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**SUBSTITUTE SENATE BILL 5980**

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**State of Washington****53rd Legislature****1993 Regular Session**

**By** Senate Committee on Ways & Means (originally sponsored by Senators Owen, Spanel and Rinehart; by request of Office of Financial Management)

Read first time 04/14/93.

1 AN ACT Relating to fishing licenses; amending RCW 75.25.005,  
2 75.25.080, 75.25.110, 75.25.120, 75.25.140, 75.25.150, 75.25.180,  
3 75.50.100, 82.27.020, 75.28.035, 75.28.110, 75.28.113, 75.28.116,  
4 75.28.120, 75.28.125, 75.28.130, 75.28.134, 75.28.140, 75.28.255,  
5 75.28.280, 75.28.290, 75.28.300, 75.28.340, 75.28.690, 75.28.710, and  
6 82.27.020; reenacting and amending RCW 75.28.095; adding new sections  
7 to chapter 75.25 RCW; creating a new section; repealing RCW 75.25.015,  
8 75.25.040, 75.25.090, 75.25.100, 75.25.126, and 75.28.065; providing an  
9 effective date; and providing an expiration date.

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

11 NEW SECTION. **Sec. 1.** The legislature finds that additional cost  
12 savings can be realized by simplifying the department of fisheries  
13 recreational licensing system. The legislature finds that significant  
14 benefits will accrue to recreational fishers from streamlining the  
15 department of fisheries recreational licensing system. The legislature  
16 finds recreational license fees and commercial landing taxes have not  
17 been increased in recent years. The legislature finds that reduction  
18 in important department of fisheries programs can be avoided by  
19 increasing recreational license fees and commercial landing taxes. The

1 legislature finds that it is in the best interest of the state to avoid  
2 significant reductions in current department of fisheries activities.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 75.25 RCW  
4 to read as follows:

5 (1) A personal use food fish license is required for all persons  
6 other than residents under fifteen years of age to fish for, take, or  
7 possess food fish for personal use from state waters or offshore  
8 waters. A personal use food fish license is not required under this  
9 section to fish for, take, or possess carp, smelt, or albacore.

10 (2) The fees for personal use food fish licenses are:

11 (a) For a resident fifteen years of age or older and under seventy  
12 years of age, seven dollars;

13 (b) For a resident seventy years of age or older, two dollars; and

14 (c) For a nonresident, nineteen dollars.

15 (3) The fee for a two-consecutive-day personal use food fish  
16 license is four dollars.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 75.25 RCW  
18 to read as follows:

19 (1) A personal use shellfish license is required for all persons  
20 other than residents under fifteen years of age to fish for, take, dig  
21 for, or possess shellfish for personal use from state waters or  
22 offshore waters including national park beaches.

23 (2) The fees for personal use shellfish licenses are:

24 (a) For a resident fifteen years of age or older and under seventy  
25 years of age, five dollars;

26 (b) For a resident seventy years of age or older, three dollars;  
27 and

28 (c) For a nonresident, twenty dollars.

29 (3) The fee for a two-consecutive-day personal use shellfish  
30 license is five dollars.

31 **Sec. 4.** RCW 75.25.005 and 1989 c 305 s 1 are each amended to read  
32 as follows:

33 The following recreational fishing licenses are administered and  
34 issued by the department of fisheries under authority of the director  
35 of fisheries:

1       (1) (~~Hood Canal shrimp license~~) Personal use food fish license;  
2 and  
3       (2) (~~Razor clam license;~~  
4 ~~(3) Personal use fishing license;~~  
5 ~~(4) Salmon license;~~ and  
6 ~~(5) Sturgeon license~~) Personal use shellfish license.

7       **Sec. 5.** RCW 75.25.080 and 1989 c 305 s 4 are each amended to read  
8 as follows:

9       (1) It is lawful to (~~dig~~) fish for, take, or possess the  
10 personal-use daily bag limit of (~~razor clams~~) shellfish or food fish  
11 for (~~another~~) a disabled person if (~~that person has~~) the harvester  
12 is licensed and if the disabled person is licensed and on site while in  
13 possession of a physical disability permit issued by the director.

14       (2) An application for a physical disability permit must be  
15 submitted on a department of fisheries official form and must be  
16 accompanied by a licensed medical doctor's certification of disability.

