

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5385

Chapter 339, Laws of 2011

62nd Legislature
2011 Regular Session

STATE WILDLIFE ACCOUNT--REVENUE

EFFECTIVE DATE: 09/01/11 - Except section 5, which becomes effective 06/30/11.

Passed by the Senate April 20, 2011
YEAS 38 NAYS 8

BRAD OWEN

President of the Senate

Passed by the House April 21, 2011
YEAS 55 NAYS 42

FRANK CHOPP

Speaker of the House of Representatives

Approved May 12, 2011, 2:24 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5385** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 13, 2011

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5385

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By Senate Ways & Means (originally sponsored by Senators Regala, Ranker, Rockefeller, and Fraser; by request of Department of Fish and Wildlife)

READ FIRST TIME 04/15/11.

1 AN ACT Relating to increasing revenue to the state wildlife
2 account; amending RCW 77.08.045, 77.12.170, 77.12.177, 77.32.050,
3 77.32.240, 77.32.350, 77.32.370, 77.32.430, 77.32.450, 77.32.460,
4 77.32.470, 77.32.520, 77.32.580, 77.65.020, 77.65.090, 77.65.110,
5 77.65.150, 77.65.160, 77.65.170, 77.65.190, 77.65.200, 77.65.210,
6 77.65.220, 77.65.280, 77.65.340, 77.65.390, 77.65.440, 77.65.450,
7 77.65.480, 77.65.510, 77.70.080, 77.70.190, 77.70.220, 77.70.260,
8 77.70.490, and 77.115.040; reenacting and amending RCW 43.84.092;
9 repealing RCW 77.32.510; providing effective dates; providing an
10 expiration date; and declaring an emergency.

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

12 **Sec. 1.** RCW 43.84.092 and 2010 1st sp.s. c 30 s 20, 2010 1st sp.s.
13 c 9 s 7, 2010 c 248 s 6, 2010 c 222 s 5, 2010 c 162 s 6, and 2010 c 145
14 s 11 are each reenacted and amended to read as follows:

15 (1) All earnings of investments of surplus balances in the state
16 treasury shall be deposited to the treasury income account, which
17 account is hereby established in the state treasury.

18 (2) The treasury income account shall be utilized to pay or receive
19 funds associated with federal programs as required by the federal cash

1 management improvement act of 1990. The treasury income account is
2 subject in all respects to chapter 43.88 RCW, but no appropriation is
3 required for refunds or allocations of interest earnings required by
4 the cash management improvement act. Refunds of interest to the
5 federal treasury required under the cash management improvement act
6 fall under RCW 43.88.180 and shall not require appropriation. The
7 office of financial management shall determine the amounts due to or
8 from the federal government pursuant to the cash management improvement
9 act. The office of financial management may direct transfers of funds
10 between accounts as deemed necessary to implement the provisions of the
11 cash management improvement act, and this subsection. Refunds or
12 allocations shall occur prior to the distributions of earnings set
13 forth in subsection (4) of this section.

14 (3) Except for the provisions of RCW 43.84.160, the treasury income
15 account may be utilized for the payment of purchased banking services
16 on behalf of treasury funds including, but not limited to, depository,
17 safekeeping, and disbursement functions for the state treasury and
18 affected state agencies. The treasury income account is subject in all
19 respects to chapter 43.88 RCW, but no appropriation is required for
20 payments to financial institutions. Payments shall occur prior to
21 distribution of earnings set forth in subsection (4) of this section.

22 (4) Monthly, the state treasurer shall distribute the earnings
23 credited to the treasury income account. The state treasurer shall
24 credit the general fund with all the earnings credited to the treasury
25 income account except:

26 (a) The following accounts and funds shall receive their
27 proportionate share of earnings based upon each account's and fund's
28 average daily balance for the period: The aeronautics account, the
29 aircraft search and rescue account, the budget stabilization account,
30 the capitol building construction account, the Cedar River channel
31 construction and operation account, the Central Washington University
32 capital projects account, the charitable, educational, penal and
33 reformatory institutions account, the cleanup settlement account, the
34 Columbia river basin water supply development account, the common
35 school construction fund, the county arterial preservation account, the
36 county criminal justice assistance account, the county sales and use
37 tax equalization account, the deferred compensation administrative
38 account, the deferred compensation principal account, the department of

1 licensing services account, the department of retirement systems
2 expense account, the developmental disabilities community trust
3 account, the drinking water assistance account, the drinking water
4 assistance administrative account, the drinking water assistance
5 repayment account, the Eastern Washington University capital projects
6 account, the education construction fund, the education legacy trust
7 account, the election account, the energy freedom account, the energy
8 recovery act account, the essential rail assistance account, The
9 Evergreen State College capital projects account, the federal forest
10 revolving account, the ferry bond retirement fund, the freight
11 congestion relief account, the freight mobility investment account, the
12 freight mobility multimodal account, the grade crossing protective
13 fund, the public health services account, the health system capacity
14 account, the high capacity transportation account, the state higher
15 education construction account, the higher education construction
16 account, the highway bond retirement fund, the highway infrastructure
17 account, the highway safety account, the high occupancy toll lanes
18 operations account, the hospital safety net assessment fund, the
19 industrial insurance premium refund account, the judges' retirement
20 account, the judicial retirement administrative account, the judicial
21 retirement principal account, the local leasehold excise tax account,
22 the local real estate excise tax account, the local sales and use tax
23 account, the marine resources stewardship trust account, the medical
24 aid account, the mobile home park relocation fund, the motor vehicle
25 fund, the motorcycle safety education account, the multiagency
26 permitting team account, the multimodal transportation account, the
27 municipal criminal justice assistance account, the municipal sales and
28 use tax equalization account, the natural resources deposit account,
29 the oyster reserve land account, the pension funding stabilization
30 account, the perpetual surveillance and maintenance account, the public
31 employees' retirement system plan 1 account, the public employees'
32 retirement system combined plan 2 and plan 3 account, the public
33 facilities construction loan revolving account beginning July 1, 2004,
34 the public health supplemental account, the public transportation
35 systems account, the public works assistance account, the Puget Sound
36 capital construction account, the Puget Sound ferry operations account,
37 the Puyallup tribal settlement account, the real estate appraiser
38 commission account, the recreational vehicle account, the regional

1 mobility grant program account, the resource management cost account,
2 the rural arterial trust account, the rural Washington loan fund, the
3 site closure account, the small city pavement and sidewalk account, the
4 special category C account, the special wildlife account, the state
5 employees' insurance account, the state employees' insurance reserve
6 account, the state investment board expense account, the state
7 investment board commingled trust fund accounts, the state patrol
8 highway account, the state route number 520 civil penalties account,
9 the state route number 520 corridor account, the state wildlife
10 account, the supplemental pension account, the Tacoma Narrows toll
11 bridge account, the teachers' retirement system plan 1 account, the
12 teachers' retirement system combined plan 2 and plan 3 account, the
13 tobacco prevention and control account, the tobacco settlement account,
14 the transportation 2003 account (nickel account), the transportation
15 equipment fund, the transportation fund, the transportation improvement
16 account, the transportation improvement board bond retirement account,
17 the transportation infrastructure account, the transportation
18 partnership account, the traumatic brain injury account, the tuition
19 recovery trust fund, the University of Washington bond retirement fund,
20 the University of Washington building account, the urban arterial trust
21 account, the volunteer firefighters' and reserve officers' relief and
22 pension principal fund, the volunteer firefighters' and reserve
23 officers' administrative fund, the Washington judicial retirement
24 system account, the Washington law enforcement officers' and
25 firefighters' system plan 1 retirement account, the Washington law
26 enforcement officers' and firefighters' system plan 2 retirement
27 account, the Washington public safety employees' plan 2 retirement
28 account, the Washington school employees' retirement system combined
29 plan 2 and 3 account, the Washington state health insurance pool
30 account, the Washington state patrol retirement account, the Washington
31 State University building account, the Washington State University bond
32 retirement fund, the water pollution control revolving fund, and the
33 Western Washington University capital projects account. Earnings
34 derived from investing balances of the agricultural permanent fund, the
35 normal school permanent fund, the permanent common school fund, the
36 scientific permanent fund, and the state university permanent fund
37 shall be allocated to their respective beneficiary accounts.

1 (b) Any state agency that has independent authority over accounts
2 or funds not statutorily required to be held in the state treasury that
3 deposits funds into a fund or account in the state treasury pursuant to
4 an agreement with the office of the state treasurer shall receive its
5 proportionate share of earnings based upon each account's or fund's
6 average daily balance for the period.

7 (5) In conformance with Article II, section 37 of the state
8 Constitution, no treasury accounts or funds shall be allocated earnings
9 without the specific affirmative directive of this section.

