
HOUSE BILL 1011

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Haugen, Wilson, Spanel, Morris, Cole, Zellinsky, Basich, Winsley, Orr and Wynne.

Read first time January 14, 1991. Referred to Committee on Fisheries & Wildlife.

1 AN ACT Relating to marine fish research; amending RCW 75.28.095;
2 adding a new section to chapter 75.25 RCW; adding a new section to
3 chapter 75.28 RCW; adding a new chapter to Title 75 RCW; adding new
4 sections to chapter 43.131 RCW; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds and declares the
7 following:

8 (1) Declines in various Washington marine species of fish have
9 adversely affected the sport and commercial fishing industries.

10 (2) Research, development, and technology transfer on the
11 artificial propagation, rearing, and stocking of some marine species
12 are needed.

13 (3) Funding for this research and development is most appropriately
14 borne by a special fund derived from user fees on sport and commercial

1 fishers who stand to benefit directly from the resurgence of various
2 marine species.

3 NEW SECTION. **Sec. 2.** Unless the context clearly requires
4 otherwise, the definitions in this section apply throughout this
5 chapter.

6 (1) "Fund" means the marine fish enhancement research fund.

7 (2) "Marine fish" means all species for which a personal use
8 license is required except salmon and sturgeon.

9 (3) "Program" means the Washington marine fish enhancement research
10 program.

11 NEW SECTION. **Sec. 3.** The Washington marine fish enhancement
12 research program is established for the purpose of supporting basic and
13 applied research and technology transfer on the artificial propagation,
14 rearing, and stocking of marine fish species that are important to
15 sport and commercial fishing in the marine and ocean waters of
16 Washington. Research funds shall be allocated between studies of
17 marine fish species important to sport fishers and studies of marine
18 fish important to commercial fishers in proportion to each fishing
19 group's relative financial contribution to the program. Research shall
20 include, but is not limited to: (1) Artificial propagation, rearing,
21 and stocking of marine fishes; (2) ecological requirements necessary to
22 sustain marine fish stocks; (3) population dynamics in order to better
23 understand potential survival patterns; (4) tagging and monitoring
24 programs to evaluate success of stocking programs; and (5) stock
25 identification and genetics research to enable identification of
26 migration patterns and populations of fish stocks.

1 NEW SECTION. **Sec. 4.** The program shall be administered by the
2 director with the advice and assistance of the advisory panel created
3 in section 5 of this act.

4 NEW SECTION. **Sec. 5.** To assist the director in establishing
5 policy direction for research projects, there is hereby created a
6 marine fish enhancement research advisory panel. The panel shall
7 consist of the following members to be appointed by the director:

8 (1) One member representing the Washington trawl fisheries,
9 appointed from a list of trawl fishers who express interest in serving
10 on the advisory panel;

11 (2) One member representing the Washington commercial halibut
12 fishing industry, appointed from a list of halibut fishers who express
13 interest in serving on the advisory panel;

14 (3) One member representing the Washington charter boat fishing
15 industry, appointed from a list of charter boat owners who express
16 interest in serving on the advisory panel;

17 (4) One member representing Washington marine recreational fishers,
18 appointed from a list of recreational fishers who express interest in
19 serving on the advisory panel;

20 (5) One scientist at large; and

21 (6) One member representing the United States national marine
22 fisheries service.

23 NEW SECTION. **Sec. 6.** (1) The marine fish enhancement research
24 fund is hereby created in the custody of the state treasury. All fees
25 received by the department under sections 7 and 8 of this act and RCW
26 75.28.095(4) shall be deposited in the fund. Any money received for
27 the purposes of carrying out this chapter from other sources may be
28 deposited in the fund. Expenditures from the fund may be used only for

1 the purposes of the program. The fund is subject to allotment
2 procedures under chapter 43.88 RCW, but no appropriation is required
3 for expenditures.

4 (2) An amount, not to exceed twelve percent of the total annual
5 revenues deposited in the fund, may be used by the department for
6 administering the research program, for the production and distribution
7 of the marine fish enhancement research stamp, and for collecting stamp
8 revenues.

