

# HOUSE BILL REPORT

## SB 5464

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**As Passed House:**  
April 13, 2015

**Title:** An act relating to unlawfully engaging in fishing guide activity.

**Brief Description:** Concerning unlawfully engaging in fishing guide activity.

**Sponsors:** Senators Warnick, Hatfield, Parlette, Hargrove, Ranker, Hewitt, Fraser and Chase; by request of Department of Fish and Wildlife.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 3/12/15, 3/17/15 [DP].

**Floor Activity:**

Passed House: 4/13/15, 94-3.

**Brief Summary of Bill**

- Creates the crime of Unlawfully Engaging in Fishing Guide Activity, which makes punishable as a gross misdemeanor the failure of a holder of certain licenses to perform any duty related to catch record cards or to violate any rule regarding temporary fishing licenses, charter stamps, or catch record cards.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 13 members: Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler, Dunshee, Hurst, Kretz, Orcutt, Pettigrew, Schmick, Stanford and Van De Wege.

**Staff:** Peter Clodfelter (786-7127).

**Background:**

Fish Guide and Charter Boat Licenses.

The Department of Fish and Wildlife (WDFW) manages the harvest of fish and the licensing of fishers. A commercial license is required to act as a food fish or game fish guide. In

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general, the term guide refers to a person who accepts compensation while transporting or accompanying fishers and sharing techniques and expertise of the fish and waters.

There are two classes of fish guide licenses. A game fish guide license allows guide services related to game fish such as steelhead, bass, and catfish. A food fish guide license allows guide services related to food fish in most freshwater areas. Food fish include salmon, sturgeon, halibut, bottomfish, and tuna. A charter boat license is required to operate a vessel for a fee in areas where others fish for food fish or shellfish in Puget Sound, Grays Harbor, Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia River below the bridge at Longview.

Acting as a fish guide or operating a charter boat without the proper license is a gross misdemeanor.

#### Catch Record Cards.

In general, a catch record card for recreational fish must be submitted to the WDFW by April 30 each year, whether or not fish were caught. The first catch record card is free; each subsequent catch record card is \$11. Catch record cards may be obtained from licensed dealers or by charter boat or guide operators. Charter boat or guide operators issuing temporary short-term charter stamp licenses are required to affix the stamp to each catch record card issued before fishing begins. Catch record cards affixed with a temporary stamp are valid for one day.

#### **Summary of Bill:**

A new gross misdemeanor is created for people who hold a game fish guide license, a food fish guide license, or a charter boat license and who fail to perform any duty related to catch record cards or who violate any rule regarding temporary fishing licenses, charter stamps, or catch record cards.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

#### **Staff Summary of Public Testimony:**

(In support) This bill is about fairness for fishing guides and charter boat operators so that they all follow the same rules. The overwhelming number of fishing guides and charter boat operators follow the law, but there have been instances of fraud related to unlawfully reusing temporary short-term charter stamp licenses and catch record cards. This bill would give the WDFW a tool to make sure that all fishing guides and charter boat operators follow rules related to issuing temporary short-term charter stamp licenses and catch record cards, and allow the WDFW to prosecute a fishing guide or charter boat operator not complying with the law.

(Opposed) None.

**Persons Testifying:** Senator Warnick, prime sponsor; and Mike Cenci, Washington Department of Fish and Wildlife.

**Persons Signed In To Testify But Not Testifying:** None.