10 **Sec. 2.** RCW 77.08.045 and 1998 c 191 s 31 are each amended to read
11 as follows:

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

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

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

17 (3) "Migratory bird (~~stamp~~) permit" means the (~~stamp~~) permit
18 that is required by RCW 77.32.350 to be in the possession of all
19 persons to hunt migratory birds;

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

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

29 **Sec. 3.** RCW 77.12.170 and 2009 c 333 s 13 are each amended to read
30 as follows:

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

33 (a) Rentals or concessions of the department;

34 (b) The sale of real or personal property held for department
35 purposes, unless the property is seized or recovered through a fish,
36 shellfish, or wildlife enforcement action;

1 (c) The assessment of administrative penalties(~~(, and)~~);
2 (d) The sale of licenses, permits, tags, and stamps required by
3 chapter 77.32 RCW (~~and~~), RCW 77.65.490, (~~except—annual—resident~~
4 ~~adult saltwater and all annual razor clam and shellfish licenses, which~~
5 ~~shall be deposited into the state general fund~~) and application fees;
6 (~~(d)~~) (e) Fees for informational materials published by the
7 department;
8 (~~(e)~~) (f) Fees for personalized vehicle, Wild on Washington, and
9 Endangered Wildlife license plates and Washington's Wildlife license
10 plate collection as provided in chapter 46.16 RCW;
11 (~~(f)~~) (g) Articles or wildlife sold by the director under this
12 title;
13 (~~(g)~~) (h) Compensation for damage to department property or
14 wildlife losses or contributions, gifts, or grants received under RCW
15 77.12.320. However, this excludes fish and shellfish overages, and
16 court-ordered restitution or donations associated with any fish,
17 shellfish, or wildlife enforcement action, as such moneys must be
18 deposited pursuant to RCW 77.15.425;
19 (~~(h)~~) (i) Excise tax on anadromous game fish collected under
20 chapter 82.27 RCW;
21 (~~(i)~~) (j) The department's share of revenues from auctions and
22 raffles authorized by the commission; (~~and~~
23 ~~(j)~~) (k) The sale of watchable wildlife decals under RCW
24 77.32.560; and
25 (1) Donations received by the director under RCW 77.12.039.
26 (2) State and county officers receiving any moneys listed in
27 subsection (1) of this section shall deposit them in the state treasury
28 to be credited to the state wildlife account.

29 **Sec. 4.** RCW 77.12.177 and 2001 c 253 s 16 are each amended to read
30 as follows:

31 (1) Except as provided in this title, state and county officers
32 receiving the following moneys shall deposit them in the state general
33 fund:

34 (a) The sale of commercial licenses required under this title,
35 except for licenses issued under RCW 77.65.490; and

36 (b) Moneys received for damages to food fish or shellfish.

1 (2) The director shall make weekly remittances to the state
2 treasurer of moneys collected by the department.

3 (3) All fines and forfeitures collected or assessed by a district
4 court for a violation of this title or rule of the department shall be
5 remitted as provided in chapter 3.62 RCW.

6 (4) Proceeds from the sale of food fish or shellfish taken in test
7 fishing conducted by the department, to the extent that these proceeds
8 exceed the estimates in the budget approved by the legislature, may be
9 allocated as unanticipated receipts under RCW 43.79.270 to reimburse
10 the department for unanticipated costs for test fishing operations in
11 excess of the allowance in the budget approved by the legislature.

12 (5) Proceeds from the sale of salmon carcasses and salmon eggs from
13 state general funded hatcheries by the department of general
14 administration shall be deposited in the regional fisheries enhancement
15 group account established in RCW 77.95.090.

16 (6) ~~((Moneys received by the commission under RCW 77.12.039, to the
17 extent these moneys exceed estimates in the budget approved by the
18 legislature, may be allocated as unanticipated receipts under RCW
19 43.79.270. Allocations under this subsection shall be made only for
20 the specific purpose for which the moneys were received, unless the
21 moneys were received in settlement of a claim for damages to food fish
22 or shellfish, in which case the moneys may be expended for the
23 conservation of these resources.~~

24 ~~(7))~~ Proceeds from the sale of herring spawn on kelp fishery
25 licenses by the department, to the extent those proceeds exceed
26 estimates in the budget approved by the legislature, may be allocated
27 as unanticipated receipts under RCW 43.79.270. Allocations under this
28 subsection shall be made only for herring management, enhancement, and
29 enforcement.

30 **Sec. 5.** RCW 77.32.050 and 2009 c 333 s 71 are each amended to read
31 as follows:

32 (1) All recreational and commercial licenses, permits, tags,
33 ~~((and)) stamps ((required by this title and raffle tickets authorized
34 under chapter 77.12 RCW)), and raffle tickets shall be issued under the
35 authority of the commission. The commission shall adopt rules for the
36 issuance of ~~((recreational))~~ licenses, permits, tags, stamps, and
37 raffle tickets, and for the collection, payment, and handling of~~

1 license fees, including terms and conditions to govern dealers, and
2 ~~((dealers+))~~ dealer fees. A transaction fee on commercial and
3 recreational documents issued through an automated licensing system may
4 be set by the commission and collected from licensees. The department
5 may authorize all or part of such fee to be paid directly to a
6 contractor providing automated licensing system services. ~~((Fees~~
7 ~~retained by dealers shall be uniform throughout the state.))~~ The
8 department and dealers shall ~~((authorize dealers to))~~ collect and
9 retain dealer fees of at least two dollars for purchase of a standard
10 hunting or fishing recreational license document or commercial license
11 document, except that the commission may set a lower dealer fee for
12 issuance of tags or when a licensee buys a license that involves a
13 stamp or display card format rather than a standard department
14 licensing document form. Dealer fees must be uniform throughout the
15 state.

16 (2) ~~((For the 2009-2011 biennium))~~ Until September 1, 2011, the
17 department shall charge an additional transaction fee of ten percent on
18 all recreational licenses, permits, tags, stamps, or raffle tickets.
19 These transaction fees must be deposited into the state wildlife
20 account, created in RCW 77.12.170, for funding fishing and hunting
21 opportunities for recreational license holders.

22 (3) The application fee is waived for all commercial license
23 documents that are issued through the automated licensing system.

24 **Sec. 6.** RCW 77.32.240 and 1998 c 191 s 21 are each amended to read
25 as follows:

26 A scientific permit allows the holder to collect for research or
27 display food fish, game fish, shellfish, and wildlife, including avian
28 nests and eggs as required in RCW 77.32.010, under conditions
29 prescribed by the director. Before a permit is issued, the applicant
30 shall demonstrate to the director their qualifications and establish
31 the need for the permit. The director may require a bond of up to one
32 thousand dollars to ensure compliance with the permit. Permits are
33 valid for the time specified, unless sooner revoked.

34 Holders of permits may exchange specimens with the approval of the
35 director.

36 A permit holder who violates this section shall forfeit the permit

1 and bond and shall not receive a similar permit for one year. The fee
2 for a scientific permit is twelve dollars. The application fee is one
3 hundred five dollars.

4 **Sec. 7.** RCW 77.32.350 and 2009 c 333 s 72 are each amended to read
5 as follows:

6 In addition to a small game hunting license, a supplemental permit
7 (~~or stamp~~) is required to hunt for migratory birds.

8 ~~((1))~~ A migratory bird (~~validation~~) permit is required for all
9 persons sixteen years of age or older to hunt migratory birds. The fee
10 for the (~~validation~~) permit for hunters is (~~ten~~) fifteen dollars
11 for residents and nonresidents. (~~The fee for the stamp for collectors~~
12 ~~is ten dollars.~~

13 ~~(2) The migratory bird license must be validated at the time of~~
14 ~~signature of the licensee.))~~

15 **Sec. 8.** RCW 77.32.370 and 1998 c 191 s 26 are each amended to read
16 as follows:

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

19 (2) Persons may apply for special hunting season permits as
20 provided by rule of the commission.

21 (~~The application fee to enter the drawing for a special~~
22 ~~hunting permit is five dollars for residents, fifty dollars for~~
23 ~~nonresidents, and three dollars for youth.)) The application fee to
24 enter a drawing for a special hunting season permit or authorization
25 is:~~

26 (a) Six dollars for residents, or one hundred dollars for
27 nonresidents, for the permits in categories designated by the
28 commission for deer or elk, female big game, or for small game;

29 (b) Twelve dollars for residents, or one hundred dollars for
30 nonresidents, for the permits that the commission designates as
31 "quality" hunts that allow the harvest of buck deer, bull elk, or allow
32 the harvest of male big game species that are only available for
33 hunting by special permit;

34 (c) Twelve dollars for residents and nonresidents to apply for
35 special authorizations to hunt for migratory birds; and

1 (d) Three dollars for youth for any special hunt drawing or special
2 authorization.

3 **Sec. 9.** RCW 77.32.430 and 2010 c 193 s 11 are each amended to read
4 as follows:

5 (1) Catch record card information is necessary for proper
6 management of the state's food fish and game fish species and shellfish
7 resources. Catch record card administration shall be under rules
8 adopted by the commission. There is no charge for an initial catch
9 record card. Each subsequent or duplicate catch record card costs
10 ~~((ten))~~ eleven dollars.

11 (2) A license to take and possess Dungeness crab is only valid in
12 Puget Sound waters east of the Bonilla-Tatoosh line if the fisher has
13 in possession a valid catch record card officially endorsed for
14 Dungeness crab. The endorsement shall cost no more than ~~((three))~~
15 seven dollars ~~((seven dollars including any or all fees authorized under RCW~~
16 ~~77.32.050,))~~ and fifty cents when purchased for a personal use
17 saltwater, combination, or shellfish and seaweed license. The
18 endorsement shall cost no more than ~~((one dollar, including any or all~~
19 ~~fees authorized under RCW 77.32.050,))~~ three dollars when purchased for
20 a temporary combination fishing license authorized under RCW
21 77.32.470(3)(a).

22 (3) Catch record cards issued with affixed temporary short-term
23 charter stamp licenses are ~~((not))~~ neither subject to the ten-dollar
24 charge nor to the Dungeness crab endorsement fee provided for in this
25 section. Charter boat or guide operators issuing temporary short-term
26 charter stamp licenses shall affix the stamp to each catch record card
27 issued before fishing commences. Catch record cards issued with a
28 temporary short-term charter stamp are valid for one day.

29 (4) The department shall include provisions for recording marked
30 and unmarked salmon in catch record cards issued after March 31, 2004.

