
HOUSE BILL 1597

State of Washington

65th Legislature

2017 Regular Session

By Representatives Blake, Kretz, and Doglio; by request of Department of Fish and Wildlife

Read first time 01/25/17. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to increasing revenue to the state wildlife
2 account by increasing commercial fishing license fees and
3 streamlining wholesale fish dealing, buying, and selling
4 requirements; amending RCW 77.12.170, 77.12.177, 77.15.096,
5 77.15.110, 77.15.170, 77.15.500, 77.15.565, 77.15.568, 77.15.620,
6 77.15.630, 77.15.640, 77.65.010, 77.65.020, 77.65.090, 77.65.110,
7 77.65.120, 77.65.150, 77.65.160, 77.65.170, 77.65.190, 77.65.200,
8 77.65.240, 77.65.280, 77.65.310, 77.65.320, 77.65.330, 77.65.340,
9 77.65.350, 77.65.390, 77.65.440, 77.65.480, 77.65.490, 77.65.500,
10 77.65.510, 77.65.580, 77.65.590, 77.70.150, 77.70.190, 77.70.220,
11 77.70.280, 77.70.290, 77.70.300, 77.70.340, 77.70.430, 77.70.490,
12 82.27.020, 82.27.070, 69.07.100, and 36.71.090; reenacting and
13 amending RCW 77.08.010, 77.65.210, 77.65.220, and 77.65.370; adding a
14 new section to chapter 77.65 RCW; creating a new section; repealing
15 RCW 77.65.290, 77.65.300, 77.65.360, 77.65.515, 77.65.520, and
16 77.65.900; and providing an effective date.

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

18 **Sec. 1.** RCW 77.08.010 and 2016 c 2 s 2 (Initiative Measure No.
19 1401) are each reenacted and amended to read as follows:

1 The definitions in this section apply throughout this title or
2 rules adopted under this title unless the context clearly requires
3 otherwise.

4 ~~((1)) ("Anadromous game fish buyer" means a person who purchases
5 or sells steelhead trout and other anadromous game fish harvested by
6 Indian fishers lawfully exercising fishing rights reserved by federal
7 statute, treaty, or executive order, under conditions prescribed by
8 rule of the director.~~

9 ~~((2))~~ ((2)) "Angling gear" means a line attached to a rod and reel
10 capable of being held in hand while landing the fish or a handheld
11 line operated without rod or reel.

12 ~~((3))~~ ((3)) "Bag limit" means the maximum number of game animals,
13 game birds, or game fish which may be taken, caught, killed, or
14 possessed by a person, as specified by rule of the commission for a
15 particular period of time, or as to size, sex, or species.

16 ~~((4))~~ ((4)) "Building" means a private domicile, garage, barn, or
17 public or commercial building.

18 ~~((5))~~ ((5)) "Closed area" means a place where the hunting of some
19 or all species of wild animals or wild birds is prohibited.

20 ~~((6))~~ ((6)) "Closed season" means all times, manners of taking,
21 and places or waters other than those established by rule of the
22 commission as an open season. "Closed season" also means all hunting,
23 fishing, taking, or possession of game animals, game birds, game
24 fish, food fish, or shellfish that do not conform to the special
25 restrictions or physical descriptions established by rule of the
26 commission as an open season or that have not otherwise been deemed
27 legal to hunt, fish, take, harvest, or possess by rule of the
28 commission as an open season.

29 ~~((7))~~ ((7)) "Closed waters" means all or part of a lake, river,
30 stream, or other body of water, where fishing or harvesting is
31 prohibited.

32 ~~((8))~~ ((8)) "Commercial" means related to or connected with
33 buying, selling, or bartering.

34 ~~((9))~~ ((9)) "Commission" means the state fish and wildlife
35 commission.

36 ~~((10))~~ ((10)) "Concurrent waters of the Columbia river" means
37 those waters of the Columbia river that coincide with the Washington-
38 Oregon state boundary.

39 ~~((11))~~ ((11)) "Contraband" means any property that is unlawful to
40 produce or possess.

1 (~~(12)~~) (11) "Covered animal species" means any species of
2 elephant, rhinoceros, tiger, lion, leopard, cheetah, pangolin, marine
3 turtle, shark, or ray either: (a) Listed in appendix I or appendix II
4 of the convention on international trade in endangered species of
5 wild flora and fauna; or (b) listed as critically endangered,
6 endangered, or vulnerable on the international union for conservation
7 of nature and natural resources red list of threatened species.

8 (~~(13)~~) (12) "Covered animal species part or product" means any
9 item that contains, or is wholly or partially made from, any covered
10 animal species.

11 (~~(14)~~) (13) "Deleterious exotic wildlife" means species of the
12 animal kingdom not native to Washington and designated as dangerous
13 to the environment or wildlife of the state.

14 (~~(15)~~) (14) "Department" means the department of fish and
15 wildlife.

16 (~~(16)~~) (15) "Director" means the director of fish and wildlife.

17 (~~(17)~~) (16) "Distribute" or "distribution" means either a
18 change in possession for consideration or a change in legal
19 ownership.

20 (~~(18)~~) (17) "Endangered species" means wildlife designated by
21 the commission as seriously threatened with extinction.

22 (~~(19)~~) (18) "Ex officio fish and wildlife officer" means:

23 (a) A commissioned officer of a municipal, county, or state
24 agency having as its primary function the enforcement of criminal
25 laws in general, while the officer is acting in the respective
26 jurisdiction of that agency;

27 (b) An officer or special agent commissioned by one of the
28 following: The national marine fisheries service; the Washington
29 state parks and recreation commission; the United States fish and
30 wildlife service; the Washington state department of natural
31 resources; the United States forest service; or the United States
32 parks service, if the agent or officer is in the respective
33 jurisdiction of the primary commissioning agency and is acting under
34 a mutual law enforcement assistance agreement between the department
35 and the primary commissioning agency;

36 (c) A commissioned fish and wildlife peace officer from another
37 state who meets the training standards set by the Washington state
38 criminal justice training commission pursuant to RCW 10.93.090,
39 43.101.080, and 43.101.200, and who is acting under a mutual law

1 enforcement assistance agreement between the department and the
2 primary commissioning agency; or

3 (d) A Washington state tribal police officer who successfully
4 completes the requirements set forth under RCW 43.101.157, is
5 employed by a tribal nation that has complied with RCW 10.92.020(2)
6 (a) and (b), and is acting under a mutual law enforcement assistance
7 agreement between the department and the tribal government.

8 ~~((+20))~~ (19) "Fish" includes all species classified as game fish
9 or food fish by statute or rule, as well as all fin fish not
10 currently classified as food fish or game fish if such species exist
11 in state waters. The term "fish" includes all stages of development
12 and the bodily parts of fish species.

13 ~~((+21))~~ (20) "Fish and wildlife officer" means a person
14 appointed and commissioned by the director, with authority to enforce
15 this title and rules adopted pursuant to this title, and other
16 statutes as prescribed by the legislature. Fish and wildlife officer
17 includes a person commissioned before June 11, 1998, as a wildlife
18 agent or a fisheries patrol officer.

19 ~~((+22))~~ (21) "Fish broker" means a person ~~((whose business it is
20 to bring a seller of fish and shellfish and a purchaser of those fish
21 and shellfish together.~~

22 ~~(23) "Fish buyer" means:~~

23 ~~(a) A wholesale fish dealer or a retail seller who directly
24 receives fish or shellfish from a commercial fisher or receives fish
25 or shellfish in interstate or foreign commerce; or~~

26 ~~(b) A person engaged by a wholesale fish dealer who receives fish
27 or shellfish from a commercial fisher))~~ who facilitates the sale or
28 purchase of raw or frozen fish or shellfish on a fee or commission
29 basis, without assuming title to the fish or shellfish.

30 ~~((+24))~~ (22) "Fish dealer" means a person who engages in any
31 activity that triggers the need to obtain a fish dealer license under
32 RCW 77.65.280.

33 (23) "Fishery" means the taking of one or more particular species
34 of fish or shellfish with particular gear in a particular
35 geographical area.

36 ~~((+25))~~ (24) "Food, food waste, or other substance" includes
37 human and pet food or other waste or garbage that could attract large
38 wild carnivores.

1 ~~((+26+))~~ (25) "Freshwater" means all waters not defined as
2 saltwater including, but not limited to, rivers upstream of the river
3 mouth, lakes, ponds, and reservoirs.

4 ~~((+27+))~~ (26) "Fur-bearing animals" means game animals that shall
5 not be trapped except as authorized by the commission.

6 ~~((+28+))~~ (27) "Fur dealer" means a person who purchases,
7 receives, or resells raw furs for commercial purposes.

8 ~~((+29+))~~ (28) "Game animals" means wild animals that shall not be
9 hunted except as authorized by the commission.

10 ~~((+30+))~~ (29) "Game birds" means wild birds that shall not be
11 hunted except as authorized by the commission.

12 ~~((+31+))~~ (30) "Game farm" means property on which wildlife is
13 held, confined, propagated, hatched, fed, or otherwise raised for
14 commercial purposes, trade, or gift. The term "game farm" does not
15 include publicly owned facilities.

16 ~~((+32+))~~ (31) "Game reserve" means a closed area where hunting
17 for all wild animals and wild birds is prohibited.

18 ~~((+33+))~~ (32) "Illegal items" means those items unlawful to be
19 possessed.

20 ~~((+34+))~~ (33)(a) "Intentionally feed, attempt to feed, or
21 attract" means to purposefully or knowingly provide, leave, or place
22 in, on, or about any land or building any food, food waste, or other
23 substance that attracts or could attract large wild carnivores to
24 that land or building.

25 (b) "Intentionally feed, attempt to feed, or attract" does not
26 include keeping food, food waste, or other substance in an enclosed
27 garbage receptacle or other enclosed container unless specifically
28 directed by a fish and wildlife officer or animal control authority
29 to secure the receptacle or container in another manner.

30 ~~((+35+))~~ (34) "Large wild carnivore" includes wild bear, cougar,
31 and wolf.

32 ~~((+36+))~~ (35) "License year" means the period of time for which a
33 recreational license is valid. The license year begins April 1st, and
34 ends March 31st.

35 ~~((+37+))~~ (36) "Limited-entry license" means a license subject to
36 a license limitation program established in chapter 77.70 RCW.

37 (37) "Limited fish seller" means a licensed commercial fisher who
38 sells his or her fish or shellfish to anyone other than a wholesale
39 fish buyer thereby triggering the need to obtain a limited fish
40 seller endorsement under RCW 77.65.510.

1 (38) "Money" means all currency, script, personal checks, money
2 orders, or other negotiable instruments.

3 (39) "Natural person" means a human being.

4 (40)(a) "Negligently feed, attempt to feed, or attract" means to
5 provide, leave, or place in, on, or about any land or building any
6 food, food waste, or other substance that attracts or could attract
7 large wild carnivores to that land or building, without the awareness
8 that a reasonable person in the same situation would have with regard
9 to the likelihood that the food, food waste, or other substance could
10 attract large wild carnivores to the land or building.

11 (b) "Negligently feed, attempt to feed, or attract" does not
12 include keeping food, food waste, or other substance in an enclosed
13 garbage receptacle or other enclosed container unless specifically
14 directed by a fish and wildlife officer or animal control authority
15 to secure the receptacle or container in another manner.

16 (41) "Nonresident" means a person who has not fulfilled the
17 qualifications of a resident.

18 (42) "Offshore waters" means marine waters of the Pacific Ocean
19 outside the territorial boundaries of the state, including the marine
20 waters of other states and countries.

21 (43) "Open season" means those times, manners of taking, and
22 places or waters established by rule of the commission for the lawful
23 hunting, fishing, taking, or possession of game animals, game birds,
24 game fish, food fish, or shellfish that conform to the special
25 restrictions or physical descriptions established by rule of the
26 commission or that have otherwise been deemed legal to hunt, fish,
27 take, or possess by rule of the commission. "Open season" includes
28 the first and last days of the established time.

29 (44) "Owner" means the person in whom is vested the ownership
30 dominion, or title of the property.

31 (45) "Person" means and includes an individual; a corporation; a
32 public or private entity or organization; a local, state, or federal
33 agency; all business organizations, including corporations and
34 partnerships; or a group of two or more individuals acting with a
35 common purpose whether acting in an individual, representative, or
36 official capacity.

37 (46) "Personal property" or "property" includes both corporeal
38 and incorporeal personal property and includes, among other property,
39 contraband and money.

1 (47) "Personal use" means for the private use of the individual
2 taking the fish or shellfish and not for sale or barter.

3 (48) "Predatory birds" means wild birds that may be hunted
4 throughout the year as authorized by the commission.

5 (49) "Protected wildlife" means wildlife designated by the
6 commission that shall not be hunted or fished.

7 (50) "Raffle" means an activity in which tickets bearing an
8 individual number are sold for not more than twenty-five dollars each
9 and in which a permit or permits are awarded to hunt or for access to
10 hunt big game animals or wild turkeys on the basis of a drawing from
11 the tickets by the person or persons conducting the raffle.

12 (51) "Resident" has the same meaning as defined in RCW 77.08.075.

13 (~~(52) ("Retail-eligible species" means commercially harvested~~
14 ~~salmon, crab, and sturgeon.~~

15 ~~(53))~~ (53) "Saltwater" means those marine waters seaward of river
16 mouths.

17 (~~(54))~~ (54) "Seaweed" means marine aquatic plant species that
18 are dependent upon the marine aquatic or tidal environment, and exist
19 in either an attached or free floating form, and includes but is not
20 limited to marine aquatic plants in the classes Chlorophyta,
21 Phaeophyta, and Rhodophyta.

22 (~~(55))~~ (55) "Senior" means a person seventy years old or older.

23 (~~(56))~~ (56) "Shark fin" means a raw, dried, or otherwise
24 processed detached fin or tail of a shark.

25 (~~(57))~~ (57)(a) "Shark fin derivative product" means any product
26 intended for use by humans or animals that is derived in whole or in
27 part from shark fins or shark fin cartilage.

28 (b) "Shark fin derivative product" does not include a drug
29 approved by the United States food and drug administration and
30 available by prescription only or medical device or vaccine approved
31 by the United States food and drug administration.

32 (~~(58))~~ (58) "Shellfish" means those species of marine and
33 freshwater invertebrates that have been classified and that shall not
34 be taken or possessed except as authorized by rule of the
35 commission. The term "shellfish" includes all stages of development
36 and the bodily parts of shellfish species.

