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HOUSE BILL 1563

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Blake, Van De Wege, Tharinger, and Moscoso

Read first time 01/22/15. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to providing increased revenue to the state  
2 wildlife account; amending RCW 77.15.500, 77.65.010, 77.65.150,  
3 77.65.160, 77.65.170, 77.65.190, 77.65.280, 77.65.340, 77.65.440,  
4 77.65.480, 77.65.510, 82.27.020, and 82.27.070; reenacting and  
5 amending RCW 77.12.170; adding new sections to chapter 77.65 RCW;  
6 providing an effective date; and declaring an emergency.

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

8 **Sec. 1.** RCW 77.12.170 and 2011 c 339 s 3, 2011 c 320 s 23, and  
9 2011 c 171 s 112 are each reenacted and amended to read as follows:

10 (1) There is established in the state treasury the state wildlife  
11 account (~~(which)~~) that consists of moneys received from:

12 (a) Rentals or concessions of the department;

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

16 (c) The assessment of administrative penalties;

17 (d) The sale of licenses, permits, tags, and stamps required by  
18 chapter 77.32 RCW, RCW 77.65.490, section 4 of this act, and  
19 application fees;

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

1 (f) Fees for personalized vehicle, Wild on Washington, and  
2 Endangered Wildlife license plates and Washington's Wildlife license  
3 plate collection as provided in chapter 46.17 RCW;

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

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

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

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

15 (k) The sale of watchable wildlife decals under RCW 77.32.560;  
16 ((and))

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

21 (m) Donations received by the director under RCW 77.12.039; and

22 (n) The commercial anadromous surcharge required by chapter 77.65  
23 RCW.

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

27 **Sec. 2.** RCW 77.15.500 and 2000 c 107 s 248 are each amended to  
28 read as follows:

29 (1) A person is guilty of commercial fishing without a license in  
30 the second degree if the person fishes for, takes, or delivers food  
31 fish, shellfish, or game fish while acting for commercial purposes  
32 and:

33 (a) The person does not hold a fishery license or delivery  
34 license under chapter 77.65 RCW for the food fish or shellfish;  
35 ((or))

36 (b) The person is not a licensed operator designated as an  
37 alternate operator on a fishery or delivery license under chapter  
38 77.65 RCW for the food fish or shellfish; or

1       (c) The person does not hold a crewmember license when required  
2 under section 4 of this act.

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

6       (a) The violation involves taking, delivery, or possession of  
7 food fish or shellfish with a value of two hundred fifty dollars or  
8 more; or

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

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

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

16       NEW SECTION. Sec. 3. A new section is added to chapter 77.65  
17 RCW to read as follows:

18       (1) In addition to any commercial license required under this  
19 chapter, an anadromous surcharge is required in order to commercially  
20 fish, harvest, sell, purchase, or process any anadromous species.

21       (2) The amount of the applicable commercial anadromous surcharge  
22 is as provided in RCW 77.65.150, 77.65.170, 77.65.190, 77.65.280,  
23 77.65.340, 77.65.440, 77.65.480, and 77.65.510.

24       (3) The commercial anadromous surcharge must be deposited into  
25 the state wildlife account created in RCW 77.12.170. Moneys received  
26 from the anadromous surcharge must be appropriated to support  
27 commercial fisheries, including activities such as fishery  
28 monitoring, sampling and permitting activities, hatchery production  
29 and maintenance activities, and commercial fishery enforcement  
30 activities.

31       NEW SECTION. Sec. 4. A new section is added to chapter 77.65  
32 RCW to read as follows:

33       (1)(a) A crewmember license is required for each individual who  
34 works on any commercial vessel while operating in a commercial  
35 fishery regulated by the state, except that the individual on the  
36 vessel designated as the primary or alternate operator on the  
37 commercial fishing license does not also need a crewmember license.

