

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5360

55th Legislature
1997 Regular Session

Passed by the Senate March 14, 1997
YEAS 46 NAYS 0

President of the Senate

Passed by the House April 9, 1997
YEAS 98 NAYS 0

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5360** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5360

Passed Legislature - 1997 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By Senate Committee on Natural Resources & Parks (originally sponsored by Senators Hargrove, Anderson, Spanel, Swecker, Haugen, Oke, Snyder and Kline)

Read first time 02/17/97.

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (6) A commercial salmon troll fishery license may be renewed under
33 this section if the license holder notifies the department by May 1st
34 of that year that he or she will not participate in the fishery during
35 that calendar year. A commercial salmon gill net, reef net, or seine
36 fishery license may be renewed under this section if the license holder
37 notifies the department by August 1st of that year that he or she will
38 not participate in the fishery during that calendar year. The license

1 holder must pay the one hundred-dollar enhancement surcharge, plus a
2 fifteen-dollar handling charge, in order to be considered a valid
3 renewal and eligible to renew the license the following year.

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

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

	<i>License or Permit</i>	<i>Annual Fee</i>		<i>Governing</i>
		<i>(RCW 75.50.100 Surcharge)</i>		<i>Section</i>
		<i>Resident</i>	<i>Nonresident</i>	
13	<i>(a) Nonsalmon charter</i>	\$225	\$375	
14	<i>(b) Salmon charter</i>	\$380	\$685	<i>RCW 75.30.065</i>
15		<i>(plus \$100)</i>	<i>(plus \$100)</i>	
16	<i>(c) Salmon angler</i>	\$ 0	\$ 0	<i>RCW 75.30.070</i>
17	<i>(d) Salmon roe</i>	\$ 95	\$ 95	<i>RCW 75.28.690</i>

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

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

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

1 (5) A charter boat licensed in Oregon may fish without a Washington
2 charter license under the same rules as Washington charter boat
3 operators in ocean waters within the jurisdiction of Washington state
4 from the southern border of the state of Washington to Leadbetter
5 Point, as long as the Oregon vessel does not land at any Washington
6 port with the purpose of taking on or discharging passengers. The
7 provisions of this subsection shall be in effect as long as the state
8 of Oregon has reciprocal laws and regulations.

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

16 NEW SECTION. Sec. 3. This act is necessary for the immediate
17 preservation of the public peace, health, or safety, or support of the
18 state government and its existing public institutions, and takes effect
19 immediately.

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