.

23 (4) A business to engage in the commercial manufacture or  
24 preparation of fertilizer, oil, meal, caviar, fish bait, or other by-  
25 products from food fish or shellfish.

26 (5) A business employing a fish buyer as defined under RCW  
27 77.65.340.

28 The annual license fee for a wholesale dealer is two hundred fifty  
29 dollars. The application fee is one hundred five dollars. A wholesale  
30 fish dealer's license is not required for persons engaged in the  
31 processing, wholesale selling, buying, or brokering of private sector  
32 cultured aquatic products as defined in RCW 15.85.020. However, if a  
33 means of identifying such products is required by rules adopted under  
34 RCW 15.85.060, the exemption from licensing requirements established by  
35 this subsection applies only if the aquatic products are identified in  
36 conformance with those rules.

1       **Sec. 26.** RCW 77.65.340 and 2000 c 107 s 50 are each amended to  
2 read as follows:

3       (1) A fish buyer's license is required of and shall be carried by  
4 each individual engaged by a wholesale fish dealer to purchase food  
5 fish or shellfish from a licensed commercial fisherman. A fish buyer  
6 may represent only one wholesale fish dealer.

7       (2) The annual fee for a fish buyer's license is ninety-five  
8 dollars. The application fee is one hundred five dollars.

9       **Sec. 27.** RCW 77.65.390 and 2005 c 20 s 5 are each amended to read  
10 as follows:

11       An ocean pink shrimp delivery license is required for a commercial  
12 fishing vessel to deliver ocean pink shrimp taken for commercial  
13 purposes in offshore waters and delivered to a port in the state. As  
14 used in this section, "deliver" and "delivery" mean arrival at a place  
15 or port, and include arrivals from offshore waters to waters within the  
16 state and arrivals from state or offshore waters. The annual license  
17 fee is one hundred fifty dollars for residents and three hundred  
18 dollars for nonresidents. The application fee is one hundred five  
19 dollars. Ocean pink shrimp delivery licenses are transferable.

20       **Sec. 28.** RCW 77.65.440 and 2009 c 333 s 9 are each amended to read  
21 as follows:

22       The director shall issue the personal licenses listed in this  
23 section according to the requirements of this title. The licenses and  
24 their annual fees are:

| Personal License       | Annual Fee             |              | <u>Application Fee</u> | Governing<br>Section |
|------------------------|------------------------|--------------|------------------------|----------------------|
|                        | (RCW 77.95. Surcharge) |              |                        |                      |
|                        | Resident               | Nonresident  |                        |                      |
| (1) Alternate Operator | \$ 35                  | \$ 35        | <u>\$ 70</u>           | RCW 77.65.130        |
| (2) Geoduck Diver      | \$185                  | \$295        | <u>\$ 70</u>           | RCW 77.65.410        |
| (3) Food Fish Guide    | \$130                  | \$630        | <u>\$ 70</u>           | RCW 77.65.370        |
|                        | (plus \$20)            | (plus \$100) |                        |                      |

32       **Sec. 29.** RCW 77.65.450 and 1991 sp.s. c 7 s 3 are each amended to  
33 read as follows:

34       A state trapping license allows the holder to trap fur-bearing  
35 animals throughout the state((+)). However, a trapper may not place

1 traps on private property without permission of the owner, lessee, or  
2 tenant where the land is improved and apparently used, or where the  
3 land is fenced or enclosed in a manner designed to exclude intruders or  
4 to indicate a property boundary line, or where notice is given by  
5 posting in a conspicuous manner. A state trapping license is void on  
6 April 1st following the date of issuance. The fee for this license is  
7 thirty-six dollars for residents sixteen years of age or older, fifteen  
8 dollars for residents under sixteen years of age, and one hundred  
9 eighty dollars for nonresidents. The application fee is one hundred  
10 five dollars.

11 **Sec. 30.** RCW 77.65.480 and 2009 c 333 s 11 are each amended to  
12 read as follows:

13 (1) A taxidermy license allows the holder to practice taxidermy for  
14 commercial purposes, as that term is defined in RCW 77.15.110. The fee  
15 for this license is one hundred eighty dollars. The application fee is  
16 seventy dollars.

