
SECOND SUBSTITUTE SENATE BILL 6330

State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Oke, Jacobsen, Swecker, Spanel, Loveland and Rasmussen)

Read first time 02/10/98.

1 AN ACT Relating to fish and wildlife licenses; amending RCW
2 75.25.092, 75.25.120, 75.25.140, 75.25.190, 77.32.005, 77.32.010,
3 77.32.014, 77.32.025, 77.32.050, 77.32.070, 77.32.090, 77.32.155,
4 77.32.235, 77.32.240, 77.32.250, 77.32.320, 77.32.350, 77.32.370,
5 75.50.100, 75.54.140, 77.44.030, 77.12.810, 77.08.045, 77.12.670,
6 77.12.690, 77.16.310, 77.21.020, 77.21.030, 77.16.330, 77.12.170, and
7 77.44.010; reenacting and amending RCW 75.25.080; adding new sections
8 to chapter 77.32 RCW; adding a new section to chapter 42.17 RCW;
9 creating new sections; recodifying RCW 75.25.080, 75.25.120, 75.25.140,
10 and 75.25.190; repealing RCW 75.25.005, 75.25.091, 75.25.095,
11 75.25.110, 75.25.130, 75.25.150, 75.25.170, 75.25.180, 75.25.200,
12 77.12.810, 77.32.060, 77.32.092, 77.32.101, 77.32.161, 77.32.230,
13 77.32.340, 77.32.352, 77.32.360, 77.32.390, 75.08.274, and 75.25.012;
14 prescribing penalties; providing an effective date; and declaring an
15 emergency.

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

17 **Sec. 1.** RCW 75.25.080 and 1993 sp.s. c 17 s 5, 1993 sp.s. c 2 s
18 42, and 1993 c 201 s 1 are each reenacted and amended to read as
19 follows:

1 (1) It is lawful to fish for, take, or possess the personal-use
2 daily bag limit of shellfish (~~(or)~~), food fish, or game fish for a
3 disabled person if the harvester is licensed and if the disabled person
4 is licensed and present on site and in possession of a physical
5 disability permit issued by the director.

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

9 (3) A person with a physical disability permit is not required to
10 be present at the location where another person is digging razor clams
11 for the disabled person. The physical disability permittee is required
12 to be in the direct line of sight of the person digging razor clams for
13 him or her, unless it is not possible to be in a direct line of sight
14 because of a physical obstruction or other barrier. If such a barrier
15 or obstruction exists, the physical disability permittee is required to
16 be within one-quarter mile of the person who is digging razor clams for
17 him or her.

18 **Sec. 2.** RCW 75.25.092 and 1994 c 255 s 4 are each amended to read
19 as follows:

20 (1) A personal use shellfish and seaweed license is required for
21 all persons other than residents or nonresidents under (~~(fifteen)~~)
22 twelve years of age to fish for, take, dig for, or possess seaweed or
23 shellfish (~~(except crawfish (Pacifastacus sp.))~~) for personal use from
24 state waters or offshore waters including national park beaches.

25 (2) The fees for annual personal use shellfish and seaweed licenses
26 are:

27 (a) For a resident (~~(fifteen years of age or older and under~~
28 ~~seventy years of age)~~), (~~(five)~~) seven dollars;

29 (b) For a (~~resident seventy years of age or older~~) nonresident,
30 (~~(three)~~) twenty dollars; and

31 (c) For a (~~nonresident, twenty dollars.~~

32 (~~(3) The fee for a three consecutive day personal use shellfish and~~
33 ~~seaweed license is~~) senior, five dollars.

34 **Sec. 3.** RCW 75.25.120 and 1994 c 255 s 6 are each amended to read
35 as follows:

36 In concurrent waters of the Columbia river and in Washington
37 coastal territorial waters from the Oregon-Washington boundary to a

1 point five nautical miles north, an Oregon angling license comparable
2 to the Washington personal use ((~~food fish license or three~~
3 ~~consecutive day personal use food fish~~) fishing license is valid if
4 Oregon recognizes as valid the Washington personal use ((~~food fish~~
5 ~~license or three consecutive day personal use food fish~~) fishing
6 license in comparable Oregon waters.

7 If Oregon recognizes as valid the Washington personal use ((~~food~~
8 ~~fish license or three consecutive day personal use food fish~~) fishing
9 license southward to Cape Falcon in the coastal territorial waters from
10 the Washington-Oregon boundary and in concurrent waters of the Columbia
11 river then Washington shall recognize a valid Oregon license comparable
12 to the Washington personal use ((~~food fish license or three~~
13 ~~consecutive day personal use food fish~~) fishing license northward to
14 Leadbetter Point.

15 Oregon licenses are not valid for the taking of food fish or game
16 fish when angling in concurrent waters of the Columbia river from the
17 Washington shore.

18 **Sec. 4.** RCW 75.25.140 and 1993 sp.s. c 17 s 8 are each amended to
19 read as follows:

20 (1) Recreational licenses are not transferable. Upon request of a
21 ((~~fisheries patrol~~) fish and wildlife enforcement officer, ex officio
22 ((~~fisheries patrol~~) fish and wildlife enforcement officer, or
23 authorized ((~~fisheries~~) fish and wildlife employee, a person digging
24 for, fishing for, or possessing shellfish, ((~~or~~)) or seaweed or
25 fishing for or possessing food fish or game fish for personal use shall
26 exhibit the required recreational license and write his or her
27 signature for comparison with the signature on the license. Failure to
28 comply with the request is prima facie evidence that the person does
29 not have a license or is not the person named on the license.

30 (2) The personal use shellfish and seaweed license shall be visible
31 on the licensee while harvesting shellfish or seaweed.

