
ENGROSSED SUBSTITUTE SENATE BILL 6125

State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Natural Resources (originally sponsored by Senators Owen, Haugen, Sellar, Spanel and Winsley; by request of Department of Fisheries and Department of Wildlife)

Read first time 1/21/94.

1 AN ACT Relating to the creation of a combined recreational fish and
2 hunting license document; amending RCW 75.25.091, 75.25.092, 75.25.110,
3 75.25.120, 75.25.150, 77.32.101, 77.32.230, and 77.32.256; reenacting
4 and amending RCW 75.08.011 and 75.25.180; adding a new section to
5 chapter 77.32 RCW; adding a new section to chapter 75.25 RCW; creating
6 a new section; and providing effective dates.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.32 RCW
9 to read as follows:

10 The legislature finds that it is in the best interest of
11 recreational hunters and fishers in the state of Washington to be able
12 to purchase all recreational hunting and fishing licenses as a single
13 document. Under the combined department of fish and wildlife, there is
14 the opportunity to establish uniform license requirements and
15 procedures.

16 There is created a sport recreational license, to be administered
17 by the department of fish and wildlife. The sport recreational license
18 shall include the personal use food fish, game fish, hunting, hound,
19 and eastern Washington upland bird licenses, for residents and

1 nonresidents. The license shall also include three-day game fish and
2 food fish licenses, for residents and nonresidents. The license shall
3 include a warm water game fish surcharge, the funds from which shall be
4 deposited in the warm water game fish account, under chapter . . .
5 (Second Substitute Senate Bill No. 6206), Laws of 1994. The license may
6 also include provisions for other special licenses, surcharges, or
7 enhancement stamps as needed.

8 **Sec. 2.** RCW 75.08.011 and 1993 sp.s. c 2 s 20 and 1993 c 340 s 47
9 are each reenacted and amended to read as follows:

10 As used in this title or rules of the director, unless the context
11 clearly requires otherwise:

12 (1) "Director" means the director of fish and wildlife.

13 (2) "Department" means the department of fish and wildlife.

14 (3) "Person" means an individual or a public or private entity or
15 organization. The term "person" includes local, state, and federal
16 government agencies, and all business organizations, including
17 corporations and partnerships.

18 (4) "Fisheries patrol officer" means a person appointed and
19 commissioned by the director, with authority to enforce this title,
20 rules of the director, and other statutes as prescribed by the
21 legislature. Fisheries patrol officers are peace officers.

22 (5) "Ex officio fisheries patrol officer" means a commissioned
23 officer of a municipal, county, state, or federal agency having as its
24 primary function the enforcement of criminal laws in general, while the
25 officer is in the appropriate jurisdiction. The term "ex officio
26 fisheries patrol officer" also includes wildlife agents, special agents
27 of the national marine fisheries service, United States fish and
28 wildlife special agents, state parks commissioned officers, department
29 of natural resources enforcement officers, and United States forest
30 service officers, while the agents and officers are within their
31 respective jurisdictions.

32 (6) "To fish," "to harvest," and "to take" and their derivatives
33 mean an effort to kill, injure, harass, or catch food fish or
34 shellfish.

35 (7) "State waters" means all marine waters and fresh waters within
36 ordinary high water lines and within the territorial boundaries of the
37 state.

1 (8) "Offshore waters" means marine waters of the Pacific Ocean
2 outside the territorial boundaries of the state, including the marine
3 waters of other states and countries.

4 (9) "Concurrent waters of the Columbia river" means those waters of
5 the Columbia river that coincide with the Washington-Oregon state
6 boundary.

7 (10) "Resident" means a person who has (~~for the preceding ninety~~
8 ~~days~~) maintained a permanent place of abode within the state for at
9 least ninety days immediately preceding an application for a license,
10 has established by formal evidence an intent to continue residing
11 within the state, and who is not licensed to hunt or fish as a resident
12 in another state.

13 (11) "Nonresident" means a person who has not fulfilled the
14 qualifications of a resident.

15 (12) "Food fish" means those species of the classes Osteichthyes,
16 Agnatha, and Chondrichthyes that have been classified and that shall
17 not be fished for except as authorized by rule of the director. The
18 term "food fish" includes all stages of development and the bodily
19 parts of food fish species.

20 (13) "Shellfish" means those species of marine and freshwater
21 invertebrates that have been classified and that shall not be taken
22 except as authorized by rule of the director. The term "shellfish"
23 includes all stages of development and the bodily parts of shellfish
24 species.