17 (2) A fur dealer's license allows the holder to purchase, receive,  
18 or resell raw furs for commercial purposes, as that term is defined in  
19 RCW 77.15.110. The fee for this license is one hundred eighty dollars.  
20 The application fee is seventy dollars.

21 (3) A game fish guide license allows the holder to offer or perform  
22 the services of a game fish guide in the taking of game fish. The fee  
23 for this license is one hundred eighty dollars for a resident and six  
24 hundred dollars for a nonresident. The application fee is seventy  
25 dollars.

26 (4) A game farm license allows the holder to operate a game farm to  
27 acquire, breed, grow, keep, and sell wildlife under conditions  
28 prescribed by the rules adopted pursuant to this title. The fee for  
29 this license is seventy-two dollars for the first year and forty-eight  
30 dollars for each following year. The application fee is seventy  
31 dollars.

32 (5) A game fish stocking permit allows the holder to release game  
33 fish into the waters of the state as prescribed by rule of the  
34 commission. The fee for this permit is twenty-four dollars. The  
35 application fee is seventy dollars.

36 (6) A fishing or field trial permit allows the holder to promote,  
37 conduct, hold, or sponsor a fishing or field trial contest in

1 accordance with rules of the commission. The fee for a fishing contest  
2 permit is twenty-four dollars. The fee for a field trial contest  
3 permit is twenty-four dollars. The application fee is seventy dollars.

4 (7)(a) An anadromous game fish buyer's license allows the holder to  
5 purchase or sell steelhead trout and other anadromous game fish  
6 harvested by Indian fishers lawfully exercising fishing rights reserved  
7 by federal statute, treaty, or executive order, under conditions  
8 prescribed by rule of the director. The fee for this license is one  
9 hundred eighty dollars. The application fee is one hundred five  
10 dollars.

11 (b) An anadromous game fish buyer's license is not required for  
12 those businesses that buy steelhead trout and other anadromous game  
13 fish from Washington licensed game fish dealers and sell solely at  
14 retail.

15 **Sec. 31.** RCW 77.65.510 and 2009 c 195 s 1 are each amended to read  
16 as follows:

17 (1) The department must establish and administer a direct retail  
18 endorsement to serve as a single license that permits a Washington  
19 license holder or alternate operator to commercially harvest retail-  
20 eligible species and to clean, dress, and sell his or her catch  
21 directly to consumers at retail, including over the internet. The  
22 direct retail endorsement must be issued as an optional addition to all  
23 holders of: (a) A commercial fishing license for retail-eligible  
24 species that the department offers under this chapter; and (b) an  
25 alternate operator license who are designated as an alternate operator  
26 on a commercial fishing license for retail eligible species.

27 (2) The direct retail endorsement must be offered at the time of  
28 application for the qualifying commercial fishing license. Individuals  
29 in possession of a qualifying commercial fishing license issued under  
30 this chapter, and alternate operators designated on such a license, may  
31 add a direct retail endorsement to their current license at any time.  
32 Individuals who do not have a commercial fishing license for retail-  
33 eligible species issued under this chapter, and who are not designated  
34 as alternate operators on such a license, may not receive a direct  
35 retail endorsement. The costs, conditions, responsibilities, and  
36 privileges associated with the endorsed commercial fishing license is



1 not affected or altered in any way by the addition of a direct retail  
2 endorsement. These costs include the base cost of the license and any  
3 revenue and excise taxes.

4 (3) An individual need only add one direct retail endorsement to  
5 his or her license portfolio. If a direct retail endorsement is  
6 selected by an individual holding more than one commercial fishing  
7 license issued under this chapter, a single direct retail endorsement  
8 is considered to be added to all qualifying commercial fishing licenses  
9 held by that individual, and is the only license required for the  
10 individual to sell at retail any retail-eligible species permitted by  
11 all of the underlying endorsed licenses. If a direct retail  
12 endorsement is selected by an individual designated as an alternate  
13 operator on more than one commercial license issued under this chapter,  
14 a single direct retail endorsement is the only license required for the  
15 individual to sell at retail any retail-eligible species permitted by  
16 all of the underlying endorsed licenses on which the individual is  
17 designated as an alternate operator. The direct retail endorsement  
18 applies only to the Washington license holder or alternate operator  
19 obtaining the endorsement.