17       **Sec. 6.** RCW 75.25.110 and 1989 c 305 s 8 are each amended to read  
18 as follows:

19       (1) Any of the recreational fishing licenses required by this  
20 chapter shall, upon request, be issued without charge to the following  
21 individuals upon request:

22       (a) Residents under fifteen years of age (~~and residents seventy~~  
23 ~~years of age or older~~);

24       (b) Residents who submit applications attesting that they are a  
25 person sixty-five years of age or older who is an honorably discharged  
26 veteran of the United States armed forces with a service-connected  
27 disability and who has been a resident of this state for the preceding  
28 ninety days;

29       (c) A blind person;

30       (d) A person with a developmental disability as defined in RCW  
31 71A.10.020 with documentation of the disability from the department of  
32 social and health services; and

33       (e) A person who is physically handicapped and confined to a  
34 wheelchair.

35       (2) (~~Personal use licenses, salmon licenses, and sturgeon licenses~~  
36 ~~shall, upon request, be issued to nonresidents under fifteen years of~~  
37 ~~age.~~

1       (3)) A blind person or a physically handicapped person confined to  
2 a wheelchair who has been issued a card for a permanent disability  
3 under RCW 46.16.381 may use that card in place of a fishing license  
4 (~~unless a punchcard is required by the director~~).

5       **Sec. 7.** RCW 75.25.120 and 1989 c 305 s 9 are each amended to read  
6 as follows:

7       In concurrent waters of the Columbia river and in Washington  
8 coastal territorial waters from the Oregon-Washington boundary to a  
9 point five nautical miles north, an Oregon angling license comparable  
10 to the Washington personal use food fish license((~~τ~~)) or two-  
11 consecutive-day personal use food fish license(~~(τ, salmon license, or~~  
12 ~~sturgeon license)~~) is valid if Oregon recognizes as valid the  
13 Washington personal use food fish license((~~τ~~)) or two-consecutive-day  
14 personal use food fish license(~~(τ, salmon license, or sturgeon license)~~)  
15 in comparable Oregon waters.

16       If Oregon recognizes as valid the Washington personal use food fish  
17 license((~~τ~~)) or two-consecutive-day personal use food fish license(~~(τ~~  
18 ~~salmon license, or sturgeon license)~~) southward to Cape Falcon in the  
19 coastal territorial waters from the Washington-Oregon boundary and in  
20 concurrent waters of the Columbia river then Washington shall recognize  
21 a valid Oregon license comparable to the Washington personal use food  
22 fish license((~~τ~~)) or two-consecutive-day personal use food fish  
23 license(~~(τ, salmon license, or sturgeon license)~~) northward to  
24 Leadbetter Point.

25       Oregon licenses are not valid for the taking of food fish when  
26 angling in concurrent waters of the Columbia river from the Washington  
27 shore.

28       **Sec. 8.** RCW 75.25.140 and 1989 c 305 s 12 are each amended to read  
29 as follows:

30       (1) Recreational licenses are not transferable. Upon request of a  
31 fisheries patrol officer, ex officio fisheries patrol officer, or  
32 authorized fisheries employee, a person digging for, fishing for, or  
33 possessing (~~razor clams~~) shellfish or fishing for or possessing  
34 (~~Hood Canal shrimp or~~) food fish for personal use shall exhibit the  
35 required recreational license and write his or her signature for  
36 comparison with the signature on the license. Failure to comply with

1 the request is prima facie evidence that the person does not have a  
2 license or is not the person named on the license.

3 (2) The ~~((razor clam))~~ personal use shellfish license shall be  
4 visible on the licensee while ~~((digging for razor clams))~~ harvesting  
5 shellfish.

6 **Sec. 9.** RCW 75.25.150 and 1989 c 305 s 13 are each amended to read  
7 as follows:

8 It is unlawful to dig for, fish for, or possess ~~((razor clams, fish~~  
9 ~~for))~~ shellfish or ~~((possess))~~ food fish ~~((, or take or possess Hood~~  
10 ~~Canal shrimp))~~ without the licenses required by this chapter.

