
ENGROSSED SUBSTITUTE SENATE BILL 5980

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Owen, Spanel and Rinehart; by request of Office of Financial Management)

Read first time 04/14/93.

1 AN ACT Relating to fishing licenses; amending RCW 75.25.005,
2 75.25.080, 75.25.110, 75.25.120, 75.25.140, 75.25.150, 75.25.180,
3 75.50.100, 82.27.020, 75.28.035, 75.28.110, 75.28.113, 75.28.116,
4 75.28.120, 75.28.125, 75.28.130, 75.28.134, 75.28.140, 75.28.255,
5 75.28.280, 75.28.290, 75.28.300, 75.28.340, 75.28.690, 75.28.710,
6 75.30.160, 75.28.110, 75.28.113, 75.28.116, 75.28.120, 75.28.125,
7 75.28.130, 75.28.300, 75.28.030, and 75.28.340; reenacting and amending
8 RCW 75.28.095 and 75.28.095; adding new sections to chapter 75.25 RCW;
9 adding new sections to chapter 75.28 RCW; creating a new section;
10 repealing RCW 75.25.015, 75.25.040, 75.25.090, 75.25.100, 75.25.126,
11 and 75.28.065; making an appropriation; providing a contingent
12 effective date; providing an effective date; and providing an
13 expiration date.

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

15 NEW SECTION. **Sec. 1.** The legislature finds that additional cost
16 savings can be realized by simplifying the department of fisheries
17 recreational licensing system. The legislature finds that significant
18 benefits will accrue to recreational fishers from streamlining the
19 department of fisheries recreational licensing system. The legislature

1 finds recreational license fees and commercial landing taxes have not
2 been increased in recent years. The legislature finds that reduction
3 in important department of fisheries programs can be avoided by
4 increasing license fees and commercial landing taxes. The legislature
5 finds that it is in the best interest of the state to avoid significant
6 reductions in current department of fisheries activities.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 75.25 RCW
8 to read as follows:

9 (1) A personal use food fish license is required for all persons
10 other than residents under fifteen years of age or residents seventy
11 years of age or older to fish for, take, or possess food fish for
12 personal use from state waters or offshore waters. A personal use food
13 fish license is not required under this section to fish for, take, or
14 possess carp, smelt, or albacore.

15 (2) The fees for personal use food fish licenses are:

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

18 (b) For a nonresident, nineteen dollars.

19 (3) The fee for a two-consecutive-day personal use food fish
20 license is four dollars.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 75.25 RCW
22 to read as follows:

23 (1) A personal use shellfish license is required for all persons
24 other than residents under fifteen years of age to fish for, take, dig
25 for, or possess shellfish for personal use from state waters or
26 offshore waters including national park beaches.

27 (2) The fees for personal use shellfish licenses are:

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

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

32 (c) For a nonresident, twenty dollars.

33 (3) The fee for a two-consecutive-day personal use shellfish
34 license is five dollars.

35 **Sec. 4.** RCW 75.25.005 and 1989 c 305 s 1 are each amended to read
36 as follows:

1 The following recreational fishing licenses are administered and
2 issued by the department of fisheries under authority of the director
3 of fisheries:

- 4 (1) (~~Hood Canal shrimp license~~) Personal use food fish license;
5 and
6 (2) (~~Razor clam license;~~
7 ~~Personal use fishing license;~~
8 ~~Salmon license;~~ and
9 ~~Sturgeon license~~) Personal use shellfish and seaweed license.

10 **Sec. 5.** RCW 75.25.080 and 1989 c 305 s 4 are each amended to read
11 as follows:

12 (1) It is lawful to (~~dig~~) fish for, take, or possess the
13 personal-use daily bag limit of (~~razor clams~~) shellfish or food fish
14 for (~~another~~) a disabled person if (~~that person has~~) the harvester
15 is licensed and if the disabled person is licensed and present on site
16 and in possession of a physical disability permit issued by the
17 director.

18 (2) An application for a physical disability permit must be
19 submitted on a department of fisheries official form and must be
20 accompanied by a licensed medical doctor's certification of disability.

21 (3) A person with a physical disability permit is not required to
22 be present at the location where another person is digging razor clams
23 for the disabled person. The physical disability permittee is required
24 to be in the direct line of sight of the person digging razor clams for
25 him or her, unless it is not possible to be in a direct line of sight
26 because of a physical obstruction or other barrier. If such a barrier
27 or obstruction exists, the physical disability permittee is required to
28 be within one-quarter mile of the person who is digging razor clams for
29 him or her.

30 **Sec. 6.** RCW 75.25.110 and 1989 c 305 s 8 are each amended to read
31 as follows:

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

35 (a) Residents under fifteen years of age (~~and residents seventy~~
36 ~~years of age or older~~);

1 (b) Residents who submit applications attesting that they are a
2 person sixty-five years of age or older who is an honorably discharged
3 veteran of the United States armed forces with a service-connected
4 disability and who has been a resident of this state for the preceding
5 ninety days;

6 (c) A blind person;

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

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

12 (2) (~~Personal use licenses, salmon licenses, and sturgeon licenses~~
13 ~~shall, upon request, be issued to nonresidents under fifteen years of~~
14 ~~age.~~

15 (3)) A blind person or a physically handicapped person confined to
16 a wheelchair who has been issued a card for a permanent disability
17 under RCW 46.16.381 may use that card in place of a fishing license
18 (~~unless a punchcard is required by the director~~)).

19 **Sec. 7.** RCW 75.25.120 and 1989 c 305 s 9 are each amended to read
20 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((~~7~~)) or two-
25 consecutive-day personal use food fish license(~~(7, salmon license, or~~
26 ~~sturgeon license)~~) is valid if Oregon recognizes as valid the
27 Washington personal use food fish license((~~7~~)) or two-consecutive-day
28 personal use food fish license(~~(7, salmon license, or sturgeon license)~~)
29 in comparable Oregon waters.

30 If Oregon recognizes as valid the Washington personal use food fish
31 license((~~7~~)) or two-consecutive-day personal use food fish license(~~(7~~
32 ~~salmon license, or sturgeon license)~~) southward to Cape Falcon in the
33 coastal territorial waters from the Washington-Oregon boundary and in
34 concurrent waters of the Columbia river then Washington shall recognize
35 a valid Oregon license comparable to the Washington personal use food
36 fish license((~~7~~)) or two-consecutive-day personal use food fish
37 license(~~(7, salmon license, or sturgeon license)~~) northward to
38 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 75.25.140 and 1989 c 305 s 12 are each amended to read
5 as follows:

6 (1) Recreational licenses are not transferable. Upon request of a
7 fisheries patrol officer, ex officio fisheries patrol officer, or
8 authorized fisheries employee, a person digging for, fishing for, or
9 possessing ~~((razor clams))~~ shellfish, seaweed or fishing for or
10 possessing ~~((Hood Canal shrimp or))~~ food fish for personal use shall
11 exhibit the required recreational license and write his or her
12 signature for comparison with the signature on the license. Failure to
13 comply with the request is prima facie evidence that the person does
14 not have a license or is not the person named on the license.

15 (2) The ~~((razor clam))~~ personal use shellfish and seaweed license
16 shall be visible on the licensee while ~~((digging for razor clams))~~
17 harvesting shellfish or seaweed.

18 **Sec. 9.** RCW 75.25.150 and 1989 c 305 s 13 are each amended to read
19 as follows:

20 It is unlawful to dig for, fish for, or possess ~~((razor clams, fish
21 for))~~ shellfish or ~~((possess))~~ food fish ~~((, or take or possess Hood
22 Canal shrimp))~~ without the licenses required by this chapter.

