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SENATE BILL 5632

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State of Washington

64th Legislature

2015 Regular Session

By Senators Hatfield and Chase; by request of Department of Fish and Wildlife

Read first time 01/27/15. Referred to Committee on Ways & Means.

1 AN ACT Relating to increasing revenue to the state wildlife  
2 account; amending RCW 77.32.238, 77.32.450, 77.32.460, 77.32.470,  
3 77.32.520, 77.32.480, 77.15.500, 77.65.010, 77.65.150, 77.65.160,  
4 77.65.170, 77.65.190, 77.65.280, 77.65.340, 77.65.440, 77.65.480,  
5 77.65.510, 82.27.020, and 82.27.070; reenacting and amending RCW  
6 77.12.170; adding a new section to chapter 77.32 RCW; adding new  
7 sections to chapter 77.65 RCW; providing an effective date; and  
8 declaring an emergency.

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

10 **Sec. 1.** RCW 77.32.238 and 2007 c 254 s 5 are each amended to  
11 read as follows:

12 (1) The commission shall adopt rules defining who is a person  
13 with a disability and governing the conduct of persons with a  
14 disability who hunt and their designated licensed hunters. It is  
15 unlawful for any person to possess a loaded firearm in or on a motor  
16 vehicle except a person with a disability who possesses a disabled  
17 hunter special use permit and all appropriate hunting licenses may  
18 discharge a firearm or other legal hunting device from a nonmoving  
19 motor vehicle that has the engine turned off. A person with a  
20 disability who possesses a disabled hunter permit shall not be exempt  
21 from permit requirements for carrying concealed weapons, or from

1 rules, laws, or ordinances concerning the discharge of these weapons.  
2 No hunting shall be permitted from a motor vehicle that is parked on  
3 or beside the maintained portion of a public road, except as  
4 authorized by the commission by rule.

5 (2) A person with a disability holding a disabled hunter permit  
6 may be accompanied by one licensed hunter who may assist the person  
7 with a disability by killing game (~~wounded by~~) on behalf of the  
8 person with a disability, and by tagging and retrieving game killed  
9 by the person with a disability or the designated licensed hunter  
10 companion. A nondisabled hunter shall not possess a loaded gun in, or  
11 shoot from, a motor vehicle.

12 **Sec. 2.** RCW 77.32.450 and 2011 c 339 s 10 are each amended to  
13 read as follows:

14 (1) A big game hunting license is required to hunt for big game.  
15 A big game license allows the holder to hunt for forest grouse,  
16 unclassified wildlife, and the individual species identified within a  
17 specific big game combination license package. Each big game license  
18 includes one transport tag for each species purchased in that  
19 package. A hunter may not purchase more than one license or tag for  
20 each big game species except as authorized by rule of the commission.  
21 The fees for annual big game combination packages are as follows:

22 (a) Big game number 1: Deer, elk, bear, and cougar. The fee for  
23 this license is eighty-five dollars for residents, seven hundred  
24 eighty dollars for nonresidents, and forty dollars for youth.

25 (b) Big game number 2: Deer and elk. The fee for this license is  
26 seventy-five dollars for residents, six hundred seventy dollars for  
27 nonresidents, and thirty-five dollars for youth.

28 (c) Big game number 3: Deer. The fee for this license is thirty-  
29 nine dollars for residents, three hundred ninety-three dollars for  
30 nonresidents, and eighteen dollars for youth.

31 (d) Big game number 4: Elk. The fee for this license is forty-  
32 four dollars for residents, four hundred fifty dollars for  
33 nonresidents, and eighteen dollars for youth.

34 (e) Big game number 5: Bear. The fee for this license is twenty  
35 dollars for residents, two hundred dollars for nonresidents, and ten  
36 dollars for youth.

37 (f) Big game number 6: Cougar. The fee for this license is twenty  
38 dollars for residents, two hundred dollars for nonresidents, and ten  
39 dollars for youth.

1 (2) In the event that the commission authorizes a two animal big  
2 game limit, the fees for the second ~~((animal))~~ tag are as follows:

3 (a) Elk: The fee for the second tag is: (i) Sixty dollars for  
4 residents((τ)); (ii) three hundred fifty dollars for  
5 nonresidents((τ)); and (iii) twenty dollars for youth.

6 (b) Deer: The fee for the second tag is: (i) Sixty dollars for  
7 residents((τ)); (ii) two hundred fifty dollars for nonresidents((τ));  
8 and (iii) twenty dollars for youth.

9 (3) In the event that the commission authorizes a special permit  
10 hunt for goat, sheep, moose, or other big game species not specified,  
11 the ~~((permit))~~ license fees are three hundred dollars for residents,  
12 one thousand five hundred dollars for nonresidents, and fifty dollars  
13 for youth.