25 (14) "Salmon" means all species of the genus *Oncorhynchus*, except
26 those classified as game fish in Title 77 RCW, and includes:

27	Scientific Name	Common Name
28	<i>Oncorhynchus tshawytscha</i>	Chinook salmon
29	<i>Oncorhynchus kisutch</i>	Coho salmon
30	<i>Oncorhynchus keta</i>	Chum salmon
31	<i>Oncorhynchus gorbuscha</i>	Pink salmon
32	<i>Oncorhynchus nerka</i>	Sockeye salmon

33 (15) "Commercial" means related to or connected with buying,
34 selling, or bartering. Fishing for food fish or shellfish with gear
35 unlawful for fishing for personal use, or possessing food fish or
36 shellfish in excess of the limits permitted for personal use are
37 commercial activities.

1 (16) "To process" and its derivatives mean preparing or preserving
2 food fish or shellfish.

3 (17) "Personal use" means for the private use of the individual
4 taking the food fish or shellfish and not for sale or barter.

5 (18) "Angling gear" means a line attached to a rod and reel capable
6 of being held in hand while landing the fish or a hand-held line
7 operated without rod or reel (~~(to which are attached no more than two~~
8 ~~single hooks or one artificial bait with no more than four multiple~~
9 ~~hooks)).~~

10 (19) "Open season" means those times, manners of taking, and places
11 or waters established by rule of the director for the lawful fishing,
12 taking, or possession of food fish or shellfish. "Open season"
13 includes the first and last days of the established time.

14 (20) "Fishery" means the taking of one or more particular species
15 of food fish or shellfish with particular gear in a particular
16 geographical area.

17 (21) "Limited-entry license" means a license subject to a license
18 limitation program established in chapter 75.30 RCW.

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

24 **Sec. 3.** RCW 75.25.091 and 1993 sp.s. c 17 s 2 are each amended to
25 read as follows:

26 (1) A personal use food fish license is required for all persons
27 other than residents under fifteen years of age (~~(, honorably discharged~~
28 ~~veterans with service-connected disabilities of thirty percent or more~~
29 ~~who have resided in the state for one year or more, or residents~~
30 ~~seventy years of age or older)) to fish for, take, or possess food fish
31 for personal use from state waters or offshore waters. A personal use
32 food fish license is not required under this section to fish for, take,
33 or possess carp, smelt, or albacore.~~

34 (2) The fees for annual personal use food fish licenses include the
35 one dollar regional fisheries enhancement surcharge imposed in RCW
36 75.50.100 and are as follows:

37 (a) For a resident fifteen years of age or older and under seventy
38 years of age, (~~seven~~) eight dollars; (~~and~~)

1 (b) For a resident seventy years of age or older, three dollars;
2 and

3 (c) For a nonresident, (~~nineteen~~) twenty dollars.

4 (3) The fee for a (~~two consecutive day~~) three-consecutive-day
5 personal use food fish license is (~~four~~) five dollars, and includes
6 the one-dollar regional fishery enhancement group surcharge imposed in
7 RCW 75.50.100.

8 (4) An annual personal use food fish license is valid for a maximum
9 catch of fifteen salmon, after which another annual personal use food
10 fish license may be purchased.

11 (5) An annual personal use food fish license is valid for an annual
12 maximum catch of fifteen sturgeon. No person may take more than
13 fifteen sturgeon in any calendar year.

14 **Sec. 4.** RCW 75.25.092 and 1993 sp.s. c 17 s 3 are each amended to
15 read as follows:

16 (1) A personal use shellfish and seaweed license is required for
17 all persons other than residents under fifteen years of age (~~or~~
18 ~~honorably discharged veterans with service-connected disabilities of~~
19 ~~thirty percent or more who have resided in the state for one year or~~
20 ~~more~~) to fish for, take, dig for, or possess shellfish except crawfish
21 (Pacifastacus sp.), or seaweed for personal use from state waters or
22 offshore waters including national park beaches.

23 (2) The fees for annual personal use shellfish and seaweed licenses
24 are:

25 (a) For a resident fifteen years of age or older and under seventy
26 years of age, five dollars;

27 (b) For a resident seventy years of age or older, three dollars;
28 and

29 (c) For a nonresident, twenty dollars.

30 (3) The fee for a (~~two consecutive day~~) three-consecutive-day
31 personal use shellfish and seaweed license is five dollars.