32 **Sec. 5.** RCW 75.25.190 and 1989 c 305 s 10 are each amended to read
33 as follows:

34 Catch record cards necessary for proper management of the state's
35 food fish and game fish species and shellfish resources shall be
36 administered under rules adopted by the ((~~director~~)) commission and
37 issued at no charge.

1 **Sec. 6.** RCW 77.32.005 and 1989 c 305 s 17 are each amended to read
2 as follows:

3 ~~((For the purposes of))~~ The definitions in this section apply
4 throughout this chapter((+)) unless the context clearly requires
5 otherwise.

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

11 ~~((A))~~ (2) "Nonresident" means a person who has not fulfilled the
12 qualifications of a resident.

13 (3) "Youth" means a person twelve years old or older and under
14 sixteen years old for fishing and under sixteen years old for hunting.

15 (4) "Senior" means a person seventy years old or older.

16 (5) "Food fish" has the same meaning as found in RCW 75.08.011.

17 (6) "Shellfish" has the same meaning as found in RCW 75.08.011.

18 (7) "Seaweed" has the same meaning as found in RCW 75.08.011.

19 (8) "License year" means the period of time for which a
20 recreational license is valid. The license year begins April 1st, and
21 ends March 31st.

22 (9) "Saltwater" means those marine waters seaward of river mouths.

23 (10) "Freshwater" means all waters not defined as saltwater
24 including, but not limited to, rivers upstream of the river mouth,
25 lakes, ponds, and reservoirs.

26 (11) "State waters" means all marine waters and freshwaters within
27 ordinary high water lines and within the territorial boundaries of the
28 state.

29 (12) "Offshore waters" means marine waters of the Pacific Ocean
30 outside the territorial boundaries of the state, including the marine
31 waters of other states and countries.

32 **Sec. 7.** RCW 77.32.010 and 1987 c 506 s 76 are each amended to read
33 as follows:

34 (1) Except as otherwise provided in this chapter, a license issued
35 by the director is required to:

36 (a) Hunt for wild animals, except bullfrogs, or wild birds ((or)),
37 fish ((for game fish)) or harvest shellfish and seaweed, except smelt,
38 albacore, carp, and crawfish;

- 1 (b) Practice taxidermy for profit;
2 (c) Deal in raw furs for profit;
3 (d) Act as a fishing guide;
4 (e) Operate a game farm;
5 (f) Purchase or sell anadromous game fish; or
6 (g) Use department-managed lands or facilities as provided by rules
7 adopted pursuant to this title.
- 8 (2) A permit issued by the director is required to:
- 9 (a) Conduct, hold, or sponsor hunting or fishing contests or
10 competitive field trials using live wildlife;
- 11 (b) Collect wild animals, wild birds, (~~game~~) fish, food fish,
12 shellfish, or protected wildlife for research or display; or
- 13 (c) Stock game fish.
- 14 (3) Aquaculture as defined in RCW 15.85.020 is exempt from the
15 requirements of this section, except when being stocked in public
16 waters under contract with the department.

17 **Sec. 8.** RCW 77.32.014 and 1997 c 58 s 881 are each amended to read
18 as follows:

19 (1) Licenses, tags, and stamps issued pursuant to this chapter
20 shall be invalid for any period in which a person is certified by the
21 department of social and health services or a court of competent
22 jurisdiction as a person in noncompliance with a support order (~~or~~
23 ~~residential or visitation order~~). Fish and wildlife (~~agents~~)
24 officers and ex officio fish and wildlife (~~agents~~) officers shall
25 enforce this section through checks of the department of licensing's
26 computer data base. A listing on the department of licensing's data
27 base that an individual's license is currently suspended pursuant to
28 RCW 46.20.291(7) shall be prima facie evidence that the individual is
29 in noncompliance with a support order (~~or residential or visitation~~
30 ~~order~~). Presentation of a written release issued by the department of
31 social and health services stating that the person is in compliance
32 with an order shall serve as prima facie proof of compliance with a
33 support order(~~, residential order, or visitation order~~).

34 (2) It is unlawful to purchase, obtain, or possess a license
35 required by this chapter during any period in which a license is
36 suspended.

1 **Sec. 9.** RCW 77.32.025 and 1996 c 20 s 2 are each amended to read
2 as follows:

3 Notwithstanding RCW 77.32.010, the commission may adopt rules
4 designating times and places for the purposes of family fishing days
5 when licenses and catch record cards are not required to fish (~~for~~
6 ~~game fish, including steelhead trout~~) or to harvest shellfish.

7 **Sec. 10.** RCW 77.32.050 and 1996 c 101 s 8 are each amended to read
8 as follows:

9 All recreational licenses, permits, tags, and stamps required by
10 this chapter and raffle tickets authorized under chapter 77.12 RCW
11 shall be issued under the authority of the commission. (~~The director~~
12 may authorize department personnel, county auditors, or other reputable
13 citizens to issue licenses, permits, tags, stamps, and raffle tickets,
14 and collect the appropriate fees. The authorized persons shall pay on
15 demand or before the tenth day of the following month the fees
16 collected and shall make reports as required by the director.)) The
17 (~~director may~~) commission shall adopt rules for (~~issuing~~) the
18 issuance of recreational licenses, permits, tags, stamps, and raffle
19 tickets, (~~collecting and paying fees, and making reports~~) and for the
20 collection, payment, and handling of license fees, terms and conditions
21 to govern dealers, and dealers' fees. Fees retained by dealers shall
22 be uniform throughout the state.