37 (~~(59))~~ (59) "State waters" means all marine waters and fresh
38 waters within ordinary high water lines and within the territorial
39 boundaries of the state.

1 ((+60)) (59) "Taxidermist" means a person who, for commercial
2 purposes, creates lifelike representations of fish and wildlife using
3 fish and wildlife parts and various supporting structures.

4 ((+61)) (60) "To fish" and its derivatives means an effort to
5 kill, injure, harass, harvest, or capture a fish or shellfish.

6 ((+62)) (61) "To hunt" and its derivatives means an effort to
7 kill, injure, harass, harvest, or capture a wild animal or wild bird.

8 ((+63)) (62) "To process" and its derivatives mean preparing or
9 preserving fish, wildlife, or shellfish.

10 ((+64)) (63) "To take" and its derivatives means to kill,
11 injure, harvest, or capture a fish, shellfish, wild animal, bird, or
12 seaweed.

13 ((+65)) (64) "To trap" and its derivatives means a method of
14 hunting using devices to capture wild animals or wild birds.

15 ((+66)) (65) "To waste" or "to be wasted" means to allow any
16 edible portion of any game bird, food fish, game fish, shellfish, or
17 big game animal other than cougar to be rendered unfit for human
18 consumption, or to fail to retrieve edible portions of such a game
19 bird, food fish, game fish, shellfish, or big game animal other than
20 cougar from the field. For purposes of this chapter, edible portions
21 of game birds must include, at a minimum, the breast meat of those
22 birds. Entrails, including the heart and liver, of any wildlife
23 species are not considered edible.

24 ((+67)) (66) "Trafficking" means offering, attempting to engage,
25 or engaging in sale, barter, or purchase of fish, shellfish,
26 wildlife, or deleterious exotic wildlife.

27 ((+68)) (67) "Unclaimed" means that no owner of the property has
28 been identified or has requested, in writing, the release of the
29 property to themselves nor has the owner of the property designated
30 an individual to receive the property or paid the required postage to
31 effect delivery of the property.

32 ((+69)) (68) "Unclassified wildlife" means wildlife existing in
33 Washington in a wild state that have not been classified as big game,
34 game animals, game birds, predatory birds, protected wildlife,
35 endangered wildlife, or deleterious exotic wildlife.

36 ((+70)) (69) "Wholesale fish (~~dealer~~) buyer" means a person
37 who(~~, acting for commercial purposes, takes possession or ownership~~
38 ~~of fish or shellfish and sells, barter, or exchanges or attempts to~~
39 ~~sell, barter, or exchange fish or shellfish that have been landed~~
40 ~~into the state of Washington or entered the state of Washington in~~

1 ~~interstate or foreign commerce~~) engages in any fish buying or
2 selling activity that triggers the need to obtain a wholesale fish
3 buyer endorsement under RCW 77.65.340.

4 ~~((71))~~ (70) "Wild animals" means those species of the class
5 Mammalia whose members exist in Washington in a wild state. The term
6 "wild animal" does not include feral domestic mammals or old world
7 rats and mice of the family Muridae of the order Rodentia.

8 ~~((72))~~ (71) "Wild birds" means those species of the class Aves
9 whose members exist in Washington in a wild state.

10 ~~((73))~~ (72) "Wildlife" means all species of the animal kingdom
11 whose members exist in Washington in a wild state. This includes but
12 is not limited to mammals, birds, reptiles, amphibians, fish, and
13 invertebrates. The term "wildlife" does not include feral domestic
14 mammals, old world rats and mice of the family Muridae of the order
15 Rodentia, or those fish, shellfish, and marine invertebrates
16 classified as food fish or shellfish by the director. The term
17 "wildlife" includes all stages of development and the bodily parts of
18 wildlife members.

19 ~~((74))~~ (73) "Wildlife meat cutter" means a person who packs,
20 cuts, processes, or stores wildlife for consumption for another for
21 commercial purposes.

22 ~~((75))~~ (74) "Youth" means a person fifteen years old for
23 fishing and under sixteen years old for hunting.

24 **Sec. 2.** RCW 77.12.170 and 2016 c 30 s 5 are each amended to read
25 as follows:

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

28 (a) Rentals or concessions of the department;

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

32 (c) The assessment of administrative penalties;

33 (d) The sale of licenses, permits, tags, and stamps required by
34 chapters 77.32, 77.65, and 77.70 RCW(~~(, RCW 77.65.490,~~) and
35 application fees;

36 (e) Fees for informational materials published by the department;

37 (f) Fees for personalized vehicle, Wild on Washington, and
38 Endangered Wildlife license plates, Washington's Wildlife license

1 plate collection, and Washington's fish license plate collection as
2 provided in chapter 46.17 RCW;

3 (g) Articles or wildlife sold by the director under this title;

4 (h) Compensation for damage to department property or wildlife
5 losses or contributions, gifts, or grants received under RCW
6 77.12.320. However, this excludes fish and shellfish overages, and
7 court-ordered restitution or donations associated with any fish,
8 shellfish, or wildlife enforcement action, as such moneys must be
9 deposited pursuant to RCW 77.15.425;

10 (i) Excise tax on (~~anadromous—game~~) enhanced food fish
11 collected under chapter 82.27 RCW;

12 (j) The department's share of revenues from auctions and raffles
13 authorized by the commission;

14 (k) The sale of watchable wildlife decals under RCW 77.32.560;

15 (l) Moneys received from the recreation access pass account
16 created in RCW 79A.80.090 must be dedicated to stewardship,
17 operations, and maintenance of department lands used for public
18 recreation purposes; and

19 (m) Donations received by the director under RCW 77.12.039.

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

23 **Sec. 3.** RCW 77.12.177 and 2015 c 225 s 114 are each amended to
24 read as follows:

25 (1) Except as provided in this title, state and county officers
26 receiving the following moneys shall deposit them in the state
27 (~~general fund~~) wildlife account:

28 (a) The sale of commercial licenses required under this title(~~(~~
29 ~~except for licenses issued under RCW 77.65.490))~~); and

30 (b) Moneys received for damages to (~~food~~) fish (~~or~~)
31 shellfish, or wildlife.

32 (~~(The director shall make weekly remittances to the state~~
33 ~~treasurer of moneys collected by the department.~~

34 (~~3~~)) All fines and forfeitures collected or assessed by a
35 district court for a violation of this title or rule of the
36 department shall be remitted as provided in chapter 3.62 RCW.

37 (~~(4~~)) (3) Proceeds from the sale of (~~food~~) fish or shellfish
38 taken in test fishing conducted by the department, to the extent that
39 these proceeds exceed the estimates in the budget approved by the

1 legislature, may be allocated as unanticipated receipts under RCW
2 43.79.270 to reimburse the department for unanticipated costs for
3 test fishing operations in excess of the allowance in the budget
4 approved by the legislature.

5 ~~((+5))~~ (4) Proceeds from the sale of salmon carcasses and salmon
6 eggs from state general funded hatcheries by the department shall be
7 deposited in the regional fisheries enhancement group account
8 established in RCW 77.95.090.

9 ~~((+6))~~ (5) Proceeds from the sale of herring spawn on kelp
10 fishery licenses by the department, to the extent those proceeds
11 exceed estimates in the budget approved by the legislature, may be
12 allocated as unanticipated receipts under RCW 43.79.270. Allocations
13 under this subsection shall be made only for herring management,
14 enhancement, and enforcement.

15 **Sec. 4.** RCW 77.15.096 and 2002 c 128 s 5 are each amended to
16 read as follows:

17 Fish and wildlife officers may inspect without warrant at
18 reasonable times and in a reasonable manner the premises, containers,
19 fishing equipment, fish, seaweed, shellfish, and wildlife, and
20 records required by the department of any commercial fisher or
21 ~~((wholesale dealer or))~~ fish ~~((buyer))~~ dealer. Fish and wildlife
22 officers may similarly inspect without warrant the premises,
23 containers, fishing equipment, fish, shellfish, and wildlife, and
24 records required by the department of any shipping agent or other
25 person placing or attempting to place fish, shellfish, or wildlife
26 into interstate commerce, any cold storage plant that the department
27 has probable cause to believe contains fish, shellfish, or wildlife,
28 or of any taxidermist or fur buyer. Fish and wildlife officers may
29 inspect without warrant the records required by the department of any
30 retail outlet selling fish, shellfish, or wildlife, and, if the
31 officers have probable cause to believe a violation of this title or
32 rules of the commission has occurred, they may inspect without
33 warrant the premises, containers, and fish, shellfish, and wildlife
34 of any retail outlet selling fish, shellfish, or wildlife. Authority
35 granted under this section does not extend to quarters in a boat,
36 building, or other property used exclusively as a private domicile,
37 does not extend to transitory residences in which a person has a
38 reasonable expectation of privacy, and does not allow search and
39 seizure without a warrant if the thing or place is protected from

1 search without warrant within the meaning of Article I, section 7 of
2 the state Constitution.

3 **Sec. 5.** RCW 77.15.110 and 2012 c 176 s 13 are each amended to
4 read as follows:

5 (1) For purposes of this chapter, a person acts for commercial
6 purposes if the person engages in conduct that relates to commerce in
7 fish, seaweed, shellfish, or wildlife or any parts thereof.
8 Commercial conduct may include taking, delivering, selling, buying,
9 brokering, or trading fish, seaweed, shellfish, or wildlife where
10 there is present or future exchange of money, goods, or any valuable
11 consideration. Evidence that a person acts for commercial purposes
12 includes, but is not limited to, the following conduct:

- 13 (a) Using gear typical of that used in commercial fisheries;
- 14 (b) Exceeding the bag or possession limits for personal use by
15 taking or possessing more than three times the amount of fish,
16 seaweed, shellfish, or wildlife allowed;
- 17 (c) Delivering or attempting to deliver fish, seaweed, shellfish,
18 or wildlife to a person who sells or resells ((~~fish, seaweed,~~
19 ~~shellfish, or wildlife including any licensed or unlicensed~~
20 ~~wholesaler~~)) it;
- 21 (d) Taking fish or shellfish using a vessel designated on a
22 commercial fishery license or using gear not authorized in a personal
23 use fishery;
- 24 (e) Using a commercial fishery license;
- 25 (f) Selling or dealing in raw furs for a fee or in exchange for
26 goods or services;
- 27 (g) Performing taxidermy service on fish, shellfish, or wildlife
28 belonging to another person for a fee or receipt of goods or
29 services; or
- 30 (h) Packs, cuts, processes, or stores the meat of wildlife for
31 consumption, for a fee or in exchange for goods or services.

32 (2) For purposes of this chapter, the value of any fish, seaweed,
33 shellfish, or wildlife may be proved based on evidence of legal or
34 illegal sales involving the person charged or any other person, of
35 offers to sell or solicitation of offers to sell by the person
36 charged or by any other person, or of any market price for the fish,
37 seaweed, shellfish, or wildlife including market price for farm-
38 raised game animals. The value assigned to specific fish, seaweed,
39 shellfish, or wildlife by RCW 77.15.420 may be presumed to be the

1 value of such fish, seaweed, shellfish, or wildlife. It is not
2 relevant to proof of value that the person charged misrepresented
3 that the fish, seaweed, shellfish, or wildlife was taken in
4 compliance with law if the fish, seaweed, shellfish, or wildlife was
5 unlawfully taken and had no lawful market value.

6 **Sec. 6.** RCW 77.15.170 and 2014 c 48 s 8 are each amended to read
7 as follows:

8 (1) A person is guilty of waste of fish and wildlife if the
9 person:

10 (a) Takes or possesses wildlife classified as food fish, game
11 fish, shellfish, or game birds having a value of two hundred fifty
12 dollars or more, or wildlife classified as big game; and

13 (b) Recklessly allows such fish, shellfish, or wildlife to be
14 wasted.

15 (2) Waste of fish and wildlife is a gross misdemeanor. Upon
16 conviction, the department shall revoke any license or tag used in
17 the crime and shall order suspension of the person's privileges to
18 engage in the activity in which the person committed waste of fish
19 and wildlife for a period of one year.

20 (3) It is prima facie evidence of waste if:

21 (a) A (~~processor~~) fish dealer purchases or engages a quantity
22 of food fish, shellfish, or game fish that cannot be processed within
23 sixty hours after the food fish, game fish, or shellfish are taken
24 from the water, unless the food fish, game fish, or shellfish are
25 preserved in good marketable condition; or

26 (b) A person brings a big game animal to a wildlife meat cutter
27 and then abandons the animal. For purposes of this subsection (3)(b),
28 a big game animal is deemed to be abandoned when its carcass is
29 placed in the custody of a wildlife meat cutter for butchering and
30 processing and:

31 (i) Having been placed in such custody for an unspecified period
32 of time, the meat is not removed within thirty days after the
33 wildlife meat cutter gives notice to the person who brought in the
34 carcass or, having been so notified, the person who brought in the
35 carcass refuses or fails to pay the agreed upon or reasonable charges
36 for the butchering or processing of the carcass; or

37 (ii) Having been placed in such custody for a specified period of
38 time, the meat is not removed at the end of the specified period or
39 the person who brought in the carcass refuses to pay the agreed upon

1 or reasonable charges for the butchering or processing of the
2 carcass.

3 **Sec. 7.** RCW 77.15.500 and 2000 c 107 s 248 are each amended to
4 read as follows:

5 (1) A person is guilty of commercial fishing without a license in
6 the second degree if the person fishes for, takes, or delivers
7 (~~food~~) fish(~~(,)~~) or shellfish(~~(, or game fish)~~) while acting for
8 commercial purposes and:

9 (a) The person does not hold a fishery license or delivery
10 license under chapter 77.65 RCW for the (~~food~~) fish or shellfish;
11 (~~or~~)

12 (b) The person is not a licensed operator designated as an
13 alternate operator on a fishery or delivery license under chapter
14 77.65 RCW for the (~~food~~) fish or shellfish; or

15 (c) The person does not hold a crewmember license when required
16 under section 13 of this act.

17 (2) A person is guilty of commercial fishing without a license in
18 the first degree if the person commits the act described by
19 subsection (1) of this section and:

20 (a) The violation involves taking, delivery, or possession of
21 (~~food~~) fish or shellfish with a value of two hundred fifty dollars
22 or more; or

23 (b) The violation involves taking, delivery, or possession of
24 (~~food~~) fish or shellfish from an area that was closed to the taking
25 of (~~such food~~) the fish or shellfish by any statute or rule.