31 (5)(a) The funds received from the sale of catch record cards,
32 catch card penalty fees, and the Dungeness crab endorsement must be
33 deposited into the state wildlife account created in RCW 77.12.170.
34 ~~((The funds received from the Dungeness crab endorsement may be used~~
35 ~~only for the sampling, monitoring, and management of catch associated~~
36 ~~with the Dungeness crab recreational fisheries. Until June 30, 2011,~~
37 ~~funds received from the Dungeness crab endorsement may be used for the~~

1 ~~removal and disposal of derelict shellfish gear either directly by the~~
2 ~~department or under contract with a third party.))~~ One dollar of the
3 funds received from the sale of each Dungeness crab endorsement must be
4 used for the removal and disposal of derelict shellfish gear either
5 directly by the department or under contract with a third party. The
6 department is required to maintain a separate accounting of these funds
7 and provide an annual report to the commission and the legislature by
8 January 1st of every year. The remaining portion of the funds received
9 from the sale of each Dungeness crab endorsement must be used for
10 education, sampling, monitoring, and management of catch associated
11 with the Dungeness crab recreational fisheries.

12 (b) Moneys allocated under this section shall supplement and not
13 supplant other federal, state, and local funds used for Dungeness crab
14 recreational fisheries management.

15 **Sec. 10.** RCW 77.32.450 and 2005 c 140 s 1 are each amended to read
16 as follows:

17 (1) A big game hunting license is required to hunt for big game.
18 A big game license allows the holder to hunt for forest grouse,
19 unclassified wildlife, and the individual species identified within a
20 specific big game combination license package. Each big game license
21 includes one transport tag for each species purchased in that package.
22 A hunter may not purchase more than one license for each big game
23 species except as authorized by rule of the commission. The fees for
24 annual big game combination packages are as follows:

25 (a) Big game number 1: Deer, elk, bear, and cougar. The fee for
26 this license is ~~((sixty-six))~~ eighty-five dollars for residents, ~~((six~~
27 ~~hundred-sixty))~~ seven hundred eighty dollars for nonresidents, and
28 ~~((thirty-three))~~ forty dollars for youth.

29 (b) Big game number 2: Deer and elk. The fee for this license is
30 ~~((fifty-six))~~ seventy-five dollars for residents, ~~((five-hundred~~
31 ~~sixty))~~ six hundred seventy dollars for nonresidents, and ~~((twenty-~~
32 ~~eight))~~ thirty-five dollars for youth.

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

1 ~~(d) Big game number 4:~~) Deer (~~(or elk. At the time of purchase,~~
2 ~~the holder must identify either deer or elk)~~). The fee for this
3 license is (~~(thirty-six)~~) thirty-nine dollars for residents, three
4 hundred (~~(sixty)~~) ninety-three dollars for nonresidents, and eighteen
5 dollars for youth.

6 ~~((e))~~ (d) Big game number 4: Elk. The fee for this license is
7 forty-four dollars for residents, four hundred fifty dollars for
8 nonresidents, and eighteen dollars for youth.

9 (e) Big game number 5: Bear (~~(and cougar)~~). The fee for this
10 license is twenty dollars for residents, two hundred dollars for
11 nonresidents, and ten dollars for youth.

12 (f) Big game number 6: Cougar. The fee for this license is twenty
13 dollars for residents, two hundred dollars for nonresidents, and ten
14 dollars for youth.

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

17 (a) Elk: The fee is (~~(twenty)~~) sixty dollars for residents, (~~(two~~
18 ~~hundred)~~) three hundred fifty dollars for nonresidents, and (~~(ten)~~)
19 twenty dollars for youth.

20 (b) Deer: The fee is (~~(twenty)~~) sixty dollars for residents, two
21 hundred fifty dollars for nonresidents, and (~~(ten)~~) twenty dollars for
22 youth.

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

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

27 (3) In the event that the commission authorizes a special permit
28 hunt for goat, sheep, (~~(or)~~) moose, or other big game species not
29 specified the permit fees are (~~(as follows:~~

30 ~~(a) Mountain goat: The fee is one)~~) three hundred dollars for
31 residents, one thousand five hundred dollars for nonresidents, and
32 fifty dollars for youth.

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

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

37 (4) Multiple season big game permit: The commission may, by rule,
38 offer permits for hunters to hunt deer or elk during more than one

1 general season. Only one deer or elk may be harvested annually under
2 a multiple season big game permit. The fee is one hundred (~~(fifty)~~)
3 sixty-five dollars (~~(for residents and one thousand five hundred~~
4 ~~dollars for nonresidents)~~).

5 (5) Authorization to hunt the species set out under subsection
6 (3)(~~(a) through (c)~~) of this section (~~(or in multiple seasons as set~~
7 ~~out in subsection (4) of this section)~~) is by special permit issued
8 under RCW 77.32.370.

9 (~~(6) The commission may adopt rules to reduce the price of a~~
10 ~~license or eliminate the transportation tag requirements concerning~~
11 ~~bear or cougar when necessary to meet harvest objectives.)~~)

12 **Sec. 11.** RCW 77.32.460 and 2006 c 15 s 1 are each amended to read
13 as follows:

14 (1) A small game hunting license is required to hunt for all
15 classified wild animals and wild birds, except big game. A small game
16 license also allows the holder to hunt for unclassified wildlife.

17 (a) The fee for this license is thirty-five dollars for residents,
18 one hundred (~~(fifty)~~) sixty-five dollars for nonresidents, and fifteen
19 dollars for youth.

20 (b) The fee for this license if purchased (~~(in conjunction with)~~)
21 at the same time as a big game combination license package is
22 (~~(sixteen)~~) twenty dollars for residents, eighty-eight dollars for
23 nonresidents, and eight dollars for youth.

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

26 (2) In addition to a small game license, a turkey tag is required
27 to hunt for turkey.

28 (a) The fee for a primary turkey tag is fourteen dollars for
29 residents and forty dollars for nonresidents. A primary turkey tag
30 will, on request, be issued to the purchaser of a youth small game
31 license at no charge.

32 (b) The fee for each additional turkey tag is fourteen dollars for
33 residents, sixty dollars for nonresidents, and (~~(nine)~~) ten dollars for
34 youth.

35 (c) All moneys received from turkey tags must be deposited in the
36 state wildlife account. One-third of the moneys received from turkey
37 tags must be appropriated solely for the purposes of turkey management.

1 An additional one-third of the moneys received from turkey tags must be
2 appropriated solely for upland game bird management. Moneys received
3 from turkey tags may not supplant existing funds provided for these
4 purposes.

5 **Sec. 12.** RCW 77.32.470 and 2009 c 333 s 6 are each amended to read
6 as follows:

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

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

13 (a) A combination license allows the holder to fish for or possess
14 fish, shellfish, and seaweed from state waters or offshore waters. The
15 fee for this license is ((~~thirty-six~~)) forty-five dollars for
16 residents, ((~~seventy-two~~)) one hundred eight dollars for nonresidents,
17 and five dollars for youth. There is an additional fifty-cent
18 surcharge for this license, to be deposited in the rockfish research
19 account created in RCW 77.12.702.

20 (b) A saltwater license allows the holder to fish for or possess
21 fish taken from saltwater areas. The fee for this license is
22 ((~~eighteen~~)) twenty-five dollars for residents, ((~~thirty-six~~)) fifty-
23 two dollars for nonresidents, and five dollars for resident seniors.
24 There is an additional fifty-cent surcharge for this license, to be
25 deposited in the rockfish research account created in RCW 77.12.702.

26 (c) A freshwater license allows the holder to fish for, take, or
27 possess food fish or game fish species in all freshwater areas. The
28 fee for this license is twenty-five dollars for residents, ((~~forty~~))
29 seventy-five dollars for nonresidents, and five dollars for resident
30 seniors.

31 (3)(a) A temporary combination fishing license is valid for one to
32 ((~~five~~)) three consecutive days and allows the holder to fish for or
33 possess fish, shellfish, and seaweed taken from state waters or
34 offshore waters. The fee for this temporary fishing license is:

35 (i) One day - ((~~Seven~~)) Eight dollars for residents and
36 ((~~fourteen~~)) sixteen dollars for nonresidents;

1 (ii) Two days - (~~Ten~~) Twelve dollars for residents and twenty-
2 four dollars for nonresidents; and

3 (iii) Three days - (~~Thirteen~~) Fifteen dollars for residents and
4 (~~twenty-six~~) thirty dollars for nonresidents(;

5 ~~(iv) Four days - Fifteen dollars for residents and thirty dollars~~
6 ~~for nonresidents; and~~

7 ~~(v) Five days - Seventeen dollars for residents and thirty-four~~
8 ~~dollars for nonresidents)).~~

9 (b) The fee for a charter stamp is (~~seven~~) eight dollars for a
10 one-day temporary combination fishing license for residents and
11 nonresidents for use on a charter boat as defined in RCW 77.65.150.

12 (~~(c) (A transaction fee to support the automated licensing system~~
13 ~~will be taken from the amounts set forth in this subsection for~~
14 ~~temporary licenses.~~

15 ~~(d))~~ Except for active duty military personnel serving in any
16 branch of the United States armed forces, the temporary combination
17 fishing license is not valid on game fish species for an eight-
18 consecutive-day period beginning on the opening day of the lowland lake
19 fishing season as defined by rule of the commission.

20 (~~(e))~~ (d) The temporary combination fishing license fee for
21 active duty military personnel serving in any branch of the United
22 States armed forces is the resident rate as set forth in (a) of this
23 subsection. Active duty military personnel must provide a valid
24 military identification card at the time of purchase of the temporary
25 license to qualify for the resident rate.

26 (~~(f))~~ (e) There is an additional fifty-cent surcharge on the
27 temporary combination fishing license and the associated charter stamp,
28 to be deposited in the rockfish research account created in RCW
29 77.12.702.