23 **Sec. 10.** RCW 75.25.180 and 1989 c 305 s 14 are each amended to
24 read as follows:

25 Recreational licenses issued by the department of fisheries under
26 this chapter are valid for the following periods:

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

29 (a) For ~~((life for))~~ blind persons;

30 (b) For the period of continued state residency for qualified
31 disabled veterans;

32 (c) ~~((For the period of continued state residency for persons
33 sixty five years of age or more;~~

34 ~~((d)))~~ For ~~((the period of the disability for))~~ persons with a
35 developmental disability; and

1 ~~((e))~~ (d) For ~~((life-for))~~ handicapped persons confined to a
2 wheelchair who have been issued a permanent disability card~~((i-and~~
3 ~~(f) Until a child reaches fifteen years of age))~~.

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

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

14 (4) ~~((An annual sturgeon))~~ A personal use food fish license is
15 valid for ~~((a))~~ an annual maximum catch of fifteen sturgeon. ~~((A~~
16 ~~sturgeon license is valid only for the calendar year for which it is~~
17 ~~issued.))~~

18 (5) ~~((All other recreational))~~ Personal use shellfish licenses are
19 valid for the calendar year for which they are issued.

20 **Sec. 11.** RCW 75.50.100 and 1990 c 58 s 3 are each amended to read
21 as follows:

22 The dedicated regional fisheries enhancement group account is
23 created in the custody of the state treasurer. Only the director or
24 the director's designee may authorize expenditures from the account.
25 The account is subject to allotment procedures under chapter 43.88 RCW,
26 but no appropriation is required for expenditures.

27 A surcharge of one dollar shall be collected on each recreational
28 ~~((salmon))~~ personal use food fish license sold in the state. A
29 surcharge of one hundred dollars shall be collected on each commercial
30 salmon fishing license and each charter boat "salmon and other food
31 fish" license sold in the state. The department shall study methods
32 for collecting and making available, an annual list, including names
33 and addresses, of all persons who obtain recreational and commercial
34 salmon fishing licenses. This list may be used to assist formation of
35 the regional fisheries enhancement groups and allow the broadest
36 participation of license holders in enhancement efforts. The results
37 of the study shall be reported to the house of representatives
38 fisheries and wildlife committee and the senate environment and natural

1 resources committee by October 1, 1990. All receipts shall be placed
2 in the regional fisheries enhancement group account and shall be used
3 exclusively for regional fisheries enhancement group projects for the
4 purposes of RCW 75.50.110. Funds from the regional fisheries
5 enhancement group account shall not serve as replacement funding for
6 department operated salmon projects that exist on January 1, 1991.

7 All revenue from the department's sale of salmon carcasses and eggs
8 that return to group facilities shall be deposited in the regional
9 fisheries enhancement group account for use by the regional fisheries
10 enhancement group that produced the surplus. The department shall
11 adopt rules to implement this section pursuant to chapter 34.05 RCW.

12 **Sec. 12.** RCW 82.27.020 and 1985 c 413 s 2 are each amended to read
13 as follows:

14 (1) In addition to all other taxes, licenses, or fees provided by
15 law there is established an excise tax on the commercial possession of
16 enhanced food fish as provided in this chapter. The tax is levied upon
17 and shall be collected from the owner of the enhanced food fish whose
18 possession constitutes the taxable event. The taxable event is the
19 first possession in Washington by an owner. Processing and handling of
20 enhanced food fish by a person who is not the owner is not a taxable
21 event to the processor or handler.

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

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

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

30 (a) Chinook, coho, and chum salmon and anadromous game fish: Five
31 and twenty-five one-hundredths percent.

32 (b) Pink and sockeye salmon: Three and fifteen one-hundredths
33 percent.

34 (c) Other food fish and shellfish, except oysters: Two and one-
35 tenth percent.

36 (d) Oysters: ((Seven)) Eight one-hundredths of one percent.

1 (5) An additional tax is imposed equal to the rate specified in RCW
2 82.02.030 multiplied by the tax payable under subsection (4) of this
3 section.

4 **Sec. 13.** RCW 75.28.035 and 1989 c 316 s 1 are each amended to read
5 as follows:

6 An application for issuance or renewal of a commercial fishing
7 license shall contain the name and address of the vessel owner, the
8 name and address of the vessel operator, the name and number of the
9 vessel, a description of the vessel and fishing gear to be carried on
10 the vessel, and other information required by the department.

11 At the time of issuance of a commercial fishing license the
12 director shall furnish the licensee with a vessel registration and two
13 license decals.

14 Vessel registrations and license decals issued by the director
15 shall be displayed as provided by rule of the director.

16 A commercial fishing license is not valid if the vessel is operated
17 by a person other than the operator listed on the license. The
18 director may authorize additional operators for the license. ~~((Unless
19 adjusted by the director pursuant to the director's authority granted
20 in RCW 75.28.065,))~~ The fee for an additional operator is ((twenty))
21 thirty-five dollars.

22 The vessel owner shall notify the director on forms provided by the
23 department of changes of ownership or ~~((operator))~~ vessel and a new
24 license shall be issued upon payment of a fee ~~((of twenty dollars))~~:

25 (1) For a change in vessel with no change in ownership, the fee
26 shall be thirty-five dollars;

27 (2) For a change in ownership:

28 (a) The fee shall be equal to three and one-half times the annual
29 renewal fee for the particular license if the license is limited under
30 chapter 75.30 RCW; and

31 (b) The fee shall be equal to the annual renewal fee for the
32 particular license if the license is not limited under chapter 75.30
33 RCW.

34 A defaced, mutilated, or lost license or license decal shall be
35 replaced immediately. ~~((Unless adjusted by the director pursuant to
36 the director's authority granted in RCW 75.28.065,))~~ The replacement
37 fee is ((ten)) twenty dollars.

1 As used in this section, "change in ownership" has its ordinary
2 meaning and includes transfers to corporations, partnerships, or other
3 entities, and transfers by the current owner to the current owner and
4 others jointly in joint tenancy, as tenants in common, or otherwise.

5 **Sec. 14.** RCW 75.28.095 and 1989 c 316 s 2, 1989 c 147 s 1, and
6 1989 c 47 s 2 are each reenacted and amended to read as follows:

7 (1) A charter boat license is required for a vessel to be operated
8 as a charter boat from which food fish are taken for personal use.
9 (~~Unless adjusted by the director pursuant to the director's authority~~
10 ~~granted in RCW 75.28.065,~~) The annual license fees are:

11 Species	Resident	Nonresident
12	Fee	Fee
13 (a) Food fish other		
14 than salmon	\$ ((135)) <u>225</u>	\$ ((270)) <u>375</u>
15 (b) Salmon and		
16 other food fish	\$ ((275)) <u>480</u>	\$ ((550)) <u>785</u>

17 The license fees in this subsection include the regional
18 enhancement fee required for salmon licenses under RCW 75.50.100.

19 (2) "Charter boat" means a vessel from which persons may, for a
20 fee, fish for food fish, and which delivers food fish into state ports
21 or delivers food fish taken from state waters into United States ports.
22 "Charter boat" does not mean:

23 (a) Vessels not generally engaged in charter boat fishing which are
24 under private lease or charter and operated by the lessee for the
25 lessee's personal recreational enjoyment; or

26 (b) Vessels used by guides for clients fishing for food fish for
27 personal use in freshwater rivers, streams, and lakes, other than Lake
28 Washington or that part of the Columbia River below the bridge at
29 Longview.

30 (3) A charter boat licensed in Oregon shall be permitted to fish
31 without a charter boat license in ocean waters within the jurisdiction
32 of Washington state from the southern border of the state of Washington
33 to Leadbetter Point under the same regulations as Washington charter
34 boat operators, as long as the Oregon vessel does not land at any
35 Washington port with the purpose of taking on or discharging
36 passengers. The provisions of this subsection shall be in effect as
37 long as the state of Oregon has reciprocal laws and regulations.

