

---

ENGROSSED HOUSE BILL 2339

---

State of Washington

53rd Legislature

1994 Regular Session

By Representatives King, Foreman and Orr; by request of Department of Fisheries and Department of Wildlife

Read first time 01/14/94. Referred to Committee on Fisheries & Wildlife.

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, 77.32.161, 77.32.230, and 77.32.256;  
4 reenacting and amending RCW 75.08.011 and 75.25.180; adding a new  
5 section to chapter 75.25 RCW; creating a new section; and providing  
6 effective dates.

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

8 **Sec. 1.** RCW 75.08.011 and 1993 1st sp.s. c 2 s 20 and 1993 c 340  
9 s 47 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,

1 rules of the director, and other statutes as prescribed by the  
2 legislature. Fisheries patrol officers are peace officers.

3 (5) "Ex officio fisheries patrol officer" means a commissioned  
4 officer of a municipal, county, state, or federal agency having as its  
5 primary function the enforcement of criminal laws in general, while the  
6 officer is in the appropriate jurisdiction. The term "ex officio  
7 fisheries patrol officer" also includes wildlife agents, special agents  
8 of the national marine fisheries service, United States fish and  
9 wildlife special agents, state parks commissioned officers, department  
10 of natural resources enforcement officers, and United States forest  
11 service officers, while the agents and officers are within their  
12 respective jurisdictions.

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

16 (7) "State waters" means all marine waters and fresh waters within  
17 ordinary high water lines and within the territorial boundaries of the  
18 state.

19 (8) "Offshore waters" means marine waters of the Pacific Ocean  
20 outside the territorial boundaries of the state, including the marine  
21 waters of other states and countries.

22 (9) "Concurrent waters of the Columbia river" means those waters of  
23 the Columbia river that coincide with the Washington-Oregon state  
24 boundary.

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

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

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

38 (13) "Shellfish" means those species of marine and freshwater  
39 invertebrates that have been classified and that shall not be taken

1 except as authorized by rule of the director. The term "shellfish"  
2 includes all stages of development and the bodily parts of shellfish  
3 species.

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

6	Scientific Name	Common Name
7	<i>Oncorhynchus tshawytscha</i>	Chinook salmon
8	<i>Oncorhynchus kisutch</i>	Coho salmon
9	<i>Oncorhynchus keta</i>	Chum salmon
10	<i>Oncorhynchus gorbuscha</i>	Pink salmon
11	<i>Oncorhynchus nerka</i>	Sockeye salmon

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

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

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

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

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

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

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

35 (22) "Seaweed" means marine aquatic plant species that are  
36 dependent upon the marine aquatic or tidal environment, and exist in  
37 either an attached or free floating form, and includes but is not

1 limited to marine aquatic plants in the classes Chlorophyta,  
2 Phaeophyta, and Rhodophyta.

3 **Sec. 2.** RCW 75.25.091 and 1993 1st sp.s. c 17 s 2 are each amended  
4 to read as follows:

5 (1) A personal use food fish license is required for all persons  
6 other than residents under fifteen years of age (~~(, honorably discharged~~  
7 ~~veterans with service-connected disabilities of thirty percent or more~~  
8 ~~who have resided in the state for one year or more, or residents~~  
9 ~~seventy years of age or older)) to fish for, take, or possess food fish  
10 for personal use from state waters or offshore waters. A personal use  
11 food fish license is not required under this section to fish for, take,  
12 or possess carp, smelt, or albacore.~~

13 (2) The fees for annual personal use food fish licenses include the  
14 one dollar regional fisheries enhancement surcharge imposed in RCW  
15 75.50.100 and are as follows:

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

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

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

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

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

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

31 **Sec. 3.** RCW 75.25.092 and 1993 1st sp.s. c 17 s 3 are each amended  
32 to read as follows:

33 (1) A personal use shellfish and seaweed license is required for  
34 all persons other than residents under fifteen years of age (~~or~~  
35 ~~honorably discharged veterans with service-connected disabilities of~~  
36 ~~thirty percent or more who have resided in the state for one year or~~  
37 ~~more)) to fish for, take, dig for, or possess shellfish or seaweed for~~

1 personal use from state waters or offshore waters including national  
2 park beaches.

3 (2) The fees for annual personal use shellfish and seaweed licenses  
4 are:

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

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

9 (c) For a nonresident, twenty dollars.

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

12 **Sec. 4.** RCW 75.25.110 and 1993 1st sp.s. c 17 s 6 are each amended  
13 to read as follows:

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

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

18 ~~(b))~~ Residents who (~~submit applications attesting that they~~) are  
19 (~~a person sixty-five years of age or older who is an~~) honorably  
20 discharged veterang of the United States armed forces and who are  
21 sixty-five years of age or older with a service-connected disability  
22 (~~and who has been a resident of this state for the preceding ninety~~  
23 ~~days~~);

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

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

28 (d) A person with a developmental disability as defined in RCW  
29 71A.10.020 with documentation of the disability from the department of  
30 social and health services; and

31 (e) A person who is physically handicapped and confined to a  
32 wheelchair.