1 (b) A crewmember license is not required for an individual aboard  
2 a licensed vessel who does not directly or indirectly participate in  
3 the operation of the vessel, the harvest, or catch processing  
4 activity. For the purposes of this section the terms "harvest" or  
5 "catch processing" include participation in tending, deploying,  
6 retrieving, or baiting fishing gear, harvesting, transferring or  
7 receiving fish or shellfish, heading and gutting fish, freezing,  
8 icing, or placing fish or shellfish in holds.

9 (2) A crewmember license must be purchased by an individual  
10 working as a crewmember, which license the holder may use aboard any  
11 commercial fishing vessel. A crewmember license purchased by a  
12 crewmember may not be transferred to another individual.

13 (3) A crewmember license may be purchased and held by a  
14 commercial fishing license holder for use by any individual working  
15 on the vessel named in the commercial fishing license. Each  
16 crewmember license held by a commercial fishing license holder covers  
17 one crewmember per trip, but the same crewmember license can be used  
18 to authorize a different individual to act as a crewmember on a  
19 subsequent trip.

20 (4)(a) The fee for an annual crewmember license is one hundred  
21 dollars for residents and nonresidents. Additional application fees  
22 and surcharges do not apply except that if the license is purchased  
23 through the automated licensing system the fees authorized in RCW  
24 77.32.050 apply.

25 (b) A five consecutive day crewmember license may be purchased  
26 for a fee of twenty-five dollars for residents and  
27 nonresidents. Additional application fees and surcharges do not apply  
28 except that if the license is purchased through the automated  
29 licensing system the fees authorized in RCW 77.32.050 apply.

30 (5) Moneys received from the sale of a crewmember license must be  
31 deposited into the state wildlife account and be appropriated to  
32 support commercial fisheries, including activities such as fishery  
33 monitoring, sampling and permitting activities, hatchery production  
34 and maintenance activities, and commercial fishery enforcement  
35 activities.

36 **Sec. 5.** RCW 77.65.010 and 2009 c 333 s 7 are each amended to  
37 read as follows:

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

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

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

10 (c) Operate a charter boat or commercial fishing vessel engaged  
11 in a fishery;

12 (d) Engage in processing or wholesaling food fish or shellfish;  
13 (~~(e)~~)

14 (e) Act as a food fish guide for personal use in freshwater  
15 rivers and streams, except that a charter boat license is required to  
16 operate a vessel from which a person may for a fee fish for food fish  
17 in state waters listed in RCW 77.65.150(4)(b); or

18 (f) Work as a crewmember on any commercial vessel operating in a  
19 commercial fishery regulated by the state, including crews of  
20 tenders, processors, catcher processors, or other floating craft  
21 while used in catching or transporting fish or shellfish.

22 (2) No person may engage in the activities described in  
23 subsection (1) of this section unless the licenses or permits  
24 required by this title are in the person's possession, and the person  
25 is the named license holder or an alternate operator designated on  
26 the license and the person's license is not suspended.

27 (3) A valid Oregon license that is equivalent to a license under  
28 this title is valid in the concurrent waters of the Columbia river if  
29 the state of Oregon recognizes as valid the equivalent Washington  
30 license. The director may identify by rule what Oregon licenses are  
31 equivalent.

32 (4) No license or permit is required for the production or  
33 harvesting of private sector cultured aquatic products as defined in  
34 RCW 15.85.020 or for the delivery, processing, or wholesaling of such  
35 aquatic products. However, if a means of identifying such products is  
36 required by rules adopted under RCW 15.85.060, the exemption from  
37 licensing or permit requirements established by this subsection  
38 applies only if the aquatic products are identified in conformance  
39 with those rules.