9 NEW SECTION. **Sec. 7.** A new section is added to chapter 75.25 RCW
10 to read as follows:

11 (1) In addition to a valid personal use license, a person taking
12 marine fish from state and offshore waters for sport purposes shall
13 have permanently affixed to his or her personal use license an annual
14 marine fish enhancement research stamp that shall be issued upon
15 payment of one dollar.

16 (2) Sport anglers who are entitled to a free personal use license,
17 or who are not required to obtain a personal use license, shall not be
18 required to obtain a marine fish enhancement research stamp.

19 (3) A dealer's fee may not be charged for issuing a marine fish
20 enhancement research stamp.

21 NEW SECTION. **Sec. 8.** A new section is added to chapter 75.28 RCW
22 to read as follows:

23 In addition to a valid Washington commercial fishing license, a
24 person taking food fish for commercial purposes shall have permanently
25 affixed to his or her license an annual food fish enhancement research
26 stamp that may be obtained from the department upon payment of thirty
27 dollars.

1 **Sec. 9.** RCW 75.28.095 and 1988 c 9 s 1 are each amended to read as
2 follows:

3 (1) A charter boat license is required for a vessel to be operated
4 as a charter boat from which food fish are taken for personal use. The
5 annual license fees are:

6	Species	Resident	Nonresident
7		Fee	Fee
8	(a) Food fish other		
9	than salmon	\$100	\$200
10	(b) Salmon and		
11	other food fish	\$200	\$200

12 (2) "Charter boat" means a vessel from which persons may, for a
13 fee, fish for food fish, and which delivers food fish into state ports
14 or delivers food fish taken from state waters into United States ports.
15 "Charter boat" does not mean:

16 (a) Vessels not generally engaged in charter boat fishing which are
17 under private lease or charter and operated by the lessee for the
18 lessee's personal recreational enjoyment; or

19 (b) Vessels used by guides for clients fishing for food fish for
20 personal use in freshwater rivers, streams, and lakes, other than Lake
21 Washington or that part of the Columbia River below the bridge at
22 Longview.

23 (3) A vessel shall not engage in both charter or sports fishing and
24 commercial fishing on the same day. A vessel may be licensed for both
25 charter boat fishing and for commercial fishing at the same time. The
26 license or delivery permit allowing the activity not being engaged in
27 shall be deposited with the fisheries patrol officer for that area or
28 an agent designated by the director.

1 (4) Beginning January 1, 1992, and effective until December 31,
2 1997, in addition to a valid charter boat license, the owner of a
3 charter boat shall obtain and permanently affix to the charter boat
4 license an annual marine fish enhancement research stamp that may be
5 obtained from the department upon payment of thirty dollars.

6 NEW SECTION. Sec. 10. Sections 1 through 6 of this act shall
7 constitute a new chapter in Title 75 RCW.

8 NEW SECTION. Sec. 11. Sections 7 and 8 of this act shall take
9 effect January 1, 1992.

10 NEW SECTION. Sec. 12. A new section is added to chapter 43.131
11 RCW to read as follows:

12 The Washington marine fish enhancement research program shall be
13 terminated on June 30, 1996, as provided in section 13 of this act.

14 NEW SECTION. Sec. 13. A new section is added to chapter 43.131
15 RCW to read as follows:

16 The following acts or parts of acts as now existing or hereafter
17 amended are each repealed, effective December 31, 1997:

- 18 (1) RCW 75.____ (section 1 of this act) and 1991 c s 1;
- 19 (2) RCW 75.____ (section 2 of this act) and 1991 c s 2;
- 20 (3) RCW 75.____ (section 3 of this act) and 1991 c s 3;
- 21 (4) RCW 75.____ (section 4 of this act) and 1991 c s 4;
- 22 (5) RCW 75.____ (section 5 of this act) and 1991 c s 5;
- 23 (6) RCW 75.____ (section 6 of this act) and 1991 c s 6;
- 24 (7) RCW 75.25.____ (section 7 of this act) and 1991 c s 7; and
- 25 (8) RCW 75.28.____ (section 8 of this act) and 1991 c s 8.