23 **Sec. 11.** RCW 77.32.070 and 1995 c 116 s 3 are each amended to read
24 as follows:

25 Applicants for a license, permit, tag, or stamp shall furnish the
26 information required by the director. The (~~director~~) commission may
27 adopt rules requiring licensees or permittees to keep records and make
28 reports concerning the taking of fish, shellfish, and wildlife.

29 **Sec. 12.** RCW 77.32.090 and 1996 c 101 s 10 are each amended to
30 read as follows:

31 The (~~director~~) commission may adopt rules pertaining to the form,
32 period of validity, use, possession, and display of licenses, permits,
33 tags, and stamps required by this chapter and raffle tickets authorized
34 under chapter 77.12 RCW.

1 NEW SECTION. **Sec. 13.** The commission shall adopt rules to
2 continue funding current enhancement programs at levels equal to the
3 participation of licensees in each of the individual enhancement
4 programs. All enhancement funding will continue to be deposited
5 directly into the individual accounts created for each enhancement.

6 NEW SECTION. **Sec. 14.** (1) A big game hunting license is required
7 to hunt for big game. A big game license allows the holder to hunt for
8 forest grouse and the individual species identified within a specific
9 big game combination license package. Each big game license includes
10 one transport tag for each species purchased in that package. A hunter
11 may not purchase more than one license for each big game species except
12 as authorized by rule of the commission. The fees for annual big game
13 combination packages are as follows:

14 (a) Big game number 1: Deer, elk, bear, and cougar. The fee for
15 this license is sixty-six dollars for residents, six hundred sixty
16 dollars for nonresidents, and thirty-three dollars for youth.

17 (b) Big game number 2: Deer and elk. The fee for this license is
18 fifty-six dollars for residents, five hundred sixty dollars for
19 nonresidents, and twenty-eight dollars for youth.

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

24 (d) Big game number 4: Deer or elk. At the time of purchase, the
25 holder must identify either deer or elk. The fee for this license is
26 thirty-six dollars for residents, three hundred sixty dollars for
27 nonresidents, and eighteen dollars for youth.

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

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

33 (a) Elk: The fee is twenty dollars for residents, two hundred
34 dollars for nonresidents, and ten dollars for youth.

35 (b) Deer: The fee is twenty dollars for residents, two hundred
36 dollars for nonresidents, and ten dollars for youth.

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

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

3 (3) In the event that the commission authorizes a special permit
4 hunt for goat, sheep, or moose, the permit fees are as follows:

5 (a) Mountain goat: The fee is one hundred dollars for residents,
6 one thousand dollars for nonresidents, and fifty dollars for youth.

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

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

11 Authorization to hunt the species set out under subsection (3)(a)
12 through (c) of this section is by special permit identified under RCW
13 77.32.370.

14 (4) The commission may adopt rules to reduce the price of a license
15 or eliminate the transportation tag requirements concerning bear or
16 cougar when necessary to meet harvest objectives.

17 NEW SECTION. **Sec. 15.** (1) A small game hunting license is
18 required to hunt for all wild animals and wild birds, except big game.
19 The small game license includes one transport tag for turkey.

20 (a) The fee for this license is thirty dollars for residents, one
21 hundred fifty dollars for nonresidents, and fifteen dollars for youth.

22 (b) The fee for this license if purchased in conjunction with a big
23 game combination license package is sixteen dollars for residents,
24 eighty dollars for nonresidents, and eight dollars for youth.

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

27 (2) The fee for each additional turkey tag is eighteen dollars for
28 residents, sixty dollars for nonresidents, and nine dollars for youth.

29 NEW SECTION. **Sec. 16.** (1) A personal use saltwater, freshwater,
30 combination, temporary, or family fishing weekend license is required
31 for all persons twelve years of age or older to fish for or possess
32 fish taken for personal use from state waters or offshore waters.

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

35 (a) A combination license allows the holder to fish for or possess
36 fish, shellfish, and seaweed from state waters or offshore waters. The

1 fee for this license is thirty-six dollars for residents, seventy-two
2 dollars for nonresidents, and five dollars for youth.

3 (b) A saltwater license allows the holder to fish for or possess
4 fish taken from saltwater areas. The fee for this license is eighteen
5 dollars for residents, thirty-six dollars for nonresidents, and five
6 dollars for resident seniors.

7 (c) A freshwater license allows the holder to fish for, take, or
8 possess food fish or game fish species in all freshwater areas. The
9 fee for this license is twenty dollars for residents, forty dollars for
10 nonresidents, and five dollars for resident seniors.

11 (3) A temporary fishing license is valid for two consecutive days
12 and allows the holder to fish for or possess fish taken from state
13 waters or offshore waters. The fee for this temporary fishing license
14 is six dollars for both residents and nonresidents. This license is
15 not valid on game fish species for an eight-consecutive-day period
16 beginning on the opening day of the lowland lake fishing season.

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

23 (5) The commission may adopt rules to create and sell combination
24 licenses for all hunting and fishing activities at or below a fee equal
25 to the total cost of the individual license contained within any
26 combination.

27 **Sec. 17.** RCW 77.32.155 and 1993 c 85 s 1 are each amended to read
28 as follows:

29 When purchasing ((a)) any hunting license, persons under the age of
30 eighteen shall present certification of completion of a course of
31 instruction of at least ten hours in the safe handling of firearms,
32 safety, conservation, and sportsmanship. Beginning January 1, 1995,
33 all persons purchasing ((a)) any hunting license for the first time, if
34 born after January 1, 1972, shall present such certification.

35 The director may establish a program for training persons in the
36 safe handling of firearms, conservation, and sportsmanship and may
37 cooperate with the National Rifle Association, organized sportsmen's
38 groups, or other public or private organizations.