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

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

1       **Sec. 5.** RCW 75.25.120 and 1993 1st sp.s. c 17 s 7 are each amended  
2 to read as follows:

3       In concurrent waters of the Columbia river and in Washington  
4 coastal territorial waters from the Oregon-Washington boundary to a  
5 point five nautical miles north, an Oregon angling license comparable  
6 to the Washington personal use food fish license or (~~two consecutive~~  
7 ~~day~~) three-consecutive-day personal use food fish license is valid if  
8 Oregon recognizes as valid the Washington personal use food fish  
9 license or (~~two consecutive day~~) three-consecutive-day personal use  
10 food fish license in comparable Oregon waters.

11       If Oregon recognizes as valid the Washington personal use food fish  
12 license or (~~two consecutive day~~) three-consecutive-day personal use  
13 food fish license southward to Cape Falcon in the coastal territorial  
14 waters from the Washington-Oregon boundary and in concurrent waters of  
15 the Columbia river then Washington shall recognize a valid Oregon  
16 license comparable to the Washington personal use food fish license or  
17 (~~two consecutive day~~) three-consecutive-day personal use food fish  
18 license northward to Leadbetter Point.

19       Oregon licenses are not valid for the taking of food fish when  
20 angling in concurrent waters of the Columbia river from the Washington  
21 shore.

22       **Sec. 6.** RCW 75.25.150 and 1993 1st sp.s. c 17 s 9 are each amended  
23 to read as follows:

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

27       **Sec. 7.** RCW 75.25.180 and 1993 1st sp.s. c 17 s 10 and 1993 1st  
28 sp.s. c 2 s 44 are each reenacted and amended to read as follows:

29       Recreational licenses issued by the department under this chapter  
30 are valid for the following periods:

31       (1) Recreational licenses issued without charge to persons  
32 designated by this chapter are valid for a period of five years(~~:~~

33       ~~(a) For blind persons;~~

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

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

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

3 (2) ~~((Two consecutive day))~~ Three consecutive-day personal use food  
4 fish and shellfish and seaweed licenses expire at midnight on the  
5 second day following the validation date written on the license by the  
6 license dealer, except ~~((two consecutive day))~~ three consecutive-day  
7 personal use food fish and shellfish and seaweed licenses validated for  
8 December 30 or 31 expire at midnight on ~~((that date))~~ December 31.

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

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

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

18 NEW SECTION. Sec. 8. A new section is added to chapter 75.25 RCW  
19 to read as follows:

20 The director shall by rule establish the conditions for issuance of  
21 duplicate licenses, permits, tags, stamps, and catch record cards  
22 required by this chapter. The fee for a duplicate provided under this  
23 section is ten dollars for those licenses that are ten dollars and  
24 over, and for those licenses under ten dollars the duplicate fee is the  
25 value of the license.

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

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

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

34 (3) A fishing license allows the holder to fish for game fish  
35 throughout the state. The fee for this license is seventeen dollars  
36 for residents fifteen years of age or older and under seventy years of  
37 age, three dollars for residents seventy years of age or older, twenty

1 dollars for nonresidents under fifteen years of age, and forty-eight  
2 dollars for nonresidents fifteen years of age or older.

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

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

15 **Sec. 10.** RCW 77.32.161 and 1991 sp.s. c 7 s 2 are each amended to  
16 read as follows:

17 A nonresident or resident may obtain a temporary fishing license,  
18 which allows the holder to fish ~~((throughout the state for three~~  
19 ~~consecutive days))~~ for game fish throughout the state for either three  
20 days or for one day. The fee for ((this)) a three day license is nine  
21 dollars for residents and seventeen dollars for nonresidents. The fee  
22 for a one day license is three dollars for residents and seven dollars  
23 for nonresidents. The resident temporary fishing license is not valid  
24 for an eight consecutive day period beginning on the opening day of the  
25 lowland lake fishing season.

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

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

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



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

7       (~~(3)~~) (4) A (~~blind~~) person who is blind or a physically  
8 handicapped person confined to a wheelchair who has been issued a card  
9 for a permanent disability under RCW 46.16.381 may use that card in  
10 place of a fishing license (~~unless tags, permits, stamps, or~~  
11 ~~punchcards are required by this chapter~~)).

12       (~~(4)~~) (5) A fishing license is not required for (~~persons~~)  
13 residents under the age of fifteen.

14       (~~(5)~~) (6) Tags, permits, stamps, and (~~punchcards~~) steelhead  
15 licenses required by this chapter shall be purchased separately by  
16 persons receiving a free or reduced-fee license.

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

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

22       The director shall by rule establish the conditions for issuance of  
23 duplicate licenses, rebates, permits, tags, stamps, and (~~punchcards~~)  
24 catch record cards required by this chapter. The fee for a duplicate  
25 provided under this section is ten dollars for those licenses that are  
26 ten dollars and over, and for those licenses under ten dollars the  
27 duplicate fee is the value of the license.

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

32       NEW SECTION. **Sec. 14.** This act shall take effect January 1, 1995,  
33 except for section 13 of this act, which shall take effect July 1,  
34 1994.

--- END ---