20 (4) In addition to any fees charged for the endorsed licenses and  
21 harvest documentation as required by this chapter or the rules of the  
22 department, the department may set a reasonable annual fee not to  
23 exceed the administrative costs to the department for a direct retail  
24 endorsement. The application fee is one hundred five dollars.

25 (5) The holder of a direct retail endorsement is responsible for  
26 documenting the commercial harvest of salmon and crab according to the  
27 provisions of this chapter, the rules of the department for a wholesale  
28 fish dealer, and the reporting requirements of the endorsed license.  
29 Any retail-eligible species caught by the holder of a direct retail  
30 endorsement must be documented on fish tickets.

31 (6) The direct retail endorsement must be displayed in a readily  
32 visible manner by the seller wherever and whenever a sale to someone  
33 other than a licensed wholesale dealer occurs. The commission may  
34 require that the holder of a direct retail endorsement notify the  
35 department up to eighteen hours before conducting an in-person sale of  
36 retail-eligible species, except for in-person sales that have a  
37 cumulative retail sales value of less than one hundred fifty dollars in  
38 a twenty-four hour period that are sold directly from the vessel. For

1 sales occurring in a venue other than in person, such as over the  
2 internet, through a catalog, or on the phone, the direct retail  
3 endorsement number of the seller must be provided to the buyer both at  
4 the time of sale and the time of delivery. All internet sales must be  
5 conducted in accordance with federal laws and regulations.

6 (7) The direct retail endorsement is to be held by a natural person  
7 and is not transferrable or assignable. If the endorsed license is  
8 transferred, the direct retail endorsement immediately becomes void,  
9 and the transferor is not eligible for a full or prorated reimbursement  
10 of the annual fee paid for the direct retail endorsement. Upon  
11 becoming void, the holder of a direct retail endorsement must surrender  
12 the physical endorsement to the department.

13 (8) The holder of a direct retail endorsement must abide by the  
14 provisions of Title 69 RCW as they apply to the processing and retail  
15 sale of seafood. The department must distribute a pamphlet, provided  
16 by the department of agriculture, with the direct retail endorsement  
17 generally describing the labeling requirements set forth in chapter  
18 69.04 RCW as they apply to seafood.

19 (9) The holder of a qualifying commercial fishing license issued  
20 under this chapter, or an alternate operator designated on such a  
21 license, must either possess a direct retail endorsement or a wholesale  
22 dealer license provided for in RCW 77.65.280 in order to lawfully sell  
23 their catch or harvest in the state to anyone other than a licensed  
24 wholesale dealer.

25 (10) The direct retail endorsement entitles the holder to sell a  
26 retail-eligible species only at a temporary food service establishment  
27 as that term is defined in RCW 69.06.045, or directly to a restaurant  
28 or other similar food service business.

29 **Sec. 32.** RCW 77.70.080 and 2000 c 107 s 62 are each amended to  
30 read as follows:

31 (1) The total number of anglers authorized by the director shall  
32 not exceed the total number authorized for 1980.

33 (2) Angler permits issued under RCW 77.70.060 are transferable.  
34 All or a portion of the permit may be transferred to another salmon  
35 charter license holder.

36 (3) The angler permit holder and proposed transferee shall notify  
37 the department when transferring an angler permit, and the director

1 shall issue a new angler permit certificate. If the original permit  
2 holder retains a portion of the permit, the director shall issue a new  
3 angler permit certificate reflecting the decrease in angler capacity.

4 (4) The department shall collect a fee of ten dollars for each  
5 certificate issued under subsection (3) of this section, plus an  
6 application fee of one hundred five dollars.