26 (3)(a) Commercial fishing without a license in the second degree
27 is a gross misdemeanor.

28 (b) Commercial fishing without a license in the first degree is a
29 class C felony.

30 **Sec. 8.** RCW 77.15.565 and 2002 c 301 s 6 are each amended to
31 read as follows:

32 Since violation of the rules of the department relating to the
33 accounting of the commercial harvest of (~~food~~) fish and shellfish
34 results in damage to the resources of the state, liability for damage
35 to (~~food~~) fish and shellfish resources is imposed on a wholesale
36 fish (~~dealer or the holder of a direct retail endorsement~~) buyer or
37 a limited fish seller for violation of a provision in chapters 77.65
38 and 77.70 RCW or a rule of the department related to the accounting

1 of the commercial harvest of (~~food~~) fish and shellfish and shall be
2 for the actual damages or for damages imposed as follows:

3 (1) For violation of rules requiring the timely presentation to
4 the department of documents relating to the accounting of commercial
5 harvest, fifty dollars for each of the first fifteen documents in a
6 series and ten dollars for each subsequent document in the same
7 series. If documents relating to the accounting of commercial harvest
8 of (~~food~~) fish and shellfish are lost or destroyed and the
9 wholesale (~~dealer or holder of a direct retail endorsement~~) fish
10 buyer or limited fish seller notifies the department in writing
11 within seven days of the loss or destruction, the director shall
12 waive the requirement for timely presentation of the documents.

13 (2) For violation of rules requiring accurate and legible
14 information relating to species, value, harvest area, or amount of
15 harvest, twenty-five dollars for each of the first five violations of
16 this subsection (~~following July 28, 1985~~) per calendar year, and
17 fifty dollars for each violation after the first five violations.

18 (3) For violations of rules requiring certain signatures, fifty
19 dollars for each of the first two violations and one hundred dollars
20 for each subsequent violation. For the purposes of this subsection,
21 each signature is a separate requirement.

22 (4) For other violations of rules relating to the accounting of
23 the commercial harvest, fifty dollars for each separate violation.

24 **Sec. 9.** RCW 77.15.568 and 2016 sp.s. c 21 s 1 are each amended
25 to read as follows:

26 (1) A person is guilty of a secondary commercial fish receiver's
27 failure to account for commercial harvest if:

28 (a) The person sells fish or shellfish at retail, stores or holds
29 fish or shellfish for another in exchange for valuable consideration,
30 ships fish or shellfish in exchange for valuable consideration, or
31 brokers fish or shellfish in exchange for valuable consideration;

32 (b) The fish or shellfish were required to be entered on a
33 Washington fish-receiving ticket or a Washington aquatic farm
34 production annual report; and

35 (c) The person fails to maintain records of each receipt of fish
36 or shellfish, as required under subsections (3) through (5) of this
37 section, at:

38 (i) The location where the fish or shellfish are being sold or at
39 the location where the fish or shellfish are being stored or held; or

1 (ii) The principal place of business of the shipper or broker if
2 the fish or shellfish are not in possession.

3 ~~(2) ((This section applies to a wholesale fish dealer acting in
4 the capacity of a broker. However, this section does not apply to a
5 wholesale fish dealer acting in the capacity of a wholesale fish
6 dealer, to a fisher selling under a direct retail sale endorsement,
7 or to a registered aquatic farmer.))~~ Wholesale fish buyers, limited
8 fish sellers, and registered aquatic farmers are not required to
9 comply with this section for those fish or shellfish that they have
10 documented on fish tickets or aquatic farm production reports.

11 (3) Records of the receipt of fish or shellfish required to be
12 kept under this section must be in the English language and be
13 maintained for three years from the date fish or shellfish are
14 received, shipped, or brokered.

15 (4) Records maintained by persons that retail or broker must
16 include the following:

17 (a) The name, address, and phone number of the wholesale fish
18 dealer, fisher selling under a direct retail sale endorsement, or
19 aquatic farmer or shellstock shipper from whom the fish or shellfish
20 were purchased or received;

21 (b) The Washington fish-receiving ticket number documenting
22 original receipt or aquatic farm production quarterly report
23 documenting production, if available;

24 (c) The date of purchase or receipt; and

25 (d) The amount and species of fish or shellfish purchased or
26 received.

27 (5) Records maintained by persons that store, hold, or ship fish
28 or shellfish for others must state the following:

29 (a) The name, address, and phone number of the person and
30 business from whom the fish or shellfish were received;

31 (b) The date of receipt; and

32 (c) The amount and species of fish or shellfish received.

33 (6) A secondary commercial fish receiver's failure to account for
34 commercial harvest is a misdemeanor.

35 **Sec. 10.** RCW 77.15.620 and 2012 c 176 s 30 are each amended to
36 read as follows:

37 (1) A person is guilty of engaging in fish dealing activity
38 without a license in the second degree if the activity involves fish

1 or shellfish worth less than two hundred fifty dollars and the
2 person:

3 (a) ~~Engages in ((the commercial processing of fish or shellfish,~~
4 ~~including custom canning or processing of personal use fish or~~
5 ~~shellfish and does not hold a wholesale dealer's license required by~~
6 ~~RCW 77.65.280(1) or 77.65.480 for anadromous game fish, or a direct~~
7 ~~retail endorsement under RCW 77.65.510))~~ any fish dealing activity
8 requiring a fish dealer license under RCW 77.65.280 without first
9 obtaining the license;

10 (b) ~~Engages in ((the wholesale selling, buying, or brokering of~~
11 ~~food fish or shellfish and does not hold a wholesale dealer's or~~
12 ~~buying license required by RCW 77.65.280(2) or 77.65.480 for~~
13 ~~anadromous game fish))~~ any fish buying or selling activity requiring
14 a wholesale fish buyer endorsement under RCW 77.65.340 without first
15 obtaining the endorsement; or

16 (c) ~~((Is a fisher who lands and sells his or her catch or harvest~~
17 ~~in the state to anyone other than a licensed wholesale dealer within~~
18 ~~or outside the state and does not hold a direct retail endorsement~~
19 ~~required by RCW 77.65.510; or~~

20 ~~(d) Engages in the commercial manufacture or preparation of~~
21 ~~fertilizer, oil, meal, caviar, fish bait, or other by-products from~~
22 ~~food fish or shellfish and does not hold a wholesale dealer's license~~
23 ~~required by RCW 77.65.280(4) or 77.65.480 for anadromous game fish.)~~
24 Engages in any fish selling activity as a fisher that requires a
25 limited fish seller endorsement under RCW 77.65.510 without first
26 obtaining the endorsement.

27 (2) A person is guilty of engaging in fish dealing activity
28 without a license in the first degree if the person commits the act
29 described by subsection (1) of this section and the violation
30 involves fish or shellfish worth two hundred fifty dollars or more.

31 (3)(a) Engaging in fish dealing activity without a license in the
32 second degree is a gross misdemeanor.

33 (b) Engaging in fish dealing activity without a license in the
34 first degree is a class C felony.

35 **Sec. 11.** RCW 77.15.630 and 2014 c 48 s 21 are each amended to
36 read as follows:

37 (1) A person licensed as a commercial fisher, wholesale fish
38 ~~((dealer, direct retail seller, anadromous game fish buyer, or a~~
39 ~~fish))~~ buyer, or limited fish seller, or a person not so licensed but

1 acting in such a capacity, is guilty of unlawful fish and shellfish
2 catch accounting in the second degree if he or she receives or
3 delivers for commercial purposes fish or shellfish worth less than
4 two hundred fifty dollars; and

5 (a) Fails to document such fish or shellfish with a fish-
6 receiving ticket or other documentation required by statute or
7 department rule;

8 (b) Fails to sign the fish-receiving ticket or other required
9 documentation, fails to provide all of the information required by
10 statute or department rule on the fish-receiving ticket or other
11 documentation, or both; or

12 (c) Fails to submit the fish-receiving ticket to the department
13 as required by statute or department rule.

14 (2) A person is guilty of unlawful fish and shellfish catch
15 accounting in the first degree if the person commits an act described
16 by subsection (1) of this section and:

17 (a) The violation involves fish or shellfish worth two hundred
18 fifty dollars or more;

19 (b) The person acted with knowledge that the fish or shellfish
20 were taken from a closed area, at a closed time, or by a person not
21 licensed to take such fish or shellfish for commercial purposes; or

22 (c) The person acted with knowledge that the fish or shellfish
23 were taken in violation of any tribal law.

24 (3)(a) Unlawful fish and shellfish catch accounting in the second
25 degree is a gross misdemeanor.

26 (b) Unlawful fish and shellfish catch accounting in the first
27 degree is a class C felony. Upon conviction, the department shall
28 suspend all privileges to engage in wholesale fish buying or dealing
29 for two years.

30 (4) For the purposes of this section:

31 (a) A person "receives" fish or shellfish when title or control
32 of the fish or shellfish is transferred or conveyed to the person.

33 (b) A person "delivers" fish or shellfish when title or control
34 of the fish or shellfish is transferred or conveyed from the person.

35 **Sec. 12.** RCW 77.15.640 and 2012 c 176 s 32 are each amended to
36 read as follows:

37 (1) A person who holds a (~~wholesale~~) fish (~~dealer's~~) dealer
38 license required by RCW 77.65.280, (~~an anadromous game fish buyer's~~
39 ~~license required by RCW 77.65.480,~~) a wholesale fish (~~buyer's~~

1 license)) buyer endorsement required by RCW 77.65.340, or a (~~direct~~
2 ~~retail~~) limited fish seller endorsement under RCW 77.65.510 is
3 guilty of unlawful wholesale fish buying and dealing if the person:

4 (a) Fails to possess or display his or her license when engaged
5 in any act requiring the license; or

6 (b) Fails to display or uses the license in violation of any
7 department rule.

8 (2) Unlawful wholesale fish buying and dealing is a gross
9 misdemeanor.

10 NEW SECTION. **Sec. 13.** A new section is added to chapter 77.65
11 RCW to read as follows:

12 (1)(a) An individual age sixteen and older who works on board any
13 vessel while operating in a commercial fishery regulated by the state
14 must obtain a crewmember license from the department. However, an
15 individual on the vessel designated as the primary or alternate
16 operator on the commercial fishing license and an individual on the
17 vessel licensed and working as a geoduck diver do not also need a
18 crewmember license. Crewmembers working for licensed charters or
19 guides are not required to have a crewmember license.

20 (b) A crewmember license is required for each individual who
21 participates in the operation of the vessel or the harvest. For the
22 purposes of this section, the term "harvest" includes participation
23 in tending, deploying, retrieving, or baiting fishing gear,
24 harvesting, or placing fish or shellfish in holds.

25 (2) A crewmember license must be purchased in the name of the
26 individual working as the crewmember and the named licensee may use
27 the license aboard any commercial fishing vessel. A crewmember
28 license purchased by a crewmember may not be transferred to another
29 individual. A commercial license holder may also purchase a single
30 generic crewmember license to license one individual on their vessel.

31 (3)(a) The fee for an annual crewmember license is ninety
32 dollars. The license must be available through the automated
33 licensing system and transaction fees and dealer fees apply. The
34 annual crewmember license is valid for a calendar year.

35 (b) A five consecutive day crewmember license may be purchased
36 for a fee of twenty-five dollars. The license must be available
37 through the automated licensing system and transaction fees and
38 dealer fees apply.

1 (4) Family members of the commercial license holder or alternate
2 operators are exempt from the requirements of this section. For
3 purposes of this section, family members include children,
4 grandchildren, spouse, parents, or siblings of the commercial license
5 holder.

6 **Sec. 14.** RCW 77.65.010 and 2015 c 97 s 3 are each amended to
7 read as follows:

8 (1) Except as otherwise provided by this title, a person must
9 have a license (~~(or permit)~~) issued by the director in order to
10 engage in any of the following activities:

11 (a) Commercially fish for or take food fish or shellfish;

12 (b) Deliver from a commercial fishing vessel food fish or
13 shellfish taken for commercial purposes in offshore waters. As used
14 in this subsection, "deliver" means arrival at a place or port, and
15 includes arrivals from offshore waters to waters within the state and
16 arrivals from state or offshore waters;

17 (c) Operate a charter boat or commercial fishing vessel engaged
18 in a fishery;

19 (d) Engage in (~~(processing or wholesaling food)~~) wholesale
20 buying, selling, dealing, processing, or brokering of raw or frozen
21 fish or shellfish; ((or))

22 (e) Sell his or her commercially harvested catch of fish or
23 shellfish to anyone other than a licensed wholesale fish buyer within
24 or outside the state; or

25 (f) Act as a food fish guide or game fish guide for personal use,
26 except that a charter boat license is required to operate a vessel
27 from which a person may for a fee fish for food fish in state waters
28 listed in RCW 77.65.150(4)(b).

29 (2) No person may engage in the activities described in
30 subsection (1) of this section unless the licenses (~~(or permits)~~)
31 required by this title are in the person's possession, and the person
32 is the named license holder or an alternate operator designated on
33 the license and the person's license is not suspended.

34 (3) A valid Oregon license that is equivalent to a license under
35 this title is valid in the concurrent waters of the Columbia river if
36 the state of Oregon recognizes as valid the equivalent Washington
37 license. The director may identify by rule what Oregon licenses are
38 equivalent.

1 (4) No license (~~(or permit)~~) is required for the production or
2 harvesting of private sector cultured aquatic products as defined in
3 RCW 15.85.020 or for the delivery, processing, or wholesaling of such
4 aquatic products. However, if a means of identifying such products is
5 required by rules adopted under RCW 15.85.060, the exemption from
6 licensing (~~(or permit)~~) requirements established by this subsection
7 applies only if the aquatic products are identified in conformance
8 with those rules.

9 **Sec. 15.** RCW 77.65.020 and 2011 c 339 s 15 are each amended to
10 read as follows:

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

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

17 (a) The license holder shall surrender the previously issued
18 license to the department.

