
SENATE BILL 6283

State of Washington

58th Legislature

2004 Regular Session

By Senators Doumit, Swecker, Jacobsen, Rasmussen, Keiser, Morton, Stevens, Hargrove, Berkey, Mulliken and Roach

Read first time 01/16/2004. Referred to Committee on Parks, Fish & Wildlife.

1 AN ACT Relating to youth fishing; and amending RCW 77.08.010,
2 77.32.470, and 77.32.520.

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

4 **Sec. 1.** RCW 77.08.010 and 2003 c 387 s 1 are each amended to read
5 as follows:

6 As used in this title or rules adopted under this title, unless the
7 context clearly requires otherwise:

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

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

10 (3) "Commission" means the state fish and wildlife commission.

11 (4) "Person" means and includes an individual; a corporation; a
12 public or private entity or organization; a local, state, or federal
13 agency; all business organizations, including corporations and
14 partnerships; or a group of two or more individuals acting with a
15 common purpose whether acting in an individual, representative, or
16 official capacity.

17 (5) "Fish and wildlife officer" means a person appointed and
18 commissioned by the director, with authority to enforce this title and
19 rules adopted pursuant to this title, and other statutes as prescribed

1 by the legislature. Fish and wildlife officer includes a person
2 commissioned before June 11, 1998, as a wildlife agent or a fisheries
3 patrol officer.

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

13 (7) "To hunt" and its derivatives means an effort to kill, injure,
14 capture, or harass a wild animal or wild bird.

15 (8) "To trap" and its derivatives means a method of hunting using
16 devices to capture wild animals or wild birds.

17 (9) "To fish," "to harvest," and "to take," and their derivatives
18 means an effort to kill, injure, harass, or catch a fish or shellfish.

19 (10) "Open season" means those times, manners of taking, and places
20 or waters established by rule of the commission for the lawful hunting,
21 fishing, taking, or possession of game animals, game birds, game fish,
22 food fish, or shellfish that conform to the special restrictions or
23 physical descriptions established by rule of the commission or that
24 have otherwise been deemed legal to hunt, fish, take, harvest, or
25 possess by rule of the commission. "Open season" includes the first
26 and last days of the established time.

27 (11) "Closed season" means all times, manners of taking, and places
28 or waters other than those established by rule of the commission as an
29 open season. "Closed season" also means all hunting, fishing, taking,
30 or possession of game animals, game birds, game fish, food fish, or
31 shellfish that do not conform to the special restrictions or physical
32 descriptions established by rule of the commission as an open season or
33 that have not otherwise been deemed legal to hunt, fish, take, harvest,
34 or possess by rule of the commission as an open season.

35 (12) "Closed area" means a place where the hunting of some or all
36 species of wild animals or wild birds is prohibited.

37 (13) "Closed waters" means all or part of a lake, river, stream, or
38 other body of water, where fishing or harvesting is prohibited.

1 (14) "Game reserve" means a closed area where hunting for all wild
2 animals and wild birds is prohibited.

3 (15) "Bag limit" means the maximum number of game animals, game
4 birds, or game fish which may be taken, caught, killed, or possessed by
5 a person, as specified by rule of the commission for a particular
6 period of time, or as to size, sex, or species.

7 (16) "Wildlife" means all species of the animal kingdom whose
8 members exist in Washington in a wild state. This includes but is not
9 limited to mammals, birds, reptiles, amphibians, fish, and
10 invertebrates. The term "wildlife" does not include feral domestic
11 mammals, old world rats and mice of the family Muridae of the order
12 Rodentia, or those fish, shellfish, and marine invertebrates classified
13 as food fish or shellfish by the director. The term "wildlife"
14 includes all stages of development and the bodily parts of wildlife
15 members.

16 (17) "Wild animals" means those species of the class Mammalia whose
17 members exist in Washington in a wild state and the species *Rana*
18 *catesbeiana* (bullfrog). The term "wild animal" does not include feral
19 domestic mammals or old world rats and mice of the family Muridae of
20 the order Rodentia.

21 (18) "Wild birds" means those species of the class Aves whose
22 members exist in Washington in a wild state.

23 (19) "Protected wildlife" means wildlife designated by the
24 commission that shall not be hunted or fished.

25 (20) "Endangered species" means wildlife designated by the
26 commission as seriously threatened with extinction.