1 (4) A vessel shall not engage in both charter or sports fishing and
2 commercial fishing on the same day.

3 **Sec. 15.** RCW 75.28.110 and 1989 c 316 s 3 are each amended to read
4 as follows:

5 (1) The following commercial salmon fishing licenses are required
6 for the licensee to use the specified gear to fish for salmon and other
7 food fish in state waters. (~~Unless adjusted by the director pursuant~~
8 ~~to the director's authority granted in RCW 75.28.065,~~) The annual
9 license fees are:

10	Gear	Resident	Nonresident
11		Fee	Fee
12	(a) Purse seine	\$ ((410)) <u>630</u>	\$ ((820)) <u>1085</u>
13	(b) Gill net	\$ ((275)) <u>480</u>	\$ ((550)) <u>785</u>
14	(c) Troll	\$ ((275)) <u>480</u>	\$ ((550)) <u>785</u>
15	(d) Reef net	\$ ((275)) <u>480</u>	\$ ((550)) <u>785</u>

16 The license fees in this subsection include the regional
17 enhancement fee required for salmon licenses under RCW 75.50.100.

18 (2) Holders of commercial salmon fishing licenses may retain
19 incidentally caught food fish other than salmon, subject to rules of
20 the director.

21 (3) A salmon troll license allows fishing in all licensing
22 districts and includes a salmon delivery license.

23 (4) A separate gill net license is required to fish for salmon in
24 each of the licensing districts established in RCW 75.28.012.

25 **Sec. 16.** RCW 75.28.113 and 1989 c 316 s 4 are each amended to read
26 as follows:

27 (1) A person operating a commercial fishing vessel used in taking
28 salmon in offshore waters and delivering the salmon to a place or port
29 in the state shall obtain a salmon delivery license from the director.
30 (~~Unless adjusted by the director pursuant to the director's authority~~
31 ~~granted in RCW 75.28.065,~~) The annual fee for a salmon delivery
32 license is ((two hundred seventy-five)) four hundred eighty dollars for
33 residents and ((five hundred fifty)) seven hundred eighty-five dollars
34 for nonresidents. The license fees in this subsection include the
35 regional enhancement fee required for salmon licenses under RCW
36 75.50.100. Persons operating fishing vessels licensed under RCW

1 75.28.125 may apply the delivery license fee (~~of fifty dollars~~)
2 against the salmon delivery license fee.

3 (2) If the director determines that the operation of a vessel under
4 a salmon delivery license results in the depletion or destruction of
5 the state's salmon resource or the delivery into this state of salmon
6 products prohibited by law, the director may revoke the license.

7 **Sec. 17.** RCW 75.28.116 and 1989 c 316 s 5 are each amended to read
8 as follows:

9 The owner of a commercial salmon fishing vessel which is not
10 qualified for a license under RCW 75.30.120 is required to obtain a
11 salmon single delivery license in order to make one landing of salmon
12 taken in offshore waters. The director shall not issue a salmon single
13 delivery license unless, as determined by the director, a bona fide
14 emergency exists. (~~Unless adjusted by the director pursuant to the~~
15 ~~director's authority granted in RCW 75.28.065,~~) The license fee is
16 ~~((one hundred thirty five))~~ three hundred twenty-five dollars for
17 residents and ~~((two hundred seventy))~~ four hundred seventy-five dollars
18 for nonresidents. The license fees in this section include the
19 regional enhancement fee required for salmon licenses under RCW
20 75.50.100.

21 **Sec. 18.** RCW 75.28.120 and 1989 c 316 s 6 are each amended to read
22 as follows:

23 The following commercial fishing licenses are required for the
24 licensee to use the specified gear to fish for food fish other than
25 salmon in state waters. (~~Unless adjusted by the director pursuant to~~
26 ~~the director's authority granted in RCW 75.28.065,~~) The annual license
27 fees are:

28	Gear	Resident	Nonresident
29		Fee	Fee
30	(1) Jig	\$((50)) <u>130</u>	\$((100)) <u>185</u>
31	(2) Set line	\$((50)) <u>130</u>	\$((100)) <u>185</u>
32	(3) Set net	\$((50)) <u>130</u>	\$((100)) <u>185</u>
33	(4) Drag seine	\$((50)) <u>130</u>	\$((100)) <u>185</u>
34	(5) Gill net	\$((275)) <u>380</u>	\$((550)) <u>685</u>
35	(6) Purse seine	\$((410)) <u>530</u>	\$((820)) <u>985</u>
36	(7) Troll	\$((50)) <u>130</u>	\$((100)) <u>185</u>

1	(8) Bottom fish pots	\$((50)) <u>130</u>	\$((100)) <u>185</u>
2	(9) Lampara	\$((100)) <u>185</u>	\$((200)) <u>295</u>
3	(10) Dip bag net	\$((50)) <u>130</u>	\$((100)) <u>185</u>
4	(11) Brush weir	\$((100)) <u>185</u>	\$((200)) <u>295</u>
5	(12) Other gear	\$((100)) <u>185</u>	\$((200)) <u>295</u>

6 **Sec. 19.** RCW 75.28.125 and 1989 c 316 s 7 are each amended to read
7 as follows:

8 A delivery license is required to deliver shellfish or food fish
9 other than salmon taken in offshore waters to a port in the state.
10 (~~Unless adjusted by the director pursuant to the director's authority~~
11 ~~granted in RCW 75.28.065,~~) The annual license fee is ((fifty)) one
12 hundred fifteen dollars for residents and (~~one hundred~~) two hundred
13 twenty-five dollars for nonresidents. Licenses issued under RCW
14 75.28.113 (salmon delivery license), RCW 75.28.130(4) (crab pot, other
15 than Puget Sound), or RCW 75.28.140(2) (trawl, other than Puget Sound)
16 shall include a delivery license.

17 **Sec. 20.** RCW 75.28.130 and 1989 c 316 s 8 are each amended to read
18 as follows:

19 The following commercial fishing licenses are required for the
20 licensee to use the specified gear to fish for shellfish in state
21 waters. (~~Unless adjusted by the director pursuant to the director's~~
22 ~~authority granted in RCW 75.28.065,~~) The annual license fees are:

23	Gear	Resident	Nonresident
24		Fee	Fee
25	(1) Ring net	\$((50)) <u>130</u>	\$((100)) <u>185</u>
26	(2) Shellfish pots		
27	(excluding crab)	\$((50)) <u>130</u>	\$((100)) <u>185</u>
28	(3) Crab pots		
29	(Puget Sound)	\$((50)) <u>130</u>	\$((100)) <u>185</u>
30	(4) Crab pots		
31	(other than		
32	Puget Sound))	\$((200)) <u>295</u>	\$((400)) <u>520</u>
33	(5) Shellfish diver		
34	(excluding clams)	\$((50)) <u>525</u>	\$((100)) <u>1045</u>
35	(6) Squid gear, all types	\$((100)) <u>185</u>	\$((200)) <u>295</u>
36	(7) Ghost shrimp gear	\$((100)) <u>185</u>	\$((200)) <u>295</u>

1	(8) Commercial razor		
2	clam license	\$((50)) <u>130</u>	\$((100)) <u>185</u>
3	(9) Geoduck diver license	\$((100)) <u>185</u>	\$((200)) <u>295</u>
4	(10) Other shellfish gear	\$((100)) <u>185</u>	\$((200)) <u>295</u>

5 **Sec. 21.** RCW 75.28.134 and 1989 c 316 s 9 are each amended to read
6 as follows:

7 (1) In addition to a shellfish pot license, a Hood Canal shrimp
8 endorsement is required to take shrimp commercially in that portion of
9 Hood Canal lying south of the Hood Canal floating bridge. ~~((Unless~~
10 ~~adjusted by the director pursuant to the director's authority granted~~
11 ~~in RCW 75.28.065,))~~ The annual endorsement fee is ~~((two hundred twenty-~~
12 ~~five))~~ three hundred twenty-five dollars for a resident and ~~((four~~
13 ~~hundred fifty))~~ five hundred seventy-five dollars for a nonresident.