1       **Sec. 6.** RCW 77.65.150 and 2011 c 339 s 18 are each amended to  
 2 read as follows:

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

Fishery License or Permit	Annual License Fee		Anadromous Surcharge RCW		Regional Fisheries	Rockfish	Application	Governing
	<del>(((RCW 77.95.090 Surcharge)))</del>	<del>(((RCW 77.12.702 Surcharge)))</del>	77.65. . . (section 3 of this act)		Enhancement	Research	Fee	Section
					Group	Surcharge RCW		
					Enhancement	77.12.702		
					Surcharge RCW			
					77.95.090			
	Resident	Nonresident	Resident	Nonresident				
(a) Non-salmon charter	\$225 <del>(((plus \$35 for RCW 77.12.702 Surcharge)))</del>	\$375 <del>(((plus \$35 for RCW 77.12.702 Surcharge)))</del>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>plus \$35</u>	\$ 70	
(b) Salmon charter	\$380 <del>(((plus \$100) (plus \$35 for RCW 77.12.702 Surcharge)))</del>	\$685 <del>(((plus \$100) (plus \$35 for RCW 77.12.702 Surcharge)))</del>	<u>plus \$310</u>	<u>plus \$310</u>	<u>plus \$100</u>	<u>plus \$35</u>	\$105	RCW 77.70.050
(c) Salmon angler	\$ 0	\$ 0	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$ 0	RCW 77.70.060
(d) Salmon roe	\$ 95	\$ 95	<u>plus \$80</u>	<u>plus \$80</u>	<u>\$0</u>	<u>\$0</u>	\$ 70	RCW 77.65.350

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

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

35       (4)(a) "Charter boat" means a vessel from which persons may, for  
 36 a fee, fish for food fish or shellfish for personal use in those  
 37 state waters set forth in (b) of this subsection. "Charter boat" also

1 means a vessel from which persons may, for a fee, fish for food fish  
2 or shellfish for personal use in offshore waters or in the waters of  
3 other states. The director may specify by rule when a vessel is a  
4 "charter boat" within this definition.

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

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

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

29 **Sec. 7.** RCW 77.65.160 and 2011 c 339 s 19 are each amended to  
30 read as follows:

31 (1) The following commercial salmon fishery licenses are required  
32 for the license holder to use the specified gear to fish for salmon  
33 in state waters. Only a person who meets the qualifications of RCW  
34 77.70.090 may hold a license listed in this subsection. The licenses  
35 and their annual license fees, application fees, and surcharges  
36 (~~under RCW 77.95.090~~) are:

	Fishery License	<u>Annual License Fee</u>		<u>Anadromous Surcharge RCW 77.65...</u> (section 3 of this act)		<u>Regional Fisheries Enhancement Group</u> Surcharge <u>RCW 77.95.090</u>	Application Fee
		Resident Fee	Nonresident Fee	<u>Resident</u>	<u>Nonresident</u>		
7	(a) Salmon Gill Net	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
8	—Grays						
9	Harbor-						
10	Columbia						
11	river						
12	(b) Salmon Gill Net	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
13	—Puget						
14	Sound						
15	(c) Salmon Gill Net	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
16	—Willapa						
17	Bay-						
18	Columbia						
19	river						
20	(d) Salmon purse	\$530	\$985	<u>plus \$365</u>	<u>plus \$365</u>	plus \$100	\$105
21	seine						
22	(e) Salmon reef net	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
23	(f) Salmon troll	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105

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

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

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

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

35 (a) "Puget Sound" includes waters of the Strait of Juan de Fuca,  
36 Georgia Strait, Puget Sound and all bays, inlets, canals, coves,  
37 sounds, and estuaries lying easterly and southerly of the  
38 international boundary line and a line at the entrance to the Strait

1 of Juan de Fuca projected northerly from Cape Flattery to the  
2 lighthouse on Tatoosh Island and then to Bonilla Point on Vancouver  
3 Island.

4 (b) "Grays Harbor-Columbia river" includes waters of Grays Harbor  
5 and tributary estuaries lying easterly of a line projected northerly  
6 from Point Chehalis Light to Point Brown and those waters of the  
7 Columbia river and tributary sloughs and estuaries easterly of a line  
8 at the entrance to the Columbia river projected southerly from the  
9 most westerly point of the North jetty to the most westerly point of  
10 the South jetty.