7 **Sec. 33.** RCW 77.70.190 and 2010 c 193 s 15 are each amended to  
8 read as follows:

9 (1) A sea cucumber dive fishery license is required to take sea  
10 cucumbers for commercial purposes. A sea cucumber dive fishery license  
11 authorizes the use of only one diver in the water at any time during  
12 sea cucumber harvest operations. If the same vessel has been  
13 designated on two sea cucumber dive fishery licenses, two divers may be  
14 in the water. A natural person may not hold more than two sea cucumber  
15 dive fishery licenses.

16 (2) Except as provided in subsection (6) of this section, the  
17 director shall issue no new sea cucumber dive fishery licenses. For  
18 licenses issued for the year 2000 and thereafter, the director shall  
19 renew existing licenses only to a natural person who held the license  
20 at the end of the previous year. If a sea cucumber dive fishery  
21 license is not held by a natural person as of December 31, 1999, it is  
22 not renewable. However, if the license is not held because of  
23 revocation or suspension of licensing privileges, the director shall  
24 renew the license in the name of a natural person at the end of the  
25 revocation or suspension if the license holder applies for renewal of  
26 the license before the end of the year in which the revocation or  
27 suspension ends.

28 (3) Where a licensee failed to obtain the license during either of  
29 the previous two years because of a license suspension by the director  
30 or the court, the licensee may qualify for a license by establishing  
31 that the person held such a license during the last year in which the  
32 person was eligible.

33 (4) Surcharges as provided for in this section shall be collected  
34 and deposited into the sea cucumber dive fishery account hereby created  
35 in the custody of the state treasurer. The collections and deposits  
36 must continue, as set forth in (a) and (b) of this subsection, through  
37 license year 2013, or until the number of licenses is reduced to

1 twenty, whichever occurs first. Only the director or the director's  
2 designee may authorize expenditures from the account. The sea cucumber  
3 dive fishery account is subject to allotment procedures under chapter  
4 43.88 RCW, but no appropriation is required for expenditures.  
5 Expenditures from the account shall only be used to retire sea cucumber  
6 licenses until the number of licenses is reduced to twenty, and  
7 thereafter shall only be used for sea cucumber management and  
8 enforcement. The director or the director's designee shall notify the  
9 department of revenue within thirty days when the number of licenses is  
10 reduced to twenty.

11 (a) A surcharge of one hundred dollars shall be charged with each  
12 sea cucumber dive fishery license renewal for licenses issued in 2000  
13 through 2013, or until the number of licenses is reduced to twenty,  
14 whichever occurs first.

15 (b) For licenses issued for license years 2000 through 2013, or  
16 until the number of licenses is reduced to twenty, whichever occurs  
17 first, a surcharge shall be charged on the sea cucumber dive fishery  
18 license for designating an alternate operator. The surcharge shall be  
19 as follows: Five hundred dollars for the first year or each of the  
20 first two consecutive years after 1999 that any alternate operator is  
21 designated and two thousand five hundred dollars each year thereafter  
22 that any alternate operator is designated.

23 (5) Sea cucumber dive fishery licenses are transferable. For  
24 licenses issued for license years 2000 through 2013, or whenever the  
25 number of licenses is reduced to twenty, whichever occurs first, there  
26 is a surcharge to transfer a sea cucumber dive fishery license. The  
27 surcharge is five hundred dollars for the first transfer of a license  
28 valid for license year 2000 and two thousand five hundred dollars for  
29 any subsequent transfer, occurring in the license years 2000 through  
30 2013, or whenever the number of licenses is reduced to twenty,  
31 whichever occurs first. The application fee to transfer a sea cucumber  
32 dive fishery license is one hundred five dollars. Notwithstanding this  
33 subsection, a one-time transfer exempt from surcharge applies for a  
34 transfer from the natural person licensed on January 1, 2000, to that  
35 person's spouse or child.

36 (6) If fewer than twenty persons are eligible for sea cucumber dive  
37 fishery licenses, the director may accept applications for new  
38 licenses. The additional licenses may not cause more than twenty

1 natural persons to be eligible for a sea cucumber dive fishery license.  
2 New licenses issued under this section shall be distributed according  
3 to rules of the department that recover the value of such licensed  
4 privilege.