14 (2) Not more than fifty shrimp pots may be used while commercially
15 fishing for shrimp in that portion of Hood Canal lying south of the
16 Hood Canal floating bridge.

17 **Sec. 22.** RCW 75.28.140 and 1989 c 316 s 10 are each amended to
18 read as follows:

19 The following commercial fishing licenses are required for the
20 licensee to use the specified gear to fish for shellfish and food fish
21 other than salmon in state waters. ~~((Unless adjusted by the director~~
22 ~~pursuant to the director's authority granted in RCW 75.28.065,))~~ The
23 annual license fees are:

24	Gear	Resident	Nonresident
25		Fee	Fee
26	(1) Trawl (Puget Sound)	\$((100)) <u>185</u>	\$((200)) <u>295</u>
27	(2) Trawl (other than		
28	Puget Sound)	\$((150)) <u>240</u>	\$((300)) <u>405</u>

29 **Sec. 23.** RCW 75.28.255 and 1989 c 316 s 11 are each amended to
30 read as follows:

31 The following commercial fishing licenses are required for the
32 licensee to fish for the specified species in state waters with gear
33 authorized by rule of the director. ~~((Unless adjusted by the director~~
34 ~~pursuant to the director's authority granted in RCW 75.28.065,))~~ The
35 annual license fees are:

Species	Resident Fee	Nonresident Fee
(1) Columbia <u>r</u> iver smelt	\$((275)) <u>380</u>	\$((550)) <u>685</u>
(2) Carp	\$((50)) <u>130</u>	\$((100)) <u>185</u>

5 **Sec. 24.** RCW 75.28.280 and 1989 c 316 s 12 are each amended to
6 read as follows:

7 A mechanical harvester license is required to operate a mechanical
8 or hydraulic device for commercially harvesting clams, other than
9 geoduck clams, on a clam farm unless the requirements of RCW 75.20.100
10 are fulfilled for the proposed activity. (~~Unless adjusted by the~~
11 ~~director pursuant to the director's authority granted in RCW~~
12 ~~75.28.065,)~~ The annual license fee is ((four hundred ten)) five
13 hundred thirty dollars for residents and (~~eight hundred twenty~~) nine
14 hundred eighty-five dollars for nonresidents.

15 **Sec. 25.** RCW 75.28.290 and 1989 c 316 s 14 are each amended to
16 read as follows:

17 An oyster reserve license is required for the commercial taking of
18 shellfish from state oyster reserves. (~~Unless adjusted by the~~
19 ~~director pursuant to the director's authority granted in RCW~~
20 ~~75.28.065,)~~ The annual license fee is ((fifty)) one hundred thirty
21 dollars for residents and one hundred eighty-five dollars for
22 nonresidents.

23 **Sec. 26.** RCW 75.28.300 and 1989 c 316 s 16 are each amended to
24 read as follows:

25 A wholesale fish dealer's license is required for:

26 (1) A business in the state to engage in the commercial processing
27 of food fish or shellfish, including custom canning or processing of
28 personal use food fish or shellfish.

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

34 (3) Fishermen who land and sell their catch or harvest in the state
35 to anyone other than a licensed wholesale dealer within or outside the
36 state.

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

4 (5) A business employing a fish buyer as defined under RCW
5 75.28.340.

6 (~~Unless adjusted by the director pursuant to the director's~~
7 ~~authority granted in RCW 75.28.065, the annual license fee is one~~
8 ~~hundred dollars.~~) The annual license fee is two hundred fifty
9 dollars. A wholesale fish dealer's license is not required for persons
10 engaged in the processing, wholesale selling, buying, or brokering of
11 private sector cultured aquatic products as defined in RCW 15.85.020.
12 However, if a means of identifying such products is required by rules
13 adopted under RCW 15.85.060, the exemption from licensing requirements
14 established by this subsection applies only if the aquatic products are
15 identified in conformance with those rules.

16 **Sec. 27.** RCW 75.28.340 and 1989 c 316 s 17 are each amended to
17 read as follows:

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

22 (2) (~~Unless adjusted by the director pursuant to the director's~~
23 ~~authority granted in RCW 75.28.065,~~) The annual fee for a fish buyer's
24 license is ((twenty)) ninety-five dollars.

25 **Sec. 28.** RCW 75.28.690 and 1989 c 316 s 18 are each amended to
26 read as follows:

27 (1) A deckhand license is required for a crew member on a licensed
28 salmon charter boat to sell salmon roe as provided in subsection (2) of
29 this section. (~~Unless adjusted by the director pursuant to the~~
30 ~~director's authority granted in RCW 75.28.065,~~) The annual license fee
31 is ((twenty)) ninety-five dollars.

32 (2) A deckhand on a licensed salmon charter boat may sell salmon
33 roe taken from fish caught for personal use, subject to rules of the
34 director and the following conditions:

35 (a) The salmon is taken while fishing on the charter boat;

1 (b) The roe is the property of the angler until the roe is given to
2 the deckhand. The charter boat's passengers are notified of this fact
3 by the deckhand;

4 (c) The roe is sold to a licensed wholesale dealer; and

5 (d) The deckhand is licensed as provided in subsection (1) of this
6 section and has the license in possession whenever salmon roe is sold.

7 **Sec. 29.** RCW 75.28.710 and 1991 c 362 s 2 are each amended to read
8 as follows:

9 A professional salmon guide license is required for the holder to
10 offer or perform the services of a professional salmon guide in the
11 taking of salmon for personal use in freshwater rivers and streams,
12 other than in that part of the Columbia river below the bridge at
13 Longview. The annual license fees are (~~(fifty)~~) one hundred fifty
14 dollars for residents and (~~(five hundred)~~) seven hundred thirty dollars
15 for nonresidents. The license fees include a surcharge of twenty
16 dollars (~~(shall be)~~) assessed on each resident guide license and a
17 surcharge of one hundred dollars (~~(shall be)~~) assessed on each
18 nonresident guide license for the purposes of RCW 75.50.100.

19 **Sec. 30.** RCW 75.30.160 and 1986 c 198 s 6 are each amended to read
20 as follows:

21 In addition to any other license, a Puget Sound commercial whiting
22 endorsement is required to take whiting in the waters of marine fish-
23 shell fish management and catch reporting areas 24B, Port Susan; 24C,
24 Saratoga Passage; 26A, Possession Sound; or any other area designated
25 by the department. An annual endorsement fee is two hundred ninety-
26 five dollars for residents and (~~(four)~~) five hundred twenty dollars for
27 nonresidents. The license shall be affixed to the licensed vessel.

28 NEW SECTION. **Sec. 31.** The following acts or parts of acts are
29 each repealed:

30 (1) RCW 75.25.015 and 1989 c 305 s 2, 1984 c 80 s 6, & 1983 1st
31 ex.s. c 31 s 1;

32 (2) RCW 75.25.040 and 1989 c 305 s 3, 1983 1st ex.s. c 46 s 91,
33 1980 c 81 s 1, & 1979 ex.s. c 243 s 4;

34 (3) RCW 75.25.090 and 1989 c 305 s 5 & 1987 c 87 s 1;

35 (4) RCW 75.25.100 and 1989 c 305 s 6, 1987 c 87 s 2, 1983 1st ex.s.
36 c 46 s 94, & 1977 ex.s. c 327 s 11;

1 (5) RCW 75.25.126 and 1989 c 305 s 7; and

2 (6) RCW 75.28.065 and 1989 c 316 s 19.