27 (21) "Game animals" means wild animals that shall not be hunted
28 except as authorized by the commission.

29 (22) "Fur-bearing animals" means game animals that shall not be
30 trapped except as authorized by the commission.

31 (23) "Game birds" means wild birds that shall not be hunted except
32 as authorized by the commission.

33 (24) "Predatory birds" means wild birds that may be hunted
34 throughout the year as authorized by the commission.

35 (25) "Deleterious exotic wildlife" means species of the animal
36 kingdom not native to Washington and designated as dangerous to the
37 environment or wildlife of the state.

1 (26) "Game farm" means property on which wildlife is held or raised
2 for commercial purposes, trade, or gift. The term "game farm" does not
3 include publicly owned facilities.

4 (27) "Person of disability" means a permanently disabled person who
5 is not ambulatory without the assistance of a wheelchair, crutches, or
6 similar devices.

7 (28) "Fish" includes all species classified as game fish or food
8 fish by statute or rule, as well as all fin fish not currently
9 classified as food fish or game fish if such species exist in state
10 waters. The term "fish" includes all stages of development and the
11 bodily parts of fish species.

12 (29) "Raffle" means an activity in which tickets bearing an
13 individual number are sold for not more than twenty-five dollars each
14 and in which a permit or permits are awarded to hunt or for access to
15 hunt big game animals or wild turkeys on the basis of a drawing from
16 the tickets by the person or persons conducting the raffle.

17 (30) "Youth" means a person (~~(fifteen)~~) under eighteen years old
18 for fishing and under sixteen years old for hunting.

19 (31) "Senior" means a person seventy years old or older.

20 (32) "License year" means the period of time for which a
21 recreational license is valid. The license year begins April 1st, and
22 ends March 31st.

23 (33) "Saltwater" means those marine waters seaward of river mouths.

24 (34) "Freshwater" means all waters not defined as saltwater
25 including, but not limited to, rivers upstream of the river mouth,
26 lakes, ponds, and reservoirs.

27 (35) "State waters" means all marine waters and fresh waters within
28 ordinary high water lines and within the territorial boundaries of the
29 state.

30 (36) "Offshore waters" means marine waters of the Pacific Ocean
31 outside the territorial boundaries of the state, including the marine
32 waters of other states and countries.

33 (37) "Concurrent waters of the Columbia river" means those waters
34 of the Columbia river that coincide with the Washington-Oregon state
35 boundary.

36 (38) "Resident" means a person who has maintained a permanent place
37 of abode within the state for at least ninety days immediately

1 preceding an application for a license, has established by formal
2 evidence an intent to continue residing within the state, and who is
3 not licensed to hunt or fish as a resident in another state.

4 (39) "Nonresident" means a person who has not fulfilled the
5 qualifications of a resident.

6 (40) "Shellfish" means those species of marine and freshwater
7 invertebrates that have been classified and that shall not be taken
8 except as authorized by rule of the commission. The term "shellfish"
9 includes all stages of development and the bodily parts of shellfish
10 species.

11 (41) "Commercial" means related to or connected with buying,
12 selling, or bartering.

13 (42) "To process" and its derivatives mean preparing or preserving
14 fish, wildlife, or shellfish.

15 (43) "Personal use" means for the private use of the individual
16 taking the fish or shellfish and not for sale or barter.

17 (44) "Angling gear" means a line attached to a rod and reel capable
18 of being held in hand while landing the fish or a hand-held line
19 operated without rod or reel.

20 (45) "Fishery" means the taking of one or more particular species
21 of fish or shellfish with particular gear in a particular geographical
22 area.

23 (46) "Limited-entry license" means a license subject to a license
24 limitation program established in chapter 77.70 RCW.

25 (47) "Seaweed" means marine aquatic plant species that are
26 dependent upon the marine aquatic or tidal environment, and exist in
27 either an attached or free floating form, and includes but is not
28 limited to marine aquatic plants in the classes Chlorophyta,
29 Phaeophyta, and Rhodophyta.

30 (48) "Trafficking" means offering, attempting to engage, or
31 engaging in sale, barter, or purchase of fish, shellfish, wildlife, or
32 deleterious exotic wildlife.