5 **Sec. 34.** RCW 77.70.220 and 2000 c 107 s 71 are each amended to  
6 read as follows:

7 (1) A person shall not harvest geoduck clams commercially without  
8 a geoduck fishery license. This section does not apply to the harvest  
9 of private sector cultured aquatic products as defined in RCW  
10 15.85.020. The application fee is seventy dollars.

11 (2) Only a person who has entered into a geoduck harvesting  
12 agreement with the department of natural resources under RCW  
13 (~~(79.96.080)~~) 79.135.210 may hold a geoduck fishery license.

14 (3) A geoduck fishery license authorizes no taking of geoducks  
15 outside the boundaries of the public lands designated in the underlying  
16 harvesting agreement, or beyond the harvest ceiling set in the  
17 underlying harvesting agreement.

18 (4) A geoduck fishery license expires when the underlying geoduck  
19 harvesting agreement terminates.

20 (5) The director shall determine the number of geoduck fishery  
21 licenses that may be issued for each geoduck harvesting agreement, the  
22 number of units of gear whose use the license authorizes, and the type  
23 of gear that may be used, subject to RCW 77.60.070. In making those  
24 determinations, the director shall seek to conserve the geoduck  
25 resource and prevent damage to its habitat.

26 (6) The holder of a geoduck fishery license and the holder's agents  
27 and representatives shall comply with all applicable commercial diving  
28 safety regulations adopted by the federal occupational safety and  
29 health administration established under the federal occupational safety  
30 and health act of 1970 as such law exists on May 8, 1979, 84 Stat. 1590  
31 et seq.; 29 U.S.C. Sec. 651 et seq. A violation of those regulations  
32 is a violation of this subsection. For the purposes of this section,  
33 persons who dive for geoducks are "employees" as defined by the federal  
34 occupational safety and health act. A violation of this subsection is  
35 grounds for suspension or revocation of a geoduck fishery license  
36 following a hearing under the procedures of chapter 34.05 RCW. The  
37 director shall not suspend or revoke a geoduck fishery license if the

1 violation has been corrected within ten days of the date the license  
2 holder receives written notice of the violation. If there is a  
3 substantial probability that a violation of the commercial diving  
4 standards could result in death or serious physical harm to a person  
5 engaged in harvesting geoduck clams, the director shall suspend the  
6 license immediately until the violation has been corrected. If the  
7 license holder is not the operator of the harvest vessel and has  
8 contracted with another person for the harvesting of geoducks, the  
9 director shall not suspend or revoke the license if the license holder  
10 terminates its business relationship with that person until compliance  
11 with this subsection is secured.

12 (7) A person using a vessel in the geoduck fishery is required to  
13 apply for and obtain a vessel identification number from the  
14 department. The application fee for the vessel identification number  
15 is one hundred five dollars.

16 **Sec. 35.** RCW 77.70.260 and 2000 c 107 s 74 are each amended to  
17 read as follows:

18 The owner of an ocean pink shrimp fishing vessel that does not  
19 qualify for an ocean pink shrimp delivery license issued under RCW  
20 77.65.390 shall obtain an ocean pink shrimp single delivery license in  
21 order to make a landing into a state port of ocean pink shrimp taken in  
22 offshore waters. The director shall not issue an ocean pink shrimp  
23 single delivery license unless, as determined by the director, a bona  
24 fide emergency exists. A maximum of six ocean pink shrimp single  
25 delivery licenses may be issued annually to any vessel. The fee for an  
26 ocean pink shrimp single delivery license is one hundred dollars. The  
27 application fee is one hundred five dollars.

28 **Sec. 36.** RCW 77.70.490 and 2009 c 331 s 3 are each amended to read  
29 as follows:

- 30 (1) A Washington Pacific sardine purse seine fishery license:  
31 (a) May only be issued to a person that held a coastal pilchard  
32 experimental fishery permit in 2008, except as otherwise provided in  
33 this section;  
34 (b) Must be renewed annually to remain active; and  
35 (c) Subject to the restrictions of subsections (6) and (7) of this  
36 section and RCW 77.65.040, is transferable.