11 **Sec. 10.** RCW 75.25.180 and 1989 c 305 s 14 are each amended to  
12 read as follows:

13 Recreational licenses issued by the department of fisheries under  
14 this chapter are valid for the following periods:

15 (1) Recreational licenses issued without charge to persons  
16 designated by this chapter are valid for a period of five years:

17 (a) For ~~((life for))~~ blind persons;

18 (b) For the period of continued state residency for qualified  
19 disabled veterans;

20 (c) ~~((For the period of continued state residency for persons~~  
21 ~~sixty five years of age or more;~~

22 (d)) For ~~((the period of the disability for))~~ persons with a  
23 developmental disability; and

24 ~~((e))~~ (d) For ~~((life for))~~ handicapped persons confined to a  
25 wheelchair who have been issued a permanent disability card ~~((; and~~

26 ~~(f) Until a child reaches fifteen years of age))~~.

27 (2) Two-consecutive-day personal use food fish and shellfish  
28 licenses expire at midnight on the day following the validation date  
29 written on the license by the license dealer, except two-consecutive-  
30 day personal use food fish and shellfish licenses validated for  
31 December 31 expire at midnight on that date.

32 (3) ~~((An annual salmon))~~ A personal use food fish license is valid  
33 for a maximum catch of fifteen salmon, after which another ~~((salmon))~~  
34 personal use food fish license may be purchased. A ~~((salmon))~~ personal  
35 use food fish license is valid only for the calendar year for which it  
36 is issued.

1       (4) (~~An annual sturgeon~~) A personal use food fish license is  
2 valid for ((a)) an annual maximum catch of fifteen sturgeon. ((A  
3 ~~sturgeon license is valid only for the calendar year for which it is~~  
4 ~~issued.~~))

5       (5) (~~All other recreational~~) Personal use shellfish licenses are  
6 valid for the calendar year for which they are issued.

7       **Sec. 11.** RCW 75.50.100 and 1990 c 58 s 3 are each amended to read  
8 as follows:

9       The dedicated regional fisheries enhancement group account is  
10 created in the custody of the state treasurer. Only the director or  
11 the director's designee may authorize expenditures from the account.  
12 The account is subject to allotment procedures under chapter 43.88 RCW,  
13 but no appropriation is required for expenditures.

14       A surcharge of one dollar shall be collected on each recreational  
15 (~~salmon~~) personal use food fish license sold in the state. A  
16 surcharge of one hundred dollars shall be collected on each commercial  
17 salmon fishing license and each charter boat "salmon and other food  
18 fish" license sold in the state. The department shall study methods  
19 for collecting and making available, an annual list, including names  
20 and addresses, of all persons who obtain recreational and commercial  
21 salmon fishing licenses. This list may be used to assist formation of  
22 the regional fisheries enhancement groups and allow the broadest  
23 participation of license holders in enhancement efforts. The results  
24 of the study shall be reported to the house of representatives  
25 fisheries and wildlife committee and the senate environment and natural  
26 resources committee by October 1, 1990. All receipts shall be placed  
27 in the regional fisheries enhancement group account and shall be used  
28 exclusively for regional fisheries enhancement group projects for the  
29 purposes of RCW 75.50.110. Funds from the regional fisheries  
30 enhancement group account shall not serve as replacement funding for  
31 department operated salmon projects that exist on January 1, 1991.

32       All revenue from the department's sale of salmon carcasses and eggs  
33 that return to group facilities shall be deposited in the regional  
34 fisheries enhancement group account for use by the regional fisheries  
35 enhancement group that produced the surplus. The department shall  
36 adopt rules to implement this section pursuant to chapter 34.05 RCW.

1       **Sec. 12.** RCW 82.27.020 and 1985 c 413 s 2 are each amended to read  
2 as follows:

3       (1) In addition to all other taxes, licenses, or fees provided by  
4 law there is established an excise tax on the commercial possession of  
5 enhanced food fish as provided in this chapter. The tax is levied upon  
6 and shall be collected from the owner of the enhanced food fish whose  
7 possession constitutes the taxable event. The taxable event is the  
8 first possession in Washington by an owner. Processing and handling of  
9 enhanced food fish by a person who is not the owner is not a taxable  
10 event to the processor or handler.

11       (2) A person in possession of enhanced food fish and liable to this  
12 tax may deduct from the price paid to the person from which the  
13 enhanced food fish (except oysters) are purchased an amount equal to a  
14 tax at one-half the rate levied in this section upon these products.

15       (3) The measure of the tax is the value of the enhanced food fish  
16 at the point of landing.

17       (4) The tax shall be equal to the measure of the tax multiplied by  
18 the rates for enhanced food fish as follows:

19       (a) Chinook, coho, and chum salmon and anadromous game fish: Five  
20 and twenty-five one-hundredths percent.