32 **Sec. 5.** RCW 75.25.110 and 1993 sp.s. c 17 s 6 are each amended to
33 read as follows:

34 (1) Any of the recreational fishing licenses required by this
35 chapter shall, upon (~~request~~) written application, be issued without
36 charge to the following individuals (~~upon request~~):

37 (a) (~~Residents under fifteen years of age;~~

1 ~~(b)) Residents who ((submit applications attesting that they)) are~~
2 ~~((a person sixty five years of age or older who is an))~~ honorably
3 discharged veterang of the United States armed forces and who are
4 sixty-five years of age or older with a service-connected disability
5 ~~((and who has been a resident of this state for the preceding ninety~~
6 ~~days))~~;

7 (b) Residents who are honorably discharged veterans of the United
8 States armed forces with a thirty percent or more service-connected
9 disability;

10 (c) A ~~((blind))~~ person who is blind;

11 (d) A person with a developmental disability as defined in RCW
12 71A.10.020 with documentation of the disability from the department of
13 social and health services; and

14 (e) A person who is physically handicapped and confined to a
15 wheelchair.

16 (2) A ~~((blind))~~ person who is blind or a physically handicapped
17 person confined to a wheelchair who has been issued a card for a
18 permanent disability under RCW 46.16.381 may use that card in place of
19 a fishing license.

20 (3) Licenses issued at no charge under this section shall be issued
21 from Olympia as provided by rule of the director.

22 **Sec. 6.** RCW 75.25.120 and 1993 sp.s. c 17 s 7 are each amended to
23 read as follows:

24 In concurrent waters of the Columbia river and in Washington
25 coastal territorial waters from the Oregon-Washington boundary to a
26 point five nautical miles north, an Oregon angling license comparable
27 to the Washington personal use food fish license or ~~((two consecutive-~~
28 ~~day))~~ three-consecutive-day personal use food fish license is valid if
29 Oregon recognizes as valid the Washington personal use food fish
30 license or ~~((two consecutive-day))~~ three-consecutive-day personal use
31 food fish license in comparable Oregon waters.

32 If Oregon recognizes as valid the Washington personal use food fish
33 license or ~~((two consecutive-day))~~ three-consecutive-day personal use
34 food fish license southward to Cape Falcon in the coastal territorial
35 waters from the Washington-Oregon boundary and in concurrent waters of
36 the Columbia river then Washington shall recognize a valid Oregon
37 license comparable to the Washington personal use food fish license or

1 (~~two consecutive day~~) three consecutive day personal use food fish
2 license northward to Leadbetter Point.

3 Oregon licenses are not valid for the taking of food fish when
4 angling in concurrent waters of the Columbia river from the Washington
5 shore.

6 **Sec. 7.** RCW 75.25.150 and 1993 sp.s. c 17 s 9 are each amended to
7 read as follows:

8 It is unlawful to dig for, fish for, harvest, or possess shellfish
9 (~~or~~), food fish, or seaweed without the licenses required by this
10 chapter.

11 **Sec. 8.** RCW 75.25.180 and 1993 sp.s. c 17 s 10 and 1993 sp.s. c 2
12 s 44 are each reenacted and amended to read as follows:

13 Recreational licenses issued by the department under this chapter
14 are valid for the following periods:

15 (1) Recreational licenses issued without charge to persons
16 designated by this chapter are valid for a period of five years(~~+~~

17 ~~(a) For blind persons;~~

18 ~~(b) For the period of continued state residency for qualified
19 disabled veterans;~~

20 ~~(c) For persons with a developmental disability; and~~

21 ~~(d) For handicapped persons confined to a wheelchair who have been
22 issued a permanent disability card)).~~

23 (2) (~~Two consecutive day~~) Three consecutive day personal use food
24 fish and shellfish and seaweed licenses expire at midnight on the
25 second day following the validation date written on the license by the
26 license dealer, except (~~two consecutive day~~) three consecutive day
27 personal use food fish and shellfish and seaweed licenses validated for
28 December 30 or 31 expire at midnight on (~~that date~~) December 31.

29 (3) (~~A personal use food fish license is valid for a maximum catch
30 of fifteen salmon, after which another personal use food fish license
31 may be purchased.—A~~) An annual personal use food fish license or
32 annual personal use shellfish and seaweed license is valid only for the
33 calendar year for which it is issued.

