

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1476**

Chapter 442, Laws of 2007

60th Legislature  
2007 Regular Session

FISHING LICENSES

EFFECTIVE DATE: 05/11/07

Passed by the House April 17, 2007  
Yeas 91 Nays 7

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate April 12, 2007  
Yeas 48 Nays 0

BRAD OWEN

**President of the Senate**

Approved May 11, 2007, 11:22 a.m.

CHRISTINE GREGOIRE

**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1476** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

**Chief Clerk**

FILED

May 11, 2007

**Secretary of State  
State of Washington**

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HOUSE BILL 1476

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AS AMENDED BY THE SENATE

Passed Legislature - 2007 Regular Session

State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Blake and Kretz

Read first time 01/19/2007. Referred to Committee on Agriculture & Natural Resources.

1            AN ACT Relating to charter licenses; amending RCW 77.65.150,  
2 77.65.210, and 77.32.470; adding a new section to chapter 77.12 RCW;  
3 creating a new section; and declaring an emergency.

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

5            NEW SECTION.    **Sec. 1.** (1) The legislature finds that:

6            (a) Seven rockfish stocks, including canary and yelloweye rockfish,  
7 have been designated under federal law by the national marine fisheries  
8 services as overfished on the west coast.

9            (b) The department of fish and wildlife has classified certain  
10 rockfish species within Puget Sound as critically depressed. These  
11 common species of rockfish have undergone dramatic declines in Puget  
12 Sound and the coast during the past three decades.

13            (c) The Pacific fishery management council and the department of  
14 fish and wildlife have eliminated the directed commercial fisheries and  
15 greatly reduced the recreational fishing opportunity for these species.

16            (d) Due to the interactions of these depleted stocks with the  
17 healthier ones, commercial and recreational fisheries have been  
18 severely constrained in recent years in order to rebuild the  
19 populations of these overfished rockfish. For many of these stocks

1 there have been no recent stock assessments, or the current assessments  
2 are based on poor data. Improved survey information is essential for  
3 assessing abundance and to monitor progress toward rebuilding efforts  
4 on the coast and in Puget Sound.

5 (e) Department of fish and wildlife staff have been developing  
6 underwater robot technology or remote operated vehicles to  
7 scientifically estimate the abundance of rockfish populations in both  
8 the nearshore and in deep waters. These new assessment techniques,  
9 coupled with existing bottom trawl surveys, will be used to estimate  
10 current abundance and future recovery of rockfish populations along the  
11 coast of Washington and in Puget Sound.

12 (2) Therefore, the legislature intends to implement a targeted  
13 surcharge on commercial licenses issued by the department of fish and  
14 wildlife that provides for the retention or landing of ground fish, and  
15 a targeted surcharge on recreational saltwater fishing licenses. Funds  
16 derived from the surcharge will be used by the department of fish and  
17 wildlife solely for the purpose of conducting rockfish research and  
18 stock assessments.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW  
20 to read as follows:

21 (1) The department is directed to develop and implement a rockfish  
22 research and stock assessment program. Using funds from the rockfish  
23 research account created in subsection (2) of this section, the  
24 department must conduct Puget Sound basin and coastal surveys with new  
25 and existing technology to estimate the current abundance and future  
26 recovery of rockfish populations and other groundfish species. The  
27 stock assessment must include an evaluation of the potential for marine  
28 fish enhancement. Beginning December 2008, and every two years  
29 thereafter, the department shall report to the appropriate committees  
30 of the legislature on the status of the stock assessment program.

31 (2) The rockfish research account is created in the custody of the  
32 state treasurer. All receipts from surcharges assessed on commercial  
33 and recreational fishing licenses for the purposes of rockfish research  
34 must be deposited into the account. Expenditures from the account may  
35 be used only for rockfish research, including stock assessments. Only  
36 the director of the department or the director's designee may authorize

1 expenditures from the account. The account is subject to allotment  
 2 procedures under chapter 43.88 RCW, but an appropriation is not  
 3 required for expenditures.