3 NEW SECTION. **Sec. 32.** This act shall take effect January 1, 1994,
4 except that sections 13 through 30 of this act shall take effect only
5 if Senate Bill No. 5124 does not become law by August 1, 1993.

6 NEW SECTION. **Sec. 33.** This act shall expire January 1, 1998.

7 NEW SECTION. **Sec. 34.** A new section is added to chapter 75.28 RCW
8 to read as follows:

9 (1) Unless otherwise provided in this title, a license issued under
10 this chapter is not transferable from the license holder to any other
11 person.

12 (2) The following restrictions apply to transfers of commercial
13 fishery licenses, salmon delivery licenses, and salmon charter licenses
14 that are transferable between license holders:

15 (a) The license holder shall surrender the previously issued
16 license to the department.

17 (b) The department shall complete no more than one transfer of the
18 license in any seven-day period.

19 (c) The fee to transfer a license from one license holder to
20 another is: (i) The same as the resident license renewal fee if the
21 license is not limited under chapter 75.30 RCW; or (ii) three and one-
22 half times the resident renewal fee if the license is limited under
23 chapter 75.30 RCW.

24 (d) If a license is transferred from a resident to a nonresident,
25 the transferee shall pay the difference between the resident and
26 nonresident license fees at the time of transfer.

27 (3) A commercial license that is transferable under this title
28 survives the death of the holder. Though such licenses are not
29 personal property, they shall be treated as analogous to personal
30 property for purposes of inheritance and intestacy. Such licenses are
31 subject to state laws governing wills, trusts, estates, intestate
32 succession, and community property, except that such licenses are
33 exempt from claims of creditors of the estate and tax liens. The
34 surviving spouse, estate, or beneficiary of the estate may apply for a
35 renewal of the license. There is no fee for transfer of a license from

1 a license holder to the license holder's surviving spouse or estate, or
2 to a beneficiary of the estate.

3 **Sec. 35.** RCW 75.28.110 and 1989 c 316 s 3 are each amended to read
4 as follows:

5 (1) The following commercial salmon (~~(fishing)~~) fishery licenses
6 are required for the (~~(licensee)~~) license holder to use the specified
7 gear to fish for salmon (~~(and other food fish)~~) in state waters.
8 (~~(Unless adjusted by the director pursuant to the director's authority~~
9 ~~granted in RCW 75.28.065,)~~) Only a person who meets the qualifications
10 of RCW 75.30.120 may hold a license listed in this subsection. The
11 licenses and their annual (~~(license)~~) fees and surcharges under RCW
12 75.50.100 are:

13	((Gear)) <u>Fishery</u>	Resident	Nonresident	<u>Surcharge</u>
14	<u>License</u>	Fee	Fee	
15	(a) <u>Salmon Gill Net--Grays</u>	\$380	\$685	<u>plus \$100</u>
16	<u>Harbor-Columbia river</u>			
17	(b) <u>Salmon Gill Net--Puget</u>	\$380	\$685	<u>plus \$100</u>
18	<u>Sound</u>			
19	(c) <u>Salmon Gill Net--Willapa</u>	\$380	\$685	<u>plus \$100</u>
20	<u>Bay-Columbia river</u>			
21	(d) <u>Salmon purse seine</u>	(((\$410)) \$530	(((\$820)) \$985	<u>plus \$100</u>
22	((b)) <u>Gill net</u>	\$275	\$550	
23	(c) <u>Troll</u>	\$275	\$550	
24	(d)) (e) <u>Salmon reef net</u>	(((\$275)) \$380	(((\$550)) \$685	<u>plus \$100</u>
25	(f) <u>Salmon troll</u>	\$380	\$685	<u>plus \$100</u>

26 (2) A license issued under this section authorizes no taking or
27 delivery of salmon or other food fish unless a vessel is designated
28 under RCW 75.28.--- (section 7 of Senate Bill No. 5124).

29 (3) Holders of commercial salmon (~~(fishing)~~) fishery licenses may
30 retain incidentally caught food fish other than salmon, subject to
31 rules of the director.

32 (~~((3))~~) (4) A salmon troll license (~~(allows fishing in all~~
33 ~~licensing districts and)~~) includes a salmon delivery license.

34 (~~((4))~~) (5) A (~~(separate)~~) salmon gill net license (~~(is required to~~
35 ~~fish for salmon in each of the licensing districts established in RCW~~
36 75.28.012)) authorizes the taking of salmon only in the geographical

1 area for which the license is issued. The geographical designations in
2 subsection (1) of this section have the following meanings:

3 (a) "Puget Sound" includes waters of the Strait of Juan de Fuca,
4 Georgia Strait, Puget Sound and all bays, inlets, canals, coves,
5 sounds, and estuaries lying easterly and southerly of the international
6 boundary line and a line at the entrance to the Strait of Juan de Fuca
7 projected northerly from Cape Flattery to the lighthouse on Tatoosh
8 Island and then to Bonilla Point on Vancouver Island.

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

16 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay and
17 tributary estuaries and easterly of a line projected northerly from
18 Leadbetter Point to the Cape Shoalwater tower and those waters of the
19 Columbia river and tributary sloughs described in (b) of this
20 subsection.

21 **Sec. 36.** RCW 75.28.113 and 1989 c 316 s 4 are each amended to read
22 as follows:

23 ~~((A person operating a commercial fishing vessel used in~~
24 ~~taking)) It is unlawful to deliver salmon taken in offshore waters~~
25 ~~((and delivering the salmon)) to a place or port in the state ((shall~~
26 ~~obtain)) without a salmon delivery license from the director. ((Unless~~
27 ~~adjusted by the director pursuant to the director's authority granted~~
28 ~~in RCW 75.28.065,)) The annual fee for a salmon delivery license is~~
29 ~~((two hundred seventy-five)) three hundred eighty dollars for residents~~
30 ~~and ((five hundred fifty)) six hundred eighty-five dollars for~~
31 ~~nonresidents. ((Persons operating fishing vessels licensed)) The~~
32 annual surcharge under RCW 75.50.100 is one hundred dollars for each
33 license. Holders of nonsalmon delivery licenses issued under RCW
34 75.28.125 may apply the nonsalmon delivery license fee ((of fifty
35 dollars)) against the salmon delivery license fee.

36 (2) Only a person who meets the qualifications established in RCW
37 75.30.120 may hold a salmon delivery license issued under this section.

1 (3) A salmon delivery license authorizes no taking of salmon or
2 other food fish or shellfish from the waters of the state.

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

8 **Sec. 37.** RCW 75.28.116 and 1989 c 316 s 5 are each amended to read
9 as follows:

10 ~~((The owner of a commercial salmon fishing vessel which is))~~ A
11 person who does not ~~((qualified))~~ qualify for a license under RCW
12 75.30.120 ~~((is required to))~~ shall obtain a nontransferable emergency
13 salmon ~~((single))~~ delivery license ~~((in order))~~ to make one ~~((landing))~~
14 delivery of salmon taken in offshore waters. The director shall not
15 issue ~~((a))~~ an emergency salmon ~~((single))~~ delivery license unless, as
16 determined by the director, a bona fide emergency exists. ~~((Unless~~
17 ~~adjusted by the director pursuant to the director's authority granted~~
18 ~~in RCW 75.28.065,))~~ The license fee is ~~((one hundred thirty five))~~ two
19 hundred twenty-five dollars for residents and ~~((two hundred seventy))~~
20 four hundred seventy-five dollars for nonresidents. An applicant for
21 an emergency salmon delivery license shall designate no more than one
22 vessel that will be used with the license. Alternate operator licenses
23 are not required of persons delivering salmon under an emergency salmon
24 delivery license. Emergency salmon delivery licenses are not
25 renewable.