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

21 (c) The fee to transfer a license from one license holder to
22 another is:

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

25 (ii) Three and one-half times the (~~resident~~) renewal fee if the
26 license is not a commercial salmon license and the license is limited
27 under chapter 77.70 RCW;

28 (iii) Fifty dollars if the license is a commercial salmon license
29 and is limited under chapter 77.70 RCW; or

30 (iv) Five hundred dollars if the license is a Dungeness crab-
31 coastal fishery license(~~(; or~~

32 ~~(v) If a license is transferred from a resident to a nonresident,~~
33 ~~an additional fee is assessed that is equal to the difference between~~
34 ~~the resident and nonresident license fees at the time of transfer, to~~
35 ~~be paid by the transferee)).~~

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

1 (3) A commercial license that is transferable under this title
2 survives the death of the holder. Though such licenses are not
3 personal property, they shall be treated as analogous to personal
4 property for purposes of inheritance and intestacy. Such licenses are
5 subject to state laws governing wills, trusts, estates, intestate
6 succession, and community property, except that such licenses are
7 exempt from claims of creditors of the estate and tax liens. The
8 surviving spouse, estate, or beneficiary of the estate may apply for
9 a renewal of the license. There is no fee for transfer of a license
10 from a license holder to the license holder's surviving spouse or
11 estate, or to a beneficiary of the estate.

12 **Sec. 16.** RCW 77.65.090 and 2011 c 339 s 16 are each amended to
13 read as follows:

14 This section applies to all commercial fishery licenses, delivery
15 licenses, and charter licenses, except for emergency salmon delivery
16 licenses.

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

- 20 (a) Surrenders the previously issued license to the department;
21 (b) Submits to the department an application that identifies the
22 currently designated vessel, the vessel proposed to be designated,
23 and any other information required by the department; and
24 (c) Pays to the department a fee of thirty-five dollars and an
25 application fee of one hundred five dollars.

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

- 31 (a) The department shall change the vessel designation on the
32 license no more than four times per calendar year.
33 (b) The department shall change the vessel designation on the
34 license no more than once in any seven-day period.

35 **Sec. 17.** RCW 77.65.110 and 2011 c 339 s 17 are each amended to
36 read as follows:

37 This section applies to all commercial fishery licenses(~~(~~
38 ~~charter boat licenses,~~) and delivery licenses.

1 (1) A person designated as an alternate operator must possess an
2 alternate operator license issued under RCW 77.65.130, and be
3 designated on the fishery license prior to engaging in the activities
4 authorized by the license. The holder of the commercial fishery
5 license(~~(, charter boat license,)~~) or delivery license may designate
6 up to two alternate operators for the license, except:

7 (a) Whiting—Puget Sound fishery licensees may not designate
8 alternate operators;

9 (b) Emergency salmon delivery licensees may not designate
10 alternate operators;

11 (c) Shrimp pot—Puget Sound fishery licensees may designate no
12 more than one alternate operator at a time; and

13 (d) Shrimp trawl—Puget Sound fishery licensees may designate no
14 more than one alternate operator at a time.

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

18 (3) An alternate operator license is not required for an
19 individual to operate a vessel designated as a charter boat under a
20 charter boat license.

21 **Sec. 18.** RCW 77.65.120 and 2000 c 107 s 33 are each amended to
22 read as follows:

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

30 (~~(Notwithstanding RCW 77.65.010(1)(c), an alternate operator~~
31 ~~license is not required for an individual to operate a vessel as a~~
32 ~~charter boat.)) Only the fishery license holder and any alternate
33 operator designated on a license with a limited fish seller
34 endorsement under RCW 77.65.510 may sell the licensee's commercially
35 harvested catch directly to consumers at retail.~~

36 **Sec. 19.** RCW 77.65.150 and 2011 c 339 s 18 are each amended to
37 read as follows:

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

	License or Permit	Annual Fee (RCW 77.95.090 Surcharge) (RCW 77.12.702 Surcharge)	Appli- cation Fee	Governing Section
		((Resident))	((Nonresident))	
	(a) Non- salmon charter	(\$225) <u>\$295</u> (plus \$35 for RCW 77.12.702 Surcharge)	(\$375 \$ 70 (plus \$35 for RCW 77.12.702 Surcharge))	
	(b) Salmon charter	(\$380) <u>\$460</u> (plus \$100) (plus \$35 for RCW 77.12.702 Surcharge)	(\$685 \$105 (plus \$100) (plus \$35 for RCW 77.12.702 Surcharge))	RCW 77.70.050
	(c) Salmon angler	\$ 0	(\$-0) \$ 0	RCW 77.70.060
	((d) Salmon ree))	(\$-95)	(\$-95)	(\$-70 RCW 77.65.350)

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

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

31 (4)(a) "Charter boat" means a vessel from which persons may, for
 32 a fee, fish for food fish or shellfish for personal use in those
 33 state waters set forth in (b) of this subsection. "Charter boat" also
 34 means a vessel from which persons may, for a fee, fish for (~~food~~)
 35 fish or shellfish for personal use in offshore waters or in the
 36 waters of other states. The director may specify by rule when a
 37 vessel is a "charter boat" within this definition.

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

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

15 (6) A salmon charter license under subsection (1)(b) of this
16 section may be renewed if the license holder notifies the department
17 by May 1st of that year that he or she will not participate in the
18 fishery during that calendar year. The license holder must pay the
19 one hundred dollar enhancement surcharge, a thirty-five dollar
20 surcharge to be deposited in the rockfish research account created in
21 RCW 77.12.702, plus a one hundred five dollar application fee, in
22 order to be considered a valid renewal and eligible to renew the
23 license the following year.

24 **Sec. 20.** RCW 77.65.160 and 2011 c 339 s 19 are each amended to
25 read as follows:

26 (1) The following commercial salmon fishery licenses are required
27 for the license holder to use the specified gear to fish for salmon
28 in state waters. Only a person who meets the qualifications of RCW
29 77.70.090 may hold a license listed in this subsection. The licenses
30 and their annual license fees, application fees, and surcharges under
31 RCW 77.95.090 are:

	Fishery	((Resident))	((Nonresident	Surcharge	Application
	License	Fee	Fee))		Fee
34	(a) Salmon Gill Net	\$380	((\$685))	plus \$100	\$105
35	—Grays				
36	Harbor-				
37	Columbia				
38	river				

1	(b) Salmon Gill Net	(\$380)	(\$685)	plus \$100	\$105
2	—Puget	<u>\$545</u>			
3	Sound				
4	(c) Salmon Gill Net	\$380	(\$685)	plus \$100	\$105
5	—Willapa				
6	Bay-				
7	Columbia				
8	river				
9	(d) Salmon purse	(\$530)	(\$985)	plus \$100	\$105
10	seine	<u>\$545</u>			
11	(e) Salmon reef net	(\$380)	(\$685)	plus \$100	\$105
12		<u>\$545</u>			
13	(f) Salmon troll	(\$380)	(\$685)	plus \$100	\$105
14		<u>\$495</u>			

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

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

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

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

26 (a) "Puget Sound" includes waters of the Strait of Juan de Fuca,
27 Georgia Strait, Puget Sound and all bays, inlets, canals, coves,
28 sounds, and estuaries lying easterly and southerly of the
29 international boundary line and a line at the entrance to the Strait
30 of Juan de Fuca projected northerly from Cape Flattery to the
31 lighthouse on Tatoosh Island and then to Bonilla Point on Vancouver
32 Island.

33 (b) "Grays Harbor-Columbia river" includes waters of Grays Harbor
34 and tributary estuaries lying easterly of a line projected northerly
35 from Point Chehalis Light to Point Brown and those waters of the
36 Columbia river and tributary sloughs and estuaries easterly of a line
37 at the entrance to the Columbia river projected southerly from the
38 most westerly point of the North jetty to the most westerly point of
39 the South jetty.

1 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay
2 and tributary estuaries and easterly of a line projected northerly
3 from Leadbetter Point to the Cape Shoalwater tower and those waters
4 of the Columbia river and tributary sloughs described in (b) of this
5 subsection.

6 (6) A commercial salmon troll fishery license may be renewed
7 under this section if the license holder notifies the department by
8 May 1st of that year that he or she will not participate in the
9 fishery during that calendar year. A commercial salmon gill net, reef
10 net, or seine fishery license may be renewed under this section if
11 the license holder notifies the department before the third Monday in
12 September of that year that he or she will not participate in the
13 fishery during that calendar year. The license holder must pay the
14 one hundred dollar enhancement surcharge, plus a one hundred five
15 dollar application fee before the third Monday in September, in order
16 to be considered a valid renewal and eligible to renew the license
17 the following year.

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

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

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

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

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

31 **Sec. 21.** RCW 77.65.170 and 2011 c 339 s 20 are each amended to
32 read as follows:

33 (1) A salmon delivery license is required for a commercial
34 fishing vessel to deliver salmon taken for commercial purposes in
35 offshore waters to a place or port in the state. As used in this
36 section, "deliver" and "delivery" mean arrival at a place or port,
37 and include arrivals from offshore waters to waters within the state
38 and arrivals ashore from offshore waters. The annual fee for a salmon
39 delivery license is three hundred eighty dollars (~~for residents and~~

1 ~~six hundred eighty five dollars for nonresidents~~). The application
2 fee for a salmon delivery license is one hundred five dollars. The
3 annual surcharge under RCW 77.95.090 is one hundred dollars for each
4 license. Holders of nonlimited entry delivery licenses issued under
5 RCW 77.65.210 may apply the nonlimited entry delivery license fee
6 against the salmon delivery license fee.

7 (2) Only a person who meets the qualifications established in RCW
8 77.70.090 may hold a salmon delivery license issued under this
9 section.

10 (3) A salmon delivery license authorizes no taking of salmon or
11 other (~~feed~~) fish or shellfish from the waters of the state.

12 (4) If the director determines that the operation of a vessel
13 under a salmon delivery license results in the depletion or
14 destruction of the state's salmon resource or the delivery into this
15 state of salmon products prohibited by law, the director may revoke
16 the license under the procedures of chapter 34.05 RCW.

17 **Sec. 22.** RCW 77.65.190 and 2011 c 339 s 21 are each amended to
18 read as follows:

19 A person who does not qualify for a license under RCW 77.70.090
20 shall obtain a nontransferable emergency salmon delivery license to
21 make one delivery from a commercial fishing vessel of salmon taken
22 for commercial purposes in offshore waters. As used in this section,
23 "delivery" means arrival at a place or port, and include arrivals
24 from offshore waters to waters within the state and arrivals ashore
25 from offshore waters. The director shall not issue an emergency
26 salmon delivery license unless, as determined by the director, a bona
27 fide emergency exists. The license fee is two hundred twenty-five
28 dollars (~~for residents and four hundred seventy five dollars for~~
29 ~~nonresidents~~). The application fee is one hundred five dollars. An
30 applicant for an emergency salmon delivery license shall designate no
31 more than one vessel that will be used with the license. Alternate
32 operator licenses are not required of persons delivering salmon under
33 an emergency salmon delivery license. Emergency salmon delivery
34 licenses are not renewable.

35 **Sec. 23.** RCW 77.65.200 and 2011 c 339 s 22 are each amended to
36 read as follows:

37 (1) This section establishes commercial fishery licenses required
38 for food fish fisheries and the annual fees for those licenses. As

1 used in this section, "food fish" does not include salmon. The
 2 director may issue a limited-entry commercial fishery license only to
 3 a person who meets the qualifications established in applicable
 4 governing sections of this title.

5	Fishery	Annual Fee		Application Fee	Vessel	Limited
6	(Governing section(s))				Required?	Entry?
7		((Resident))	((Nonresident))			
8						
9	(a) Baitfish Lampara	((185)) <u>\$295</u>	((295))	\$ 70	Yes	No
10	(b) Baitfish purse seine	\$530	((985))	\$ 70	Yes	No
11	(c) Bottom fish jig	\$130	((185))	\$ 70	Yes	No
12	(d) Bottom fish pot	\$130	((185))	\$ 70	Yes	No
13	(e) Bottom fish troll	\$130	((185))	\$ 70	Yes	No
14	(f) Carp	((130)) <u>\$185</u>	((185))	\$ 70	No	No
15	(g) Columbia river smelt	\$380	((685))	\$ 70	No	No
16	((h) Dog fish set net)	((130))	((185))	((70))	((Yes))	((No))
17	((i)) (h) Emerging commercial fishery (RCW 77.70.160 and 77.65.400)	((185)) <u>\$295</u>	((295))	\$105	Determined by rule	Determined by rule
18						
19						
20	((j)) (i) Food fish drag seine	((130)) <u>\$185</u>	((185))	\$ 70	Yes	No
21	((k)) (j) Food fish set line	((130)) <u>\$185</u>	((185))	\$ 70	Yes	No
22	((l) Food fish trawl- Non-Puget Sound))	((240))	((405))	((70))	((Yes))	((No))
23						
24	((m) Food fish trawl- Puget Sound))	((185))	((295))	((70))	((Yes))	((No))
25						
26	((n)) (k) Herring dip bag net (RCW 77.70.120)	((175)) <u>\$275</u>	((275))	\$ 70	Yes	Yes
27						
28	((o)) (l) Herring drag seine (RCW 77.70.120)	((175)) <u>\$275</u>	((275))	\$ 70	Yes	Yes
29						
30	((p)) (m) Herring gill net (RCW 77.70.120)	((175)) <u>\$275</u>	((275))	\$105	Yes	Yes
31						
32	((q)) (n) Herring Lampara (RCW 77.70.120)	((175)) <u>\$275</u>	((275))	\$ 70	Yes	Yes
33						
34	((r)) (o) Herring purse seine (RCW 77.70.120)	((175)) <u>\$275</u>	((275))	\$105	Yes	Yes
35						

1	((s)) (p) Herring spawn-on-kelp	N/A	((N/A))	N/A	Yes	Yes
2	(RCW 77.70.210)					
3	((t)) (q) Sardine purse seine	((185)) \$295	((295))	\$105	Yes	Yes
4	(RCW 77.70.480)					
5	((t)) (r) Sardine purse seine	((185)) \$295	((295))	\$105	Yes	No
6	temporary (RCW					
7	77.70.480)					
8	((w)) (s) Smelt dip bag net	\$130	((185))	\$ 70	No	No
9	((w)) (t) Smelt gill net	\$380	((685))	\$ 70	Yes	No
10	((x)) (u) Whiting-Puget Sound	\$295	((520))	\$105	Yes	Yes
11	(RCW 77.70.130)					
12						

13 (2) The director may by rule determine the species of food fish
14 that may be taken with the commercial fishery licenses established in
15 this section, the gear that may be used with the licenses, and the
16 areas or waters in which the licenses may be used. Where a fishery
17 license has been established for a particular species, gear,
18 geographical area, or combination thereof, a more general fishery
19 license may not be used to take food fish in that fishery.