21       (b) Pink and sockeye salmon: Three and fifteen one-hundredths  
22 percent.

23       (c) Other food fish and shellfish, except oysters: Two and one-  
24 tenth percent.

25       (d) Oysters: ((Seven)) Eight one-hundredths of one percent.

26       (5) An additional tax is imposed equal to the rate specified in RCW  
27 82.02.030 multiplied by the tax payable under subsection (4) of this  
28 section.

29       **Sec. 13.** RCW 75.28.035 and 1989 c 316 s 1 are each amended to read  
30 as follows:

31       An application for issuance or renewal of a commercial fishing  
32 license shall contain the name and address of the vessel owner, the  
33 name and address of the vessel operator, the name and number of the  
34 vessel, a description of the vessel and fishing gear to be carried on  
35 the vessel, and other information required by the department.

36       At the time of issuance of a commercial fishing license the  
37 director shall furnish the licensee with a vessel registration and two  
38 license decals.

1 Vessel registrations and license decals issued by the director  
2 shall be displayed as provided by rule of the director.

3 A commercial fishing license is not valid if the vessel is operated  
4 by a person other than the operator listed on the license. The  
5 director may authorize additional operators for the license. ~~((Unless  
6 adjusted by the director pursuant to the director's authority granted  
7 in RCW 75.28.065,))~~ The fee for an additional operator is ~~((twenty))~~  
8 thirty dollars.

9 The vessel owner shall notify the director on forms provided by the  
10 department of changes of ownership or ~~((operator))~~ vessel and a new  
11 license shall be issued upon payment of a fee ~~((of twenty dollars))~~:

12 (1) For a change in vessel with no change in ownership, the fee  
13 shall be thirty dollars;

14 (2) For a change in ownership:

15 (a) The fee shall be equal to three and one-half times the annual  
16 renewal fee for the particular license if the license is limited under  
17 chapter 75.30 RCW; and

18 (b) The fee shall be equal to the annual renewal fee for the  
19 particular license if the license is not limited under chapter 75.30  
20 RCW.

21 A defaced, mutilated, or lost license or license decal shall be  
22 replaced immediately. ~~((Unless adjusted by the director pursuant to  
23 the director's authority granted in RCW 75.28.065,))~~ The replacement  
24 fee is ~~((ten))~~ fifteen dollars.

25 As used in this section, "change in ownership" has its ordinary  
26 meaning and includes transfers to corporations, partnerships, or other  
27 entities, and transfers by the current owner to the current owner and  
28 others jointly in joint tenancy, as tenants in common, or otherwise.

29 **Sec. 14.** RCW 75.28.095 and 1989 c 316 s 2, 1989 c 147 s 1, and  
30 1989 c 47 s 2 are each reenacted and amended to read as follows:

31 (1) A charter boat license is required for a vessel to be operated  
32 as a charter boat from which food fish are taken for personal use.  
33 ~~((Unless adjusted by the director pursuant to the director's authority  
34 granted in RCW 75.28.065,))~~ The annual license fees are:

1	Species	Resident	Nonresident
2		Fee	Fee
3	(a) Food fish other		
4	than salmon	\$((135)) <u>219</u>	\$((270)) <u>369</u>
5	(b) Salmon and		
6	other food fish	\$((275)) <u>474</u>	\$((550)) <u>779</u>

7 The license fees in this subsection include the regional  
8 enhancement fee required for salmon licenses under RCW 75.50.100.

9 (2) "Charter boat" means a vessel from which persons may, for a  
10 fee, fish for food fish, and which delivers food fish into state ports  
11 or delivers food fish taken from state waters into United States ports.  
12 "Charter boat" does not mean:

13 (a) Vessels not generally engaged in charter boat fishing which are  
14 under private lease or charter and operated by the lessee for the  
15 lessee's personal recreational enjoyment; or

16 (b) Vessels used by guides for clients fishing for food fish for  
17 personal use in freshwater rivers, streams, and lakes, other than Lake  
18 Washington or that part of the Columbia River below the bridge at  
19 Longview.

20 (3) A charter boat licensed in Oregon shall be permitted to fish  
21 without a charter boat license in ocean waters within the jurisdiction  
22 of Washington state from the southern border of the state of Washington  
23 to Leadbetter Point under the same regulations as Washington charter  
24 boat operators, as long as the Oregon vessel does not land at any  
25 Washington port with the purpose of taking on or discharging  
26 passengers. The provisions of this subsection shall be in effect as  
27 long as the state of Oregon has reciprocal laws and regulations.