26 **Sec. 38.** RCW 75.28.120 and 1989 c 316 s 6 are each amended to read
27 as follows:

28 ~~((The following commercial fishing licenses are required for the~~
29 ~~licensee to use the specified gear to fish for food fish other than~~
30 ~~salmon in state waters. Unless adjusted by the director pursuant to~~
31 ~~the director's authority granted in RCW 75.28.065, the annual license~~
32 ~~fees are:~~

	Gear	Resident	Nonresident
		Fee	Fee
35	(1) Jig	\$50	\$100
36	(2) Set line	\$50	\$100

1	(3) Set net	\$50	\$100
2	(4) Drag seine	\$50	\$100
3	(5) Gill net	\$275	\$550
4	(6) Purse seine	\$410	\$820
5	(7) Troll	\$50	\$100
6	(8) Bottom fish pots	\$50	\$100
7	(9) Lampara	\$100	\$200
8	(10) Dip bag net	\$50	\$100
9	(11) Brush weir	\$100	\$200
10	(12) Other gear	\$100	\$200))

11 (1) This section establishes commercial fishery licenses required
12 for food fish fisheries and the annual fees for those licenses. As
13 used in this section, "food fish" does not include salmon. The
14 director may issue a limited-entry commercial fishery license only to
15 a person who meets the qualifications established in applicable
16 governing sections of this title.

17	<u>Fishery</u>	<u>Annual Fee</u>		<u>Vessel</u>	<u>Limited</u>
		<u>Resident</u>	<u>Nonresident</u>		
18	<u>(Governing section(s))</u>				
19	<u>(a) Baitfish Lampara</u>	<u>\$185</u>	<u>\$295</u>	<u>Yes</u>	<u>No</u>
20	<u>(b) Baitfish purse seine</u>	<u>\$530</u>	<u>\$985</u>	<u>Yes</u>	<u>No</u>
21	<u>(c) Bottom fish jig</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>No</u>
22	<u>(d) Bottom fish pot</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>No</u>
23	<u>(e) Bottom fish troll</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>No</u>
24	<u>(f) Carp</u>	<u>\$130</u>	<u>\$185</u>	<u>No</u>	<u>No</u>
25	<u>(g) Columbia river smelt</u>	<u>\$380</u>	<u>\$685</u>	<u>No</u>	<u>No</u>
26	<u>(h) Dog fish set net</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>No</u>
27	<u>(i) Emerging commercial</u>	<u>\$185</u>	<u>\$295</u>	<u>Determined</u>	<u>Determined</u>
28	<u>fishery (RCW 75.30.220</u>			<u>by rule</u>	<u>by rule</u>
29	<u>and 75.28.--- (section</u>				
30	<u>18 of Senate Bill No.</u>				
31	<u>5124))</u>				
32	<u>(j) Food fish drag seine</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>No</u>
33	<u>(k) Food fish set line</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>No</u>
34	<u>(l) Food fish trawl--</u>	<u>\$240</u>	<u>\$405</u>	<u>Yes</u>	<u>No</u>
35	<u>Non-Puget Sound</u>				
36	<u>(m) Food fish trawl--</u>	<u>\$185</u>	<u>\$295</u>	<u>Yes</u>	<u>No</u>
37	<u>Puget Sound</u>				

1	<u>(n) Herring dip bag net</u>	<u>\$175</u>	<u>\$275</u>	<u>Yes</u>	<u>Yes</u>
2	<u>(RCW 75.30.140)</u>				
3	<u>(o) Herring drag seine</u>	<u>\$175</u>	<u>\$275</u>	<u>Yes</u>	<u>Yes</u>
4	<u>(RCW 75.30.140)</u>				
5	<u>(p) Herring gill net</u>	<u>\$175</u>	<u>\$275</u>	<u>Yes</u>	<u>Yes</u>
6	<u>(RCW 75.30.140)</u>				
7	<u>(q) Herring Lampara</u>	<u>\$175</u>	<u>\$275</u>	<u>Yes</u>	<u>Yes</u>
8	<u>(RCW 75.30.140)</u>				
9	<u>(r) Herring purse seine</u>	<u>\$175</u>	<u>\$275</u>	<u>Yes</u>	<u>Yes</u>
10	<u>(RCW 75.30.140)</u>				
11	<u>(s) Herring spawn-on-kelp</u>	<u>N/A</u>	<u>N/A</u>	<u>Yes</u>	<u>Yes</u>
12	<u>(RCW 75.28.245 as</u>				
13	<u>recodified by section</u>				
14	<u>54, chapter ...</u>				
15	<u>(Senate Bill No. 5124),</u>				
16	<u>Laws of 1993)</u>				
17	<u>(t) Smelt dip bag net</u>	<u>\$130</u>	<u>\$185</u>	<u>No</u>	<u>No</u>
18	<u>(u) Smelt gill net</u>	<u>\$380</u>	<u>\$685</u>	<u>Yes</u>	<u>No</u>
19	<u>(v) Whiting--Puget Sound</u>	<u>\$295</u>	<u>\$520</u>	<u>Yes</u>	<u>Yes</u>
20	<u>(RCW 75.30.170)</u>				

21 (2) The director may by rule determine the species of food fish
22 that may be taken with the commercial fishery licenses established in
23 this section, the gear that may be used with the licenses, and the
24 areas or waters in which the licenses may be used. Where a fishery
25 license has been established for a particular species, gear,
26 geographical area, or combination thereof, a more general fishery
27 license may not be used to take food fish in that fishery.

28 **Sec. 39.** RCW 75.28.125 and 1989 c 316 s 7 are each amended to read
29 as follows:

30 ~~((A delivery license is required to deliver shellfish or food fish~~
31 ~~other than salmon taken in offshore waters to a port in the state.~~
32 ~~Unless adjusted by the director pursuant to the director's authority~~
33 ~~granted in RCW 75.28.065,)) (1) Except as provided in subsection (2) of~~
34 this section, it is unlawful to deliver with a commercial fishing
35 vessel food fish or shellfish taken in offshore waters to a port in the
36 state without a nonsalmon delivery license. As used in this section,
37 "food fish" does not include salmon. The annual license fee for a
38 nonsalmon delivery license is ((fifty)) one hundred ten dollars for

1 residents and ~~((one))~~ two hundred dollars for nonresidents. ~~((Licenses~~
2 ~~issued under RCW 75.28.113 (salmon delivery license), RCW 75.28.130(4)~~
3 ~~(crab pot, other than Puget Sound), or RCW 75.28.140(2) (trawl, other~~
4 ~~than Puget Sound) shall include a delivery license.))~~

5 (2) Holders of salmon troll fishery licenses issued under RCW
6 75.28.110, salmon delivery licenses issued under RCW 75.28.113, crab
7 pot fishery licenses issued under RCW 75.28.130, food fish trawl--Non-
8 Puget Sound fishery licenses issued under RCW 75.28.120, and shrimp
9 trawl--Non-Puget Sound fishery licenses issued under RCW 75.28.130 may
10 deliver food fish or shellfish taken in offshore waters without a
11 nonsalmon delivery license.

12 (3) A nonsalmon delivery license authorizes no taking of food fish
13 or shellfish from state waters.