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

36 (5) The commission may adopt rules to create and sell combination
37 licenses for all hunting and fishing activities at or below a fee equal

1 to the total cost of the individual license contained within any
2 combination.

3 (6) The commission may adopt rules to allow the use of two fishing
4 poles per fishing license holder for use on selected state waters. If
5 authorized by the commission, license holders must purchase a two-pole
6 stamp to use a second pole. The proceeds from the sale of the two-pole
7 stamp must be deposited into the state wildlife account created in RCW
8 77.12.170 and used for the operation and maintenance of state-owned
9 fish hatcheries. The fee for a two-pole stamp is (~~(twenty)~~) thirteen
10 dollars for residents and nonresidents, and five dollars for
11 (~~(resident)~~) seniors.

12 **Sec. 13.** RCW 77.32.520 and 2007 c 336 s 1 are each amended to read
13 as follows:

14 (1) A personal use shellfish and seaweed license is required for
15 all persons other than residents or nonresidents under fifteen years of
16 age to fish for, take, dig for, or possess seaweed or shellfish,
17 including razor clams, for personal use from state waters or offshore
18 waters including national park beaches.

19 (2) A razor clam license allows a person to harvest only razor
20 clams for personal use from state waters, including national park
21 beaches.

22 (3) The fees for annual personal use shellfish and seaweed licenses
23 are:

24 (a) For a resident fifteen years of age or older, (~~(seven)~~) ten
25 dollars;

26 (b) For a nonresident fifteen years of age or older, twenty-seven
27 dollars; and

28 (c) For a senior, five dollars.

29 (4) The fee for an annual razor clam license is (~~(five)~~) eight
30 dollars (~~(and fifty cents)~~) for residents (~~(and eleven)~~), fifteen
31 dollars for nonresidents, and eight dollars for seniors.

32 (5) The fee for a three-day razor clam license is (~~(three)~~) five
33 dollars (~~(and fifty cents)~~) for both residents and nonresidents.

34 (6) A personal use shellfish and seaweed license or razor clam
35 license must be in immediate possession of the licensee and available
36 for inspection while a licensee is harvesting shellfish or seaweed.
37 However, the license does not need to be visible at all times.

1 **Sec. 14.** RCW 77.32.580 and 2009 c 420 s 3 are each amended to read
2 as follows:

3 (1) In addition to a recreational license required under this
4 chapter, a Columbia river salmon and steelhead stamp or endorsement is
5 required in order for any person fifteen years of age or older to fish
6 recreationally for salmon or steelhead in the Columbia river and its
7 tributaries where these fisheries have been authorized by the
8 department. The cost for each stamp or endorsement is seven dollars
9 and fifty cents for residents and nonresidents and six dollars for
10 youth and seniors. The department shall deposit all receipts from
11 stamp or endorsement purchases into the Columbia river recreational
12 salmon and steelhead pilot stamp program account created in RCW
13 77.12.714.

14 (2) For the purposes of this section and RCW 77.12.712 and
15 77.12.714 through 77.12.718, the term "Columbia river" means the
16 Columbia river from a line across the Columbia river between Rocky
17 Point in Washington and Tongue Point in Oregon to the Chief Joseph dam.

18 **Sec. 15.** RCW 77.65.020 and 2000 c 107 s 28 are each amended to
19 read as follows:

20 (1) Unless otherwise provided in this title, a license issued under
21 this chapter is not transferable from the license holder to any other
22 person.

23 (2) The following restrictions apply to transfers of commercial
24 fishery licenses, salmon delivery licenses, and salmon charter licenses
25 that are transferable between license holders:

26 (a) The license holder shall surrender the previously issued
27 license to the department.

28 (b) The department shall complete no more than one transfer of the
29 license in any seven-day period.

30 (c) The fee to transfer a license from one license holder to
31 another is:

32 (i) The same as the resident license renewal fee if the license is
33 not limited under chapter 77.70 RCW;

34 (ii) Three and one-half times the resident renewal fee if the
35 license is not a commercial salmon license and the license is limited
36 under chapter 77.70 RCW;

1 (iii) Fifty dollars if the license is a commercial salmon license
2 and is limited under chapter 77.70 RCW;

3 (iv) Five hundred dollars if the license is a Dungeness crab-
4 coastal fishery license; or

5 (v) If a license is transferred from a resident to a nonresident,
6 an additional fee is assessed that is equal to the difference between
7 the resident and nonresident license fees at the time of transfer, to
8 be paid by the transferee.

9 (d) In addition to the fees under (c) of this subsection, an
10 application fee of one hundred five dollars applies to all commercial
11 license transfers.

12 (3) A commercial license that is transferable under this title
13 survives the death of the holder. Though such licenses are not
14 personal property, they shall be treated as analogous to personal
15 property for purposes of inheritance and intestacy. Such licenses are
16 subject to state laws governing wills, trusts, estates, intestate
17 succession, and community property, except that such licenses are
18 exempt from claims of creditors of the estate and tax liens. The
19 surviving spouse, estate, or beneficiary of the estate may apply for a
20 renewal of the license. There is no fee for transfer of a license from
21 a license holder to the license holder's surviving spouse or estate, or
22 to a beneficiary of the estate.

23 **Sec. 16.** RCW 77.65.090 and 1994 c 260 s 11 are each amended to
24 read as follows:

25 This section applies to all commercial fishery licenses, delivery
26 licenses, and charter licenses, except for emergency salmon delivery
27 licenses.

28 (1) The holder of a license subject to this section may substitute
29 the vessel designated on the license or designate a vessel if none has
30 previously been designated if the license holder:

31 (a) Surrenders the previously issued license to the department;

32 (b) Submits to the department an application that identifies the
33 currently designated vessel, the vessel proposed to be designated, and
34 any other information required by the department; and

35 (c) Pays to the department a fee of thirty-five dollars and an
36 application fee of one hundred five dollars.

1 (2) Unless the license holder owns all vessels identified on the
2 application described in subsection (1)(b) of this section or unless
3 the vessel is designated on a Dungeness crab-coastal or a Dungeness
4 crab-coastal class B fishery license, the following restrictions apply
5 to changes in vessel designation:

6 (a) The department shall change the vessel designation on the
7 license no more than four times per calendar year.

8 (b) The department shall change the vessel designation on the
9 license no more than once in any seven-day period.

10 **Sec. 17.** RCW 77.65.110 and 2001 c 105 s 4 are each amended to read
11 as follows:

12 This section applies to all commercial fishery licenses, charter
13 boat (~~(license[s])~~) licenses, and delivery licenses.

14 (1) A person designated as an alternate operator must possess an
15 alternate operator license issued under RCW 77.65.130, and be
16 designated on the license prior to engaging in the activities
17 authorized by the license. The holder of the commercial fishery
18 license, charter boat license, or delivery license may designate up to
19 two alternate operators for the license, except:

20 (a) Whiting--Puget Sound fishery licensees may not designate
21 alternate operators;

22 (b) Emergency salmon delivery licensees may not designate alternate
23 operators;

24 (c) Shrimp pot--Puget Sound fishery licensees may designate no more
25 than one alternate operator at a time; and

26 (d) Shrimp trawl--Puget Sound fishery licensees may designate no
27 more than one alternate operator at a time.

28 (2) The fee to change the alternate operator designation is twenty-
29 two dollars in addition to the application fee of one hundred five
30 dollars.

31 **Sec. 18.** RCW 77.65.150 and 2007 c 442 s 3 are each amended to read
32 as follows:

33 (1) The director shall issue the charter licenses and angler
34 permits listed in this section according to the requirements of this
35 title. The licenses and permits and their annual license fees,
36 application fees, and surcharges are:

		Annual Fee			
		(RCW 77.95.090 Surcharge)			Governing
License or Permit		(RCW 77.12.702 Surcharge)		<u>Application Fee</u>	Section
		Resident	Nonresident		
5	(a) Nonsalmon charter	\$225	\$375	<u>\$ 70</u>	
6		(plus \$35 for RCW 77.12.702	(plus \$35 for RCW		
7		Surcharge)	77.12.702 Surcharge)		
8	(b) Salmon charter	\$380	\$685	<u>\$105</u>	RCW 77.70.050
9		(plus \$100)	(plus \$100)		
10		(plus \$35 for RCW 77.12.702	(plus \$35 for RCW		
11		Surcharge)	77.12.702 Surcharge)		
12	(c) Salmon angler	\$ 0	\$ 0	<u>\$ 0</u>	RCW 77.70.060
13	(d) Salmon roe	\$ 95	\$ 95	<u>\$ 70</u>	RCW 77.65.350

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

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

22 (4)(a) "Charter boat" means a vessel from which persons may, for a
23 fee, fish for food fish or shellfish for personal use in those state
24 waters set forth in (b) of this subsection. "Charter boat" also means
25 a vessel from which persons may, for a fee, fish for food fish or
26 shellfish for personal use in offshore waters or in the waters of other
27 states. The director may specify by rule when a vessel is a "charter
28 boat" within this definition.

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

34 (5) A charter boat licensed in Oregon may fish without a Washington
35 charter license under the same rules as Washington charter boat
36 operators in ocean waters within the jurisdiction of Washington state
37 from the southern border of the state of Washington to Leadbetter

1 Point, as long as the Oregon vessel does not take on or discharge
 2 passengers for any purpose from any Washington port, the Washington
 3 shore, or a dock, landing, or other point in Washington. The
 4 provisions of this subsection shall be in effect as long as the state
 5 of Oregon has reciprocal laws and regulations.

