

2 **ESSB 6125** - H COMM AMD

3 By Committee on Fisheries & Wildlife **ADOPTED 03/03/94**

4

5 Strike everything after the enacting clause and insert the
6 following:

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

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

15 There is created a sport recreational license, to be administered
16 by the department of fish and wildlife. The sport recreational license
17 shall include the personal use food fish, game fish, hunting, hound,
18 and eastern Washington upland bird licenses, for residents and
19 nonresidents. The license shall also include three-day game fish and
20 food fish licenses, for residents and nonresidents. The license shall
21 include a warm water game fish surcharge, the funds from which shall be
22 deposited in the warm water game fish account, under chapter . . .
23 (Second Substitute Senate Bill No. 6206), Laws of 1994. The license
24 may also include provisions for other special licenses, surcharges, or
25 enhancement stamps as needed.

26 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.32 RCW
27 to read as follows:

28 The legislature finds that it is in the best interest of
29 recreational hunters and fishers in the state of Washington to be able
30 to purchase all recreational hunting and fishing licenses as a single
31 document. Under the combined department of fish and wildlife, there is
32 the opportunity to establish uniform license requirements and
33 procedures.

34 There is created a sport recreational license, to be administered
35 by the department of fish and wildlife. The sport recreational license

1 shall include the personal use food fish, game fish, hunting, hound,
2 and eastern Washington upland bird licenses, for residents and
3 nonresidents. The license shall also include three-day game fish and
4 food fish licenses, for residents and nonresidents.

5 **Sec. 3.** RCW 75.08.011 and 1993 sp.s. c 2 s 20 and 1993 c 340 s 47
6 are each reenacted and amended to read as follows:

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

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

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

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

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

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

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

32 (7) "State waters" means all marine waters and fresh waters within
33 ordinary high water lines and within the territorial boundaries of the
34 state.

35 (8) "Offshore waters" means marine waters of the Pacific Ocean
36 outside the territorial boundaries of the state, including the marine
37 waters of other states and countries.

1 (9) "Concurrent waters of the Columbia river" means those waters of
2 the Columbia river that coincide with the Washington-Oregon state
3 boundary.

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

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

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

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

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

24	Scientific Name	Common Name
25	<i>Oncorhynchus tshawytscha</i>	Chinook salmon
26	<i>Oncorhynchus kisutch</i>	Coho salmon
27	<i>Oncorhynchus keta</i>	Chum salmon
28	<i>Oncorhynchus gorbuscha</i>	Pink salmon
29	<i>Oncorhynchus nerka</i>	Sockeye salmon

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

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

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

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

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

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

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

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

20 **Sec. 4.** RCW 75.25.091 and 1993 sp.s. c 17 s 2 are each amended to
21 read as follows:

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

30 (2) The fees for annual personal use food fish licenses include the
31 one dollar regional fisheries enhancement surcharge imposed in RCW
32 75.50.100 and are as follows:

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

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

37 (c) For a nonresident, ((nineteen)) twenty dollars.

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

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

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

11 **Sec. 5.** RCW 75.25.092 and 1993 sp.s. c 17 s 3 are each amended to
12 read as follows:

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

20 (2) The fees for annual personal use shellfish and seaweed licenses
21 are:

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

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

26 (c) For a nonresident, twenty dollars.

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

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

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

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

35 ~~(b))~~ Residents who (~~submit applications attesting that they~~) are
36 (~~a person sixty five years of age or older who is an~~) honorably
37 discharged veterang of the United States armed forces and who are

1 sixty-five years of age or older with a service-connected disability
2 ~~((and who has been a resident of this state for the preceding ninety~~
3 ~~days))~~;

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

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

8 (d) A person with a developmental disability as defined in RCW
9 71A.10.020 with documentation of the disability from the department of
10 social and health services; and

11 (e) A person who is physically handicapped and confined to a
12 wheelchair.

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

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

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

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

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

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

4 **Sec. 8.** RCW 75.25.150 and 1993 sp.s. c 17 s 9 are each amended to
5 read as follows:

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

9 **Sec. 9.** RCW 75.25.180 and 1993 sp.s. c 17 s 10 and 1993 sp.s. c 2
10 s 44 are each reenacted and amended to read as follows:

11 Recreational licenses issued by the department under this chapter
12 are valid for the following periods:

13 (1) Recreational licenses issued without charge to persons
14 designated by this chapter are valid for a period of five years(~~(÷~~

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

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

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

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

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

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

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

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

1 NEW SECTION. **Sec. 10.** 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. 11.** RCW 77.32.161 and 1991 sp.s. c 7 s 2 are each amended to
10 read as follows:

11 A nonresident or resident may obtain a temporary fishing license,
12 which allows the holder to fish for game fish throughout the state for
13 either three ((consecutive)) days or for one day. The fee for ((this))
14 a three-day license is nine dollars for residents and seventeen dollars
15 for nonresidents. The fee for a one-day license is three dollars for
16 residents and seven dollars for nonresidents. The resident temporary
17 fishing license is not valid for an eight consecutive day period
18 beginning on the opening day of the lowland lake fishing season.

