
HOUSE BILL 2882

State of Washington 54th Legislature 1996 Regular Session

By Representatives Chandler and Blanton

Read first time 01/24/96. Referred to Committee on Natural Resources.

1 AN ACT Relating to residency requirements for recreational fishing
2 and hunting licenses; amending RCW 75.08.011 and 77.32.005; and
3 providing an effective date.

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

5 **Sec. 1.** RCW 75.08.011 and 1995 1st sp.s. c 2 s 6 are each amended
6 to read as follows:

7 As used in this title or rules of the director, unless the context
8 clearly requires otherwise:

9 (1) "Commission" means the fish and wildlife commission.

10 (2) "Director" means the director of fish and wildlife.

11 (3) "Department" means the department of fish and wildlife.

12 (4) "Person" means an individual or a public or private entity or
13 organization. The term "person" includes local, state, and federal
14 government agencies, and all business organizations, including
15 corporations and partnerships.

16 (5) "Fisheries patrol officer" means a person appointed and
17 commissioned by the commission, with authority to enforce this title,
18 rules of the director, and other statutes as prescribed by the
19 legislature. Fisheries patrol officers are peace officers.

1 (6) "Ex officio fisheries patrol officer" means a commissioned
2 officer of a municipal, county, state, or federal agency having as its
3 primary function the enforcement of criminal laws in general, while the
4 officer is in the appropriate jurisdiction. The term "ex officio
5 fisheries patrol officer" also includes wildlife agents, special agents
6 of the national marine fisheries service, United States fish and
7 wildlife special agents, state parks commissioned officers, department
8 of natural resources enforcement officers, and United States forest
9 service officers, while the agents and officers are within their
10 respective jurisdictions.

11 (7) "To fish," "to harvest," and "to take" and their derivatives
12 mean an effort to kill, injure, harass, or catch food fish or
13 shellfish.

14 (8) "State waters" means all marine waters and fresh waters within
15 ordinary high water lines and within the territorial boundaries of the
16 state.

17 (9) "Offshore waters" means marine waters of the Pacific Ocean
18 outside the territorial boundaries of the state, including the marine
19 waters of other states and countries.

20 (10) "Concurrent waters of the Columbia river" means those waters
21 of the Columbia river that coincide with the Washington-Oregon state
22 boundary.

23 (11) "Resident" means:

24 (a) For nonrecreational fishing licenses, a person who has
25 maintained a permanent place of abode within the state for at least
26 ninety days immediately preceding an application for a license, has
27 established by formal evidence an intent to continue residing within
28 the state, and who is not licensed to hunt or fish as a resident in
29 another state; and

30 (b) For recreational fishing licenses, a person who has maintained
31 a permanent place of abode within this state for at least thirty days
32 immediately preceding an application for a license, has established by
33 formal evidence an intent to continue residing within this state, and
34 who is not licensed to fish as a resident in another state.

35 (12) "Nonresident" means a person who has not fulfilled the
36 qualifications of a resident.

37 (13) "Food fish" means those species of the classes Osteichthyes,
38 Agnatha, and Chondrichthyes that have been classified and that shall
39 not be fished for except as authorized by rule of the commission. The

1 term "food fish" includes all stages of development and the bodily
2 parts of food fish species.

3 (14) "Shellfish" means those species of marine and freshwater
4 invertebrates that have been classified and that shall not be taken
5 except as authorized by rule of the commission. The term "shellfish"
6 includes all stages of development and the bodily parts of shellfish
7 species.

8 (15) "Salmon" means all species of the genus *Oncorhynchus*, except
9 those classified as game fish in Title 77 RCW, and includes:

10	Scientific Name	Common Name
11	<i>Oncorhynchus tshawytscha</i>	Chinook salmon
12	<i>Oncorhynchus kisutch</i>	Coho salmon
13	<i>Oncorhynchus keta</i>	Chum salmon
14	<i>Oncorhynchus gorbuscha</i>	Pink salmon
15	<i>Oncorhynchus nerka</i>	Sockeye salmon

16 (16) "Commercial" means related to or connected with buying,
17 selling, or bartering. Fishing for food fish or shellfish with gear
18 unlawful for fishing for personal use, or possessing food fish or
19 shellfish in excess of the limits permitted for personal use are
20 commercial activities.

21 (17) "To process" and its derivatives mean preparing or preserving
22 food fish or shellfish.

23 (18) "Personal use" means for the private use of the individual
24 taking the food fish or shellfish and not for sale or barter.

25 (19) "Angling gear" means a line attached to a rod and reel capable
26 of being held in hand while landing the fish or a hand-held line
27 operated without rod or reel.

28 (20) "Open season" means those times, manners of taking, and places
29 or waters established by rule of the commission for the lawful fishing,
30 taking, or possession of food fish or shellfish. "Open season"
31 includes the first and last days of the established time.

32 (21) "Fishery" means the taking of one or more particular species
33 of food fish or shellfish with particular gear in a particular
34 geographical area.

35 (22) "Limited-entry license" means a license subject to a license
36 limitation program established in chapter 75.30 RCW.

37 (23) "Seaweed" means marine aquatic plant species that are
38 dependent upon the marine aquatic or tidal environment, and exist in

1 either an attached or free floating form, and includes but is not
2 limited to marine aquatic plants in the classes Chlorophyta,
3 Phaeophyta, and Rhodophyta.

4 **Sec. 2.** RCW 77.32.005 and 1989 c 305 s 17 are each amended to read
5 as follows:

6 For the purposes of this chapter:

7 (1) For purposes of commercial licenses, a "resident" means a
8 person who has maintained a permanent place of abode within this state
9 for at least ninety days immediately preceding an application for a
10 license, has established by formal evidence an intent to continue
11 residing within this state, and who is not licensed to hunt or fish as
12 a resident in another state.

13 (2) For purposes of recreational licenses, a "resident" means a
14 person who has maintained a permanent place of abode within this state
15 for at least thirty days immediately preceding an application for a
16 license, has established by formal evidence an intent to continue
17 residing within this state, and who is not licensed to hunt or fish as
18 a resident in another state.

19 (3) A "nonresident" means a person who has not fulfilled the
20 qualifications of a resident.

21 NEW SECTION. **Sec. 3.** This act shall take effect July 1, 1996.

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