11 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay  
12 and tributary estuaries and easterly of a line projected northerly  
13 from Leadbetter Point to the Cape Shoalwater tower and those waters  
14 of the Columbia river and tributary sloughs described in (b) of this  
15 subsection.

16 (6) A commercial salmon troll fishery license may be renewed  
17 under this section if the license holder notifies the department by  
18 May 1st of that year that he or she will not participate in the  
19 fishery during that calendar year. A commercial salmon gill net, reef  
20 net, or seine fishery license may be renewed under this section if  
21 the license holder notifies the department before the third Monday in  
22 September of that year that he or she will not participate in the  
23 fishery during that calendar year. The license holder must pay the  
24 one hundred dollar enhancement surcharge, (~~plus~~) a one hundred five  
25 dollar application fee, plus a one hundred dollar commercial  
26 anadromous surcharge before the third Monday in September, in order  
27 to be considered a valid renewal and eligible to renew the license  
28 the following year.

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

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

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

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

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

3 **Sec. 8.** RCW 77.65.170 and 2011 c 339 s 20 are each amended to  
4 read as follows:

5 (1) A salmon delivery license is required for a commercial  
6 fishing vessel to deliver salmon taken for commercial purposes in  
7 offshore waters to a place or port in the state. (~~As used in this~~  
8 ~~section, "deliver" and "delivery" mean arrival at a place or port,~~  
9 ~~and include arrivals from offshore waters to waters within the state~~  
10 ~~and arrivals ashore from offshore waters.))~~

11 (2)(a) The annual fee for a salmon delivery license is three  
12 hundred eighty dollars for residents and six hundred eighty-five  
13 dollars for nonresidents.

14 (b) The application fee for a salmon delivery license is one  
15 hundred five dollars.

16 (c) The annual surcharge under RCW 77.95.090 is one hundred  
17 dollars for each license.

18 (d) The annual commercial anadromous surcharge under section 3 of  
19 this act is two hundred ninety dollars for a resident or nonresident.

20 (e) Holders of nonlimited entry delivery licenses issued under  
21 RCW 77.65.210 may apply the nonlimited entry delivery license fee  
22 against the salmon delivery license fee.

23 ~~((+2))~~ (3) Only a person who meets the qualifications  
24 established in RCW 77.70.090 may hold a salmon delivery license  
25 issued under this section.

26 ~~((+3))~~ (4) A salmon delivery license authorizes no taking of  
27 salmon or other food fish or shellfish from the waters of the state.

28 ~~((+4))~~ (5) If the director determines that the operation of a  
29 vessel under a salmon delivery license results in the depletion or  
30 destruction of the state's salmon resource or the delivery into this  
31 state of salmon products prohibited by law, the director may revoke  
32 the license under the procedures of chapter 34.05 RCW.

33 (6) As used in this section, "deliver" and "delivery" mean  
34 arrival at a place or port and include arrivals from offshore waters  
35 to waters within the state and arrivals ashore from offshore waters.

36 **Sec. 9.** RCW 77.65.190 and 2011 c 339 s 21 are each amended to  
37 read as follows:

1       (1) A person who does not qualify for a license under RCW  
2 77.70.090 shall obtain a nontransferable emergency salmon delivery  
3 license to make one delivery from a commercial fishing vessel of  
4 salmon taken for commercial purposes in offshore waters. (~~As used in~~  
5 ~~this section, "delivery" means arrival at a place or port, and~~  
6 ~~include arrivals from offshore waters to waters within the state and~~  
7 ~~arrivals ashore from offshore waters.~~) The director shall not issue  
8 an emergency salmon delivery license unless, as determined by the  
9 director, a bona fide emergency exists.

10       (2)(a) The license fee for a nontransferable emergency salmon  
11 delivery license is two hundred twenty-five dollars for residents and  
12 four hundred seventy-five dollars for nonresidents.

13       (b) The application fee for a nontransferable emergency salmon  
14 delivery license is one hundred five dollars.