33 (49) "Invasive species" means a plant species or a nonnative animal
34 species that either:

35 (a) Causes or may cause displacement of, or otherwise threatens,
36 native species in their natural communities;

37 (b) Threatens or may threaten natural resources or their use in the
38 state;

1 (c) Causes or may cause economic damage to commercial or
2 recreational activities that are dependent upon state waters; or

3 (d) Threatens or harms human health.

4 (50) "Prohibited aquatic animal species" means an invasive species
5 of the animal kingdom that has been classified as a prohibited aquatic
6 animal species by the commission.

7 (51) "Regulated aquatic animal species" means a potentially
8 invasive species of the animal kingdom that has been classified as a
9 regulated aquatic animal species by the commission.

10 (52) "Unregulated aquatic animal species" means a nonnative animal
11 species that has been classified as an unregulated aquatic animal
12 species by the commission.

13 (53) "Unlisted aquatic animal species" means a nonnative animal
14 species that has not been classified as a prohibited aquatic animal
15 species, a regulated aquatic animal species, or an unregulated aquatic
16 animal species by the commission.

17 (54) "Aquatic plant species" means an emergent, submersed,
18 partially submersed, free-floating, or floating-leaving plant species
19 that grows in or near a body of water or wetland.

20 (55) "Retail-eligible species" means commercially harvested salmon,
21 crab, and sturgeon.

22 **Sec. 2.** RCW 77.32.470 and 2003 c 181 s 1 are each amended to read
23 as follows:

24 (1) A personal use saltwater, freshwater, combination, temporary,
25 or family fishing weekend license is required for all persons
26 (~~fifteen~~) eighteen years of age or older to fish for or possess fish
27 taken for personal use from state waters or offshore waters.

28 (2) The fees for annual personal use saltwater, freshwater, or
29 combination licenses are as follows:

30 (a) A combination license allows the holder to fish for or possess
31 fish, shellfish, and seaweed from state waters or offshore waters. The
32 fee for this license is thirty-six dollars for residents(~~(7)~~) and
33 seventy-two dollars for nonresidents(~~(7 and five dollars for youth)~~).

34 (b) A saltwater license allows the holder to fish for or possess
35 fish taken from saltwater areas. The fee for this license is eighteen
36 dollars for residents, thirty-six dollars for nonresidents, and five
37 dollars for resident seniors.

1 (c) A freshwater license allows the holder to fish for, take, or
2 possess food fish or game fish species in all freshwater areas. The
3 fee for this license is twenty dollars for residents, forty dollars for
4 nonresidents, and five dollars for resident seniors.

5 (3) A temporary fishing license is valid for two consecutive days
6 and allows the holder to fish for or possess fish taken from state
7 waters or offshore waters. The fee for this temporary fishing license
8 is six dollars for both residents and nonresidents. Except for active
9 duty military personnel serving in any branch of the United States
10 armed forces, this license is not valid on game fish species for an
11 eight-consecutive-day period beginning on the opening day of the
12 lowland lake fishing season.

13 (4) A family fishing weekend license allows for a maximum of six
14 anglers: One resident and five youth; two residents and four youth; or
15 one resident, one nonresident, and four youth. This license allows the
16 holders to fish for or possess fish taken from state waters or offshore
17 waters. The fee for this license is twenty dollars. This license is
18 only valid during periods as specified by rule of the department.

19 (5) The commission may adopt rules to create and sell combination
20 licenses for all hunting and fishing activities at or below a fee equal
21 to the total cost of the individual license contained within any
22 combination.

23 **Sec. 3.** RCW 77.32.520 and 2000 c 107 s 27 are each amended to read
24 as follows:

25 (1) A personal use shellfish and seaweed license is required for
26 all persons other than residents or nonresidents under (~~fifteen~~)
27 eighteen years of age to fish for, take, dig for, or possess seaweed or
28 shellfish for personal use from state waters or offshore waters
29 including national park beaches.

30 (2) The fees for annual personal use shellfish and seaweed licenses
31 are:

32 (a) For a resident (~~fifteen~~) eighteen years of age or older,
33 seven dollars;

34 (b) For a nonresident (~~fifteen~~) eighteen years of age or older,
35 twenty dollars; and

36 (c) For a senior, five dollars.

1 (3) The license fee for a two-day personal use shellfish and
2 seaweed license is six dollars for residents or nonresidents
3 (~~fifteen~~) eighteen years of age or older.

4 (4) The personal use shellfish and seaweed license shall be visible
5 on the licensee while harvesting shellfish or seaweed.

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