

SENATE BILL REPORT

SB 6317

As of February 27, 2018

Title: An act relating to increasing commercial fishing license fees for nonresidents.

Brief Description: Increasing commercial fishing license fees for nonresidents.

Sponsors: Senators Van De Wege, King, Rivers, Takko, Hasegawa and Saldaña; by request of Department of Fish and Wildlife.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/22/18, 2/22/18 [DPS-WM].

Ways & Means: 2/24/18.

Brief Summary of First Substitute Bill

- Increases fees for nonresident commercial fishing, dealing, and delivery licenses.
- Reduces resident fees for fish guide licenses and certain wholesale fish buyer's endorsements.
- Expands statutory authorization for the ceremonial and subsistence fishery of the Wanapum Band of Indians (Wanapums) to include freshwater food fish.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 6317 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Van De Wege, Chair; McCoy, Vice Chair; Warnick, Ranking Member; Honeyford and Nelson.

Staff: Curt Gavigan (786-7437)

SENATE COMMITTEE ON WAYS & MEANS

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Jed Herman (786-7346)

Background: Role of the Department of Fish and Wildlife (DFW). DFW serves as manager of the state's fish and wildlife resources. Among other duties, DFW must protect and manage fish and wildlife, including establishing the time, place, manner, and methods used to harvest or enjoy fish and wildlife.

Commercial Fishery Licensing. DFW manages the commercial harvest of fish and shellfish. Commercial fishers, and fish buyers and dealers, must obtain applicable licenses from DFW. In general, commercial fishing license fees are structured by species and fishing gear. There is a resident and nonresident fee for each license type.

2017 Commercial Licensing Bill. In 2017, the Legislature passed a bill making a number of changes to commercial licensing including:

- modifying many license fees, generally increasing resident fees and adjusting non-resident fees to \$75 more than the resident fee;
- creating a new licensing structure for buying and selling commercially caught fish; and
- providing enforcement and recordkeeping requirements for the new licensing structure.

Authorization for Wanapum Salmon Fishing. Current statute provides the director of DFW with specific authority to issue permits to members of the Wanapums to take salmon for ceremonial and subsistence purposes. DFW has the discretion to determine the areas in which permits are valid and must regulate the times and methods used for fishing.

Summary of Bill (First Substitute): Nonresident fees for commercial fishing, dealing, and delivery licenses are generally increased to establish a fee differential of \$385 between each resident and nonresident license. Examples of specific changes include the following:

- salmon charter license—from \$535 to \$845 for nonresidents;
- Puget sound gillnet—from \$455 to \$765 for nonresidents; and
- salmon delivery license—from \$505 to \$815 for nonresidents.

Additionally, resident fees for fishing guide licenses and certain wholesale fish buyer's endorsements are reduced. The resident food fish guide license is decreased from \$280 to \$210, and resident game fish guide license is decreased from \$410 to \$305. These changes result in a \$385 fee differential between resident and nonresident fees. The fee for a wholesale fish buyer's endorsement for business operations with only one fish buyer is decreased from \$245 to \$50.

Statutory authority for a ceremonial and subsistence fishery for the Wanapums is expanded beyond salmon to also include other freshwater food fish.

EFFECT OF CHANGES MADE BY AGRICULTURE, WATER, NATURAL RESOURCES & PARKS COMMITTEE (First Substitute):

- Reduces a resident wholesale fish buyer's endorsement for business operations with only one fish buyer from \$245 to \$50.

- Expands statutory authorization for the ceremonial and subsistence fishery of the Wanapums to include freshwater food fish.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony on Original Bill (Agriculture, Water, Natural Resources & Parks): *The committee recommended a different version of the bill than what was heard.* PRO: DFW brought a 2017 request bill to raise revenue to support management of commercial fisheries. The initial proposal eliminated the nonresident fee differential due to a federal court case, but there is now appellate court guidance providing a formula that supports a \$385 fee differential. This bill adjusts commercial fee levels to that number, and also adjusts resident fish guide licenses based on input received over the interim. The 2017 bill took a great deal of work from stakeholders, and shows the willingness of the industry to help fund DFW. These are a few modifications to last year's effort.

Persons Testifying (Agriculture, Water, Natural Resources & Parks): PRO: Senator Kevin Van De Wege, Prime Sponsor; Tom Echols, Coalition of Coastal Fisheries; Nate Pamplin, Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying (Agriculture, Water, Natural Resources & Parks): No one.

Staff Summary of Public Testimony on First Substitute (Ways & Means): PRO: DFW worked over the interim to work with stakeholders to adjust fees, following up on the commercial fee bill from 2017. This creates parity between Washington and other states on how we establish commercial fishing fees in this state.

Persons Testifying (Ways & Means): PRO: Mary Catherine McAleer, Association of Washington Business; Raquel Crosier, Department of Fish & Wildlife.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.