15       (c) The annual commercial anadromous surcharge under section 3 of  
16 this act for a nontransferable emergency salmon delivery license is  
17 one hundred sixty-five dollars for a resident or nonresident.

18       (3) An applicant for an emergency salmon delivery license shall  
19 designate no more than one vessel that will be used with the license.  
20 Alternate operator licenses are not required of persons delivering  
21 salmon under an emergency salmon delivery license. Emergency salmon  
22 delivery licenses are not renewable.

23       (4) As used in this section, "delivery" means arrival at a place  
24 or port and includes arrivals from offshore waters to waters within  
25 the state and arrivals ashore from offshore waters.

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

28       (1) A wholesale fish dealer's license is required for:

29       (a) A business in the state to engage in the commercial  
30 processing of food fish or shellfish, including custom canning or  
31 processing of personal use food fish or shellfish.

32       (b) A business in the state to engage in the wholesale selling,  
33 buying, or brokering of food fish or shellfish. A wholesale fish  
34 dealer's license is not required of those businesses which buy  
35 exclusively from Washington licensed wholesale dealers and sell  
36 solely at retail.

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

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

4 (e) A business engaging a fish buyer as defined under RCW  
5 77.65.340.

6 (2)(a) The annual license fee for a wholesale dealer is two  
7 hundred fifty dollars. The application fee is one hundred five  
8 dollars.

9 (b) The annual commercial anadromous surcharge under section 3 of  
10 this act for a wholesale dealer is one hundred seventy-five dollars.

11 (3) A wholesale fish dealer's license is not required for persons  
12 engaged in the processing, wholesale selling, buying, or brokering of  
13 private sector cultured aquatic products as defined in RCW 15.85.020.  
14 However, if a means of identifying such products is required by rules  
15 adopted under RCW 15.85.060, the exemption from licensing  
16 requirements established by this subsection applies only if the  
17 aquatic products are identified in conformance with those rules.

18 **Sec. 11.** RCW 77.65.340 and 2014 c 48 s 28 are each amended to  
19 read as follows:

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

24 (2)(a) The annual fee for a fish buyer's license is ninety-five  
25 dollars.

26 (b) The application fee for a fish buyer's license is one hundred  
27 five dollars.

28 (c) The annual commercial anadromous surcharge under section 3 of  
29 this act for a fish buyer's license is one hundred dollars.

30 **Sec. 12.** RCW 77.65.440 and 2011 c 339 s 28 are each amended to  
31 read as follows:

32 The director shall issue the personal licenses listed in this  
33 section according to the requirements of this title. The licenses  
34 ~~((and))~~, their annual fees, and surcharges are:



1 commission. The fee for this permit is twenty-four dollars. The  
2 application fee is seventy dollars.

3 (6) A fishing or field trial permit allows the holder to promote,  
4 conduct, hold, or sponsor a fishing or field trial contest in  
5 accordance with rules of the commission. The fee for a fishing  
6 contest permit is twenty-four dollars. The fee for a field trial  
7 contest permit is twenty-four dollars. The application fee is seventy  
8 dollars.

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

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

20 **Sec. 14.** RCW 77.65.510 and 2011 c 339 s 31 are each amended to  
21 read as follows:

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

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

1 not receive a direct retail endorsement. The costs, conditions,  
2 responsibilities, and privileges associated with the endorsed  
3 commercial fishing license is not affected or altered in any way by  
4 the addition of a direct retail endorsement. These costs include the  
5 base cost of the license and any revenue and excise taxes.

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

22 (4)(a) In addition to any fees charged for the endorsed licenses  
23 and harvest documentation as required by this chapter or the rules of  
24 the department, the department may set a reasonable annual fee not to  
25 exceed the administrative costs to the department for a direct retail  
26 endorsement.

27 (b) In addition to an annual fee, the application fee is one  
28 hundred five dollars and the annual commercial anadromous surcharge  
29 under section 3 of this act is seventy-five dollars.