34 (~~(4) A personal use food fish license is valid for an annual
35 maximum catch of fifteen sturgeon.~~

36 ~~(5) Personal use shellfish licenses are valid for the calendar year
37 for which they are issued.))~~

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

3 The director shall by rule establish the conditions for issuance of
4 duplicate licenses, permits, tags, stamps, and catch record cards
5 required by this chapter. The fee for a duplicate provided under this
6 section is ten dollars for those licenses that are ten dollars and
7 over, and for those licenses under ten dollars the duplicate fee is the
8 value of the license.

9 **Sec. 10.** RCW 77.32.101 and 1991 sp.s. c 7 s 1 are each amended to
10 read as follows:

11 (1) A combination hunting and fishing license allows a resident
12 holder to hunt and fish for game fish throughout the state. The fee
13 for this license is twenty-nine dollars.

14 (2) A hunting license allows the holder to hunt throughout the
15 state. The fee for this license is fifteen dollars for residents and
16 one hundred fifty dollars for nonresidents.

17 (3) A fishing license allows the holder to fish for game fish
18 throughout the state. The fee for this license is seventeen dollars
19 for residents fifteen years of age or older and under seventy years of
20 age, three dollars for residents seventy years of age or older, twenty
21 dollars for nonresidents under fifteen years of age, and forty-eight
22 dollars for nonresidents fifteen years of age or older.

23 (4) A steelhead fishing license allows the holder of a combination
24 hunting and fishing license or a fishing license issued under this
25 section to fish for steelhead throughout the state. The fee for this
26 license is eighteen dollars.

27 (5) A juvenile steelhead license allows residents under fifteen
28 years of age and nonresidents under fifteen years of age who hold a
29 fishing license to fish for steelhead throughout the state. The fee
30 for this license is six dollars and entitles the holder to take up to
31 five steelhead at which time another juvenile steelhead license may be
32 purchased. Any person who purchases a juvenile steelhead license is
33 prohibited from purchasing a steelhead license for the same calendar
34 year.

35 **Sec. 11.** RCW 77.32.230 and 1991 sp.s. c 7 s 5 are each amended to
36 read as follows:

1 (1) A person sixty-five years of age or older who is an honorably
2 discharged veteran of the United States armed forces having a service-
3 connected disability and who ~~((has been))~~ is a resident ~~((for five~~
4 ~~years))~~ may receive upon written application a ~~((state))~~ hunting and
5 fishing license free of charge.

6 (2) Residents who are honorably discharged veterans of the United
7 States armed forces with a thirty percent or more service-connected
8 disability may receive upon written application a hunting and fishing
9 license free of charge.

10 (3) A ~~((blind))~~ person who is blind, or a person with a
11 developmental disability as defined in RCW 71A.10.020 with
12 documentation of the disability from the department of social and
13 health services, or a physically handicapped person confined to a
14 wheelchair may receive upon written application a fishing license free
15 of charge.

16 ~~((+3))~~ (4) A ~~((blind))~~ person who is blind or a physically
17 handicapped person confined to a wheelchair who has been issued a card
18 for a permanent disability under RCW 46.16.381 may use that card in
19 place of a fishing license ~~((unless tags, permits, stamps, or~~
20 ~~punchcards are required by this chapter))~~.

21 ~~((+4))~~ (5) A fishing license is not required for ~~((persons))~~
22 residents under the age of fifteen.

23 ~~((+5))~~ (6) Tags, permits, stamps, and ~~((punchcards))~~ steelhead
24 licenses required by this chapter shall be purchased separately by
25 persons receiving a free or reduced-fee license.

26 (7) Licenses issued at no charge under this section shall be issued
27 from Olympia as provided by rule of the director, and are valid for
28 five years.

29 **Sec. 12.** RCW 77.32.256 and 1991 sp.s. c 7 s 7 are each amended to
30 read as follows:

31 The director shall by rule establish the conditions for issuance of
32 duplicate licenses, rebates, permits, tags, stamps, and ~~((punchcards))~~
33 catch record cards required by this chapter. The fee for a duplicate
34 provided under this section is ten dollars for those licenses that are
35 ten dollars and over, and for those licenses under ten dollars the
36 duplicate fee is the value of the license.

1 NEW SECTION. **Sec. 13.** All licenses issued by the department of
2 fisheries under Title 75 RCW or issued by the department of wildlife
3 under Title 77 RCW shall be recognized as valid by the department of
4 fish and wildlife until the stated expiration date.

5 NEW SECTION. **Sec. 14.** This act shall take effect January 1, 1995,
6 except for section 13 of this act, which shall take effect July 1,
7 1994.

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