28 (4) A vessel shall not engage in both charter or sports fishing and  
29 commercial fishing on the same day.

30 **Sec. 15.** RCW 75.28.110 and 1989 c 316 s 3 are each amended to read  
31 as follows:

32 (1) The following commercial salmon fishing licenses are required  
33 for the licensee to use the specified gear to fish for salmon and other  
34 food fish in state waters. (~~Unless adjusted by the director pursuant~~  
35 ~~to the director's authority granted in RCW 75.28.065,)~~ The annual  
36 license fees are:

	Gear	Resident Fee	Nonresident Fee
3	(a) Purse seine	\$((410)) <u>624</u>	\$((820)) <u>1078</u>
4	(b) Gill net	\$((275)) <u>474</u>	\$((550)) <u>779</u>
5	(c) Troll	\$((275)) <u>474</u>	\$((550)) <u>779</u>
6	(d) Reef net	\$((275)) <u>474</u>	\$((550)) <u>779</u>

7 The license fees in this subsection include the regional  
8 enhancement fee required for salmon licenses under RCW 75.50.100.

9 (2) Holders of commercial salmon fishing licenses may retain  
10 incidentally caught food fish other than salmon, subject to rules of  
11 the director.

12 (3) A salmon troll license allows fishing in all licensing  
13 districts and includes a salmon delivery license.

14 (4) A separate gill net license is required to fish for salmon in  
15 each of the licensing districts established in RCW 75.28.012.

16 **Sec. 16.** RCW 75.28.113 and 1989 c 316 s 4 are each amended to read  
17 as follows:

18 (1) A person operating a commercial fishing vessel used in taking  
19 salmon in offshore waters and delivering the salmon to a place or port  
20 in the state shall obtain a salmon delivery license from the director.  
21 ~~((Unless adjusted by the director pursuant to the director's authority~~  
22 ~~granted in RCW 75.28.065,)) The annual fee for a salmon delivery  
23 license is ((two hundred seventy-five)) four hundred seventy-four  
24 dollars for residents and ((five hundred fifty)) seven hundred seventy-  
25 nine dollars for nonresidents. The license fees in this subsection  
26 include the regional enhancement fee required for salmon licenses under  
27 RCW 75.50.100. Persons operating fishing vessels licensed under RCW  
28 75.28.125 may apply the delivery license fee ~~((of fifty dollars))~~  
29 against the salmon delivery license fee.~~

30 (2) If the director determines that the operation of a vessel under  
31 a salmon delivery license results in the depletion or destruction of  
32 the state's salmon resource or the delivery into this state of salmon  
33 products prohibited by law, the director may revoke the license.

34 **Sec. 17.** RCW 75.28.116 and 1989 c 316 s 5 are each amended to read  
35 as follows:

1 The owner of a commercial salmon fishing vessel which is not  
 2 qualified for a license under RCW 75.30.120 is required to obtain a  
 3 salmon single delivery license in order to make one landing of salmon  
 4 taken in offshore waters. The director shall not issue a salmon single  
 5 delivery license unless, as determined by the director, a bona fide  
 6 emergency exists. ~~((Unless adjusted by the director pursuant to the  
 7 director's authority granted in RCW 75.28.065,))~~ The license fee is  
 8 ~~((one hundred thirty five))~~ three hundred nineteen dollars for  
 9 residents and ~~((two hundred seventy))~~ four hundred sixty-nine dollars  
 10 for nonresidents. The license fees in this section include the  
 11 regional enhancement fee required for salmon licenses under RCW  
 12 75.50.100.

13 **Sec. 18.** RCW 75.28.120 and 1989 c 316 s 6 are each amended to read  
 14 as follows:

15 The following commercial fishing licenses are required for the  
 16 licensee to use the specified gear to fish for food fish other than  
 17 salmon in state waters. ~~((Unless adjusted by the director pursuant to  
 18 the director's authority granted in RCW 75.28.065,))~~ The annual license  
 19 fees are:

	Gear	Resident	Nonresident
	Fee	Fee	
22	(1) Jig	\$((50)) <u>125</u>	\$((100)) <u>181</u>
23	(2) Set line	\$((50)) <u>125</u>	\$((100)) <u>181</u>
24	(3) Set net	\$((50)) <u>125</u>	\$((100)) <u>181</u>
25	(4) Drag seine	\$((50)) <u>125</u>	\$((100)) <u>181</u>
26	(5) Gill net	\$((275)) <u>374</u>	\$((550)) <u>679</u>
27	(6) Purse seine	\$((410)) <u>524</u>	\$((820)) <u>978</u>
28	(7) Troll	\$((50)) <u>125</u>	\$((100)) <u>181</u>
29	(8) Bottom fish pots	\$((50)) <u>125</u>	\$((100)) <u>181</u>
30	(9) Lampara	\$((100)) <u>181</u>	\$((200)) <u>291</u>
31	(10) Dip bag net	\$((50)) <u>125</u>	\$((100)) <u>181</u>
32	(11) Brush weir	\$((100)) <u>181</u>	\$((200)) <u>291</u>
33	(12) Other gear	\$((100)) <u>181</u>	\$((200)) <u>291</u>

34 **Sec. 19.** RCW 75.28.125 and 1989 c 316 s 7 are each amended to read  
 35 as follows:

1 A delivery license is required to deliver shellfish or food fish  
 2 other than salmon taken in offshore waters to a port in the state.  
 3 (~~Unless adjusted by the director pursuant to the director's authority~~  
 4 ~~granted in RCW 75.28.065,~~) The annual license fee is (~~fifty~~) one  
 5 hundred ten dollars for residents and (~~one hundred~~) two hundred  
 6 twenty dollars for nonresidents. Licenses issued under RCW 75.28.113  
 7 (salmon delivery license), RCW 75.28.130(4) (crab pot, other than Puget  
 8 Sound), or RCW 75.28.140(2) (trawl, other than Puget Sound) shall  
 9 include a delivery license.

10 **Sec. 20.** RCW 75.28.130 and 1989 c 316 s 8 are each amended to read  
 11 as follows:

12 The following commercial fishing licenses are required for the  
 13 licensee to use the specified gear to fish for shellfish in state  
 14 waters. (~~Unless adjusted by the director pursuant to the director's~~  
 15 ~~authority granted in RCW 75.28.065,~~) The annual license fees are:

16	Gear	Resident	Nonresident
17		Fee	Fee
18	(1) Ring net	\$((50)) <u>125</u>	\$((100)) <u>181</u>
19	(2) Shellfish pots		
20	(excluding crab)	\$((50)) <u>125</u>	\$((100)) <u>181</u>
21	(3) Crab pots		
22	(Puget Sound)	\$((50)) <u>125</u>	\$((100)) <u>181</u>
23	(4) Crab pots		
24	(other than Puget Sound)	\$((200)) <u>291</u>	\$((400)) <u>513</u>
25	(5) Shellfish diver		
26	(excluding clams)	\$((50)) <u>520</u>	\$((100)) <u>1040</u>
27	(6) Squid gear, all types	\$((100)) <u>181</u>	\$((200)) <u>291</u>
28	(7) Ghost shrimp gear	\$((100)) <u>181</u>	\$((200)) <u>291</u>
29	(8) Commercial razor		
30	clam license	\$((50)) <u>125</u>	\$((100)) <u>181</u>
31	(9) Geoduck diver license	\$((100)) <u>181</u>	\$((200)) <u>291</u>
32	(10) Other shellfish gear	\$((100)) <u>181</u>	\$((200)) <u>291</u>

33 **Sec. 21.** RCW 75.28.134 and 1989 c 316 s 9 are each amended to read  
 34 as follows:

35 (1) In addition to a shellfish pot license, a Hood Canal shrimp  
 36 endorsement is required to take shrimp commercially in that portion of

1 Hood Canal lying south of the Hood Canal floating bridge. ((Unless  
2 adjusted by the director pursuant to the director's authority granted  
3 in RCW 75.28.065,)) The annual endorsement fee is ((two hundred twenty-  
4 five)) three hundred nineteen dollars for a resident and ((four hundred  
5 fifty)) five hundred sixty-eight dollars for a nonresident.

6 (2) Not more than fifty shrimp pots may be used while commercially  
7 fishing for shrimp in that portion of Hood Canal lying south of the  
8 Hood Canal floating bridge.

