

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5443

Chapter 244, Laws of 2001

57th Legislature
2001 Regular Session

COMMERCIAL SALMON LICENSES

EFFECTIVE DATE: 7/22/01

Passed by the Senate April 18, 2001
YEAS 40 NAYS 0

BRAD OWEN
President of the Senate

Passed by the House April 17, 2001
YEAS 94 NAYS 0

FRANK CHOPP
**Speaker of the
House of Representatives**

CLYDE BALLARD
**Speaker of the
House of Representatives**

Approved May 11, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5443** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

May 11, 2001 - 9:14 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5443

AS AMENDED BY THE HOUSE

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Senate Committee on Natural Resources, Parks & Shorelines
(originally sponsored by Senators Spanel, Jacobsen and Kohl-Welles; by
request of Department of Fish and Wildlife)

READ FIRST TIME 2/01/01.

1 AN ACT Relating to commercial salmon licenses; and amending RCW
2 77.65.160, 77.65.030, and 77.65.070.

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

4 **Sec. 1.** RCW 77.65.160 and 2000 c 107 s 37 are each amended to read
5 as follows:

6 (1) The following commercial salmon fishery licenses are required
7 for the license holder to use the specified gear to fish for salmon in
8 state waters. Only a person who meets the qualifications of RCW
9 77.70.090 may hold a license listed in this subsection. The licenses
10 and their annual fees and surcharges under RCW 77.95.090 are:

	Fishery	Resident	Nonresident	Surcharge
	License	Fee	Fee	
11				
12				
13	(a) Salmon Gill Net--Grays	\$380	\$685	plus \$100
14	Harbor-Columbia river			
15	(b) Salmon Gill Net--Puget	\$380	\$685	plus \$100
16	Sound			
17	(c) Salmon Gill Net--Willapa	\$380	\$685	plus \$100
18	Bay-Columbia river			
19	(d) Salmon purse seine	\$530	\$985	plus \$100
20	(e) Salmon reef net	\$380	\$685	plus \$100

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

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

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

9 (5) A salmon gill net license authorizes the taking of salmon only
10 in the geographical area for which the license is issued. The
11 geographical designations in subsection (1) of this section have the
12 following meanings:

13 (a) "Puget Sound" includes waters of the Strait of Juan de Fuca,
14 Georgia Strait, Puget Sound and all bays, inlets, canals, coves,
15 sounds, and estuaries lying easterly and southerly of the international
16 boundary line and a line at the entrance to the Strait of Juan de Fuca
17 projected northerly from Cape Flattery to the lighthouse on Tatoosh
18 Island and then to Bonilla Point on Vancouver Island.

19 (b) "Grays Harbor-Columbia river" includes waters of Grays Harbor
20 and tributary estuaries lying easterly of a line projected northerly
21 from Point Chehalis Light to Point Brown and those waters of the
22 Columbia river and tributary sloughs and estuaries easterly of a line
23 at the entrance to the Columbia river projected southerly from the most
24 westerly point of the North jetty to the most westerly point of the
25 South jetty.

26 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay and
27 tributary estuaries and easterly of a line projected northerly from
28 Leadbetter Point to the Cape Shoalwater tower and those waters of the
29 Columbia river and tributary sloughs described in (b) of this
30 subsection.

31 (6) A commercial salmon troll fishery license may be renewed under
32 this section if the license holder notifies the department by May 1st
33 of that year that he or she will not participate in the fishery during
34 that calendar year. A commercial salmon gill net, reef net, or seine
35 fishery license may be renewed under this section if the license holder
36 notifies the department (~~by August 1st~~) before the third Monday in
37 September of that year that he or she will not participate in the
38 fishery during that calendar year. The license holder must pay the one
39 hundred-dollar enhancement surcharge, plus a fifteen-dollar handling

1 charge before the third Monday in September, in order to be considered
2 a valid renewal and eligible to renew the license the following year.

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

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

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

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

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

16 **Sec. 2.** RCW 77.65.030 and 1993 c 340 s 3 are each amended to read
17 as follows:

18 The application deadline for a commercial license or permit
19 established in this chapter is December 31st of the calendar year for
20 which the license or permit is sought. The department shall accept no
21 license or permit applications after December 31st of the calendar year
22 for which the license or permit is sought. The application deadline in
23 this section does not apply to a license or permit that has not been
24 renewed because of the death of the license or permit holder. The
25 license or permit holder's surviving spouse, estate, or estate
26 beneficiary must be given a reasonable opportunity to renew the license
27 or permit.

28 **Sec. 3.** RCW 77.65.070 and 1996 c 267 s 27 are each amended to read
29 as follows:

30 (1) A commercial license issued under this chapter permits the
31 license holder to engage in the activity for which the license is
32 issued in accordance with this title and the rules of the department.

33 (2) No security interest or lien of any kind, including tax liens,
34 may be created or enforced in a license issued under this chapter.

35 (3) Unless otherwise provided in this title or rules of the
36 department, commercial licenses and permits issued under this chapter
37 expire at midnight on December 31st of the calendar year for which they

1 are issued. In accordance with this title, licenses may be renewed
2 annually upon application and payment of the prescribed license fees.
3 In accordance with RCW 77.65.030, the department must provide a license
4 or permit holder's surviving spouse, estate, or estate beneficiary a
5 reasonable opportunity to renew the license or permit.

Passed the Senate April 18, 2001.

Passed the House April 17, 2001.

Approved by the Governor May 11, 2001.

Filed in Office of Secretary of State May 11, 2001.