1 The director shall prescribe the type of instruction and the
2 qualifications of the instructors.

3 Upon successful completion of the course, a trainee shall receive
4 a hunter education certificate signed by an authorized instructor. The
5 certificate is evidence of compliance with this section.

6 The director may accept certificates from other states that persons
7 have successfully completed firearm safety, hunter education, or
8 similar courses as evidence of compliance with this section.

9 NEW SECTION. **Sec. 18.** All hunting licenses shall, upon written
10 application, be issued at the reduced rate of a youth hunting license
11 fee for the following individuals:

12 (1) A resident sixty-five years old or older who is an honorably
13 discharged veteran of the United States armed forces having a service-
14 connected disability;

15 (2) Residents who are honorably discharged veterans of the United
16 States armed forces with a thirty percent or more service-connected
17 disability; and

18 (3) An honorably discharged veteran of the United States armed
19 forces who is a resident and is confined to a wheelchair.

20 NEW SECTION. **Sec. 19.** A combination license shall, upon written
21 application, be issued at the reduced rate of five dollars to the
22 following individuals:

23 (1) Residents who are honorably discharged veterans of the United
24 States armed forces with a thirty percent or more service-connected
25 disability;

26 (2) A person who is blind;

27 (3) A person with a developmental disability as defined in RCW
28 71A.10.020 with documentation of the disability from the department of
29 social and health services; and

30 (4) A person who is physically disabled and confined to a
31 wheelchair.

32 **Sec. 20.** RCW 77.32.235 and 1990 c 35 s 4 are each amended to read
33 as follows:

34 Physically or mentally (~~handicapped~~) disabled persons, mentally
35 ill persons, hospital patients, and senior citizens who are in the care
36 of a state-licensed or state-operated care facility may fish (~~for game~~

1 fish)) and harvest shellfish during open season without individual
2 licenses or the payment of individual license fees if such fishing
3 activity is occasional, is conducted in a group supervised by staff of
4 ~~((a state licensed or state operated))~~ the care facility, and the
5 facility holds a group fishing permit issued by the director. The
6 director shall issue such a permit upon application by care facility
7 staff.

8 **Sec. 21.** RCW 77.32.240 and 1991 sp.s. c 7 s 6 are each amended to
9 read as follows:

10 A scientific permit allows the holder to collect for research or
11 display food fish, game fish, shellfish, and wildlife ~~((or their))~~,
12 including avian nests and eggs as required in RCW 77.32.010, under
13 conditions prescribed by the director. Before a permit is issued, the
14 applicant shall demonstrate to the director their qualifications and
15 establish the need for the permit. The director may require a bond of
16 up to one thousand dollars to ~~((insure))~~ ensure compliance with the
17 permit. Permits are valid for the time specified, unless sooner
18 revoked.

19 Holders of permits may exchange specimens with the approval of the
20 director.

21 A permit holder who violates this section shall forfeit the permit
22 and bond and shall not receive a similar permit for one year. The fee
23 for a scientific permit is twelve dollars.

24 **Sec. 22.** RCW 77.32.250 and 1996 c 101 s 12 are each amended to
25 read as follows:

26 Licenses, permits, tags, and stamps required by this chapter and
27 raffle tickets authorized under chapter 77.12 RCW shall not be
28 transferred ~~((and, unless otherwise provided in this chapter, are void
29 on January 1st following the year for which the license, permit, tag,
30 stamp, or raffle ticket was issued))~~.

31 Upon request of a fish and wildlife ~~((agent))~~ officer or ex officio
32 fish and wildlife ~~((agent))~~ officer, persons licensed, operating under
33 a permit, or possessing wildlife under the authority of this chapter
34 shall produce required licenses, permits, tags, stamps, or raffle
35 tickets for inspection and write their signatures for comparison and in
36 addition display their wildlife. Failure to comply with the request is

1 prima facie evidence that the person has no license or is not the
2 person named.

3 **Sec. 23.** RCW 77.32.320 and 1997 c 114 s 1 are each amended to read
4 as follows:

5 (1) (~~In addition to a basic hunting license, a separate transport~~
6 ~~tag is~~) The correct licenses and tags are required to hunt deer, elk,
7 black bear, cougar, sheep, mountain goat, moose, or wild turkey(~~-~~
8 ~~However, a transport tag may not be required to hunt black bear or~~
9 ~~cougar when, under conditions set out under RCW 77.32.340, the~~
10 ~~commission determines that for the purposes of achieving harvest~~
11 ~~management goals for black bear or cougar, that transport tags shall be~~
12 ~~available at no cost~~) except as provided in section 14 of this act.

13 (2) (~~A transport tag may only be obtained subsequent to the~~
14 ~~purchase of a valid hunting license and must have permanently affixed~~
15 ~~to it the hunting license number.~~

16 ~~(3))~~ Persons who kill deer, elk, bear, cougar, mountain goat,
17 sheep, moose, or wild turkey shall immediately validate and attach
18 their own transport tag to the carcass as provided by rule of the
19 director.

20 (~~(4) Transport tags required by this section expire on March 31st~~
21 ~~following the date of issuance.))~~

22 **Sec. 24.** RCW 77.32.350 and 1992 c 41 s 1 are each amended to read
23 as follows:

24 In addition to a (~~basic~~) small game hunting license, a
25 supplemental (~~license~~) permit(~~(~~) or stamp is required to hunt for
26 (~~quail, partridge~~) western Washington pheasant(~~(~~) or migratory
27 (~~waterfowl, to hunt with a raptor, or to hunt wild animals with a~~
28 ~~dog~~) birds.