1 (2) A Washington Pacific sardine purse seine fishery license may be  
2 issued to any person that held a coastal pilchard experimental fishery  
3 permit in 2005, 2006, or 2007 and is precluded from qualifying under  
4 subsection (1) of this section because the vessel designated on the  
5 permit sank prior to 2008.

6 (3) Beginning in 2010, after taking into consideration the status  
7 of the Pacific sardine population, the impact of removal of sardines  
8 and other forage fish to the marine ecosystem, including the effect on  
9 endangered marine species, and the market for Pacific sardines in the  
10 state, the director may issue:

11 (a) A Washington Pacific sardine purse seine fishery license to any  
12 person provided that the issuance would not raise the number of  
13 licenses beyond the number initially issued in 2009;

14 (b) A Washington Pacific sardine purse seine temporary annual  
15 fishery permit to any person if the combined number of active  
16 Washington Pacific sardine purse seine fishery licenses and annual  
17 temporary permits already issued during the year is less than twenty-  
18 five.

19 (4) The annual fee for a Washington Pacific sardine purse seine  
20 fishery license is one hundred eighty-five dollars for residents and  
21 two hundred ninety-five dollars for nonresidents. The application fee  
22 is one hundred five dollars.

23 (5) The fee for a Washington Pacific sardine purse seine temporary  
24 annual fishery permit is one hundred eighty-five dollars for residents  
25 and two hundred ninety-five dollars for nonresidents. The application  
26 fee is one hundred five dollars. A temporary annual fishery permit  
27 expires at the end of the calendar year in which the permit is issued.

28 (6) Only a person who owns or operates the vessel designated on the  
29 license or permit may hold a Washington Pacific sardine purse seine  
30 fishery license or temporary annual fishery permit.

31 (7) A person may not own or hold an ownership interest in more than  
32 two Washington Pacific sardine purse seine fishery licenses.

33 (8) The director shall adopt rules that require a person fishing  
34 under a Washington Pacific sardine purse seine fishery license or a  
35 temporary annual permit to minimize bycatch, and to the extent bycatch  
36 cannot be avoided, to minimize the mortality of such bycatch.

1       **Sec. 37.** RCW 77.115.040 and 2007 c 216 s 6 are each amended to  
2 read as follows:

3       (1) All aquatic farmers, as defined in RCW 15.85.020, shall  
4 register with the department. The application fee is one hundred five  
5 dollars. The director shall assign each aquatic farm a unique  
6 registration number and develop and maintain in an electronic database  
7 a registration list of all aquaculture farms. The department shall  
8 establish procedures to annually update the aquatic farmer information  
9 contained in the registration list. The department shall coordinate  
10 with the department of health using shellfish growing area  
11 certification data when updating the registration list.

12       (2) Registered aquaculture farms shall provide the department with  
13 the following information:

14       (a) The name of the aquatic farmer;

15       (b) The address of the aquatic farmer;

16       (c) Contact information such as telephone, fax, web site, and e-  
17 mail address, if available;

18       (d) The number and location of acres under cultivation, including  
19 a map displaying the location of the cultivated acres;

20       (e) The name of the landowner of the property being cultivated or  
21 otherwise used in the aquatic farming operation;

22       (f) The private sector cultured aquatic product being propagated,  
23 farmed, or cultivated; and

24       (g) Statistical production data.

25       (3) The state veterinarian shall be provided with registration and  
26 statistical data by the department.

27       NEW SECTION. **Sec. 38.** RCW 77.32.510 (Recreational license fees--  
28 Disposition of appropriation) and 1998 c 191 s 43 are each repealed.

29       NEW SECTION. **Sec. 39.** Sections 1 through 4 and 6 through 38 of  
30 this act take effect September 1, 2011.

31       NEW SECTION. **Sec. 40.** Section 14 of this act expires June 30,  
32 2016.

33       NEW SECTION. **Sec. 41.** Section 5 of this act is necessary for the



1 immediate preservation of the public peace, health, or safety, or  
2 support of the state government and its existing public institutions,  
3 and takes effect June 30, 2011.

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