6 (6) A salmon charter license under subsection (1)(b) of this
 7 section may be renewed if the license holder notifies the department by
 8 May 1st of that year that he or she will not participate in the fishery
 9 during that calendar year. The license holder must pay the one hundred
 10 dollar enhancement surcharge (~~(and)~~) a thirty-five dollar surcharge to
 11 be deposited in the rockfish research account created in RCW 77.12.702,
 12 plus a (~~fifteen-dollar-handling-charge~~) one hundred five dollar
 13 application fee, in order to be considered a valid renewal and eligible
 14 to renew the license the following year.

15 **Sec. 19.** RCW 77.65.160 and 2001 c 244 s 1 are each amended to read
 16 as follows:

17 (1) The following commercial salmon fishery licenses are required
 18 for the license holder to use the specified gear to fish for salmon in
 19 state waters. Only a person who meets the qualifications of RCW
 20 77.70.090 may hold a license listed in this subsection. The licenses
 21 and their annual license fees, application fees, and surcharges under
 22 RCW 77.95.090 are:

23	Fishery	Resident	Nonresident	Surcharge	Application Fee
24	License	Fee	Fee		
25	(a) Salmon Gill Net--Grays Harbor-	\$380	\$685	plus \$100	<u>\$105</u>
26	Columbia river				
27	(b) Salmon Gill Net--Puget Sound	\$380	\$685	plus \$100	<u>\$105</u>
28	(c) Salmon Gill Net--Willapa Bay-	\$380	\$685	plus \$100	<u>\$105</u>
29	Columbia river				
30	(d) Salmon purse seine	\$530	\$985	plus \$100	<u>\$105</u>
31	(e) Salmon reef net	\$380	\$685	plus \$100	<u>\$105</u>
32	(f) Salmon troll	\$380	\$685	plus \$100	<u>\$105</u>

33 (2) A license issued under this section authorizes no taking or
 34 delivery of salmon or other food fish unless a vessel is designated
 35 under RCW 77.65.100.

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

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

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

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

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

22 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay and
23 tributary estuaries and easterly of a line projected northerly from
24 Leadbetter Point to the Cape Shoalwater tower and those waters of the
25 Columbia river and tributary sloughs described in (b) of this
26 subsection.

27 (6) A commercial salmon troll fishery license may be renewed under
28 this section if the license holder notifies the department by May 1st
29 of that year that he or she will not participate in the fishery during
30 that calendar year. A commercial salmon gill net, reef net, or seine
31 fishery license may be renewed under this section if the license holder
32 notifies the department before the third Monday in September of that
33 year that he or she will not participate in the fishery during that
34 calendar year. The license holder must pay the one hundred dollar
35 enhancement surcharge, plus a (~~fifteen-dollar handling charge~~) one
36 hundred five dollar application fee before the third Monday in
37 September, in order to be considered a valid renewal and eligible to
38 renew the license the following year.

1 (7) Notwithstanding the annual license fees and surcharges
2 established in subsection (1) of this section, a person who holds a
3 resident commercial salmon fishery license shall pay an annual license
4 fee of one hundred dollars plus the surcharge and application fee if
5 all of the following conditions are met:

6 (a) The license holder is at least seventy-five years of age;

7 (b) The license holder owns a fishing vessel and has fished with a
8 resident commercial salmon fishery license for at least thirty years;
9 and

10 (c) The commercial salmon fishery license is for a geographical
11 area other than the Puget Sound.

12 An alternate operator may not be designated for a license renewed
13 at the one hundred dollar annual fee under this subsection (7).

14 **Sec. 20.** RCW 77.65.170 and 2005 c 20 s 2 are each amended to read
15 as follows:

16 (1) A salmon delivery license is required for a commercial fishing
17 vessel to deliver salmon taken for commercial purposes in offshore
18 waters to a place or port in the state. As used in this section,
19 "deliver" and "delivery" mean arrival at a place or port, and include
20 arrivals from offshore waters to waters within the state and arrivals
21 ashore from offshore waters. The annual fee for a salmon delivery
22 license is three hundred eighty dollars for residents and six hundred
23 eighty-five dollars for nonresidents. The application fee for a salmon
24 delivery license is one hundred five dollars. The annual surcharge
25 under RCW 77.95.090 is one hundred dollars for each license. Holders
26 of nonlimited entry delivery licenses issued under RCW 77.65.210 may
27 apply the nonlimited entry delivery license fee against the salmon
28 delivery license fee.

29 (2) Only a person who meets the qualifications established in RCW
30 77.70.090 may hold a salmon delivery license issued under this section.

31 (3) A salmon delivery license authorizes no taking of salmon or
32 other food fish or shellfish from the waters of the state.

33 (4) If the director determines that the operation of a vessel under
34 a salmon delivery license results in the depletion or destruction of
35 the state's salmon resource or the delivery into this state of salmon
36 products prohibited by law, the director may revoke the license under
37 the procedures of chapter 34.05 RCW.

1 **Sec. 21.** RCW 77.65.190 and 2005 c 20 s 3 are each amended to read
2 as follows:

3 A person who does not qualify for a license under RCW 77.70.090
4 shall obtain a nontransferable emergency salmon delivery license to
5 make one delivery from a commercial fishing vessel of salmon taken for
6 commercial purposes in offshore waters. As used in this section,
7 "delivery" means arrival at a place or port, and include arrivals from
8 offshore waters to waters within the state and arrivals ashore from
9 offshore waters. The director shall not issue an emergency salmon
10 delivery license unless, as determined by the director, a bona fide
11 emergency exists. The license fee is two hundred twenty-five dollars
12 for residents and four hundred seventy-five dollars for nonresidents.
13 The application fee is one hundred five dollars. An applicant for an
14 emergency salmon delivery license shall designate no more than one
15 vessel that will be used with the license. Alternate operator licenses
16 are not required of persons delivering salmon under an emergency salmon
17 delivery license. Emergency salmon delivery licenses are not
18 renewable.

19 **Sec. 22.** RCW 77.65.200 and 2009 c 331 s 4 are each amended to read
20 as follows:

21 (1) This section establishes commercial fishery licenses required
22 for food fish fisheries and the annual fees for those licenses. As
23 used in this section, "food fish" does not include salmon. The
24 director may issue a limited-entry commercial fishery license only to
25 a person who meets the qualifications established in applicable
26 governing sections of this title.

27 Fishery 28 (Governing section(s))	29 Annual Fee		30 <u>Application Fee</u>	31 Vessel 32 Required?	33 Limited 34 Entry?
	35 Resident	36 Nonresident			
37 (a) Baitfish Lampara	\$185	\$295	<u>\$ 70</u>	Yes	No
38 (b) Baitfish purse seine	\$530	\$985	<u>\$ 70</u>	Yes	No
39 (c) Bottom fish jig	\$130	\$185	<u>\$ 70</u>	Yes	No
40 (d) Bottom fish pot	\$130	\$185	<u>\$ 70</u>	Yes	No
41 (e) Bottom fish troll	\$130	\$185	<u>\$ 70</u>	Yes	No
42 (f) Carp	\$130	\$185	<u>\$ 70</u>	No	No

1	(g) Columbia river smelt	\$380	\$685	<u>\$ 70</u>	No	No
2	(h) Dog fish set net	\$130	\$185	<u>\$ 70</u>	Yes	No
3	(i) Emerging commercial	\$185	\$295	<u>\$ 105</u>	Determined by rule	Determined by rule
4	fishery (RCW 77.70.160					
5	and 77.65.400)					
6	(j) Food fish drag seine	\$130	\$185	<u>\$ 70</u>	Yes	No
7	(k) Food fish set line	\$130	\$185	<u>\$ 70</u>	Yes	No
8	(l) Food fish trawl-	\$240	\$405	<u>\$ 70</u>	Yes	No
9	Non-Puget Sound					
10	(m) Food fish trawl-	\$185	\$295	<u>\$ 70</u>	Yes	No
11	Puget Sound					
12	(n) Herring dip bag net	\$175	\$275	<u>\$ 70</u>	Yes	Yes
13	(RCW 77.70.120)					
14	(o) Herring drag seine	\$175	\$275	<u>\$ 70</u>	Yes	Yes
15	(RCW 77.70.120)					
16	(p) Herring gill net	\$175	\$275	<u>\$ 105</u>	Yes	Yes
17	(RCW 77.70.120)					
18	(q) Herring Lampara	\$175	\$275	<u>\$ 70</u>	Yes	Yes
19	(RCW 77.70.120)					
20	(r) Herring purse seine	\$175	\$275	<u>\$105</u>	Yes	Yes
21	(RCW 77.70.120)					
22	(s) Herring spawn-on-kelp	N/A	N/A	<u>N/A</u>	Yes	Yes
23	(RCW 77.70.210)					
24	(t) Sardine purse seine (RCW	\$185	\$295	<u>\$ 105</u>	Yes	Yes
25	77.70.480)					
26	(u) Sardine purse seine	\$185	\$295	<u>\$ 105</u>	Yes	No
27	temporary (RCW					
28	77.70.480)					
29	(v) Smelt dip bag net	\$130	\$185	<u>\$ 70</u>	No	No
30	(w) Smelt gill net	\$380	\$685	<u>\$ 70</u>	Yes	No
31	(x) Whiting-Puget Sound	\$295	\$520	<u>\$ 105</u>	Yes	Yes
32	(RCW 77.70.130)					

33 (2) The director may by rule determine the species of food fish
34 that may be taken with the commercial fishery licenses established in
35 this section, the gear that may be used with the licenses, and the
36 areas or waters in which the licenses may be used. Where a fishery
37 license has been established for a particular species, gear,
38 geographical area, or combination thereof, a more general fishery
39 license may not be used to take food fish in that fishery.