29 (1) (~~A hound permit is required to hunt wild animals, except~~
30 ~~rabbits and hares, with a dog. The fee for this permit is twelve~~
31 ~~dollars.~~

32 (2) ~~An eastern Washington upland game bird permit is required to~~
33 ~~hunt for quail, partridge, and pheasant in eastern Washington. The fee~~
34 ~~for this permit is ten dollars.~~

35 ~~(3))~~ A western Washington (~~upland game bird~~) pheasant permit is
36 required to hunt for (~~quail, partridge, and~~) pheasant in western
37 Washington. (~~The fee for this permit is thirty five dollars.~~)

1 Western Washington (~~((upland game bird))~~) pheasant permits must contain
2 numbered spaces for recording the location and date of harvest of each
3 western Washington pheasant. It is unlawful to harvest a western
4 Washington pheasant without immediately recording this information on
5 the permit.

6 (~~((4) Effective January 1, 1993,))~~ (2) The permit shall be
7 available as a season option, a (~~((juvenile))~~) youth full season option,
8 or a (~~((two-day))~~) three-day option. The fee for this permit is:

9 (a) For the resident and nonresident full season option, (~~((thirty-~~
10 ~~five))~~) thirty-six dollars;

11 (b) For the (~~((juvenile))~~) youth full season (~~((or the two-day))~~)
12 option, (~~((twenty))~~) eighteen dollars;

13 (c) For the three-day option, twenty dollars.

14 (~~((For the purposes of this subsection a juvenile is defined as a~~
15 ~~person under fifteen years of age upon the opening date of the western~~
16 ~~Washington pheasant season.~~

17 (~~(5) Western Washington upland game permits are valid for the~~
18 ~~following number of pheasants and harvesting pheasants in excess of~~
19 ~~these numbers requires another permit:~~

20 (a) A full season permit is valid for no more than ten pheasants;

21 (b) A juvenile full season permit is valid for no more than six
22 pheasants;

23 (c) A two-day permit is valid for no more than four pheasants.

24 (6) A falconry license is required to possess or hunt with a
25 raptor, including seasons established exclusively for hunting in that
26 manner. The fee for this license is thirty-six dollars.

27 (~~(7))~~ (3) A migratory (~~((waterfowl))~~) bird stamp affixed to a
28 (~~((basic))~~) small game hunting license is required for all persons
29 (~~((sixteen years of age or older))~~) to hunt migratory (~~((waterfowl))~~)
30 birds. The fee for the stamp is six dollars for residents and
31 nonresidents and three dollars for youth.

32 (~~((8))~~) (4) The migratory (~~((waterfowl))~~) bird stamp shall be
33 validated by the signature of the licensee written across the face of
34 the stamp.

35 (~~((9) The migratory waterfowl stamps required by this section~~
36 ~~expire on March 31st following the date of issuance.))~~

37 **Sec. 25.** RCW 77.32.370 and 1991 sp.s. c 7 s 11 are each amended to
38 read as follows:

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

3 (2) Persons may apply for special hunting season permits as
4 provided by rule of the ~~((director))~~ commission.

5 (3) The application fee to ~~((participate in))~~ enter the drawing for
6 a special hunting ~~((season))~~ permit is ~~((three))~~ five dollars for
7 residents, fifty dollars for nonresidents, and three dollars for youth.

8 **Sec. 26.** RCW 75.50.100 and 1995 1st sp.s. c 2 s 39 are each
9 amended to read as follows:

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

15 A ~~((surcharge of one dollar shall be collected on each recreational~~
16 ~~personal use food fish license sold in the state))~~ portion of each
17 recreational fishing license fee shall be used as provided in section
18 13 of this act. A surcharge of one hundred dollars shall be collected
19 on each commercial salmon fishery license, each salmon delivery
20 license, and each salmon charter license sold in the state. The
21 department shall study methods for collecting and making available, an
22 annual list, including names and addresses, of all persons who obtain
23 recreational and commercial salmon fishing licenses. This list may be
24 used to assist formation of the regional fisheries enhancement groups
25 and allow the broadest participation of license holders in enhancement
26 efforts. The results of the study shall be reported to the house of
27 representatives fisheries and wildlife committee and the senate
28 environment and natural resources committee by October 1, 1990. All
29 receipts shall be placed in the regional fisheries enhancement group
30 account and shall be used exclusively for regional fisheries
31 enhancement group projects for the purposes of RCW 75.50.110. Funds
32 from the regional fisheries enhancement group account shall not serve
33 as replacement funding for department operated salmon projects that
34 exist on January 1, 1991.

35 All revenue from the department's sale of salmon carcasses and eggs
36 that return to group facilities shall be deposited in the regional
37 fisheries enhancement group account for use by the regional fisheries

1 enhancement group that produced the surplus. The commission shall
2 adopt rules to implement this section pursuant to chapter 34.05 RCW.

3 **Sec. 27.** RCW 75.54.140 and 1997 c 197 s 1 are each amended to read
4 as follows:

5 ~~((Beginning January 1, 1994, persons who recreationally fish for
6 salmon or marine bottomfish in marine area codes 5 through 13 and Lake
7 Washington and have an annual food fish license shall be assessed an
8 annual recreational surcharge of ten dollars, in addition to other
9 licensing requirements. Persons who recreationally fish for salmon or
10 marine bottomfish in marine area codes 5 through 13 and Lake Washington
11 with a three consecutive day personal use food fish license shall be
12 assessed an annual recreational surcharge of five dollars. Funds from
13 the surcharge))~~ As provided in section 13 of this act, a portion of
14 each saltwater and combination fishing license fee shall be deposited
15 in the recreational fisheries enhancement account created in RCW
16 75.54.150~~((, except that the first five hundred thousand dollars shall
17 be deposited in the general fund before June 30, 1995, to repay the
18 appropriation made by section 104, chapter 2, Laws of 1993 sp. sess))~~.