9 **Sec. 22.** RCW 75.28.140 and 1989 c 316 s 10 are each amended to  
10 read as follows:

11 The following commercial fishing licenses are required for the  
12 licensee to use the specified gear to fish for shellfish and food fish  
13 other than salmon in state waters. ((Unless adjusted by the director  
14 pursuant to the director's authority granted in RCW 75.28.065,)) The  
15 annual license fees are:

16	Gear	Resident	Nonresident
17		Fee	Fee
18	(1) Trawl (Puget Sound)	\$((100)) <u>181</u>	\$((200)) <u>291</u>
19	(2) Trawl (other than		
20	Puget Sound)	\$((150)) <u>236</u>	\$((300)) <u>402</u>

21 **Sec. 23.** RCW 75.28.255 and 1989 c 316 s 11 are each amended to  
22 read as follows:

23 The following commercial fishing licenses are required for the  
24 licensee to fish for the specified species in state waters with gear  
25 authorized by rule of the director. ((Unless adjusted by the director  
26 pursuant to the director's authority granted in RCW 75.28.065,)) The  
27 annual license fees are:

28	Species	Resident	Nonresident
29		Fee	Fee
30	(1) Columbia River smelt	\$((275)) <u>374</u>	\$((550)) <u>679</u>
31	(2) Carp	\$((50)) <u>125</u>	\$((100)) <u>181</u>

32 **Sec. 24.** RCW 75.28.280 and 1989 c 316 s 12 are each amended to  
33 read as follows:

1 A mechanical harvester license is required to operate a mechanical  
2 or hydraulic device for commercially harvesting clams, other than  
3 geoduck clams, on a clam farm unless the requirements of RCW 75.20.100  
4 are fulfilled for the proposed activity. (~~Unless adjusted by the~~  
5 ~~director pursuant to the director's authority granted in RCW~~  
6 ~~75.28.065,~~) The annual license fee is ((four hundred ten)) five  
7 hundred twenty-four dollars for residents and ((~~eight hundred twenty~~))  
8 nine hundred seventy-eight dollars for nonresidents.

9 **Sec. 25.** RCW 75.28.290 and 1989 c 316 s 14 are each amended to  
10 read as follows:

11 An oyster reserve license is required for the commercial taking of  
12 shellfish from state oyster reserves. (~~Unless adjusted by the~~  
13 ~~director pursuant to the director's authority granted in RCW~~  
14 ~~75.28.065,~~) The annual license fee is ((fifty)) one hundred twenty-  
15 five dollars for residents and one hundred eighty-one dollars for  
16 nonresidents.

17 **Sec. 26.** RCW 75.28.300 and 1989 c 316 s 16 are each amended to  
18 read as follows:

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

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

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

28 (3) Fishermen who land and sell their catch or harvest in the state  
29 to anyone other than a licensed wholesale dealer within or outside the  
30 state.

31 (4) A business to engage in the commercial manufacture or  
32 preparation of fertilizer, oil, meal, caviar, fish bait, or other  
33 byproducts from food fish or shellfish.

34 (5) A business employing a fish buyer as defined under RCW  
35 75.28.340.

36 (~~Unless adjusted by the director pursuant to the director's~~  
37 ~~authority granted in RCW 75.28.065,~~ the annual license fee is one

1 ~~hundred dollars.))~~ The annual license fee is one hundred eighty-one  
2 dollars for persons who purchase fish exclusively from themselves. The  
3 wholesale dealer license fee for persons who do not purchase fish  
4 exclusively from themselves is five hundred dollars. A wholesale fish  
5 dealer's license is not required for persons engaged in the processing,  
6 wholesale selling, buying, or brokering of private sector cultured  
7 aquatic products as defined in RCW 15.85.020. However, if a means of  
8 identifying such products is required by rules adopted under RCW  
9 15.85.060, the exemption from licensing requirements established by  
10 this subsection applies only if the aquatic products are identified in  
11 conformance with those rules.

12 **Sec. 27.** RCW 75.28.340 and 1989 c 316 s 17 are each amended to  
13 read as follows:

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

18 (~~Unless adjusted by the director pursuant to the director's~~  
19 ~~authority granted in RCW 75.28.065,))~~ The annual fee for a fish buyer's  
20 license is ((~~twenty~~)) ninety-two dollars.