4 **Sec. 3.** RCW 77.65.150 and 2006 c 186 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:

		Annual Fee		Governing Section
		(RCW 77.95.090 Surcharge)		
License or Permit	(Section 2 of this act Surcharge)			
	Resident	Nonresident		
(a) Nonsalmon charter	\$225 <u>(plus \$35 for section 2 of this act Surcharge)</u>	\$375 <u>(plus \$35 for section 2 of this act Surcharge)</u>		
(b) Salmon charter	\$380 (plus \$100) <u>(plus \$35 for section 2 of this act Surcharge)</u>	\$685 (plus \$100) <u>(plus \$35 for section 2 of this act Surcharge)</u>		RCW 77.70.050
(c) Salmon angler	\$ 0	\$ 0		RCW 77.70.060
(d) Salmon roe	\$ 95	\$ 95		RCW 77.65.350

23 (2) A salmon charter license designating a vessel is required to  
 24 operate a charter boat from which persons may, for a fee, fish for  
 25 salmon, other food fish, and shellfish. The director may issue a  
 26 salmon charter license only to a person who meets the qualifications of  
 27 RCW 77.70.050.

28 (3) A nonsalmon charter license designating a vessel is required to  
 29 operate a charter boat from which persons may, for a fee, fish for food  
 30 fish other than salmon, albacore tuna, and shellfish.

31 (4)(a) "Charter boat" means a vessel from which persons may, for a  
 32 fee, fish for food fish or shellfish for personal use in those state  
 33 waters set forth in (b) of this subsection. "Charter boat" also means  
 34 a vessel from which persons may, for a fee, fish for food fish or

1 shellfish for personal use in offshore waters or in the waters of other  
2 states. The director may specify by rule when a vessel is a "charter  
3 boat" within this definition.

4 (b) A person may not operate a vessel from which persons may, for  
5 a fee, fish for food fish or shellfish in Puget Sound, Grays Harbor,  
6 Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia  
7 river below the bridge at Longview unless the vessel is designated on  
8 a charter boat license.

9 (5) A charter boat licensed in Oregon may fish without a Washington  
10 charter license under the same rules as Washington charter boat  
11 operators in ocean waters within the jurisdiction of Washington state  
12 from the southern border of the state of Washington to Leadbetter  
13 Point, as long as the Oregon vessel does not take on or discharge  
14 passengers for any purpose from any Washington port, the Washington  
15 shore, or a dock, landing, or other point in Washington. The  
16 provisions of this subsection shall be in effect as long as the state  
17 of Oregon has reciprocal laws and regulations.

18 (6) A salmon charter license under subsection (1)(b) of this  
19 section may be renewed if the license holder notifies the department by  
20 May 1st of that year that he or she will not participate in the fishery  
21 during that calendar year. The license holder must pay the one  
22 hundred-dollar enhancement surcharge and a thirty-five dollar surcharge  
23 to be deposited in the rockfish research account created in section 2  
24 of this act, plus a fifteen-dollar handling charge, in order to be  
25 considered a valid renewal and eligible to renew the license the  
26 following year.

27 **Sec. 4.** RCW 77.65.210 and 2005 c 20 s 4 are each amended to read  
28 as follows:

29 (1) Except as provided in subsection (2) of this section, a person  
30 may not use a commercial fishing vessel to deliver food fish or  
31 shellfish taken for commercial purposes in offshore waters to a port in  
32 the state without a nonlimited entry delivery license. As used in this  
33 section, "deliver" and "delivery" mean arrival at a place or port, and  
34 include arrivals from offshore waters to waters within the state and  
35 arrivals ashore from offshore waters. As used in this section, "food  
36 fish" does not include salmon. As used in this section, "shellfish"  
37 does not include ocean pink shrimp, coastal crab, or fish or shellfish

1 taken under an emerging commercial fisheries license if taken from off-  
2 shore waters. The annual license fee for a nonlimited entry delivery  
3 license is one hundred ten dollars for residents and two hundred  
4 dollars for nonresidents, and an additional thirty-five dollar  
5 surcharge for both residents and nonresidents to be deposited in the  
6 rockfish research account created in section 2 of this act.