20 **Sec. 24.** RCW 77.65.210 and 2011 c 339 s 23 and 2011 c 147 s 3
21 are each reenacted and amended to read as follows:

22 (1) Except as provided in subsection (2) of this section, a
23 person may not use a commercial fishing vessel to deliver food fish
24 or shellfish taken for commercial purposes in offshore waters to a
25 port in the state without a nonlimited entry delivery license. As
26 used in this section, "deliver" and "delivery" mean arrival at a
27 place or port, and include arrivals from offshore waters to waters
28 within the state and arrivals ashore from offshore waters. As used in
29 this section, "food fish" does not include salmon. As used in this
30 section, "shellfish" does not include ocean pink shrimp, coastal
31 crab, coastal spot shrimp, or fish or shellfish taken under an
32 emerging commercial fisheries license if taken from off-shore waters.
33 The annual license fee for a nonlimited entry delivery license is
34 ~~((one hundred ten dollars for residents and))~~ two hundred sixty
35 dollars ~~((for nonresidents))~~, and an additional thirty-five dollar
36 surcharge ~~((for both residents and nonresidents))~~ to be deposited in
37 the rockfish research account created in RCW 77.12.702. The

1 application fee for a nonlimited entry delivery license is one
 2 hundred five dollars.

3 (2) Holders of the following licenses may deliver food fish or
 4 shellfish taken in offshore waters without a nonlimited entry
 5 delivery license: Salmon troll fishery licenses issued under RCW
 6 77.65.160; salmon delivery licenses issued under RCW 77.65.170; crab
 7 pot fishery licenses issued under RCW 77.65.220; food fish trawl—Non-
 8 Puget Sound fishery licenses, and emerging commercial fishery
 9 licenses issued under RCW 77.65.200; Dungeness crab—coastal fishery
 10 licenses; ocean pink shrimp delivery licenses; (~~shrimp trawl—Non-~~
 11 ~~Puget Sound fishery licenses,~~) Washington coastal spot shrimp pot
 12 fishery licenses issued under chapter 77.70 RCW; and emerging
 13 commercial fishery licenses issued under RCW 77.65.220.

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

16 **Sec. 25.** RCW 77.65.220 and 2011 c 339 s 24 and 2011 c 147 s 4
 17 are each reenacted and amended to read as follows:

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

23 Fishery	24 Annual Fee		25 Application Fee	26 Vessel 27 Required?	28 Limited 29 Entry?
	30 ((Resident))	31 ((Nonresident))			
32 (a) Burrowing shrimp	33 \$185	34 ((\$295))	35 \$105	36 Yes	No
37 ((b)) Crab ring net- 38 Non-Puget Sound)	39 ((\$130))	40 ((\$185))	41 ((\$70))	42 ((Yes))	43 ((No))
44 ((e)) (b) Crab ring net- 45 Puget Sound	46 \$130	47 ((\$185))	48 \$ 70	49 Yes	50 No
51 ((d)) (c) Dungeness crab-coastal 52 (RCW 77.70.280)	53 ((\$295)) <u>\$325</u>	54 ((\$520))	55 \$105	56 Yes	57 Yes
58 ((e)) Dungeness crab- 59 coastal, class B 60 (RCW 77.70.280))	61 ((\$295))	62 ((\$520))	63 ((\$105))	64 ((Yes))	65 ((Yes))
66 ((f)) (d) Dungeness crab-	67 ((\$130)) <u>\$185</u>	68 ((\$185))	69 \$105	70 Yes	71 Yes

1	Puget Sound						
2	(RCW 77.70.110)						
3	((g)) (e) Emerging commercial	((185)) \$295	((295))	\$105	Determined	Determined	
4	fishery (RCW 77.70.160 and				by rule	by rule	
5	77.65.400)						
6	((h)) (f) Geoduck (RCW	((0)) \$30	((0))	\$70	Yes	Yes	
7	77.70.220)						
8	((i)) (g) Hardshell clam	\$530	((985))	\$70	Yes	No	
9	mechanical						
10	harvester						
11	(RCW 77.65.250)						
12	((j)) (h) Oyster reserve	((130)) \$185	((185))	\$70	No	No	
13	(RCW 77.65.260)						
14	((k)) (i) Razor clam	\$130	((185))	\$105	No	No	
15	((l)) (j) Sea cucumber dive	((130)) \$295	((185))	\$105	Yes	Yes	
16	(RCW 77.70.190)						
17	((m)) (k) Sea urchin dive	((130)) \$295	((185))	\$105	Yes	Yes	
18	(RCW 77.70.150)						
19	((n)) (l) Shellfish dive	((130)) \$185	((185))	\$70	Yes	No	
20	((o)) (m) Shellfish pot	((130)) \$185	((185))	\$70	Yes	No	
21	((p)) (n) Shrimp pot-	((185)) \$295	((295))	\$105	Yes	Yes	
22	Puget Sound						
23	(RCW 77.70.410)						
24	((q)) Shrimp trawl-	((240))	((405))	((105))	((Yes))	((No))	
25	Non-Puget Sound))						
26	((r)) (o) Shrimp trawl-	((185)) \$295	((295))	\$105	Yes	Yes	
27	Puget Sound						
28	(RCW 77.70.420)						
29	((s)) (p) Spot shrimp-coastal	((185)) \$295	((295))	\$70	Yes	Yes	
30	((t)) (q) Squid	((185)) \$295	((295))	\$70	Yes	No	

31 (2) The director may by rule determine the species of shellfish
32 that may be taken with the commercial fishery licenses established in
33 this section, the gear that may be used with the licenses, and the
34 areas or waters in which the licenses may be used. Where a fishery
35 license has been established for a particular species, gear,

1 geographical area, or combination thereof, a more general fishery
2 license may not be used to take shellfish in that fishery.

3 **Sec. 26.** RCW 77.65.240 and 2000 c 107 s 45 are each amended to
4 read as follows:

5 A surcharge of one hundred twenty dollars shall be collected with
6 each Dungeness crab-coastal fishery license (~~((and with each Dungeness~~
7 ~~crab-coastal class B fishery license))~~) issued under RCW 77.65.220.
8 Moneys collected under this section shall be placed in the coastal
9 crab account created under RCW 77.70.320.

10 **Sec. 27.** RCW 77.65.280 and 2014 c 48 s 27 are each amended to
11 read as follows:

12 (1) A (~~wholesale~~) fish (~~dealer's~~) dealer license is required
13 for(~~(+~~

14 ~~(a) A business in the state to engage in the commercial~~
15 ~~processing of food fish or shellfish, including custom canning or~~
16 ~~processing of personal use food fish or shellfish.~~

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

22 ~~(c) Fishers who land and sell their catch or harvest in the state~~
23 ~~to anyone other than a licensed wholesale dealer within or outside~~
24 ~~the state, unless the fisher has a direct retail endorsement.~~

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

28 ~~(e) A business engaging a fish buyer as defined under RCW~~
29 ~~77.65.340.~~

30 ~~(2))~~ a person in the state who:

31 (a) Takes possession of raw or frozen fish or shellfish, in whole
32 or in parts, to prepare, repackage, process, or preserve. This
33 includes, but is not limited to:

34 (i) Canning or processing of fish or shellfish for payment,
35 whether the fish or shellfish is commercially harvested or taken for
36 personal use; and

1 (ii) The commercial manufacture or preparation of fertilizer,
2 oil, meal, caviar, fish bait, or any other by-products from fish or
3 shellfish;

4 (b) Engages in the wholesale selling, buying, or brokering of raw
5 or frozen fish or shellfish. Certain buyers may be additionally
6 required to obtain a wholesale fish buyer endorsement as specified in
7 RCW 77.65.340.

8 (2) A fish dealer license is not required for:

9 (a) Licensed commercial fish or shellfish harvesters who either
10 sell only to licensed wholesale fish buyers or who possess a limited
11 fish seller endorsement;

12 (b) Retail businesses that purchase exclusively from Washington
13 licensed wholesale fish buyers or from limited fish sellers for sale
14 to end consumers.

15 (3) A business engaged in any activity requiring a fish dealer
16 license only needs to purchase one fish dealer license to cover the
17 actions of all employees.

18 (4) The annual license fee for a ((wholesale)) fish dealer is
19 ((two)) four hundred ((fifty)) forty-five dollars. The application
20 fee is one hundred five dollars. ((A wholesale fish dealer's license
21 is not required for persons engaged in the processing, wholesale
22 selling, buying, or brokering of private sector cultured aquatic
23 products as defined in RCW 15.85.020. However, if a means of
24 identifying such products is required by rules adopted under RCW
25 15.85.060, the exemption from licensing requirements established by
26 this subsection applies only if the aquatic products are identified
27 in conformance with those rules.))

28 **Sec. 28.** RCW 77.65.310 and 1996 c 267 s 29 are each amended to
29 read as follows:

30 Wholesale fish ((dealers)) buyers and limited fish sellers are
31 ((responsible for documenting)) required to document the commercial
32 harvest of ((food)) fish and shellfish according to the rules of the
33 department. ((The director may allow only wholesale fish dealers or
34 their designees to receive the forms necessary for the accounting of
35 the commercial harvest of food fish and shellfish.))

36 **Sec. 29.** RCW 77.65.320 and 2000 c 107 s 49 are each amended to
37 read as follows:

1 (1) A wholesale fish (~~dealer shall not take possession of food~~
2 ~~fish or shellfish until the dealer has deposited~~) buyer or limited
3 fish seller must deposit with the department an acceptable
4 performance bond on forms prescribed and furnished by the department
5 before engaging in fish selling or buying activities. This
6 performance bond shall be a corporate surety bond executed in favor
7 of the department by a corporation authorized to do business in the
8 state of Washington under chapter 48.28 RCW and approved by the
9 department.

10 (a) For wholesale fish buyers, the bond shall be filed and
11 maintained in an amount equal to (~~one~~) two thousand dollars. For
12 each additional buyer engaged by the wholesale (~~dealer. In no case~~
13 ~~shall the bond be less than two thousand dollars nor more than fifty~~
14 ~~thousand dollars~~) business, the bond must be increased an additional
15 one thousand dollars.

16 (b) For limited fish sellers, the bond shall be filed and
17 maintained in an amount equal to one thousand dollars.

18 (c) The department may increase the bond amount for persons who
19 have violated rules relating to the accounting of commercial harvest.

20 (2) (~~A wholesale dealer shall, within seven days of engaging~~
21 ~~additional fish buyers, notify the department and increase the amount~~
22 ~~of the bonding required in subsection (1) of this section.~~

23 ~~(3))~~ The director may suspend and refuse to reissue a wholesale
24 fish (~~dealer's license~~) buyer endorsement of a (~~dealer~~) person
25 who has taken possession of (~~food~~) fish or shellfish without an
26 acceptable performance bond on deposit with the department.

27 (3) The director may suspend and refuse to reissue a limited fish
28 seller endorsement to a commercial fisher who has sold fish or
29 shellfish without an acceptable performance bond on deposit with the
30 department.

31 (4) The bond shall be conditioned upon the compliance with the
32 requirements of this chapter and rules of the department relating to
33 the payment of fines for violations of rules for the accounting of
34 the commercial harvest of (~~food~~) fish or shellfish. In lieu of the
35 surety bond required by this section, the wholesale fish (~~dealer~~)
36 buyer or limited fish seller may file with the department a cash
37 deposit, negotiable securities acceptable to the department, or an
38 assignment of a savings account or of a savings certificate in a
39 Washington bank on an assignment form prescribed by the department.

1 (5) (~~Liability under the bond shall be maintained as long as the~~
2 ~~wholesale fish dealer engages in activities under RCW 77.65.280~~
3 ~~unless released.~~) Liability under the bond may be released only upon
4 written notification from the department. Notification shall be given
5 upon acceptance by the department of a substitute bond or forty-five
6 days after the expiration of the wholesale fish (~~dealer's annual~~
7 ~~license~~) buyer or limited fish seller annual endorsement. In no
8 event shall the liability of the surety exceed the amount of the
9 surety bond required under this chapter.

10 **Sec. 30.** RCW 77.65.330 and 1985 c 248 s 7 are each amended to
11 read as follows:

12 The director shall promptly notify by order a wholesale
13 (~~dealer~~) fish buyer or limited fish seller and the appropriate
14 surety when a violation of rules relating to the accounting of
15 commercial harvest has occurred. The notification shall specify the
16 type of violation, the liability to be imposed for damages caused by
17 the violation, and a notice that the amount of liability is due and
18 payable to the department by the wholesale fish (~~dealer~~) buyer or
19 limited fish seller and the surety.

20 If the amount specified in the order is not paid within thirty
21 days after receipt of the notice, the prosecuting attorney for any
22 county in which the persons to whom the order is directed do
23 business, or the attorney general upon request of the department, may
24 bring an action on behalf of the state in the superior court for
25 Thurston county or any county in which the persons to whom the order
26 is directed do business to recover the amount specified in the final
27 order of the department. The surety shall be liable to the state to
28 the extent of the bond.

29 **Sec. 31.** RCW 77.65.340 and 2014 c 48 s 28 are each amended to
30 read as follows:

31 (1) A (~~fish buyer's license is required of and shall be carried~~
32 ~~by each individual engaged by a wholesale fish dealer to purchase~~
33 ~~food fish or shellfish from a commercial fisher. A fish buyer may~~
34 ~~represent only one wholesale fish dealer.~~

35 (2)) wholesale fish buyer endorsement is required for a licensed
36 fish dealer:

1 (a) To take first possession or ownership of fish or shellfish
2 directly from a commercial fisher that is landed into the state of
3 Washington;

4 (b) To take first possession or ownership of raw or frozen fish
5 or shellfish in the state of Washington from interstate or foreign
6 commerce; or

7 (c) To engage in the wholesale buying or selling of fish or
8 shellfish harvested by Indian fishers lawfully exercising fishing
9 rights reserved by federal statute, treaty, or executive order, and
10 the dealer is also responsible for documenting the commercial harvest
11 and sales according to the rules of the department.

12 (2) A business licensed as a fish dealer must purchase at least
13 one wholesale fish buyer endorsement to engage in the activities in
14 subsection (1) of this section, which allows the business to buy or
15 sell on its premises and which allows one named employee to buy and
16 sell off premises. A business must obtain an additional wholesale
17 fish buyer endorsement for each additional employee who buys and
18 sells fish or shellfish off premises.