14 **Sec. 40.** RCW 75.28.130 and 1989 c 316 s 8 are each amended to read
15 as follows:

16 ~~((The following commercial fishing licenses are required for the~~
17 ~~licensee to use the specified gear to fish for shellfish in state~~
18 ~~waters. Unless adjusted by the director pursuant to the director's~~
19 ~~authority granted in RCW 75.28.065, the annual license fees are:~~

Gear	Resident	Nonresident
	Fee	Fee
(1) Ring net	\$50	\$100
(2) Shellfish pots		
(excluding crab)	\$50	\$100
(3) Crab pots		
(Puget Sound)	\$50	\$100
(4) Crab pots		
(other than Puget Sound)	\$200	\$400
(5) Shellfish diver		
(excluding clams)	\$50	\$100
(6) Squid gear, all types	\$100	\$200
(7) Ghost shrimp gear	\$100	\$200
(8) Commercial razor		
clam license	\$50	\$100
(9) Geoduck diver license	\$100	\$200
(10) Other shellfish gear	\$100	\$200

1 (1) This section establishes commercial fishery licenses required
 2 for shellfish fisheries and the annual fees for those licenses. The
 3 director may issue a limited-entry commercial fishery license only to
 4 a person who meets the qualifications established in applicable
 5 governing sections of this title.

<u>Fishery</u> <u>(Governing section(s))</u>	<u>Annual Fee</u>		<u>Vessel</u> <u>Required?</u>	<u>Limited</u> <u>Entry?</u>
	<u>Resident</u>	<u>Nonresident</u>		
<u>(a) Burrowing shrimp</u>	<u>\$185</u>	<u>\$295</u>	<u>Yes</u>	<u>No</u>
<u>(b) Crab pot</u>	<u>\$295</u>	<u>\$520</u>	<u>Yes</u>	<u>No</u>
<u>(c) Crab pot--</u> <u>Puget Sound</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>No</u>
<u>(d) Crab ring net--</u> <u>Non-Puget Sound</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>No</u>
<u>(e) Crab ring net--</u> <u>Puget Sound</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>No</u>
<u>(f) Dungeness crab--</u> <u>Puget Sound</u> <u>(RCW 75.30.130)</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>Yes</u>
<u>(g) Emerging commercial</u> <u>fishery (RCW 75.30.220</u> <u>and 75.28.--- (section</u> <u>18 of Senate Bill No.</u> <u>5124))</u>	<u>\$185</u>	<u>\$295</u>	<u>Determined</u> <u>by rule</u>	<u>Determined</u> <u>by rule</u>
<u>(h) Geoduck (RCW 75.30.---</u> <u>(section 46 of Senate</u> <u>Bill No. 5124))</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>Yes</u>	<u>Yes</u>
<u>(i) Hardshell clam</u> <u>mechanical harvester</u> <u>(RCW 75.28.280)</u>	<u>\$530</u>	<u>\$985</u>	<u>Yes</u>	<u>No</u>
<u>(j) Oyster reserve</u> <u>(RCW 75.28.290)</u>	<u>\$130</u>	<u>\$185</u>	<u>No</u>	<u>No</u>
<u>(k) Razor clam</u>	<u>\$130</u>	<u>\$185</u>	<u>No</u>	<u>No</u>
<u>(l) Sea cucumber dive</u> <u>(RCW 75.30.250)</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>Yes</u>
<u>(m) Sea urchin dive</u> <u>(RCW 75.30.210)</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>Yes</u>
<u>(n) Shellfish dive</u>	<u>\$525</u>	<u>\$1045</u>	<u>Yes</u>	<u>No</u>
<u>(o) Shellfish pot</u>	<u>\$130</u>	<u>\$185</u>	<u>Yes</u>	<u>No</u>

1	(p) <u>Shrimp pot--</u>	\$325	\$575	Yes	No
2	<u>Hood Canal</u>				
3	(q) <u>Shrimp trawl--</u>	\$240	\$405	Yes	No
4	<u>Non-Puget Sound</u>				
5	(r) <u>Shrimp trawl--</u>	\$185	\$295	Yes	No
6	<u>Puget Sound</u>				
7	(s) <u>Squid</u>	\$185	\$295	Yes	No

8 (2) The director may by rule determine the species of shellfish
9 that may be taken with the commercial fishery licenses established in
10 this section, the gear that may be used with the licenses, and the
11 areas or waters in which the licenses may be used. Where a fishery
12 license has been established for a particular species, gear,
13 geographical area, or combination thereof, a more general fishery
14 license may not be used to take shellfish in that fishery.

15 **Sec. 41.** RCW 75.28.095 and 1989 c 316 s 2, 1989 c 147 s 1, and
16 1989 c 47 s 2 are each reenacted and amended to read as follows:

17 ~~(1) ((A charter boat license is required for a vessel to be~~
18 ~~operated as a charter boat from which food fish are taken for personal~~
19 ~~use. Unless adjusted by the director pursuant to the director's~~
20 ~~authority granted in RCW 75.28.065,))~~ The director shall issue the
21 charter licenses and angler permits listed in this section according to
22 the requirements of this title. The licenses and permits and their
23 annual ((license)) fees and surcharges are:

24	<u>((Species))</u>	<u>((Resident))</u>	<u>Annual</u>	<u>((Nonresident</u>
25	<u>License or Permit</u>	<u>Fee</u>	<u>Fee))</u>	<u>Governing</u>
26		<u>(RCW 75.50.100</u>	<u>Surcharge)</u>	<u>Section</u>
27		<u>Resident</u>	<u>Nonresident</u>	
28	(a) ((Food fish other			
29	than salmon))			
30	<u>Nonsalmon charter</u>	(((\$135)) \$225	(((\$270)) \$375	
31	(b) <u>Salmon ((and</u>			
32	<u>other food fish))</u>			
33	<u>charter</u>	(((\$275)) \$380	(((\$550)) \$685	RCW
34		<u>(plus \$100)</u>	<u>(plus \$100)</u>	75.30.065
35	(c) <u>Salmon angler</u>	\$ 0	\$ 0	RCW
36				75.30.070
37	(d) <u>Salmon roe</u>	\$ 95	\$ 95	RCW

1
2 (2) Except as provided in subsection (5) of this section, it is
3 unlawful to operate a vessel as a charter boat from which salmon or
4 salmon and other food fish are taken without a salmon charter license
5 designating the vessel. The director may issue a salmon charter
6 license only to a person who meets the qualifications of RCW 75.30.065.

7 (3) Except as provided in subsections (2) and (5) of this section,
8 it is unlawful to operate a vessel as a charter boat from which food
9 fish or shellfish are taken without a nonsalmon charter license. As
10 used in this subsection, "food fish" does not include salmon.

11 (4) "Charter boat" means a vessel from which persons may, for a
12 fee, fish for food fish or shellfish for personal use, and ((which
13 delivers)) that brings food fish or shellfish into state ports or
14 ((delivers)) brings food fish or shellfish taken from state waters into
15 United States ports. The director may specify by rule when a vessel is
16 a "charter boat" within this definition. "Charter boat" does not
17 mean((÷

18 ~~(a) Vessels not generally engaged in charter boat fishing which are~~
19 ~~under private lease or charter and operated by the lessee for the~~
20 ~~lessee's personal recreational enjoyment; or~~

21 ~~(b) Vessels))~~ a vessel used by ((guides)) a guide for clients
22 fishing for food fish for personal use in freshwater rivers, streams,
23 and lakes, other than Lake Washington or that part of the Columbia
24 River below the bridge at Longview.