14 (4) Multiple season big game ~~((permit))~~ tags: The commission may,  
15 by rule, offer ~~((permits))~~ tags for hunters to hunt deer or elk  
16 during more than one general season. Only one deer or elk may be  
17 harvested annually under a multiple season big game ~~((permit))~~ tag.  
18 The fee for this tag is one hundred sixty-five dollars.

19 (5) Master hunter deer or elk license: The fee for this license  
20 is twenty dollars.

21 (6) Damage deer or elk license: The fee for this license is  
22 twenty dollars.

23 ~~((+5))~~ (7) Authorization to hunt the species set out under  
24 subsection (3) of this section is by special permit issued under RCW  
25 77.32.370.

26 **Sec. 3.** RCW 77.32.460 and 2011 c 339 s 11 are each amended to  
27 read as follows:

28 (1) A small game hunting license is required to hunt for all  
29 classified wild animals and wild birds, except big game. A small game  
30 license also allows the holder to hunt for unclassified wildlife.

31 (a) The fee for this license is thirty-five dollars for  
32 residents, one hundred sixty-five dollars for nonresidents, and  
33 fifteen dollars for youth.

34 ~~((The fee for this license if purchased at the same time as a~~  
35 ~~big game combination license package is twenty dollars for residents,~~  
36 ~~eighty eight dollars for nonresidents, and eight dollars for youth.~~

37 ~~(e))~~ The fee for a three-consecutive-day small game license is  
38 sixty dollars for nonresidents.

1 (2) In addition to a small game license, a turkey tag is required  
2 to hunt for turkey.

3 (a) The fee for a primary turkey tag is fourteen dollars for  
4 residents and forty dollars for nonresidents. A primary turkey tag  
5 will, on request, be issued to the purchaser of a youth small game  
6 license at no charge.

7 (b) The fee for each additional turkey tag is fourteen dollars  
8 for residents, sixty dollars for nonresidents, and ten dollars for  
9 youth.

10 (c) All moneys received from turkey tags must be deposited in the  
11 state wildlife account. One-third of the moneys received from turkey  
12 tags must be appropriated solely for the purposes of turkey  
13 management. An additional one-third of the moneys received from  
14 turkey tags must be appropriated solely for upland game bird  
15 management. Moneys received from turkey tags may not supplant  
16 existing funds provided for these purposes.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 77.32  
18 RCW to read as follows:

19 The department may develop a hunting reservation system and may  
20 charge participants a fee that is no more than necessary to recover  
21 the costs for developing, operating, and maintaining the hunting  
22 reservation system. If the hunting reservations are issued through a  
23 department automated licensing system, then charges authorized in RCW  
24 77.32.050 also apply.

25 **Sec. 5.** RCW 77.32.470 and 2011 c 339 s 12 are each amended to  
26 read as follows:

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

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

33 (a) A combination license allows the holder to fish for or  
34 possess fish, shellfish, and seaweed from state waters or offshore  
35 waters. The fee for this license is (~~forty-five~~) forty-six dollars  
36 for residents, one hundred (~~eight~~) thirteen dollars for  
37 nonresidents, and (~~five~~) six dollars for youth. There is an

1 additional fifty-cent surcharge for this license, to be deposited in  
2 the rockfish research account created in RCW 77.12.702.

3 (b) A saltwater license allows the holder to fish for or possess  
4 fish taken from saltwater areas. The fee for this license is  
5 ~~((twenty-five))~~ twenty-seven dollars for residents, ~~((fifty-two))~~  
6 fifty-seven dollars for nonresidents, and ~~((five))~~ seven dollars for  
7 resident seniors. There is an additional fifty-cent surcharge for  
8 this license, to be deposited in the rockfish research account  
9 created in RCW 77.12.702.

10 (c) A freshwater license allows the holder to fish for, take, or  
11 possess food fish or game fish species in all freshwater areas. The  
12 fee for this license is ~~((twenty-five))~~ twenty-seven dollars for  
13 residents, ~~((seventy-five))~~ eighty dollars for nonresidents, and  
14 ~~((five))~~ seven dollars for resident seniors.

15 (3)(a) A temporary combination fishing license is valid for one  
16 to three consecutive days and allows the holder to fish for or  
17 possess fish, shellfish, and seaweed taken from state waters or  
18 offshore waters. The fee for this temporary fishing license is:

19 (i) One day - ~~((Eight))~~ Ten dollars for residents and ~~((sixteen))~~  
20 twenty-one dollars for nonresidents;

21 (ii) Two days - ~~((Twelve))~~ Fourteen dollars for residents and  
22 ~~((twenty-four))~~ twenty-nine dollars for nonresidents; and

23 (iii) Three days - ~~((Fifteen))~~ Seventeen dollars for residents  
24 and thirty-five dollars for nonresidents.