19 **Sec. 28.** RCW 77.44.030 and 1996 c 222 s 3 are each amended to read
20 as follows:

21 (1) ~~((A warm water game fish surcharge allows a person to fish
22 throughout the state for))~~ As provided in section 13 of this act, a
23 portion of each freshwater and combination fishing license fee shall be
24 deposited into the warm water game fish account.

25 (2) ~~((The annual fee for a game fish surcharge is five dollars and
26 the surcharge is required in addition to an annual game fishing
27 license, except for those persons under fifteen years of age for which
28 there is no charge. Holders of three day resident fishing licenses,
29 three day nonresident fishing licenses, and nonresident annual fishing
30 licenses shall pay a five dollar surcharge to fish for warm water fish.~~

31 ~~(3))~~ The department shall use the most cost-effective format in
32 designing and administering the warm water game fish surcharge.

33 ~~((4))~~ (3) A warm water game fish ~~((surcharge))~~ account shall
34 ~~((only))~~ be ~~((required to fish))~~ used for~~((+))~~ enhancement of
35 largemouth bass, smallmouth bass, walleye, black crappie, white
36 crappie, channel catfish, and tiger musky.

1 **Sec. 29.** RCW 77.12.810 and 1997 c 422 s 4 are each amended to read
2 as follows:

3 (~~Beginning September 1, 1997, a person who hunts for pheasant in~~
4 ~~eastern Washington must pay an annual surcharge of ten dollars, in~~
5 ~~addition to other licensing requirements. Funds from the surcharge~~
6 ~~must be~~) As provided in section 13 of this act, a portion of each
7 small game hunting license fee shall be deposited in the eastern
8 Washington pheasant enhancement account created in RCW 77.12.820.

9 **Sec. 30.** RCW 77.08.045 and 1987 c 506 s 12 are each amended to
10 read as follows:

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

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

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

16 (3) "Migratory (~~waterfowl~~) bird stamp" means the stamp that is
17 required by RCW 77.32.350 to be in the possession of all persons (~~over~~
18 ~~sixteen years of age~~) to hunt migratory (~~waterfowl~~) birds;

19 (~~(3)~~) (4) "Prints and artwork" means replicas of the original
20 stamp design that are sold to the general public. Prints and artwork
21 are not to be construed to be the migratory (~~waterfowl~~) bird stamp
22 that is required by RCW 77.32.350. Artwork may be any facsimile of the
23 original stamp design, including color renditions, metal duplications,
24 or any other kind of design; and

25 (~~(4)~~) (5) "Migratory waterfowl art committee" means the committee
26 created by RCW 77.12.680. The committee's primary function is to
27 select the annual migratory (~~waterfowl~~) bird stamp design.

28 **Sec. 31.** RCW 77.12.670 and 1987 c 506 s 53 are each amended to
29 read as follows:

30 (1) The migratory (~~waterfowl~~) bird stamp to be produced by the
31 department shall use the design as provided by the migratory waterfowl
32 art committee.

33 (2) All revenue derived from the sale of the stamps by the
34 department shall be deposited in the state wildlife fund and shall be
35 used only for the cost of printing and production of the stamp and for
36 those migratory (~~waterfowl~~) bird projects specified by the director
37 of the department for the acquisition and development of migratory

1 ((~~waterfowl~~)) bird habitat in the state and for the enhancement,
2 protection, and propagation of migratory ((~~waterfowl~~)) birds in the
3 state.

4 (3) The department shall determine the number of waterfowl hunters
5 and the number of nonwaterfowl migratory bird hunters. Revenue derived
6 from the sale of the stamp to waterfowl hunters shall be used by the
7 department for migratory waterfowl projects. Revenue derived from the
8 sale of the stamp to persons hunting only nonwaterfowl species shall be
9 used by the department for nonwaterfowl migratory bird projects.
10 Revenue derived from the sale of blocks of the stamp to collectors
11 shall be used by the department for migratory waterfowl projects.

12 (4) Acquisition shall include but not be limited to the acceptance
13 of gifts of real estate or any interest therein or the rental, lease,
14 or purchase of real estate or any interest therein. If the department
15 acquires any fee interest, leasehold, or rental interest in real
16 property under this section, it shall allow the general public
17 reasonable access to that property and shall, if appropriate, insure
18 that the deed or other instrument creating the interest allows such
19 access to the general public. If the department obtains a covenant in
20 real property in its favor or an easement or any other interest in real
21 property under this section, it shall exercise its best efforts to
22 insure that the deed or other instrument creating the interest grants
23 to the general public in the form of a covenant running with the land
24 reasonable access to the property. The private landowner from whom the
25 department obtains such a covenant or easement shall retain the right
26 of granting access to the lands by written permission.

27 (5) The department may produce migratory ((~~waterfowl~~)) bird stamps
28 in any given year in excess of those necessary for sale in that year.
29 The excess stamps may be sold to the migratory waterfowl art committee
30 for sale to the public.

31 **Sec. 32.** RCW 77.12.690 and 1987 c 506 s 55 are each amended to
32 read as follows:

33 The migratory waterfowl art committee is responsible for the
34 selection of the annual migratory ((~~waterfowl~~)) bird stamp design and
35 shall provide the design to the department. If the committee does not
36 perform this duty within the time frame necessary to achieve proper and
37 timely distribution of the stamps to license dealers, the director
38 shall initiate the art work selection for that year. The committee

1 shall create collector art prints and related artwork, utilizing the
2 same design as provided to the department. The administration, sale,
3 distribution, and other matters relating to the prints and sales of
4 stamps with prints and related artwork shall be the responsibility of
5 the migratory waterfowl art committee.