19 (3) The annual fee for a wholesale fish buyer's ((license is
20 ninety five)) endorsement is one hundred seventy dollars. The
21 application fee is one hundred five dollars.

22 **Sec. 32.** RCW 77.65.350 and 1996 c 267 s 31 are each amended to
23 read as follows:

24 ((A salmon roe license is required for a)) Crew members on a
25 boat designated on a salmon charter license ((to)) may sell salmon
26 roe ((as provided in subsection (2) of this section. An individual
27 under sixteen years of age may hold a salmon roe license.

28 ((2) A crew member on a boat designated on a salmon charter
29 license may sell salmon roe taken from fish caught for personal use,
30 subject to rules of the department and the following conditions))
31 subject to rules of the department as long as:

32 (a) The salmon is taken by an angler fishing on the charter boat
33 and recorded on the angler's catch record card;

34 (b) The roe is the property of the angler until the roe is given
35 to the crew member. The crew member shall notify the charter boat's
36 passengers of this fact;

37 (c) The crew member sells the roe to a licensed wholesale
38 ((dealer)) fish buyer; and

1 (d) The crew member is (~~licensed as provided in subsection (1)~~
2 ~~of this section and has the license in possession whenever the crew~~
3 ~~member sells salmon roe~~) employed on a salmon charter boat
4 designated on a valid license at the time of the sale.

5 **Sec. 33.** RCW 77.65.370 and 2015 c 103 s 2 and 2015 c 97 s 4 are
6 each reenacted and amended to read as follows:

7 (1) A person shall not offer or perform the services of a food
8 fish guide without a food fish guide license in the taking of food
9 fish for personal use, except that a charter boat license is required
10 to operate a vessel from which a person may for a fee fish for food
11 fish in state waters listed in RCW 77.65.150(4)(b).

12 (2) A person shall not offer or perform the services of a game
13 fish guide without a game fish guide license in the taking of game
14 fish for personal use.

15 (3) Only an individual at least sixteen years of age may hold a
16 food fish guide or game fish guide license. No individual may hold
17 more than one food fish guide or game fish guide license.

18 (4) An application for a food fish guide or game fish guide
19 license must include the information required in RCW 77.65.560.

20 (5) A food fish guide license purchased by a person, firm, or
21 business on behalf of an employee is subject to RCW 77.65.600.

22 (6) A food fish guide, a game fish guide, or a combination guide
23 may sell recreational one-day temporary combination fishing licenses
24 as described in RCW 77.32.470.

25 **Sec. 34.** RCW 77.65.390 and 2011 c 339 s 27 are each amended to
26 read as follows:

27 An ocean pink shrimp delivery license is required for a
28 commercial fishing vessel to deliver ocean pink shrimp taken for
29 commercial purposes in offshore waters and delivered to a port in the
30 state. As used in this section, "deliver" and "delivery" mean arrival
31 at a place or port, and include arrivals from offshore waters to
32 waters within the state and arrivals from state or offshore waters.
33 The annual license fee is (~~one hundred fifty dollars for residents~~
34 ~~and~~) three hundred dollars (~~for nonresidents~~). The application fee
35 is one hundred five dollars. Ocean pink shrimp delivery licenses are
36 transferable.

1 **Sec. 35.** RCW 77.65.440 and 2011 c 339 s 28 are each amended to
2 read as follows:

3 The director shall issue the personal licenses listed in this
4 section according to the requirements of this title. The licenses and
5 their annual fees are:

6	Personal	Annual Fee	Applica-	Governing
7	License	(RCW 77.95.090 Surcharge)	tion Fee	Section
8		((Resident))	((Nonresident))	
9	(1) Alternate	(\$35)	(\$35)	\$ 70 RCW 77.65.130
10	Operator	<u>\$135</u>		
11	(2) Geoduck Diver	(\$185)	(\$295)	\$ 70 RCW 77.65.410
12		<u>\$330</u>		
13	(3) Food Fish Guide	(\$130)	(\$630)	\$ 70 RCW 77.65.370
14		<u>\$390</u>		
15		(plus	((plus	
16		\$20)	\$100)))	

17 **Sec. 36.** RCW 77.65.480 and 2015 c 103 s 3 are each amended to
18 read as follows:

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

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

27 (3)(a) A game fish guide license allows the holder to offer or
28 perform the services of a game fish guide in the taking of game fish.
29 The fee for this license is ~~((one hundred eighty dollars for a~~
30 ~~resident and six))~~ four hundred ten dollars ~~((for a nonresident))~~.
31 The application fee is seventy dollars. An application for a game
32 fish guide license must include the information required in RCW
33 77.65.560.

34 (b) A game fish guide license purchased by a person, firm, or
35 business on behalf of an employee is subject to RCW 77.65.600.

36 (4) A game farm license allows the holder to operate a game farm
37 to acquire, breed, grow, keep, and sell wildlife under conditions

1 prescribed by the rules adopted pursuant to this title. The fee for
2 this license is seventy-two dollars for the first year and forty-
3 eight dollars for each following year. The application fee is seventy
4 dollars.

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

9 (6) A fishing or field trial permit allows the holder to promote,
10 conduct, hold, or sponsor a fishing or field trial contest in
11 accordance with rules of the commission. The fee for a fishing
12 contest permit is twenty-four dollars. The fee for a field trial
13 contest permit is twenty-four dollars. The application fee is seventy
14 dollars.

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

22 ~~(b) An anadromous game fish buyer's license is not required for
23 those businesses that buy steelhead trout and other anadromous game
24 fish from Washington licensed game fish dealers and sell solely at
25 retail.)~~

26 **Sec. 37.** RCW 77.65.490 and 2001 c 253 s 56 are each amended to
27 read as follows:

28 (1) A license issued by the director is required to:

29 (a) Practice taxidermy for commercial purposes;

30 (b) Deal in raw furs for commercial purposes;

31 (c) Act as a fishing guide; or

32 (d) Operate a game farm(~~;~~~~or~~

33 ~~(e) Purchase or sell anadromous game fish)).~~

34 (2) A permit issued by the director is required to:

35 (a) Conduct, hold, or sponsor hunting or fishing contests or
36 competitive field trials using live wildlife;

37 (b) Collect wild animals, wild birds, game fish, food fish,
38 shellfish, or protected wildlife for research or display;

39 (c) Stock game fish; or

1 (d) Conduct commercial activities on department-owned or
2 controlled lands.

3 (3) Aquaculture as defined in RCW 15.85.020 is exempt from the
4 requirements of this section, except when being stocked in public
5 waters under contract with the department.

6 **Sec. 38.** RCW 77.65.500 and 2015 c 97 s 9 are each amended to
7 read as follows:

8 Licensed taxidermists, fur dealers, (~~(anadromous game fish~~
9 ~~buyers)) fishing guides, game farmers, and persons stocking game fish
10 or conducting a hunting, fishing, or field trial contest shall make
11 reports as required by rules of the director.~~

12 **Sec. 39.** RCW 77.65.510 and 2011 c 339 s 31 are each amended to
13 read as follows:

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

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

1 ~~commercial fishing license is not affected or altered in any way by~~
2 ~~the addition of a direct retail endorsement. These costs include the~~
3 ~~base cost of the license and any revenue and excise taxes.))~~ A
4 licensed commercial fisher holding a limited fish seller endorsement
5 may allow a designated alternate to sell under the authority of that
6 endorsement.

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

25 (4) (~~In addition to any fees charged for the endorsed licenses~~
26 ~~and harvest documentation as required by this chapter or the rules of~~
27 ~~the department, the department may set a reasonable annual fee not to~~
28 ~~exceed the administrative costs to the department for a direct retail~~
29 ~~endorsement.)) The fee for a limited fish seller endorsement is
30 seventy dollars. The application fee is one hundred five dollars.~~

31 (5) The holder of a (~~direct retail~~) limited fish seller
32 endorsement is responsible for documenting the commercial harvest
33 (~~of salmon and crab~~) and sales according to (~~the provisions of~~
34 ~~this chapter,~~) the rules of the department (~~for a wholesale fish~~
35 ~~dealer, and the reporting requirements of the endorsed license. Any~~
36 ~~retail-eligible species caught by the holder of a direct retail~~
37 ~~endorsement must be documented on fish tickets)).~~

38 (6) (~~The direct retail endorsement must be displayed in a~~
39 ~~readily visible manner by the seller wherever and whenever a sale to~~
40 ~~someone other than a licensed wholesale dealer occurs. The commission~~

1 ~~may require that the holder of a direct retail endorsement notify the~~
2 ~~department up to eighteen hours before conducting an in-person sale~~
3 ~~of retail-eligible species, except for in-person sales that have a~~
4 ~~cumulative retail sales value of less than one hundred fifty dollars~~
5 ~~in a twenty-four hour period that are sold directly from the vessel.~~
6 ~~For sales occurring in a venue other than in person, such as over the~~
7 ~~internet, through a catalog, or on the phone, the direct retail~~
8 ~~endorsement number of the seller must be provided to the buyer both~~
9 ~~at the time of sale and the time of delivery. All internet sales must~~
10 ~~be conducted in accordance with federal laws and regulations.~~

11 ~~(7))~~ The ~~((direct retail))~~ limited fish seller endorsement is to
12 be held by a natural person and is not transferable or assignable. If
13 the endorsed license is transferred, the ~~((direct retail))~~ limited
14 fish seller endorsement immediately becomes void, and the transferor
15 is not eligible for a full or prorated reimbursement of the annual
16 fee paid for the ~~((direct retail))~~ limited fish seller endorsement.
17 Upon becoming void, the holder of a ~~((direct retail))~~ limited fish
18 seller endorsement must surrender the physical endorsement to the
19 department.

20 ~~((8) The holder of a direct retail endorsement must abide by the~~
21 ~~provisions of Title 69 RCW as they apply to the processing and retail~~
22 ~~sale of seafood. The department must distribute a pamphlet, provided~~
23 ~~by the department of agriculture, with the direct retail endorsement~~
24 ~~generally describing the labeling requirements set forth in chapter~~
25 ~~69.04 RCW as they apply to seafood.~~

26 ~~(9))~~ (7) The holder of a qualifying commercial fishing license
27 ~~((issued under this chapter,))~~ or an alternate operator designated on
28 such a license, must either possess a ~~((direct retail))~~ limited fish
29 seller endorsement or a wholesale ~~((dealer license))~~ fish buyer
30 endorsement provided for in RCW ~~((77.65.280))~~ 77.65.340 in order to
31 lawfully sell their catch or harvest in the state to anyone other
32 than a licensed wholesale ~~((dealer))~~ fish buyer.

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

37 **Sec. 40.** RCW 77.65.580 and 2015 c 97 s 5 are each amended to
38 read as follows:

1 (1) The department must issue a department vessel registration
2 number decal and an identifying decal to all food fish guides, game
3 fish guides, and charter boat operators licensed under RCW 77.65.010.
4 (~~The identifying decal must display the license number~~
5 ~~prominently.~~)

6 (2) Any person who acts or offers to act as a food fish guide,
7 game fish guide, or charter boat operator must display (~~the~~
8 ~~identifying~~) both decals on vessels in a location easily visible to
9 customers and adjacent vessels.

10 **Sec. 41.** RCW 77.65.590 and 2015 c 97 s 7 are each amended to
11 read as follows:

12 (1) A fish guide combination license allows the holder to offer
13 or perform the services of a food fish guide(~~(7)~~) and game fish
14 guide(~~(, salmon charter boat operator, and nonsalmon charter boat~~
15 ~~operator)~~).

16 (2) The commission must adopt rules to create and sell a fish
17 guide combination license. (~~The commission may adopt rules to create~~
18 ~~and sell separate combination licenses, one for food fish and game~~
19 ~~fish guide activities only and another combination license for all~~
20 ~~food fish guide, game fish guide, salmon charter boat operator, and~~
21 ~~nonsalmon charter boat operator activities.~~) The cost of the fish
22 guide combination license or licenses must be below a fee equal to
23 the total cost of the individual licenses contained within the
24 combination.

25 **Sec. 42.** RCW 77.70.150 and 2010 c 193 s 14 are each amended to
26 read as follows:

27 (1) A sea urchin dive fishery license is required to take sea
28 urchins for commercial purposes. A sea urchin dive fishery license
29 authorizes the use of only one diver in the water at any time during
30 sea urchin harvest operations. If the same vessel has been designated
31 on two sea urchin dive fishery licenses, two divers may be in the
32 water. A natural person may not hold more than two sea urchin dive
33 fishery licenses.

34 (2) Except as provided in subsection (~~(+6)~~) (5) of this section,
35 the director shall issue no new sea urchin dive fishery licenses. For
36 licenses issued for the year 2000 and thereafter, the director shall
37 renew existing licenses only to a natural person who held the license
38 at the end of the previous year. If a sea urchin dive fishery license

1 is not held by a natural person as of December 31, 1999, it is not
2 renewable. However, if the license is not held because of revocation
3 or suspension of licensing privileges, the director shall renew the
4 license in the name of a natural person at the end of the revocation
5 or suspension if the license holder applies for renewal of the
6 license before the end of the year in which the revocation or
7 suspension ends.

8 (3) Where a licensee failed to obtain the license during the
9 previous year because of a license suspension or revocation by the
10 director or the court, the licensee may qualify for a license by
11 establishing that the person held such a license during the last year
12 in which the person was eligible.