19 **Sec. 12.** RCW 77.32.101 and 1991 sp.s. c 7 s 1 are each amended to
20 read as follows:

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

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

27 (3) A fishing license allows the holder to fish for game fish
28 throughout the state. The fee for this license is seventeen dollars
29 for residents fifteen years of age or older and under seventy years of
30 age, three dollars for residents seventy years of age or older, twenty
31 dollars for nonresidents under fifteen years of age, and forty-eight
32 dollars for nonresidents fifteen years of age or older.

33 (4) A steelhead fishing license allows the holder of a combination
34 hunting and fishing license or a fishing license issued under this
35 section to fish for steelhead throughout the state. The fee for this
36 license is eighteen dollars.

1 (5) A juvenile steelhead license allows residents under fifteen
2 years of age and nonresidents under fifteen years of age who hold a
3 fishing license to fish for steelhead throughout the state. The fee
4 for this license is six dollars and entitles the holder to take up to
5 five steelhead at which time another juvenile steelhead license may be
6 purchased. Any person who purchases a juvenile steelhead license is
7 prohibited from purchasing a steelhead license for the same calendar
8 year.

9 **Sec. 13.** RCW 77.32.230 and 1991 sp.s. c 7 s 5 are each amended to
10 read as follows:

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

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

20 (3) An honorably discharged veteran who is a resident and is
21 confined to a wheelchair shall receive upon application a hunting
22 license free of charge.

23 (4) A ~~((blind))~~ person who is blind, or a person with a
24 developmental disability as defined in RCW 71A.10.020 with
25 documentation of the disability from the department of social and
26 health services, or a physically handicapped person confined to a
27 wheelchair may receive upon written application a fishing license free
28 of charge.

29 ~~((+3))~~ (5) A ~~((blind))~~ person who is blind or a physically
30 handicapped person confined to a wheelchair who has been issued a card
31 for a permanent disability under RCW 46.16.381 may use that card in
32 place of a fishing license ~~((unless tags, permits, stamps, or~~
33 ~~punchcards are required by this chapter))~~.

34 ~~((+4))~~ (6) A fishing license is not required for ~~((persons))~~
35 residents under the age of fifteen.

36 ~~((+5))~~ (7) Tags, permits, stamps, and ~~((punchcards))~~ steelhead
37 licenses required by this chapter shall be purchased separately by
38 persons receiving a free or reduced-fee license.

1 (8) Licenses issued at no charge under this section shall be issued
2 from Olympia as provided by rule of the director, and are valid for
3 five years.

4 **Sec. 14.** RCW 77.32.256 and 1991 sp.s. c 7 s 7 are each amended to
5 read as follows:

6 The director shall by rule establish the conditions for issuance of
7 duplicate licenses, rebates, permits, tags, stamps, and ~~((punchcards))~~
8 catch record cards required by this chapter. The fee for a duplicate
9 provided under this section is ten dollars for those licenses that are
10 ten dollars and over, and for those licenses under ten dollars the
11 duplicate fee is the value of the license.

12 NEW SECTION. **Sec. 15.** All licenses issued by the department of
13 fisheries under Title 75 RCW or issued by the department of wildlife
14 under Title 77 RCW shall be recognized as valid by the department of
15 fish and wildlife until the stated expiration date.

16 NEW SECTION. **Sec. 16.** Section 15 of this act shall take effect
17 July 1, 1994.

18 NEW SECTION. **Sec. 17.** Sections 3 through 14 of this act shall
19 take effect July 1, 1995.

20 NEW SECTION. **Sec. 18.** Section 1 of this act shall take effect
21 July 1, 1995, if Second Substitute Senate Bill No. 6206 becomes law by
22 June 30, 1994, otherwise section 1 of this act shall not take effect.

23 NEW SECTION. **Sec. 19.** Section 2 of this act shall take effect
24 July 1, 1995, if Second Substitute Senate Bill No. 6206 does not become
25 law by June 30, 1994, otherwise section 2 of this act shall not take
26 effect."

--- END ---