25 ~~((+3))~~ (5) A charter boat licensed in Oregon ((shall be permitted
26 to)) may fish without a Washington charter ((boat)) license under the
27 same rules as Washington charter boat operators in ocean waters within
28 the jurisdiction of Washington state from the southern border of the
29 state of Washington to Leadbetter Point ((under the same regulations as
30 Washington charter boat operators)), as long as the Oregon vessel does
31 not land at any Washington port with the purpose of taking on or
32 discharging passengers. The provisions of this subsection shall be in
33 effect as long as the state of Oregon has reciprocal laws and
34 regulations.

35 ~~((+4) A vessel shall not engage in both charter or sports fishing~~
36 ~~and commercial fishing on the same day.))~~

37 NEW SECTION. Sec. 42. A new section is added to chapter 75.28 RCW
38 to read as follows:

1 The director shall issue the personal licenses listed in this
2 section according to the requirements of this title. The licenses and
3 their annual fees are:

Personal License	Annual Fee		Governing Section RCW 75.28.---
	Resident	Nonresident	
(1) Alternate Operator	\$ 35	\$ 35	(section 25 of Senate Bill No. 5124)
(2) Geoduck Diver	\$185	\$295	RCW 75.28.287 (as recodified by section 54, chapter ... (Senate Bill No. 5124), Laws of 1993)
(3) Salmon Guide	\$130 (plus \$20)	\$630 (plus \$100)	RCW 75.28.710

20 **Sec. 43.** RCW 75.28.300 and 1989 c 316 s 16 are each amended to
21 read as follows:

22 A wholesale fish dealer's license is required for:

23 (1) A business in the state to engage in the commercial processing
24 of food fish or shellfish, including custom canning or processing of
25 personal use food fish or shellfish.

26 (2) A business in the state to engage in the wholesale selling,
27 buying, or brokering of food fish or shellfish. A wholesale fish
28 dealer's license is not required of those businesses which buy
29 exclusively from Washington licensed wholesale dealers and sell solely
30 at retail.

31 (3) Fishermen who land and sell their catch or harvest in the state
32 to anyone other than a licensed wholesale dealer within or outside the
33 state.

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

4 (5) A business employing a fish buyer as defined under RCW
5 75.28.340.

6 ~~((Unless adjusted by the director pursuant to the director's
7 authority granted in RCW 75.28.065, the annual license fee is one
8 hundred dollars.))~~ The annual license fee for a wholesale dealer is two
9 hundred fifty dollars. A wholesale fish dealer's license is not
10 required for persons engaged in the processing, wholesale selling,
11 buying, or brokering of private sector cultured aquatic products as
12 defined in RCW 15.85.020. However, if a means of identifying such
13 products is required by rules adopted under RCW 15.85.060, the
14 exemption from licensing requirements established by this subsection
15 applies only if the aquatic products are identified in conformance with
16 those rules.

17 **Sec. 44.** RCW 75.28.030 and 1983 1st ex.s. c 46 s 105 are each
18 amended to read as follows:

19 (1) Except as otherwise provided in this title, the director shall
20 issue commercial licenses and permits to a qualified person~~((7))~~ upon
21 ~~((the receipt of an))~~ receiving a completed application accompanied by
22 the required fee. ~~((Applications shall be submitted on forms provided
23 by the department. Applicants for commercial licenses and permits
24 shall indicate at the time of application the species of food fish or
25 shellfish they intend to take and the type of gear they intend to
26 use.))~~

27 (2) An application submitted to the department under this chapter
28 shall contain the name and address of the applicant and any other
29 information required by the department or this title. An applicant for
30 a commercial fishery license, delivery license, or charter license may
31 designate a vessel to be used with the license and up to two alternate
32 operators.

33 (3) An application submitted to the department under this chapter
34 shall contain the applicant's declaration under penalty of perjury that
35 the information on the application is true and correct.

36 (4) Upon issuing a commercial license under this chapter, the
37 director shall assign the license a unique number that the license
38 shall retain upon renewal. The department shall use the number to

1 record any commercial catch under the license. This does not preclude
2 the department from using other, additional, catch record methods.

3 (5) The fee to replace a license that has been lost or destroyed is
4 twenty dollars.

5 NEW SECTION. Sec. 45. A new section is added to chapter 75.28 RCW
6 to read as follows:

7 This section applies to all commercial fishery licenses, delivery
8 licenses, and charter licenses, except for emergency salmon delivery
9 licenses.

10 (1) The holder of a license subject to this section may substitute
11 the vessel designated on the license or designate a vessel if none has
12 previously been designated if the license holder:

13 (a) Surrenders the previously issued license to the department;

14 (b) Submits to the department an application that identifies the
15 currently designated vessel, the vessel proposed to be designated, and
16 any other information required by the department; and

17 (c) Pays to the department a fee of thirty-five dollars.

18 (2) Unless the license holder owns all vessels identified on the
19 application described in subsection (1)(b) of this section, the
20 following restrictions apply to changes in vessel designation:

21 (a) The department shall change the vessel designation on the
22 license no more than four times per calendar year.

23 (b) The department shall change the vessel designation on the
24 license no more than once in any seven-day period.

25 **Sec. 46.** RCW 75.28.340 and 1989 c 316 s 17 are each amended to
26 read as follows:

27 (1) A fish buyer's license is required of and shall be carried by
28 each individual engaged by a wholesale fish dealer to purchase food
29 fish or shellfish from a licensed commercial fisherman. A fish buyer
30 may represent only one wholesale fish dealer.

31 (2) Unless adjusted by the director pursuant to the director's
32 authority granted in RCW 75.28.065, the annual fee for a fish buyer's
33 license is (~~twenty~~) ninety-five dollars.

34 NEW SECTION. Sec. 47. The following acts or parts of acts are
35 each repealed:

36 (1) 1993 c --- s 5 (section 5 of Senate Bill No. 5124);

- 1 (2) 1993 c --- s 8 (section 8 of Senate Bill No. 5124);
2 (3) 1993 c --- s 11 (section 11 of Senate Bill No. 5124);
3 (4) 1993 c --- s 12 (section 12 of Senate Bill No. 5124);
4 (5) 1993 c --- s 13 (section 13 of Senate Bill No. 5124);
5 (6) 1993 c --- s 14 (section 14 of Senate Bill No. 5124);
6 (7) 1993 c --- s 15 (section 15 of Senate Bill No. 5124);
7 (8) 1993 c --- s 16 (section 16 of Senate Bill No. 5124);
8 (9) 1993 c --- s 17 (section 17 of Senate Bill No. 5124);
9 (10) 1993 c --- s 21 (section 21 of Senate Bill No. 5124); and
10 (11) 1993 c --- s 23 (section 23 of Senate Bill No. 5124).

11 NEW SECTION. **Sec. 48.** Sections 34 through 47 of this act shall
12 take effect only if Senate Bill No. 5124 becomes law by August 1, 1993.

13 NEW SECTION. **Sec. 49.** The sum of eighty-five thousand dollars of
14 the revenues derived from increases in personal use and commercial
15 license fees pursuant to sections 2, 34, 42, and 45 of this act and RCW
16 75.28.030, 75.28.035, 75.28.095, 75.28.110, 75.28.113, 75.28.116,
17 75.28.120, 75.28.125, 75.28.130, 75.28.134, 75.28.140, 75.28.255,
18 75.28.280, 75.28.290, 75.28.300, 75.28.340, 75.28.690, 75.28.710, and
19 75.30.160, is appropriated for the biennium ending June 30, 1995, from
20 the general fund to Washington State University for the purposes of
21 implementation of the provision of chapter ... (House Bill No. 1309),
22 Laws of 1993.

23 NEW SECTION. **Sec. 50.** If any provision of this act or its
24 application to any person or circumstance is held invalid, the
25 remainder of the act or the application of the provision to other
26 persons or circumstances is not affected.

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