

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1476

60th Legislature
2007 Regular Session

Passed by the House April 17, 2007
Yeas 91 Nays 7

Speaker of the House of Representatives

Passed by the Senate April 12, 2007
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1476** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1476

AS AMENDED BY THE SENATE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Representatives Blake and Kretz

Read first time 01/19/2007. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to charter licenses; amending RCW 77.65.150,
2 77.65.210, and 77.32.470; adding a new section to chapter 77.12 RCW;
3 creating a new section; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) Seven rockfish stocks, including canary and yelloweye rockfish,
7 have been designated under federal law by the national marine fisheries
8 services as overfished on the west coast.

9 (b) The department of fish and wildlife has classified certain
10 rockfish species within Puget Sound as critically depressed. These
11 common species of rockfish have undergone dramatic declines in Puget
12 Sound and the coast during the past three decades.

13 (c) The Pacific fishery management council and the department of
14 fish and wildlife have eliminated the directed commercial fisheries and
15 greatly reduced the recreational fishing opportunity for these species.

16 (d) Due to the interactions of these depleted stocks with the
17 healthier ones, commercial and recreational fisheries have been
18 severely constrained in recent years in order to rebuild the
19 populations of these overfished rockfish. For many of these stocks

1 there have been no recent stock assessments, or the current assessments
2 are based on poor data. Improved survey information is essential for
3 assessing abundance and to monitor progress toward rebuilding efforts
4 on the coast and in Puget Sound.

5 (e) Department of fish and wildlife staff have been developing
6 underwater robot technology or remote operated vehicles to
7 scientifically estimate the abundance of rockfish populations in both
8 the nearshore and in deep waters. These new assessment techniques,
9 coupled with existing bottom trawl surveys, will be used to estimate
10 current abundance and future recovery of rockfish populations along the
11 coast of Washington and in Puget Sound.

12 (2) Therefore, the legislature intends to implement a targeted
13 surcharge on commercial licenses issued by the department of fish and
14 wildlife that provides for the retention or landing of ground fish, and
15 a targeted surcharge on recreational saltwater fishing licenses. Funds
16 derived from the surcharge will be used by the department of fish and
17 wildlife solely for the purpose of conducting rockfish research and
18 stock assessments.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW
20 to read as follows:

21 (1) The department is directed to develop and implement a rockfish
22 research and stock assessment program. Using funds from the rockfish
23 research account created in subsection (2) of this section, the
24 department must conduct Puget Sound basin and coastal surveys with new
25 and existing technology to estimate the current abundance and future
26 recovery of rockfish populations and other groundfish species. The
27 stock assessment must include an evaluation of the potential for marine
28 fish enhancement. Beginning December 2008, and every two years
29 thereafter, the department shall report to the appropriate committees
30 of the legislature on the status of the stock assessment program.

31 (2) The rockfish research account is created in the custody of the
32 state treasurer. All receipts from surcharges assessed on commercial
33 and recreational fishing licenses for the purposes of rockfish research
34 must be deposited into the account. Expenditures from the account may
35 be used only for rockfish research, including stock assessments. Only
36 the director of the department or the director's designee may authorize

1 expenditures from the account. The account is subject to allotment
 2 procedures under chapter 43.88 RCW, but an appropriation is not
 3 required for expenditures.

4 **Sec. 3.** RCW 77.65.150 and 2006 c 186 s 1 are each amended to read
 5 as follows:

6 (1) The director shall issue the charter licenses and angler
 7 permits listed in this section according to the requirements of this
 8 title. The licenses and permits and their annual fees and surcharges
 9 are:

	License or Permit	Annual Fee		Governing Section
		(RCW 77.95.090 Surcharge)		
		(Section 2 of this act Surcharge)	(Section 2 of this act Surcharge)	
		Resident	Nonresident	
(a)	Nonsalmon charter	\$225 (plus \$35 for section 2 of this act Surcharge)	\$375 (plus \$35 for section 2 of this act Surcharge)	
(b)	Salmon charter	\$380 (plus \$100) (plus \$35 for section 2 of this act Surcharge)	\$685 (plus \$100) (plus \$35 for section 2 of this act Surcharge)	RCW 77.70.050
(c)	Salmon angler	\$ 0	\$ 0	RCW 77.70.060
(d)	Salmon roe	\$ 95	\$ 95	RCW 77.65.350

23 (2) A salmon charter license designating a vessel is required to
 24 operate a charter boat from which persons may, for a fee, fish for
 25 salmon, other food fish, and shellfish. The director may issue a
 26 salmon charter license only to a person who meets the qualifications of
 27 RCW 77.70.050.

28 (3) A nonsalmon charter license designating a vessel is required to
 29 operate a charter boat from which persons may, for a fee, fish for food
 30 fish other than salmon, albacore tuna, and shellfish.

31 (4)(a) "Charter boat" means a vessel from which persons may, for a
 32 fee, fish for food fish or shellfish for personal use in those state
 33 waters set forth in (b) of this subsection. "Charter boat" also means
 34 a vessel from which persons may, for a fee, fish for food fish or

1 shellfish for personal use in offshore waters or in the waters of other
2 states. The director may specify by rule when a vessel is a "charter
3 boat" within this definition.

4 (b) A person may not operate a vessel from which persons may, for
5 a fee, fish for food fish or shellfish in Puget Sound, Grays Harbor,
6 Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia
7 river below the bridge at Longview unless the vessel is designated on
8 a charter boat license.