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

36 (6) The direct retail endorsement must be displayed in a readily  
37 visible manner by the seller wherever and whenever a sale to someone  
38 other than a licensed wholesale dealer occurs. The commission may  
39 require that the holder of a direct retail endorsement notify the  
40 department up to eighteen hours before conducting an in-person sale

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

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

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

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

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

33 **Sec. 15.** RCW 82.27.020 and 2010 c 193 s 16 are each amended to  
34 read as follows:

35 (1) In addition to all other taxes, licenses, or fees provided by  
36 law there is established an excise tax on the commercial possession  
37 of enhanced food fish as provided in this chapter. The tax is levied  
38 upon and shall be collected from the owner of the enhanced food fish  
39 whose possession constitutes the taxable event. The taxable event is

1 the first possession in Washington by an owner after the enhanced  
2 food fish has been landed. Processing and handling of enhanced food  
3 fish by a person who is not the owner is not a taxable event to the  
4 processor or handler.

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

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

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

14 (a) Chinook, coho, and chum salmon and anadromous game fish:  
15 (~~Five and twenty-five~~) Eight and forty one-hundredths percent;

16 (b) Pink and sockeye salmon: (~~Three and fifteen~~) Five and four  
17 one-hundredths percent;

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

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

21 (e) Sea urchins: (~~Four and six tenths percent through December~~  
22 ~~31, 2013, or until the department of fish and wildlife notifies the~~  
23 ~~department that the number of sea urchin licenses has been reduced to~~  
24 ~~twenty licenses, whichever occurs first, and~~) Two and one-tenth  
25 percent (~~thereafter~~); and

26 (f) Sea cucumbers: (~~Four and six tenths percent through December~~  
27 ~~31, 2013, or until the department of fish and wildlife notifies the~~  
28 ~~department that the number of sea cucumber licenses has been reduced~~  
29 ~~to twenty licenses, whichever occurs first, and~~) Two and one-tenth  
30 percent (~~thereafter~~).

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

34 **Sec. 16.** RCW 82.27.070 and 2010 c 193 s 17 are each amended to  
35 read as follows:

36 (1) All taxes collected by the department of revenue under this  
37 chapter (~~shall~~) must be deposited in the (~~state general fund~~  
38 ~~except for the excise tax on anadromous game fish, which shall be~~  
39 ~~deposited in the~~) state wildlife account created in RCW 77.12.170,

1 except for the additional tax in RCW 82.27.020(5), which must be  
2 deposited into the state general fund.

3 (2) Moneys deposited into the state wildlife account from the  
4 increase in the excise tax collected on chinook, coho, and chum  
5 salmon and anadromous game fish of three and fifteen one-hundredths  
6 percent, and on pink and sockeye salmon of one and eighty-nine one-  
7 hundredths percent as provided for in section 15, chapter..., Laws of  
8 2015 (section 15 of this act) must be appropriated to support  
9 commercial fisheries, including activities such as fishery  
10 monitoring, sampling and permitting activities, hatchery production  
11 and maintenance activities, and commercial fishery enforcement  
12 activities. ((From January 1, 2000, to December 31, 2013, or until  
13 the department of fish and wildlife notifies the department that the  
14 license reduction goals of the sea urchin or sea cucumber fishery  
15 have been met, whichever occurs first, twenty five forty sixths of  
16 the revenues derived from the excise tax on sea urchins collected  
17 under RCW 82.27.020 shall be deposited into the sea urchin dive  
18 fishery account created in RCW 77.70.150, and twenty five forty-  
19 sixths of the revenues derived from the excise tax on sea cucumbers  
20 collected under RCW 82.27.020 shall be deposited into the sea  
21 cucumber dive fishery account created in RCW 77.70.190.))

22 NEW SECTION. Sec. 17. This act is necessary for the immediate  
23 preservation of the public peace, health, or safety, or support of  
24 the state government and its existing public institutions, and takes  
25 effect July 1, 2015.

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