13 ~~(4) ((Surcharges as provided for in this section shall be
14 collected and deposited into the sea urchin dive fishery account
15 hereby created in the custody of the state treasurer. The collections
16 and deposits must continue, as set forth in (a) and (b) of this
17 subsection, through license year 2013, or until the number of
18 licenses is reduced to twenty, whichever occurs first. Only the
19 director or the director's designee may authorize expenditures from
20 the account. The sea urchin dive fishery account is subject to
21 allotment procedures under chapter 43.88 RCW, but no appropriation is
22 required for expenditures. Expenditures from the account shall only
23 be used to retire sea urchin licenses until the number of licenses is
24 reduced to twenty, and thereafter shall only be used for sea urchin
25 management and enforcement. The director or the director's designee
26 shall notify the department of revenue within thirty days when the
27 number of licenses is reduced to twenty.~~

28 ~~(a) A surcharge of one hundred dollars shall be charged with each
29 sea urchin dive fishery license renewal for licenses issued for
30 license years 2000 through 2013, or until the number of licenses is
31 reduced to twenty, whichever occurs first.~~

32 ~~(b) For licenses issued for license years 2000 through 2013, or
33 until the number of licenses is reduced to twenty, whichever occurs
34 first, a surcharge shall be charged on the sea urchin dive fishery
35 license for designating an alternate operator. The surcharge shall be
36 as follows: Five hundred dollars for the first year or each of the
37 first two consecutive years after 1999 that any alternate operator is
38 designated and two thousand five hundred dollars each year thereafter
39 that any alternate operator is designated.~~

1 ~~(5))~~ Sea urchin dive fishery licenses are transferable subject
2 to the fees and restrictions in RCW 77.65.020(2). (~~For licenses~~
3 ~~issued for license years 2000 through 2013, or whenever the number of~~
4 ~~licenses is reduced to twenty, whichever occurs first, there is a~~
5 ~~surcharge to transfer a sea urchin dive fishery license. The~~
6 ~~surcharge is five hundred dollars for the first transfer of a license~~
7 ~~valid for license year 2000, and two thousand five hundred dollars~~
8 ~~for any subsequent transfer, occurring in the license years 2000~~
9 ~~through 2013, or whenever the number of licenses is reduced to~~
10 ~~twenty, whichever occurs first. Notwithstanding this subsection, a~~
11 ~~one-time transfer exempt from surcharge applies for a transfer from~~
12 ~~the natural person licensed on January 1, 2000, to that person's~~
13 ~~spouse or child.~~

14 ~~(6))~~ (5) If fewer than twenty natural persons are eligible for
15 sea urchin dive fishery licenses, the director may accept
16 applications for new licenses. The additional licenses may not cause
17 more than twenty natural persons to be eligible for a sea urchin dive
18 fishery license. New licenses issued under this section shall be
19 distributed according to rules of the department that recover the
20 value of such licensed privilege.

21 **Sec. 43.** RCW 77.70.190 and 2011 c 339 s 33 are each amended to
22 read as follows:

23 (1) A sea cucumber dive fishery license is required to take sea
24 cucumbers for commercial purposes. A sea cucumber dive fishery
25 license authorizes the use of only one diver in the water at any time
26 during sea cucumber harvest operations. If the same vessel has been
27 designated on two sea cucumber dive fishery licenses, two divers may
28 be in the water. A natural person may not hold more than two sea
29 cucumber dive fishery licenses.

30 (2) Except as provided in subsection (~~(6))~~ (5) of this section,
31 the director shall issue no new sea cucumber dive fishery licenses.
32 For licenses issued for the year 2000 and thereafter, the director
33 shall renew existing licenses only to a natural person who held the
34 license at the end of the previous year. If a sea cucumber dive
35 fishery license is not held by a natural person as of December 31,
36 1999, it is not renewable. However, if the license is not held
37 because of revocation or suspension of licensing privileges, the
38 director shall renew the license in the name of a natural person at
39 the end of the revocation or suspension if the license holder applies

1 for renewal of the license before the end of the year in which the
2 revocation or suspension ends.

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

8 ~~(4) ((Surcharges as provided for in this section shall be
9 collected and deposited into the sea cucumber dive fishery account
10 hereby created in the custody of the state treasurer. The collections
11 and deposits must continue, as set forth in (a) and (b) of this
12 subsection, through license year 2013, or until the number of
13 licenses is reduced to twenty, whichever occurs first. Only the
14 director or the director's designee may authorize expenditures from
15 the account. The sea cucumber dive fishery account is subject to
16 allotment procedures under chapter 43.88 RCW, but no appropriation is
17 required for expenditures. Expenditures from the account shall only
18 be used to retire sea cucumber licenses until the number of licenses
19 is reduced to twenty, and thereafter shall only be used for sea
20 cucumber management and enforcement. The director or the director's
21 designee shall notify the department of revenue within thirty days
22 when the number of licenses is reduced to twenty.~~

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

27 ~~(b) For licenses issued for license years 2000 through 2013, or
28 until the number of licenses is reduced to twenty, whichever occurs
29 first, a surcharge shall be charged on the sea cucumber dive fishery
30 license for designating an alternate operator. The surcharge shall be
31 as follows: Five hundred dollars for the first year or each of the
32 first two consecutive years after 1999 that any alternate operator is
33 designated and two thousand five hundred dollars each year thereafter
34 that any alternate operator is designated.~~

35 ~~(5)) Sea cucumber dive fishery licenses are transferable subject
36 to the fees and restrictions in RCW 77.65.020(2). ((For licenses
37 issued for license years 2000 through 2013, or whenever the number of
38 licenses is reduced to twenty, whichever occurs first, there is a
39 surcharge to transfer a sea cucumber dive fishery license. The
40 surcharge is five hundred dollars for the first transfer of a license~~

1 ~~valid for license year 2000 and two thousand five hundred dollars for~~
2 ~~any subsequent transfer, occurring in the license years 2000 through~~
3 ~~2013, or whenever the number of licenses is reduced to twenty,~~
4 ~~whichever occurs first. The application fee to transfer a sea~~
5 ~~cucumber dive fishery license is one hundred five dollars.~~
6 ~~Notwithstanding this subsection, a one-time transfer exempt from~~
7 ~~surcharge applies for a transfer from the natural person licensed on~~
8 ~~January 1, 2000, to that person's spouse or child.~~

9 ~~(6))~~ (5) If fewer than twenty persons are eligible for sea
10 cucumber dive fishery licenses, the director may accept applications
11 for new licenses. The additional licenses may not cause more than
12 twenty natural persons to be eligible for a sea cucumber dive fishery
13 license. New licenses issued under this section shall be distributed
14 according to rules of the department that recover the value of such
15 licensed privilege.

16 **Sec. 44.** RCW 77.70.220 and 2011 c 339 s 34 are each amended to
17 read as follows:

18 (1) A person shall not harvest geoduck clams commercially without
19 a geoduck fishery license. This section does not apply to the harvest
20 of private sector cultured aquatic products as defined in RCW
21 15.85.020. The geoduck fishery license fee and the application fee
22 ~~((is seventy dollars))~~ are specified in RCW 77.65.220.

23 (2) Only a person who has entered into a geoduck harvesting
24 agreement with the department of natural resources under RCW
25 79.135.210 may hold a geoduck fishery license.

26 (3) A geoduck fishery license authorizes no taking of geoducks
27 outside the boundaries of the public lands designated in the
28 underlying harvesting agreement, or beyond the harvest ceiling set in
29 the underlying harvesting agreement.

30 (4) A geoduck fishery license expires when the underlying geoduck
31 harvesting agreement terminates.

32 (5) The director shall determine the number of geoduck fishery
33 licenses that may be issued for each geoduck harvesting agreement,
34 the number of units of gear whose use the license authorizes, and the
35 type of gear that may be used, subject to RCW 77.60.070. In making
36 those determinations, the director shall seek to conserve the geoduck
37 resource and prevent damage to its habitat.

38 (6) The holder of a geoduck fishery license and the holder's
39 agents and representatives shall comply with all applicable

1 commercial diving safety regulations adopted by the federal
2 occupational safety and health administration established under the
3 federal occupational safety and health act of 1970 as such law exists
4 on May 8, 1979, 84 Stat. 1590 et seq.; 29 U.S.C. Sec. 651 et seq. A
5 violation of those regulations is a violation of this subsection. For
6 the purposes of this section, persons who dive for geoducks are
7 "employees" as defined by the federal occupational safety and health
8 act. A violation of this subsection is grounds for suspension or
9 revocation of a geoduck fishery license following a hearing under the
10 procedures of chapter 34.05 RCW. The director shall not suspend or
11 revoke a geoduck fishery license if the violation has been corrected
12 within ten days of the date the license holder receives written
13 notice of the violation. If there is a substantial probability that a
14 violation of the commercial diving standards could result in death or
15 serious physical harm to a person engaged in harvesting geoduck
16 clams, the director shall suspend the license immediately until the
17 violation has been corrected. If the license holder is not the
18 operator of the harvest vessel and has contracted with another person
19 for the harvesting of geoducks, the director shall not suspend or
20 revoke the license if the license holder terminates its business
21 relationship with that person until compliance with this subsection
22 is secured.

23 (7) A person using a vessel in the geoduck fishery is required to
24 apply for and obtain a vessel identification number from the
25 department. The application fee for the vessel identification number
26 is one hundred five dollars.

27 **Sec. 45.** RCW 77.70.280 and 2003 c 174 s 5 are each amended to
28 read as follows:

29 (1) A person shall not commercially fish for coastal crab in
30 Washington state waters without a Dungeness crab—coastal ((~~or~~—a
31 ~~Dungeness crab—coastal class B~~)) fishery license. Gear used must
32 consist of one buoy attached to each crab pot. Each crab pot must be
33 fished individually.

34 (2) A Dungeness crab—coastal fishery license is transferable.
35 Except as provided in subsections (3) and ((+8)) (7) of this
36 section, such a license shall only be issued to a person who proved
37 active historical participation in the coastal crab fishery by having
38 designated, after December 31, 1993, a vessel or a replacement vessel

1 on the qualifying license that singly or in combination meets the
2 following criteria:

3 (a) Made a minimum of eight coastal crab landings totaling a
4 minimum of five thousand pounds per season in at least two of the
5 four qualifying seasons identified in subsection (~~((+5+))~~) (4) of this
6 section, as documented by valid Washington state shellfish receiving
7 tickets; and showed historical and continuous participation in the
8 coastal crab fishery by having held one of the following licenses or
9 their equivalents each calendar year beginning 1990 through 1993, and
10 was designated on the qualifying license of the person who held one
11 of the following licenses in 1994:

12 (i) Crab pot—Non-Puget Sound license, issued under RCW
13 77.65.220(1)(b);

14 (ii) Nonsalmon delivery license, issued under RCW 77.65.210;

15 (iii) Salmon troll license, issued under RCW 77.65.160;

16 (iv) Salmon delivery license, issued under RCW 77.65.170;

17 (v) Food fish trawl license, issued under RCW 77.65.200; or

18 (vi) Shrimp trawl license, issued under RCW 77.65.220; or

19 (b) Made a minimum of four Washington landings of coastal crab
20 totaling two thousand pounds during the period from December 1, 1991,
21 to March 20, 1992, and made a minimum of eight crab landings totaling
22 a minimum of five thousand pounds of coastal crab during each of the
23 following periods: December 1, 1991, to September 15, 1992; December
24 1, 1992, to September 15, 1993; and December 1, 1993, to September
25 15, 1994. For landings made after December 31, 1993, the vessel shall
26 have been designated on the qualifying license of the person making
27 the landings; or

28 (c) Made any number of coastal crab landings totaling a minimum
29 of twenty thousand pounds per season in at least two of the four
30 qualifying seasons identified in subsection (~~((+5+))~~) (4) of this
31 section, as documented by valid Washington state shellfish receiving
32 tickets, showed historical and continuous participation in the
33 coastal crab fishery by having held one of the qualifying licenses
34 each calendar year beginning 1990 through 1993, and the vessel was
35 designated on the qualifying license of the person who held that
36 license in 1994.

37 (3) A Dungeness crab-coastal fishery license shall be issued to a
38 person who had a new vessel under construction between December 1,
39 1988, and September 15, 1992, if the vessel made coastal crab
40 landings totaling a minimum of five thousand pounds by September 15,

1 1993, and the new vessel was designated on the qualifying license of
2 the person who held that license in 1994. All landings shall be
3 documented by valid Washington state shellfish receiving tickets.
4 License applications under this subsection may be subject to review
5 by the advisory review board in accordance with RCW 77.70.030. For
6 purposes of this subsection, "under construction" means either:

7 (a)(i) A contract for any part of the work was signed before
8 September 15, 1992; and

9 (ii) The contract for the vessel under construction was not
10 transferred or otherwise alienated from the contract holder between
11 the date of the contract and the issuance of the Dungeness crab-
12 coastal fishery license; and

13 (iii) Construction had not been completed before December 1,
14 1988; or

15 (b)(i) The keel was laid before September 15, 1992; and

16 (ii) Vessel ownership was not transferred or otherwise alienated
17 from the owner between the time the keel was laid and the issuance of
18 the Dungeness crab-coastal fishery license; and

19 (iii) Construction had not been completed before December 1,
20 1988.

21 (4) ~~((A Dungeness crab coastal class B fishery license is not
22 transferable. Such a license shall be issued to persons who do not
23 meet the qualification criteria for a Dungeness crab coastal fishery
24 license, if the person has designated on a qualifying license after
25 December 31, 1993, a vessel or replacement vessel that, singly or in
26 combination, made a minimum of four landings totaling a minimum of
27 two thousand pounds of coastal crab, documented by valid Washington
28 state shellfish receiving tickets, during at least one of the four
29 qualifying seasons, and if the person has participated continuously
30 in the coastal crab fishery by having held or by having owned a
31 vessel that held one or more of the licenses listed in subsection (2)
32 of this section in each calendar year subsequent to the qualifying
33 season in which qualifying landings were made through 1994. Dungeness
34 crab coastal class B fishery licenses cease to exist after December
35 31, 1999, and the continuing license provisions of RCW 34.05.422(3)
36 are not applicable.~~

37 ~~(5))~~) The four qualifying seasons for purposes of this section
38 are:

39 (a) December 1, 1988, through September 15, 1989;

1 (b) December 1, 1989, through September 15, 1990;

2 (c) December 1, 1990, through September 15, 1991; and

3 (d) December 1, 1991, through September 15, 1992.

4 ~~((+6))~~ (5) For purposes of this section and RCW 77.70.340,
5 "coastal crab" means Dungeness crab (cancer magister) taken in all
6 Washington territorial and offshore waters south of the United
7 States-Canada boundary and west of the Bonilla-Tatoosh line (a line
8 from the western end of Cape Flattery to Tatoosh Island lighthouse,
9 then to the buoy adjacent to Duntz Rock, then in a straight line to
10 Bonilla Point of Vancouver island), Grays Harbor, Willapa Bay, and
11 the Columbia river.

12 ~~((+7))~~ (6) For purposes of this section, "replacement vessel"
13 means a vessel used in the coastal crab fishery in 1994, and that
14 replaces a vessel used in the coastal crab fishery during any period
15 from 1988 through 1993, and which vessel's licensing and catch
16 history, together with the licensing and catch history of the vessel
17 it replaces, qualifies a single applicant for a Dungeness crab—
18 coastal ~~((or Dungeness crab coastal class B fishery))~~ license. A
19 Dungeness crab—coastal ~~((or Dungeness crab coastal class B fishery))~~
20 license may only be issued to a person who designated a vessel in the
21 1994 coastal crab fishery and who designated the same vessel in 1995.