7 (2) Holders of salmon troll fishery licenses issued under RCW  
8 77.65.160, salmon delivery licenses issued under RCW 77.65.170, crab  
9 pot fishery licenses issued under RCW 77.65.220, food fish trawl--Non-  
10 Puget Sound fishery licenses, and emerging commercial fishery licenses  
11 issued under RCW 77.65.200, Dungeness crab--coastal fishery licenses,  
12 ocean pink shrimp delivery licenses, shrimp trawl--Non-Puget Sound  
13 fishery licenses, and emerging commercial fishery licenses issued under  
14 RCW 77.65.220 may deliver food fish or shellfish taken in offshore  
15 waters without a nonlimited entry delivery license.

16 (3) A nonlimited entry delivery license authorizes no taking of  
17 food fish or shellfish from state waters.

18 **Sec. 5.** RCW 77.32.470 and 2005 c 192 s 1 are each amended to read  
19 as follows:

20 (1) A personal use saltwater, freshwater, combination, temporary,  
21 or family fishing weekend license is required for all persons fifteen  
22 years of age or older to fish for or possess fish taken for personal  
23 use from state waters or offshore waters.

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

26 (a) A combination license allows the holder to fish for or possess  
27 fish, shellfish, and seaweed from state waters or offshore waters. The  
28 fee for this license is thirty-six dollars for residents, seventy-two  
29 dollars for nonresidents, and five dollars for youth. There is an  
30 additional fifty-cent surcharge for this license, to be deposited in  
31 the rockfish research account created section 2 of this act.

32 (b) A saltwater license allows the holder to fish for or possess  
33 fish taken from saltwater areas. The fee for this license is eighteen  
34 dollars for residents, thirty-six dollars for nonresidents, and five  
35 dollars for resident seniors. There is an additional fifty-cent  
36 surcharge for this license, to be deposited in the rockfish research  
37 account created section 2 of this act.

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

5 (3)(a) A temporary combination fishing license is valid for one to  
6 five consecutive days and allows the holder to fish for or possess  
7 fish, shellfish, and seaweed taken from state waters or offshore  
8 waters. The fee for this temporary fishing license is:

9 (i) One day - Seven dollars for residents and fourteen dollars for  
10 nonresidents;

11 (ii) Two days - Ten dollars for residents and twenty dollars for  
12 nonresidents;

13 (iii) Three days - Thirteen dollars for residents and twenty-six  
14 dollars for nonresidents;

15 (iv) Four days - Fifteen dollars for residents and thirty dollars  
16 for nonresidents; and

17 (v) Five days - Seventeen dollars for residents and thirty-four  
18 dollars for nonresidents.

19 (b) The fee for a charter stamp is seven dollars for a one-day  
20 temporary combination fishing license for residents and nonresidents  
21 for use on a charter boat as defined in RCW 77.65.150.

22 (c) A transaction fee to support the automated licensing system  
23 will be taken from the amounts set forth in this subsection for  
24 temporary licenses.

25 (d) Except for active duty military personnel serving in any branch  
26 of the United States armed forces, the temporary combination fishing  
27 license is not valid on game fish species for an eight-consecutive-day  
28 period beginning on the opening day of the lowland lake fishing season.

29 (e) There is an additional fifty-cent surcharge on the temporary  
30 combination fishing license and the associated charter stamp, to be  
31 deposited in the rockfish research account created in section 2 of this  
32 act.

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

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

5           NEW SECTION. **Sec. 6.** This act is necessary for the immediate  
6 preservation of the public peace, health, or safety, or support of the  
7 state government and its existing public institutions, and takes effect  
8 immediately.

Passed by the House April 17, 2007.

Passed by the Senate April 12, 2007.

Approved by the Governor May 11, 2007.

Filed in Office of Secretary of State May 11, 2007.