40 **Sec. 23.** RCW 77.65.210 and 2007 c 442 s 4 are each amended to read
41 as follows:

1 (1) Except as provided in subsection (2) of this section, a person
2 may not use a commercial fishing vessel to deliver food fish or
3 shellfish taken for commercial purposes in offshore waters to a port in
4 the state without a nonlimited entry delivery license. As used in this
5 section, "deliver" and "delivery" mean arrival at a place or port, and
6 include arrivals from offshore waters to waters within the state and
7 arrivals ashore from offshore waters. As used in this section, "food
8 fish" does not include salmon. As used in this section, "shellfish"
9 does not include ocean pink shrimp, coastal crab, or fish or shellfish
10 taken under an emerging commercial fisheries license if taken from off-
11 shore waters. The annual license fee for a nonlimited entry delivery
12 license is one hundred ten dollars for residents and two hundred
13 dollars for nonresidents, and an additional thirty-five dollar
14 surcharge for both residents and nonresidents to be deposited in the
15 rockfish research account created in RCW 77.12.702. The application
16 fee for a nonlimited entry delivery license is one hundred five
17 dollars.

18 (2) Holders of salmon troll fishery licenses issued under RCW
19 77.65.160, salmon delivery licenses issued under RCW 77.65.170, crab
20 pot fishery licenses issued under RCW 77.65.220, food fish trawl--Non-
21 Puget Sound fishery licenses, and emerging commercial fishery licenses
22 issued under RCW 77.65.200, Dungeness crab--coastal fishery licenses,
23 ocean pink shrimp delivery licenses, shrimp trawl--Non-Puget Sound
24 fishery licenses, and emerging commercial fishery licenses issued under
25 RCW 77.65.220 may deliver food fish or shellfish taken in offshore
26 waters without a nonlimited entry delivery license.

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

29 **Sec. 24.** RCW 77.65.220 and 2000 c 107 s 43 are each amended to
30 read as follows:

31 (1) This section establishes commercial fishery licenses required
32 for shellfish fisheries and the annual fees for those licenses. The
33 director may issue a limited-entry commercial fishery license only to
34 a person who meets the qualifications established in applicable
35 governing sections of this title.

1	Fishery (Governing section(s))	Annual Fee		Application Fee	Vessel Required?	Limited Entry?
		Resident	Nonresident			
4	(a) Burrowing shrimp	\$185	\$295	<u>\$ 105</u>	Yes	No
5	(b) Crab ring net-	\$130	\$185	<u>\$ 70</u>	Yes	No
6	Non-Puget Sound					
7	(c) Crab ring net-	\$130	\$185	<u>\$ 70</u>	Yes	No
8	Puget Sound					
9	(d) Dungeness crab-coastal	\$295	\$520	<u>\$ 105</u>	Yes	Yes
10	(RCW 77.70.280)					
11	(e) Dungeness crab-	\$295	\$520	<u>\$ 105</u>	Yes	Yes
12	coastal, class B					
13	(RCW 77.70.280)					
14	(f) Dungeness crab-	\$130	\$185	<u>\$ 105</u>	Yes	Yes
15	Puget Sound					
16	(RCW 77.70.110)					
17	(g) Emerging commercial	\$185	\$295	<u>\$ 105</u>	Determined	Determined
18	fishery (RCW 77.70.160				by rule	by rule
19	and 77.65.400)					
20	(h) Geoduck (RCW	\$ 0	\$ 0	<u>\$70</u>	Yes	Yes
21	77.70.220)					
22	(i) Hardshell clam	\$530	\$985	<u>\$ 70</u>	Yes	No
23	mechanical					
24	harvester					
25	(RCW 77.65.250)					
26	(j) Oyster reserve	\$130	\$185	<u>\$ 70</u>	No	No
27	(RCW 77.65.260)					
28	(k) Razor clam	\$130	\$185	<u>\$ 105</u>	No	No
29	(l) Sea cucumber dive	\$130	\$185	<u>\$ 105</u>	Yes	Yes
30	(RCW 77.70.190)					
31	(m) Sea urchin dive	\$130	\$185	<u>\$105</u>	Yes	Yes
32	(RCW 77.70.150)					
33	(n) Shellfish dive	\$130	\$185	<u>\$ 70</u>	Yes	No
34	(o) Shellfish pot	\$130	\$185	<u>\$ 70</u>	Yes	No
35	(p) Shrimp pot-	\$185	\$295	<u>\$ 105</u>	Yes	Yes
36	Puget Sound					
37	(RCW 77.70.410)					
38	(q) Shrimp trawl-	\$240	\$405	<u>\$ 105</u>	Yes	No
39	Non-Puget Sound					
40	(r) Shrimp trawl-	\$185	\$295	<u>\$105</u>	Yes	Yes
41	Puget Sound					
42	(RCW 77.70.420)					

2 (2) The director may by rule determine the species of shellfish
3 that may be taken with the commercial fishery licenses established in
4 this section, the gear that may be used with the licenses, and the
5 areas or waters in which the licenses may be used. Where a fishery
6 license has been established for a particular species, gear,
7 geographical area, or combination thereof, a more general fishery
8 license may not be used to take shellfish in that fishery.

9 **Sec. 25.** RCW 77.65.280 and 2002 c 301 s 5 are each amended to read
10 as follows:

11 A wholesale fish dealer's license is required for:

12 (1) A business in the state to engage in the commercial processing
13 of food fish or shellfish, including custom canning or processing of
14 personal use food fish or shellfish.

15 (2) A business in the state to engage in the wholesale selling,
16 buying, or brokering of food fish or shellfish. A wholesale fish
17 dealer's license is not required of those businesses which buy
18 exclusively from Washington licensed wholesale dealers and sell solely
19 at retail.

20 (3) Fishermen who land and sell their catch or harvest in the state
21 to anyone other than a licensed wholesale dealer within or outside the
22 state, unless the fisher has a direct retail endorsement.

23 (4) A business to engage in the commercial manufacture or
24 preparation of fertilizer, oil, meal, caviar, fish bait, or other by-
25 products from food fish or shellfish.

26 (5) A business employing a fish buyer as defined under RCW
27 77.65.340.

28 The annual license fee for a wholesale dealer is two hundred fifty
29 dollars. The application fee is one hundred five dollars. A wholesale
30 fish dealer's license is not required for persons engaged in the
31 processing, wholesale selling, buying, or brokering of private sector
32 cultured aquatic products as defined in RCW 15.85.020. However, if a
33 means of identifying such products is required by rules adopted under
34 RCW 15.85.060, the exemption from licensing requirements established by
35 this subsection applies only if the aquatic products are identified in
36 conformance with those rules.

1 **Sec. 26.** RCW 77.65.340 and 2000 c 107 s 50 are each amended to
2 read as follows:

3 (1) A fish buyer's license is required of and shall be carried by
4 each individual engaged by a wholesale fish dealer to purchase food
5 fish or shellfish from a licensed commercial fisherman. A fish buyer
6 may represent only one wholesale fish dealer.

7 (2) The annual fee for a fish buyer's license is ninety-five
8 dollars. The application fee is one hundred five dollars.

9 **Sec. 27.** RCW 77.65.390 and 2005 c 20 s 5 are each amended to read
10 as follows:

11 An ocean pink shrimp delivery license is required for a commercial
12 fishing vessel to deliver ocean pink shrimp taken for commercial
13 purposes in offshore waters and delivered to a port in the state. As
14 used in this section, "deliver" and "delivery" mean arrival at a place
15 or port, and include arrivals from offshore waters to waters within the
16 state and arrivals from state or offshore waters. The annual license
17 fee is one hundred fifty dollars for residents and three hundred
18 dollars for nonresidents. The application fee is one hundred five
19 dollars. Ocean pink shrimp delivery licenses are transferable.

20 **Sec. 28.** RCW 77.65.440 and 2009 c 333 s 9 are each amended to read
21 as follows:

22 The director shall issue the personal licenses listed in this
23 section according to the requirements of this title. The licenses and
24 their annual fees are:

Personal License	Annual Fee		<u>Application Fee</u>	Governing Section
	(RCW 77.95. Surcharge)			
	Resident	Nonresident		
(1) Alternate Operator	\$ 35	\$ 35	<u>\$ 70</u>	RCW 77.65.130
(2) Geoduck Diver	\$185	\$295	<u>\$ 70</u>	RCW 77.65.410
(3) Food Fish Guide	\$130	\$630	<u>\$ 70</u>	RCW 77.65.370
	(plus \$20)	(plus \$100)		

32 **Sec. 29.** RCW 77.65.450 and 1991 sp.s. c 7 s 3 are each amended to
33 read as follows:

34 A state trapping license allows the holder to trap fur-bearing
35 animals throughout the state((+)). However, a trapper may not place

1 traps on private property without permission of the owner, lessee, or
2 tenant where the land is improved and apparently used, or where the
3 land is fenced or enclosed in a manner designed to exclude intruders or
4 to indicate a property boundary line, or where notice is given by
5 posting in a conspicuous manner. A state trapping license is void on
6 April 1st following the date of issuance. The fee for this license is
7 thirty-six dollars for residents sixteen years of age or older, fifteen
8 dollars for residents under sixteen years of age, and one hundred
9 eighty dollars for nonresidents. The application fee is one hundred
10 five dollars.

11 **Sec. 30.** RCW 77.65.480 and 2009 c 333 s 11 are each amended to
12 read as follows:

13 (1) A taxidermy license allows the holder to practice taxidermy for
14 commercial purposes, as that term is defined in RCW 77.15.110. The fee
15 for this license is one hundred eighty dollars. The application fee is
16 seventy dollars.