22 ~~((+8))~~ (7) A Dungeness crab—coastal fishery license may not be
23 issued to a person who participates in the federal fleet reduction
24 program created in RCW 77.70.460 within ten years of that person's
25 participation in the federal program, if reciprocal restrictions are
26 imposed by the states of Oregon and California on persons
27 participating in the federal fleet reduction program.

28 **Sec. 46.** RCW 77.70.290 and 1997 c 418 s 2 are each amended to
29 read as follows:

30 (1) The director shall allow the landing into Washington state of
31 crab taken in offshore waters only if:

32 (a) The crab are legally caught and landed by fishers with a
33 valid Washington state Dungeness crab-coastal fishery license ~~((or a
34 valid Dungeness crab coastal class B fishery license))~~; or

35 (b)(i) The director determines that the landing of offshore
36 Dungeness crab by fishers without a Washington state Dungeness crab-
37 coastal fishery license ~~((or a valid Dungeness crab coastal class B
38 fishery license))~~ is in the best interest of the coastal crab

1 processing industry; (ii) the director has been requested to allow
2 such landings by at least three Dungeness crab processors; (iii) the
3 landings are permitted only between the dates of December 1st to
4 February 15th inclusively; (iv) only crab fishers commercially
5 licensed to fish by Oregon or California are permitted to land, if
6 the crab was taken with gear that consisted of one buoy attached to
7 each crab pot, and each crab pot was fished individually; (v) the
8 fisher landing the crab has obtained a valid delivery license; and
9 (vi) the decision is made on a case-by-case basis for the sole reason
10 of improving the economic stability of the commercial crab fishery.

11 (2) Nothing in this section allows the commercial fishing of
12 Dungeness crab in waters within three miles of Washington state by
13 fishers who do not possess a valid Dungeness crab-coastal fishery
14 license (~~((or a valid Dungeness crab-coastal class B fishery~~
15 ~~license))). Landings of offshore Dungeness crab by fishers without a
16 valid Dungeness crab-coastal fishery license (~~((or a valid Dungeness~~
17 ~~crab-coastal class B fishery license))) do not qualify the fisher for
18 such licenses.~~~~

19 **Sec. 47.** RCW 77.70.300 and 2000 c 107 s 77 are each amended to
20 read as follows:

21 A person commercially fishing for Dungeness crab in offshore
22 waters outside of Washington state jurisdiction shall obtain a
23 Dungeness crab offshore delivery license from the director if the
24 person does not possess a valid Dungeness crab-coastal fishery
25 license (~~((or a valid Dungeness crab-coastal class B fishery license)))~~
26 and the person wishes to land Dungeness crab into a place or a port
27 in the state. The annual fee for a Dungeness crab offshore delivery
28 license is two hundred fifty dollars. The director may specify
29 restrictions on landings of offshore Dungeness crab in Washington
30 state as authorized in RCW 77.70.290.

31 Fees from the offshore Dungeness crab delivery license shall be
32 placed in the coastal crab account created in RCW 77.70.320.

33 **Sec. 48.** RCW 77.70.340 and 2000 c 107 s 80 are each amended to
34 read as follows:

35 (1) An Oregon resident who can show historical and continuous
36 participation in the Washington state coastal crab fishery by having
37 held a nonresident non-Puget Sound crab pot license issued under RCW
38 77.65.220 each year from 1990 through 1994, and who has delivered a

1 minimum of eight landings totaling five thousand pounds of crab into
2 Oregon during any two of the four qualifying seasons as provided in
3 RCW 77.70.280(~~(+5)~~) (4) as evidenced by valid Oregon fish-receiving
4 tickets, shall be issued a (~~nonresident~~) Dungeness crab-coastal
5 fishery license valid for fishing in Washington state waters north
6 from the Oregon-Washington boundary to United States latitude forty-
7 six degrees thirty minutes north. Such license shall be issued upon
8 application and submission of proof of delivery.

9 (2) This section shall become effective contingent upon
10 reciprocal statutory authority in the state of Oregon providing for
11 equal access for Washington state coastal crab fishers to Oregon
12 territorial coastal waters north of United States latitude forty-five
13 degrees fifty-eight minutes north, and Oregon waters of the Columbia
14 river.

15 **Sec. 49.** RCW 77.70.430 and 2006 c 143 s 1 are each amended to
16 read as follows:

17 (1) In order to administer a Puget Sound crab pot buoy tag
18 program, the department may charge a fee to holders of a Dungeness
19 crab—Puget Sound fishery license to reimburse the department for the
20 production of Puget Sound crab pot buoy tags and the administration
21 of a Puget Sound crab pot buoy tag program.

22 (2) In order to administer a Washington coastal Dungeness crab
23 pot buoy tag program, the department may charge a fee to holders of a
24 Dungeness crab—coastal (~~or a Dungeness crab coastal class B~~)
25 fishery license and to holders of out-of-state licenses who are
26 issued a pot certificate by the department to reimburse the
27 department for the production of Washington coastal crab pot buoy
28 tags and the administration of a Washington coastal crab pot buoy tag
29 program.

30 (3) The department shall annually review the costs of crab pot
31 buoy tag production under this section with the goal of minimizing
32 the per tag production costs. Any savings in production costs shall
33 be passed on to the fishers required to purchase crab pot buoy tags
34 under this section in the form of a lower tag fee.

35 **Sec. 50.** RCW 77.70.490 and 2011 c 339 s 36 are each amended to
36 read as follows:

37 (1) A Washington Pacific sardine purse seine fishery license:

1 (a) May only be issued to a person that held a coastal pilchard
2 experimental fishery permit in 2008, except as otherwise provided in
3 this section;

4 (b) Must be renewed annually to remain active; and

5 (c) Subject to the restrictions of subsections (6) and (7) of
6 this section and RCW 77.65.040, is transferable.

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

12 (3) Beginning in 2010, after taking into consideration the status
13 of the Pacific sardine population, the impact of removal of sardines
14 and other forage fish to the marine ecosystem, including the effect
15 on endangered marine species, and the market for Pacific sardines in
16 the state, the director may issue:

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

20 (b) A Washington Pacific sardine purse seine temporary annual
21 fishery permit to any person if the combined number of active
22 Washington Pacific sardine purse seine fishery licenses and annual
23 temporary permits already issued during the year is less than twenty-
24 five.

25 (4) The annual fee for a Washington Pacific sardine purse seine
26 fishery license (~~((is one hundred eighty five dollars for residents
27 and two hundred ninety five dollars for nonresidents.))~~) and the
28 application fee ((is one hundred five dollars)) are specified in RCW
29 77.65.200.

30 (5) The fee for a Washington Pacific sardine purse seine
31 temporary annual fishery permit (~~((is one hundred eighty five dollars
32 for residents and two hundred ninety five dollars for nonresidents.))~~)
33 and the application fee ((is one hundred five dollars)) are specified
34 in RCW 77.65.200. A temporary annual fishery permit expires at the
35 end of the calendar year in which the permit is issued.

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

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

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

5 **Sec. 51.** RCW 82.27.020 and 2010 c 193 s 16 are each amended to
6 read as follows:

7 (1) In addition to all other taxes, licenses, or fees provided by
8 law there is established an excise tax on the commercial possession
9 of enhanced food fish as provided in this chapter. The tax is levied
10 upon and shall be collected from the owner of the enhanced food fish
11 whose possession constitutes the taxable event. The taxable event is
12 the first possession in Washington by an owner after the enhanced
13 food fish has been landed. Processing and handling of enhanced food
14 fish by a person who is not the owner is not a taxable event to the
15 processor or handler.

16 (2) A person in possession of enhanced food fish and liable to
17 this tax may deduct from the price paid to the person from which the
18 enhanced food fish (except oysters) are purchased an amount equal to
19 a tax at one-half the rate levied in this section upon these
20 products.

21 (3) The measure of the tax is the value of the enhanced food fish
22 at the point of landing.

23 (4) The tax shall be equal to the measure of the tax multiplied
24 by the rates for enhanced food fish as follows:

25 (a) Chinook, coho, and chum salmon and anadromous game fish: Five
26 and twenty-five one-hundredths percent;

27 (b) Pink and sockeye salmon: Three and fifteen one-hundredths
28 percent;

29 (c) Other food fish and shellfish, except oysters, sea urchins,
30 and sea cucumbers: Two and one-tenth percent;

31 (d) Oysters: Eight one-hundredths of one percent;

32 (e) Sea urchins: (~~Four and six tenths percent through December~~
33 ~~31, 2013, or until the department of fish and wildlife notifies the~~
34 ~~department that the number of sea urchin licenses has been reduced to~~
35 ~~twenty licenses, whichever occurs first, and)) Two and one-tenth
36 percent (~~(thereafter)~~); and~~

37 (f) Sea cucumbers: (~~Four and six tenths percent through December~~
38 ~~31, 2013, or until the department of fish and wildlife notifies the~~
39 ~~department that the number of sea cucumber licenses has been reduced~~

1 ~~to twenty licenses, whichever occurs first, and))~~ Two and one-tenth
2 percent ((~~thereafter~~)).

3 (5) An additional tax is imposed equal to the rate specified in
4 RCW 82.02.030 multiplied by the tax payable under subsection (4) of
5 this section.

6 **Sec. 52.** RCW 82.27.070 and 2010 c 193 s 17 are each amended to
7 read as follows:

8 All taxes collected by the department of revenue under this
9 chapter shall be deposited in the ((~~state general fund except for the~~
10 ~~excise tax on anadromous game fish, which shall be deposited in the~~))
11 state wildlife account. ((~~From January 1, 2000, to December 31, 2013,~~
12 ~~or until the department of fish and wildlife notifies the department~~
13 ~~that the license reduction goals of the sea urchin or sea cucumber~~
14 ~~fishery have been met, whichever occurs first, twenty five forty-~~
15 ~~sixths of the revenues derived from the excise tax on sea urchins~~
16 ~~collected under RCW 82.27.020 shall be deposited into the sea urchin~~
17 ~~dive fishery account created in RCW 77.70.150, and twenty five forty-~~
18 ~~sixths of the revenues derived from the excise tax on sea cucumbers~~
19 ~~collected under RCW 82.27.020 shall be deposited into the sea~~
20 ~~cucumber dive fishery account created in RCW 77.70.190.))~~

21 **Sec. 53.** RCW 69.07.100 and 2011 c 281 s 13 are each amended to
22 read as follows:

23 (1) The provisions of this chapter shall not apply to
24 establishments issued a permit or licensed under the provisions of:

25 (a) Chapter 69.25 RCW, the Washington wholesome eggs and egg
26 products act;

27 (b) Chapter 69.28 RCW, the Washington state honey act;

28 (c) Chapter 16.49 RCW, the meat inspection act;

29 (d) ((~~Chapter 77.65 RCW, relating to the direct retail~~
30 ~~endorsement for wild-caught seafood;~~

31 ~~(e))~~) Chapter 69.22 RCW, relating to cottage food operations;

32 ((~~(f)~~)) (e) Title 66 RCW, relating to alcoholic beverage control;

33 and

34 ((~~(g)~~)) (f) Chapter 69.30 RCW, the sanitary control of shellfish
35 act.

36 (2) If any such establishments process foods not specifically
37 provided for in the above entitled acts, the establishments are
38 subject to the provisions of this chapter.

1 (3) The provisions of this chapter do not apply to restaurants or
2 food service establishments.

3 **Sec. 54.** RCW 36.71.090 and 2003 c 387 s 5 are each amended to
4 read as follows:

5 ~~((1))~~ It shall be lawful for any farmer, gardener, or other
6 person, without license, to sell, deliver, or peddle any fruits,
7 vegetables, berries, eggs, or any farm produce or edibles raised,
8 gathered, produced, or manufactured by such person and no city or
9 town shall pass or enforce any ordinance prohibiting the sale by or
10 requiring license from the producers and manufacturers of farm
11 produce and edibles as defined in this section. However, nothing in
12 this section authorizes any person to sell, deliver, or peddle,
13 without license, in any city or town, any dairy product, meat,
14 poultry, eel, fish, mollusk, or shellfish where a license is required
15 to engage legally in such activity in such city or town.

16 ~~((2) It is lawful for an individual in possession of a valid
17 direct retail endorsement, as established in RCW 77.65.510, to sell,
18 deliver, or peddle any legally harvested retail-eligible species, as
19 that term is defined in RCW 77.08.010, that is caught, harvested, or
20 collected under rule of the department of fish and wildlife by such a
21 person at a temporary food service establishment, as that term is
22 defined in RCW 69.06.045, and no city, town, or county may pass or
23 enforce an ordinance prohibiting the sale by or requiring additional
24 licenses or permits from the holder of the valid direct retail
25 endorsement. However, this subsection does not prohibit a city, town,
26 or county from inspecting an individual displaying a direct retail
27 endorsement to verify that the person is in compliance with state
28 board of health and local rules for food service operations.))~~

29 NEW SECTION. **Sec. 55.** The code reviser's office is directed to
30 move the definitions of "to fish," "to hunt," "to process," "to
31 take," "to trap," and "to waste" or "to be wasted," by reordering
32 them within RCW 77.08.010 in alphabetical order by the spelling of
33 the main verb word.

34 NEW SECTION. **Sec. 56.** The following acts or parts of acts are
35 each repealed:

36 (1) RCW 77.65.290 (Wholesale fish dealer licenses—Display) and
37 1993 c 340 s 52, 1983 1st ex.s. c 46 s 110, & 1955 c 12 s 75.28.070;

1 (2) RCW 77.65.300 (Wholesale fish dealer may be a fish buyer) and
2 1985 c 248 s 3;
3 (3) RCW 77.65.360 (License fee increases—Disposition) and 1989 c
4 316 s 20;
5 (4) RCW 77.65.515 (Direct retail endorsement—Requirements) and
6 2003 c 387 s 3 & 2002 c 301 s 3;
7 (5) RCW 77.65.520 (Direct retail endorsement—Compliance—
8 Violations—Suspension) and 2003 c 387 s 4 & 2002 c 301 s 4; and
9 (6) RCW 77.65.900 (Effective date—1989 c 316) and 1989 c 316 s
10 22.

11 NEW SECTION. **Sec. 57.** This act takes effect January 1, 2018.

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