

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6341**

Chapter 267, Laws of 1998

55th Legislature  
1998 Regular Session

ALTERNATE OPERATOR LICENSES FOR CHARTER BOATS

EFFECTIVE DATE: 4/1/98

Passed by the Senate March 7, 1998  
YEAS 46 NAYS 0

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Passed by the House March 4, 1998  
YEAS 97 NAYS 0

CLYDE BALLARD

\_\_\_\_\_  
**Speaker of the  
House of Representatives**

Approved April 1, 1998

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6341** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O'CONNELL

\_\_\_\_\_  
**Secretary**

FILED

April 1, 1998 - 3:10 p.m.

GARY LOCKE

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6341**

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AS AMENDED BY THE HOUSE

Passed Legislature - 1998 Regular Session

**State of Washington                      55th Legislature                      1998 Regular Session**

**By** Senate Committee on Natural Resources & Parks (originally sponsored by Senator Snyder)

Read first time 02/06/98.

1            AN ACT Relating to alternate operator licenses; amending RCW  
2 75.28.030, 75.28.046, 75.28.047, and 75.28.048; and declaring an  
3 emergency.

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

5            **Sec. 1.** RCW 75.28.030 and 1993 sp.s. c 17 s 44 are each amended to  
6 read as follows:

7            (1) Except as otherwise provided in this title, the director shall  
8 issue commercial licenses and permits to a qualified person upon  
9 receiving a completed application accompanied by the required fee.

10           (2) An application submitted to the department under this chapter  
11 shall contain the name and address of the applicant and any other  
12 information required by the department or this title. An applicant for  
13 a commercial fishery license(~~(7)~~) or delivery license(~~(7 or charter~~  
14 ~~license))~~) may designate a vessel to be used with the license ((and)).  
15 An applicant for a commercial fishery license or delivery license may  
16 also designate up to two alternate operators.

17           (3) An application submitted to the department under this chapter  
18 shall contain the applicant's declaration under penalty of perjury that  
19 the information on the application is true and correct.

1 (4) Upon issuing a commercial license under this chapter, the  
2 director shall assign the license a unique number that the license  
3 shall retain upon renewal. The department shall use the number to  
4 record any commercial catch under the license. This does not preclude  
5 the department from using other, additional, catch record methods.

6 (5) The fee to replace a license that has been lost or destroyed is  
7 twenty dollars.

8 **Sec. 2.** RCW 75.28.046 and 1994 c 260 s 12 are each amended to read  
9 as follows:

10 This section applies to all commercial fishery licenses(~~(7)~~) and  
11 delivery licenses(~~(7, and charter licenses)~~), except for whiting«Puget  
12 Sound fishery licenses and emergency salmon delivery licenses.

13 (1) The license holder may engage in the activity authorized by a  
14 license subject to this section. With the exception of Dungeness crab«  
15 coastal fishery class B licensees licensed under RCW 75.30.350(~~(+3)~~)  
16 (4), the holder of a license subject to this section may also designate  
17 up to two alternate operators for the license. Dungeness crab«coastal  
18 fishery class B licensees may not designate alternate operators. A  
19 person designated as an alternate operator must possess an alternate  
20 operator license issued under (~~section 23 of this act and~~) RCW  
21 75.28.048.

22 (2) The fee to change the alternate operator designation is twenty-  
23 two dollars.

24 **Sec. 3.** RCW 75.28.047 and 1993 c 340 s 10 are each amended to read  
25 as follows:

26 (1) Only the license holder and any alternate operators designated  
27 on the license may sell or deliver food fish or shellfish under a  
28 commercial fishery license or delivery license. A commercial fishery  
29 license or delivery license authorizes no taking or delivery of food  
30 fish or shellfish unless the license holder or an alternate operator  
31 designated on the license is present or aboard the vessel.

32 (2) (~~Only the license holder and any alternate operators~~  
33 ~~designated on the license may~~) Notwithstanding RCW 75.28.010(1)(c), an  
34 alternate operator license is not required for an individual to operate  
35 a vessel as a charter boat.

1       **Sec. 4.** RCW 75.28.048 and 1997 c 233 s 2 are each amended to read  
2 as follows:

3       (1) A person who holds a commercial fishery license(~~(7)~~) or a  
4 delivery license(~~(7—or charter license)~~) may operate the vessel  
5 designated on the license. A person who is not the license holder may  
6 operate the vessel designated on the license only if:

7       (a) The person holds an alternate operator license issued by the  
8 director; and

9       (b) The person is designated as an alternate operator on the  
10 underlying commercial fishery license(~~(7)~~) or delivery license(~~(7—or~~  
11 ~~charter license)~~) under RCW 75.28.046.

12       (2) Only an individual at least sixteen years of age may hold an  
13 alternate operator license.

14       (3) No individual may hold more than one alternate operator  
15 license. An individual who holds an alternate operator license may be  
16 designated as an alternate operator on an unlimited number of  
17 commercial fishery licenses(~~(7)~~) or delivery licenses(~~(7—and charter~~  
18 ~~licenses)~~) under RCW 75.28.046.

19       (4) An individual who holds two Dungeness crab--Puget Sound fishery  
20 licenses may operate the licenses on one vessel if the vessel owner or  
21 alternate operator is on the vessel. The department shall allow a  
22 license holder to operate up to one hundred crab pots for each license.

23       (5) As used in this section, to "operate" means to control the  
24 deployment or removal of fishing gear from state waters while aboard a  
25 vessel(~~(7—to operate a vessel as a charter boat,)~~) or to operate a  
26 vessel delivering food fish or shellfish taken in offshore waters to a  
27 port within the state.

28       NEW SECTION.   **Sec. 5.** This act is necessary for the immediate  
29 preservation of the public peace, health, or safety, or support of the  
30 state government and its existing public institutions, and takes effect  
31 immediately.

Passed the Senate March 7, 1998.

Passed the House March 4, 1998.

Approved by the Governor April 1, 1998.

Filed in Office of Secretary of State April 1, 1998.