17 (2) A fur dealer's license allows the holder to purchase, receive,
18 or resell raw furs for commercial purposes, as that term is defined in
19 RCW 77.15.110. The fee for this license is one hundred eighty dollars.
20 The application fee is seventy dollars.

21 (3) A game fish guide license allows the holder to offer or perform
22 the services of a game fish guide in the taking of game fish. The fee
23 for this license is one hundred eighty dollars for a resident and six
24 hundred dollars for a nonresident. The application fee is seventy
25 dollars.

26 (4) A game farm license allows the holder to operate a game farm to
27 acquire, breed, grow, keep, and sell wildlife under conditions
28 prescribed by the rules adopted pursuant to this title. The fee for
29 this license is seventy-two dollars for the first year and forty-eight
30 dollars for each following year. The application fee is seventy
31 dollars.

32 (5) A game fish stocking permit allows the holder to release game
33 fish into the waters of the state as prescribed by rule of the
34 commission. The fee for this permit is twenty-four dollars. The
35 application fee is seventy dollars.

36 (6) A fishing or field trial permit allows the holder to promote,
37 conduct, hold, or sponsor a fishing or field trial contest in

1 accordance with rules of the commission. The fee for a fishing contest
2 permit is twenty-four dollars. The fee for a field trial contest
3 permit is twenty-four dollars. The application fee is seventy dollars.

4 (7)(a) An anadromous game fish buyer's license allows the holder to
5 purchase or sell steelhead trout and other anadromous game fish
6 harvested by Indian fishers lawfully exercising fishing rights reserved
7 by federal statute, treaty, or executive order, under conditions
8 prescribed by rule of the director. The fee for this license is one
9 hundred eighty dollars. The application fee is one hundred five
10 dollars.

11 (b) An anadromous game fish buyer's license is not required for
12 those businesses that buy steelhead trout and other anadromous game
13 fish from Washington licensed game fish dealers and sell solely at
14 retail.

15 **Sec. 31.** RCW 77.65.510 and 2009 c 195 s 1 are each amended to read
16 as follows:

17 (1) The department must establish and administer a direct retail
18 endorsement to serve as a single license that permits a Washington
19 license holder or alternate operator to commercially harvest retail-
20 eligible species and to clean, dress, and sell his or her catch
21 directly to consumers at retail, including over the internet. The
22 direct retail endorsement must be issued as an optional addition to all
23 holders of: (a) A commercial fishing license for retail-eligible
24 species that the department offers under this chapter; and (b) an
25 alternate operator license who are designated as an alternate operator
26 on a commercial fishing license for retail eligible species.

27 (2) The direct retail endorsement must be offered at the time of
28 application for the qualifying commercial fishing license. Individuals
29 in possession of a qualifying commercial fishing license issued under
30 this chapter, and alternate operators designated on such a license, may
31 add a direct retail endorsement to their current license at any time.
32 Individuals who do not have a commercial fishing license for retail-
33 eligible species issued under this chapter, and who are not designated
34 as alternate operators on such a license, may not receive a direct
35 retail endorsement. The costs, conditions, responsibilities, and
36 privileges associated with the endorsed commercial fishing license is

1 not affected or altered in any way by the addition of a direct retail
2 endorsement. These costs include the base cost of the license and any
3 revenue and excise taxes.

4 (3) An individual need only add one direct retail endorsement to
5 his or her license portfolio. If a direct retail endorsement is
6 selected by an individual holding more than one commercial fishing
7 license issued under this chapter, a single direct retail endorsement
8 is considered to be added to all qualifying commercial fishing licenses
9 held by that individual, and is the only license required for the
10 individual to sell at retail any retail-eligible species permitted by
11 all of the underlying endorsed licenses. If a direct retail
12 endorsement is selected by an individual designated as an alternate
13 operator on more than one commercial license issued under this chapter,
14 a single direct retail endorsement is the only license required for the
15 individual to sell at retail any retail-eligible species permitted by
16 all of the underlying endorsed licenses on which the individual is
17 designated as an alternate operator. The direct retail endorsement
18 applies only to the Washington license holder or alternate operator
19 obtaining the endorsement.

20 (4) In addition to any fees charged for the endorsed licenses and
21 harvest documentation as required by this chapter or the rules of the
22 department, the department may set a reasonable annual fee not to
23 exceed the administrative costs to the department for a direct retail
24 endorsement. The application fee is one hundred five dollars.

25 (5) The holder of a direct retail endorsement is responsible for
26 documenting the commercial harvest of salmon and crab according to the
27 provisions of this chapter, the rules of the department for a wholesale
28 fish dealer, and the reporting requirements of the endorsed license.
29 Any retail-eligible species caught by the holder of a direct retail
30 endorsement must be documented on fish tickets.

31 (6) The direct retail endorsement must be displayed in a readily
32 visible manner by the seller wherever and whenever a sale to someone
33 other than a licensed wholesale dealer occurs. The commission may
34 require that the holder of a direct retail endorsement notify the
35 department up to eighteen hours before conducting an in-person sale of
36 retail-eligible species, except for in-person sales that have a
37 cumulative retail sales value of less than one hundred fifty dollars in
38 a twenty-four hour period that are sold directly from the vessel. For

1 sales occurring in a venue other than in person, such as over the
2 internet, through a catalog, or on the phone, the direct retail
3 endorsement number of the seller must be provided to the buyer both at
4 the time of sale and the time of delivery. All internet sales must be
5 conducted in accordance with federal laws and regulations.

6 (7) The direct retail endorsement is to be held by a natural person
7 and is not transferrable or assignable. If the endorsed license is
8 transferred, the direct retail endorsement immediately becomes void,
9 and the transferor is not eligible for a full or prorated reimbursement
10 of the annual fee paid for the direct retail endorsement. Upon
11 becoming void, the holder of a direct retail endorsement must surrender
12 the physical endorsement to the department.

13 (8) The holder of a direct retail endorsement must abide by the
14 provisions of Title 69 RCW as they apply to the processing and retail
15 sale of seafood. The department must distribute a pamphlet, provided
16 by the department of agriculture, with the direct retail endorsement
17 generally describing the labeling requirements set forth in chapter
18 69.04 RCW as they apply to seafood.

19 (9) The holder of a qualifying commercial fishing license issued
20 under this chapter, or an alternate operator designated on such a
21 license, must either possess a direct retail endorsement or a wholesale
22 dealer license provided for in RCW 77.65.280 in order to lawfully sell
23 their catch or harvest in the state to anyone other than a licensed
24 wholesale dealer.

25 (10) The direct retail endorsement entitles the holder to sell a
26 retail-eligible species only at a temporary food service establishment
27 as that term is defined in RCW 69.06.045, or directly to a restaurant
28 or other similar food service business.

29 **Sec. 32.** RCW 77.70.080 and 2000 c 107 s 62 are each amended to
30 read as follows:

31 (1) The total number of anglers authorized by the director shall
32 not exceed the total number authorized for 1980.

33 (2) Angler permits issued under RCW 77.70.060 are transferable.
34 All or a portion of the permit may be transferred to another salmon
35 charter license holder.

36 (3) The angler permit holder and proposed transferee shall notify
37 the department when transferring an angler permit, and the director

1 shall issue a new angler permit certificate. If the original permit
2 holder retains a portion of the permit, the director shall issue a new
3 angler permit certificate reflecting the decrease in angler capacity.

4 (4) The department shall collect a fee of ten dollars for each
5 certificate issued under subsection (3) of this section, plus an
6 application fee of one hundred five dollars.

7 **Sec. 33.** RCW 77.70.190 and 2010 c 193 s 15 are each amended to
8 read as follows:

9 (1) A sea cucumber dive fishery license is required to take sea
10 cucumbers for commercial purposes. A sea cucumber dive fishery license
11 authorizes the use of only one diver in the water at any time during
12 sea cucumber harvest operations. If the same vessel has been
13 designated on two sea cucumber dive fishery licenses, two divers may be
14 in the water. A natural person may not hold more than two sea cucumber
15 dive fishery licenses.

16 (2) Except as provided in subsection (6) of this section, the
17 director shall issue no new sea cucumber dive fishery licenses. For
18 licenses issued for the year 2000 and thereafter, the director shall
19 renew existing licenses only to a natural person who held the license
20 at the end of the previous year. If a sea cucumber dive fishery
21 license is not held by a natural person as of December 31, 1999, it is
22 not renewable. However, if the license is not held because of
23 revocation or suspension of licensing privileges, the director shall
24 renew the license in the name of a natural person at the end of the
25 revocation or suspension if the license holder applies for renewal of
26 the license before the end of the year in which the revocation or
27 suspension ends.

28 (3) Where a licensee failed to obtain the license during either of
29 the previous two years because of a license suspension by the director
30 or the court, the licensee may qualify for a license by establishing
31 that the person held such a license during the last year in which the
32 person was eligible.

33 (4) Surcharges as provided for in this section shall be collected
34 and deposited into the sea cucumber dive fishery account hereby created
35 in the custody of the state treasurer. The collections and deposits
36 must continue, as set forth in (a) and (b) of this subsection, through
37 license year 2013, or until the number of licenses is reduced to

1 twenty, whichever occurs first. Only the director or the director's
2 designee may authorize expenditures from the account. The sea cucumber
3 dive fishery account is subject to allotment procedures under chapter
4 43.88 RCW, but no appropriation is required for expenditures.
5 Expenditures from the account shall only be used to retire sea cucumber
6 licenses until the number of licenses is reduced to twenty, and
7 thereafter shall only be used for sea cucumber management and
8 enforcement. The director or the director's designee shall notify the
9 department of revenue within thirty days when the number of licenses is
10 reduced to twenty.