21 **Sec. 28.** RCW 75.28.690 and 1989 c 316 s 18 are each amended to  
22 read as follows:

23 (1) A deckhand license is required for a crew member on a licensed  
24 salmon charter boat to sell salmon roe as provided in subsection (2) of  
25 this section. (~~Unless adjusted by the director pursuant to the~~  
26 ~~director's authority granted in RCW 75.28.065,))~~ The annual license fee  
27 is ((~~twenty~~)) ninety-two dollars.

28 (2) A deckhand on a licensed salmon charter boat may sell salmon  
29 roe taken from fish caught for personal use, subject to rules of the  
30 director and the following conditions:

31 (a) The salmon is taken while fishing on the charter boat;

32 (b) The roe is the property of the angler until the roe is given to  
33 the deckhand. The charter boat's passengers are notified of this fact  
34 by the deckhand;

35 (c) The roe is sold to a licensed wholesale dealer; and

36 (d) The deckhand is licensed as provided in subsection (1) of this  
37 section and has the license in possession whenever salmon roe is sold.

1       **Sec. 29.** RCW 75.28.710 and 1991 c 362 s 2 are each amended to read  
2 as follows:

3       A professional salmon guide license is required for the holder to  
4 offer or perform the services of a professional salmon guide in the  
5 taking of salmon for personal use in freshwater rivers and streams,  
6 other than in that part of the Columbia river below the bridge at  
7 Longview. The annual license fees are (~~(fifty)~~) one hundred forty-five  
8 dollars for residents and (~~(five hundred)~~) seven hundred twenty-four  
9 dollars for nonresidents. The license fees include a surcharge of  
10 twenty dollars (~~(shall be)~~) assessed on each resident guide license and  
11 a surcharge of one hundred dollars (~~(shall be)~~) assessed on each  
12 nonresident guide license for the purposes of RCW 75.50.100.

13       **Sec. 30.** RCW 82.27.020 and 1985 c 413 s 2 are each amended to read  
14 as follows:

15       (1) In addition to all other taxes, licenses, or fees provided by  
16 law there is established an excise tax on the commercial possession of  
17 enhanced food fish as provided in this chapter. The tax is levied upon  
18 and shall be collected from the owner of the enhanced food fish whose  
19 possession constitutes the taxable event. The taxable event is the  
20 first possession in Washington by an owner. Processing and handling of  
21 enhanced food fish by a person who is not the owner is not a taxable  
22 event to the processor or handler.

23       (2) A person in possession of enhanced food fish and liable to this  
24 tax may deduct from the price paid to the person from which the  
25 enhanced food fish (except oysters) are purchased an amount equal to a  
26 tax at one-half the rate levied in this section upon these products.

27       (3) The measure of the tax is the value of the enhanced food fish  
28 at the point of landing.

29       (4) The tax shall be equal to the measure of the tax multiplied by  
30 the rates for enhanced food fish as follows:

31       (a) Chinook, coho, and chum salmon and anadromous game fish:  
32 (~~(Five)~~) Six and seventy-five one-hundredths percent.

33       (b) Pink and sockeye salmon: (~~(Three)~~) Four and five one-  
34 hundredths percent.

35       (c) Other food fish and shellfish, except oysters: Two and seven-  
36 tenths percent.

37       (d) Oysters: (~~(Seven one-hundredths)~~) Ninety-five one-thousandths  
38 of one percent.

1 (5) An additional tax is imposed equal to the rate specified in RCW  
2 82.02.030 multiplied by the tax payable under subsection (4) of this  
3 section.

4 NEW SECTION. **Sec. 31.** The following acts or parts of acts are  
5 each repealed:

6 (1) RCW 75.25.015 and 1989 c 305 s 2, 1984 c 80 s 6, & 1983 1st  
7 ex.s. c 31 s 1;

8 (2) RCW 75.25.040 and 1989 c 305 s 3, 1983 1st ex.s. c 46 s 91,  
9 1980 c 81 s 1, & 1979 ex.s. c 243 s 4;

10 (3) RCW 75.25.090 and 1989 c 305 s 5 & 1987 c 87 s 1;

11 (4) RCW 75.25.100 and 1989 c 305 s 6, 1987 c 87 s 2, 1983 1st ex.s.  
12 c 46 s 94, & 1977 ex.s. c 327 s 11;

13 (5) RCW 75.25.126 and 1989 c 305 s 7; and

14 (6) RCW 75.28.065 and 1989 c 316 s 19.

15 NEW SECTION. **Sec. 32.** This act shall take effect January 1, 1994,  
16 and shall expire January 1, 1998.

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