6 The total amount brought in from the sale of prints and related
7 artwork shall be deposited in the state wildlife fund. The costs of
8 producing and marketing of prints and related artwork, including
9 administrative expenses mutually agreed upon by the committee and the
10 director, shall be paid out of the total amount brought in from sales
11 of those same items. Net funds derived from the sale of prints and
12 related artwork shall be used by the director to contract with one or
13 more appropriate individuals or nonprofit organizations for the
14 development of waterfowl propagation projects within Washington which
15 specifically provide waterfowl for the Pacific flyway. The department
16 shall not contract with any individual or organization that obtains
17 compensation for allowing waterfowl hunting except if the individual or
18 organization does not permit hunting for compensation on the subject
19 property.

20 The migratory waterfowl art committee shall have an annual audit of
21 its finances conducted by the state auditor and shall furnish a copy of
22 the audit to the commission and to the natural resources committees of
23 the house and senate.

24 **Sec. 33.** RCW 77.16.310 and 1981 c 310 s 4 are each amended to read
25 as follows:

26 It is unlawful to purchase, obtain, or possess or to attempt to
27 purchase or obtain a license, permit, stamp, or tag required by this
28 title:

29 (1) By using false information; or

30 (2) After notice of the revocation or forfeiture of an existing
31 license, permit, or tag, except that a person may purchase a license
32 that does not grant the privilege that was revoked; or

33 (3) In excess of one license, permit, tag, stamp, or punchcard for
34 a license year except as authorized by RCW 77.32.256, section 14 of
35 this act, or other law or rule of the commission.

36 **Sec. 34.** RCW 77.21.020 and 1987 c 506 s 70 are each amended to
37 read as follows:

1 In addition to other penalties provided by law, the director shall
2 revoke ((the)) all hunting licenses of a person who is convicted of a
3 violation of RCW 77.16.020 involving big game or RCW 77.16.050.
4 Forfeiture of bail twice during a five-year period for these violations
5 constitutes the basis for a revocation under this section.

6 ((A)) No hunting license ((shall not)) may be issued to the person
7 for two years from the revocation.

8 A person who has had a license revoked or has been denied issuance
9 pursuant to this section or RCW 77.21.030, may appeal the decision as
10 provided in chapter 34.05 RCW.

11 **Sec. 35.** RCW 77.21.030 and 1987 c 506 s 71 are each amended to
12 read as follows:

13 The director shall revoke ((the)) all hunting licenses of a person
14 who shoots another person or domestic livestock while hunting. A
15 hunting license shall not be issued to that person unless the director
16 authorizes the issuance of a license, and damages caused by the
17 wrongful shooting have been paid.

18 **Sec. 36.** RCW 77.16.330 and 1987 c 506 s 104 are each amended to
19 read as follows:

20 It is unlawful for any person ((~~sixteen years of age or older~~)) to
21 hunt any migratory ((~~waterfowl~~)) bird without first obtaining a
22 migratory ((~~waterfowl~~)) bird stamp as required by RCW 77.32.350.

23 NEW SECTION. **Sec. 37.** A new section is added to chapter 42.17 RCW
24 to read as follows:

25 Information contained in the department of fish and wildlife data
26 bases concerning personal information of license holders is exempt from
27 disclosure under this chapter. However, the department of fish and
28 wildlife may release personal information to nonprofit organizations
29 for noncommercial purposes.

30 **Sec. 38.** RCW 77.12.170 and 1996 c 101 s 7 are each amended to read
31 as follows:

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

34 (a) Rentals or concessions of the department;

1 (b) The sale of real or personal property held for department
2 purposes;

3 (c) The sale of licenses, permits, tags, stamps, and punchcards
4 required by this title, except annual resident adult saltwater and all
5 shellfish licenses, which shall be deposited into the state general
6 fund;

7 (d) Fees for informational materials published by the department;

8 (e) Fees for personalized vehicle license plates as provided in
9 chapter 46.16 RCW;

10 (f) Articles or wildlife sold by the director under this title;

11 (g) Compensation for wildlife losses or gifts or grants received
12 under RCW 77.12.320;

13 (h) Excise tax on anadromous game fish collected under chapter
14 82.27 RCW;

15 (i) The sale of personal property seized by the department for
16 wildlife violations; and

17 (j) The department's share of revenues from auctions and raffles
18 authorized by the commission.

19 (2) State and county officers receiving any moneys listed in
20 subsection (1) of this section shall deposit them in the state treasury
21 to be credited to the state wildlife fund.

22 **Sec. 39.** RCW 77.44.010 and 1996 c 222 s 1 are each amended to read
23 as follows:

24 A warm water game fish enhancement program is created in the
25 department (~~to be funded from the sale of a warm water game fish~~
26 ~~surcharge~~). The enhancement program shall be designed to increase the
27 opportunities to fish for and catch warm water game fish including:
28 Largemouth black bass, smallmouth black bass, channel catfish, black
29 crappie, white crappie, walleye, and tiger musky. The program shall be
30 designed to use a practical applied approach to increasing warm water
31 fishing. The department shall use the funds available efficiently to
32 assure the greatest increase in the fishing for warm water fish at the
33 lowest cost. This approach shall involve the minimization of overhead
34 and administrative costs and the maximization of productive in-the-
35 field activities.

36 NEW SECTION. **Sec. 40.** The department of fish and wildlife has the
37 authority to sell fifteen-month prorated shellfish, fish, and small

1 game licenses to accommodate the change in license year, as defined in
2 RCW 77.32.005. This authority only applies to the period beginning
3 January 1, 1999, and ending April 1, 2000.