11 (a) A surcharge of one hundred dollars shall be charged with each
12 sea cucumber dive fishery license renewal for licenses issued in 2000
13 through 2013, or until the number of licenses is reduced to twenty,
14 whichever occurs first.

15 (b) For licenses issued for license years 2000 through 2013, or
16 until the number of licenses is reduced to twenty, whichever occurs
17 first, a surcharge shall be charged on the sea cucumber dive fishery
18 license for designating an alternate operator. The surcharge shall be
19 as follows: Five hundred dollars for the first year or each of the
20 first two consecutive years after 1999 that any alternate operator is
21 designated and two thousand five hundred dollars each year thereafter
22 that any alternate operator is designated.

23 (5) Sea cucumber dive fishery licenses are transferable. For
24 licenses issued for license years 2000 through 2013, or whenever the
25 number of licenses is reduced to twenty, whichever occurs first, there
26 is a surcharge to transfer a sea cucumber dive fishery license. The
27 surcharge is five hundred dollars for the first transfer of a license
28 valid for license year 2000 and two thousand five hundred dollars for
29 any subsequent transfer, occurring in the license years 2000 through
30 2013, or whenever the number of licenses is reduced to twenty,
31 whichever occurs first. The application fee to transfer a sea cucumber
32 dive fishery license is one hundred five dollars. Notwithstanding this
33 subsection, a one-time transfer exempt from surcharge applies for a
34 transfer from the natural person licensed on January 1, 2000, to that
35 person's spouse or child.

36 (6) If fewer than twenty persons are eligible for sea cucumber dive
37 fishery licenses, the director may accept applications for new
38 licenses. The additional licenses may not cause more than twenty

1 natural persons to be eligible for a sea cucumber dive fishery license.
2 New licenses issued under this section shall be distributed according
3 to rules of the department that recover the value of such licensed
4 privilege.

5 **Sec. 34.** RCW 77.70.220 and 2000 c 107 s 71 are each amended to
6 read as follows:

7 (1) A person shall not harvest geoduck clams commercially without
8 a geoduck fishery license. This section does not apply to the harvest
9 of private sector cultured aquatic products as defined in RCW
10 15.85.020. The application fee is seventy dollars.

11 (2) Only a person who has entered into a geoduck harvesting
12 agreement with the department of natural resources under RCW
13 (~~79.96.080~~) 79.135.210 may hold a geoduck fishery license.

14 (3) A geoduck fishery license authorizes no taking of geoducks
15 outside the boundaries of the public lands designated in the underlying
16 harvesting agreement, or beyond the harvest ceiling set in the
17 underlying harvesting agreement.

18 (4) A geoduck fishery license expires when the underlying geoduck
19 harvesting agreement terminates.

20 (5) The director shall determine the number of geoduck fishery
21 licenses that may be issued for each geoduck harvesting agreement, the
22 number of units of gear whose use the license authorizes, and the type
23 of gear that may be used, subject to RCW 77.60.070. In making those
24 determinations, the director shall seek to conserve the geoduck
25 resource and prevent damage to its habitat.

26 (6) The holder of a geoduck fishery license and the holder's agents
27 and representatives shall comply with all applicable commercial diving
28 safety regulations adopted by the federal occupational safety and
29 health administration established under the federal occupational safety
30 and health act of 1970 as such law exists on May 8, 1979, 84 Stat. 1590
31 et seq.; 29 U.S.C. Sec. 651 et seq. A violation of those regulations
32 is a violation of this subsection. For the purposes of this section,
33 persons who dive for geoducks are "employees" as defined by the federal
34 occupational safety and health act. A violation of this subsection is
35 grounds for suspension or revocation of a geoduck fishery license
36 following a hearing under the procedures of chapter 34.05 RCW. The
37 director shall not suspend or revoke a geoduck fishery license if the

1 violation has been corrected within ten days of the date the license
2 holder receives written notice of the violation. If there is a
3 substantial probability that a violation of the commercial diving
4 standards could result in death or serious physical harm to a person
5 engaged in harvesting geoduck clams, the director shall suspend the
6 license immediately until the violation has been corrected. If the
7 license holder is not the operator of the harvest vessel and has
8 contracted with another person for the harvesting of geoducks, the
9 director shall not suspend or revoke the license if the license holder
10 terminates its business relationship with that person until compliance
11 with this subsection is secured.

12 (7) A person using a vessel in the geoduck fishery is required to
13 apply for and obtain a vessel identification number from the
14 department. The application fee for the vessel identification number
15 is one hundred five dollars.

16 **Sec. 35.** RCW 77.70.260 and 2000 c 107 s 74 are each amended to
17 read as follows:

18 The owner of an ocean pink shrimp fishing vessel that does not
19 qualify for an ocean pink shrimp delivery license issued under RCW
20 77.65.390 shall obtain an ocean pink shrimp single delivery license in
21 order to make a landing into a state port of ocean pink shrimp taken in
22 offshore waters. The director shall not issue an ocean pink shrimp
23 single delivery license unless, as determined by the director, a bona
24 fide emergency exists. A maximum of six ocean pink shrimp single
25 delivery licenses may be issued annually to any vessel. The fee for an
26 ocean pink shrimp single delivery license is one hundred dollars. The
27 application fee is one hundred five dollars.

28 **Sec. 36.** RCW 77.70.490 and 2009 c 331 s 3 are each amended to read
29 as follows:

- 30 (1) A Washington Pacific sardine purse seine fishery license:
31 (a) May only be issued to a person that held a coastal pilchard
32 experimental fishery permit in 2008, except as otherwise provided in
33 this section;
34 (b) Must be renewed annually to remain active; and
35 (c) Subject to the restrictions of subsections (6) and (7) of this
36 section and RCW 77.65.040, is transferable.

1 (2) A Washington Pacific sardine purse seine fishery license may be
2 issued to any person that held a coastal pilchard experimental fishery
3 permit in 2005, 2006, or 2007 and is precluded from qualifying under
4 subsection (1) of this section because the vessel designated on the
5 permit sank prior to 2008.

6 (3) Beginning in 2010, after taking into consideration the status
7 of the Pacific sardine population, the impact of removal of sardines
8 and other forage fish to the marine ecosystem, including the effect on
9 endangered marine species, and the market for Pacific sardines in the
10 state, the director may issue:

11 (a) A Washington Pacific sardine purse seine fishery license to any
12 person provided that the issuance would not raise the number of
13 licenses beyond the number initially issued in 2009;

14 (b) A Washington Pacific sardine purse seine temporary annual
15 fishery permit to any person if the combined number of active
16 Washington Pacific sardine purse seine fishery licenses and annual
17 temporary permits already issued during the year is less than twenty-
18 five.

19 (4) The annual fee for a Washington Pacific sardine purse seine
20 fishery license is one hundred eighty-five dollars for residents and
21 two hundred ninety-five dollars for nonresidents. The application fee
22 is one hundred five dollars.

23 (5) The fee for a Washington Pacific sardine purse seine temporary
24 annual fishery permit is one hundred eighty-five dollars for residents
25 and two hundred ninety-five dollars for nonresidents. The application
26 fee is one hundred five dollars. A temporary annual fishery permit
27 expires at the end of the calendar year in which the permit is issued.

28 (6) Only a person who owns or operates the vessel designated on the
29 license or permit may hold a Washington Pacific sardine purse seine
30 fishery license or temporary annual fishery permit.

31 (7) A person may not own or hold an ownership interest in more than
32 two Washington Pacific sardine purse seine fishery licenses.

33 (8) The director shall adopt rules that require a person fishing
34 under a Washington Pacific sardine purse seine fishery license or a
35 temporary annual permit to minimize bycatch, and to the extent bycatch
36 cannot be avoided, to minimize the mortality of such bycatch.

1 **Sec. 37.** RCW 77.115.040 and 2007 c 216 s 6 are each amended to
2 read as follows:

3 (1) All aquatic farmers, as defined in RCW 15.85.020, shall
4 register with the department. The application fee is one hundred five
5 dollars. The director shall assign each aquatic farm a unique
6 registration number and develop and maintain in an electronic database
7 a registration list of all aquaculture farms. The department shall
8 establish procedures to annually update the aquatic farmer information
9 contained in the registration list. The department shall coordinate
10 with the department of health using shellfish growing area
11 certification data when updating the registration list.

12 (2) Registered aquaculture farms shall provide the department with
13 the following information:

14 (a) The name of the aquatic farmer;

15 (b) The address of the aquatic farmer;

16 (c) Contact information such as telephone, fax, web site, and e-
17 mail address, if available;

18 (d) The number and location of acres under cultivation, including
19 a map displaying the location of the cultivated acres;

20 (e) The name of the landowner of the property being cultivated or
21 otherwise used in the aquatic farming operation;

22 (f) The private sector cultured aquatic product being propagated,
23 farmed, or cultivated; and

24 (g) Statistical production data.

25 (3) The state veterinarian shall be provided with registration and
26 statistical data by the department.

27 NEW SECTION. **Sec. 38.** RCW 77.32.510 (Recreational license fees--
28 Disposition of appropriation) and 1998 c 191 s 43 are each repealed.

29 NEW SECTION. **Sec. 39.** Sections 1 through 4 and 6 through 38 of
30 this act take effect September 1, 2011.

31 NEW SECTION. **Sec. 40.** Section 14 of this act expires June 30,
32 2016.

33 NEW SECTION. **Sec. 41.** Section 5 of this act is necessary for the

1 immediate preservation of the public peace, health, or safety, or
2 support of the state government and its existing public institutions,
3 and takes effect June 30, 2011.

Passed by the Senate April 20, 2011.

Passed by the House April 21, 2011.

Approved by the Governor May 12, 2011.

Filed in Office of Secretary of State May 13, 2011.