9 (5) A charter boat licensed in Oregon may fish without a Washington
10 charter license under the same rules as Washington charter boat
11 operators in ocean waters within the jurisdiction of Washington state
12 from the southern border of the state of Washington to Leadbetter
13 Point, as long as the Oregon vessel does not take on or discharge
14 passengers for any purpose from any Washington port, the Washington
15 shore, or a dock, landing, or other point in Washington. The
16 provisions of this subsection shall be in effect as long as the state
17 of Oregon has reciprocal laws and regulations.

18 (6) A salmon charter license under subsection (1)(b) of this
19 section may be renewed if the license holder notifies the department by
20 May 1st of that year that he or she will not participate in the fishery
21 during that calendar year. The license holder must pay the one
22 hundred-dollar enhancement surcharge and a thirty-five dollar surcharge
23 to be deposited in the rockfish research account created in section 2
24 of this act, plus a fifteen-dollar handling charge, in order to be
25 considered a valid renewal and eligible to renew the license the
26 following year.

27 **Sec. 4.** RCW 77.65.210 and 2005 c 20 s 4 are each amended to read
28 as follows:

29 (1) Except as provided in subsection (2) of this section, a person
30 may not use a commercial fishing vessel to deliver food fish or
31 shellfish taken for commercial purposes in offshore waters to a port in
32 the state without a nonlimited entry delivery license. As used in this
33 section, "deliver" and "delivery" mean arrival at a place or port, and
34 include arrivals from offshore waters to waters within the state and
35 arrivals ashore from offshore waters. As used in this section, "food
36 fish" does not include salmon. As used in this section, "shellfish"
37 does not include ocean pink shrimp, coastal crab, or fish or shellfish

1 taken under an emerging commercial fisheries license if taken from off-
2 shore waters. The annual license fee for a nonlimited entry delivery
3 license is one hundred ten dollars for residents and two hundred
4 dollars for nonresidents, and an additional thirty-five dollar
5 surcharge for both residents and nonresidents to be deposited in the
6 rockfish research account created in section 2 of this act.

7 (2) Holders of salmon troll fishery licenses issued under RCW
8 77.65.160, salmon delivery licenses issued under RCW 77.65.170, crab
9 pot fishery licenses issued under RCW 77.65.220, food fish trawl--Non-
10 Puget Sound fishery licenses, and emerging commercial fishery licenses
11 issued under RCW 77.65.200, Dungeness crab--coastal fishery licenses,
12 ocean pink shrimp delivery licenses, shrimp trawl--Non-Puget Sound
13 fishery licenses, and emerging commercial fishery licenses issued under
14 RCW 77.65.220 may deliver food fish or shellfish taken in offshore
15 waters without a nonlimited entry delivery license.

16 (3) A nonlimited entry delivery license authorizes no taking of
17 food fish or shellfish from state waters.

18 **Sec. 5.** RCW 77.32.470 and 2005 c 192 s 1 are each amended to read
19 as follows:

20 (1) A personal use saltwater, freshwater, combination, temporary,
21 or family fishing weekend license is required for all persons fifteen
22 years of age or older to fish for or possess fish taken for personal
23 use from state waters or offshore waters.

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

26 (a) A combination license allows the holder to fish for or possess
27 fish, shellfish, and seaweed from state waters or offshore waters. The
28 fee for this license is thirty-six dollars for residents, seventy-two
29 dollars for nonresidents, and five dollars for youth. There is an
30 additional fifty-cent surcharge for this license, to be deposited in
31 the rockfish research account created section 2 of this act.

32 (b) A saltwater license allows the holder to fish for or possess
33 fish taken from saltwater areas. The fee for this license is eighteen
34 dollars for residents, thirty-six dollars for nonresidents, and five
35 dollars for resident seniors. There is an additional fifty-cent
36 surcharge for this license, to be deposited in the rockfish research
37 account created section 2 of this act.

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) A temporary combination fishing license is valid for one to
6 five consecutive days and allows the holder to fish for or possess
7 fish, shellfish, and seaweed taken from state waters or offshore
8 waters. The fee for this temporary fishing license is:

9 (i) One day - Seven dollars for residents and fourteen dollars for
10 nonresidents;

11 (ii) Two days - Ten dollars for residents and twenty dollars for
12 nonresidents;

13 (iii) Three days - Thirteen dollars for residents and twenty-six
14 dollars for nonresidents;

15 (iv) Four days - Fifteen dollars for residents and thirty dollars
16 for nonresidents; and

17 (v) Five days - Seventeen dollars for residents and thirty-four
18 dollars for nonresidents.

19 (b) The fee for a charter stamp is seven dollars for a one-day
20 temporary combination fishing license for residents and nonresidents
21 for use on a charter boat as defined in RCW 77.65.150.

22 (c) A transaction fee to support the automated licensing system
23 will be taken from the amounts set forth in this subsection for
24 temporary licenses.

25 (d) Except for active duty military personnel serving in any branch
26 of the United States armed forces, the temporary combination fishing
27 license is not valid on game fish species for an eight-consecutive-day
28 period beginning on the opening day of the lowland lake fishing season.

29 (e) There is an additional fifty-cent surcharge on the temporary
30 combination fishing license and the associated charter stamp, to be
31 deposited in the rockfish research account created in section 2 of this
32 act.

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

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

5 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and takes effect
8 immediately.

--- END ---