4 NEW SECTION. **Sec. 41.** In order to simplify fishing license
5 requirements in transition areas between saltwater and freshwater, the
6 commission may adopt rules designating specific waters where either a
7 freshwater or a saltwater license is valid.

8 NEW SECTION. **Sec. 42.** RCW 75.25.080, 75.25.120, 75.25.140, and
9 75.25.190 are each recodified as new sections in chapter 77.32 RCW.

10 NEW SECTION. **Sec. 43.** As provided in RCW 77.12.170(1)(c), all
11 recreational license fees deposited into the general fund shall be
12 appropriated for the management, enhancement, research, and enforcement
13 of shellfish and saltwater programs of the department.

14 NEW SECTION. **Sec. 44.** The following acts or parts of acts are
15 each repealed:

16 (1) RCW 75.25.005 and 1993 sp.s. c 17 s 4, 1993 sp.s. c 2 s 41, &
17 1989 c 305 s 1;

18 (2) RCW 75.25.091 and 1994 c 255 s 3 & 1993 sp.s. c 17 s 2;

19 (3) RCW 75.25.095 and 1996 c 20 s 1, 1995 1st sp.s. c 2 s 31, &
20 1990 c 34 s 2;

21 (4) RCW 75.25.110 and 1994 c 255 s 5, 1993 sp.s. c 17 s 6, 1989 c
22 305 s 8, 1987 c 87 s 3, 1983 1st ex.s. c 46 s 95, & 1977 ex.s. c 327 s
23 13;

24 (5) RCW 75.25.130 and 1989 c 305 s 11, 1987 c 87 s 6, 1984 c 80 s
25 7, 1983 1st ex.s. c 46 s 97, & 1977 ex.s. c 327 s 12;

26 (6) RCW 75.25.150 and 1994 c 255 s 7, 1993 sp.s. c 17 s 9, 1989 c
27 305 s 13, 1984 c 80 s 9, & 1983 1st ex.s. c 46 s 99;

28 (7) RCW 75.25.170 and 1993 sp.s. c 2 s 43, 1989 c 305 s 16, & 1987
29 c 87 s 9;

30 (8) RCW 75.25.180 and 1994 c 255 s 8;

31 (9) RCW 75.25.200 and 1990 c 35 s 2;

32 (10) RCW 77.12.810 and 1997 c 422 s 4;

33 (11) RCW 77.32.060 and 1996 c 101 s 9, 1995 c 116 s 2, 1987 c 506
34 s 78, 1985 c 464 s 1, 1981 c 310 s 17, 1980 c 78 s 107, 1979 ex.s. c 3
35 s 3, 1970 ex.s. c 29 s 2, 1957 c 176 s 2, & 1955 c 36 s 77.32.060;

1 (12) RCW 77.32.092 and 1994 c 255 s 1;

2 (13) RCW 77.32.101 and 1997 c 395 s 1, 1994 c 255 s 11, 1991 sp.s.
3 c 7 s 1, 1985 c 464 s 2, 1981 c 310 s 20, 1980 c 78 s 110, & 1975 1st
4 ex.s. c 15 s 20;

5 (14) RCW 77.32.161 and 1994 c 255 s 10, 1991 sp.s. c 7 s 2, 1985 c
6 464 s 3, 1981 c 310 s 22, 1980 c 78 s 112, & 1975 1st ex.s. c 15 s 27;

7 (15) RCW 77.32.230 and 1996 c 101 s 11, 1994 c 255 s 12, 1991 sp.s.
8 c 7 s 5, 1988 c 176 s 914, 1987 c 506 s 85, 1985 c 464 s 6, 1985 c 182
9 s 2, 1983 c 280 s 1, 1981 c 310 s 27, 1980 c 78 s 117, 1973 1st ex.s.
10 c 58 s 1, 1961 c 94 s 2, 1959 c 245 s 2, & 1955 c 36 s 77.32.230;

11 (16) RCW 77.32.340 and 1997 c 114 s 2, 1991 sp.s. c 7 s 8, 1990 c
12 84 s 5, 1985 c 464 s 8, 1984 c 240 s 5, & 1981 c 310 s 11;

13 (17) RCW 77.32.352 and 1995 c 59 s 1;

14 (18) RCW 77.32.360 and 1996 c 234 s 1, 1995 c 116 s 7, 1991 sp.s.
15 c 7 s 10, 1990 c 84 s 7, 1987 c 506 s 88, 1985 c 464 s 10, & 1981 c 310
16 s 13; and

17 (19) RCW 77.32.390 and 1989 c 153 s 1.

18 NEW SECTION. **Sec. 45.** The following acts or parts of acts are
19 each repealed effective April 1, 1999:

20 (1) RCW 75.08.274 and 1995 1st sp.s. c 2 s 15, 1983 1st ex.s. c 46
21 s 28, 1971 c 35 s 1, & 1955 c 12 s 75.16.010; and

22 (2) RCW 75.25.012 and 1997 c 58 s 880.

23 NEW SECTION. **Sec. 46.** Sections 13 through 16, 18, 19, and 43 of
24 this act are each added to chapter 77.32 RCW.

25 NEW SECTION. **Sec. 47.** Sections 1 through 29, 33 through 35, 38
26 through 42, and 44 of this act take effect January 1, 1999.

27 NEW SECTION. **Sec. 48.** Sections 30 through 32, 36, 37, and 43 of
28 this act are necessary for the immediate preservation of the public
29 peace, health, or safety, or support of the state government and its
30 existing public institutions, and take effect immediately.

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