25 (b) The fee for a charter stamp is ~~((eight))~~ ten dollars for a  
26 one-day temporary combination fishing license for residents and  
27 nonresidents for use on a charter boat as defined in RCW 77.65.150.

28 (c) Except for active duty military personnel serving in any  
29 branch of the United States armed forces, the temporary combination  
30 fishing license is not valid on game fish species for an eight-  
31 consecutive-day period beginning on the opening day of the lowland  
32 lake fishing season as defined by rule of the commission.

33 (d) The temporary combination fishing license fee for active duty  
34 military personnel serving in any branch of the United States armed  
35 forces is the resident rate as set forth in (a) of this subsection.  
36 Active duty military personnel must provide a valid military  
37 identification card at the time of purchase of the temporary license  
38 to qualify for the resident rate.

1 (e) There is an additional fifty-cent surcharge on the temporary  
2 combination fishing license and the associated charter stamp, to be  
3 deposited in the rockfish research account created in RCW 77.12.702.

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

11 (5)(a) The commission may adopt rules to create ((and sell  
12 combination licenses for all hunting and fishing activities at or  
13 below a fee equal to the total cost of the individual license  
14 contained within any combination)), combine, or sell licenses for all  
15 hunting and fishing activities at or below existing pricing.

16 (b) The director may offer promotional pricing to increase  
17 angler, hunting, or wildlife viewing participation.

18 (6) The commission may adopt rules to allow the use of two  
19 fishing poles per fishing license holder for use on selected state  
20 waters. If authorized by the commission, license holders must  
21 purchase a two-pole stamp to use a second pole. The proceeds from the  
22 sale of the two-pole stamp must be deposited into the state wildlife  
23 account created in RCW 77.12.170 and used for the operation and  
24 maintenance of state-owned fish hatcheries. The fee for a two-pole  
25 stamp is thirteen dollars for residents and nonresidents, and five  
26 dollars for seniors.

27 **Sec. 6.** RCW 77.32.520 and 2011 c 339 s 13 are each amended to  
28 read as follows:

29 (1) A personal use shellfish and seaweed license is required for  
30 all persons other than residents or nonresidents under fifteen years  
31 of age to fish for, take, dig for, or possess seaweed or shellfish,  
32 including razor clams, for personal use from state waters or offshore  
33 waters including national park beaches.

34 (2) A razor clam license allows a person to harvest only razor  
35 clams for personal use from state waters, including national park  
36 beaches.

37 (3) The fees for annual personal use shellfish and seaweed  
38 licenses are:

1 (a) For a resident fifteen years of age or older, (~~ten~~) twelve  
2 dollars;

3 (b) For a nonresident fifteen years of age or older, (~~twenty-~~  
4 ~~seven~~) thirty-two dollars; and

5 (c) For a senior, (~~five~~) seven dollars.

6 (4) The fee for an annual razor clam license is (~~eight~~) ten  
7 dollars for residents, (~~fifteen~~) twenty dollars for nonresidents,  
8 and (~~eight~~) ten dollars for seniors.

9 (5) The fee for a three-day razor clam license is (~~five~~) seven  
10 dollars for (~~both~~) residents and ten dollars for nonresidents.

11 (6) A personal use shellfish and seaweed license or razor clam  
12 license must be in immediate possession of the licensee and available  
13 for inspection while a licensee is harvesting shellfish or seaweed.  
14 However, the license does not need to be visible at all times.

15 **Sec. 7.** RCW 77.32.480 and 2013 c 101 s 1 are each amended to  
16 read as follows:

17 (1) Upon written application, a combination fishing license shall  
18 be issued at the reduced rate of (~~five~~) six dollars and all hunting  
19 licenses shall be issued at the reduced rate of a youth hunting  
20 license fee for the following individuals:

21 (a) A resident sixty-five years old or older who is an honorably  
22 discharged veteran of the United States armed forces having a  
23 service-connected disability;

24 (b) A resident who is an honorably discharged veteran of the  
25 United States armed forces with a thirty percent or more service-  
26 connected disability;

27 (c) A resident with a disability who permanently uses a  
28 wheelchair;

29 (d) A resident who is blind or visually impaired; and

30 (e) A resident with a developmental disability as defined in RCW  
31 71A.10.020 with documentation of the disability certified by a  
32 physician licensed to practice in this state.

33 (2) Upon department verification of eligibility, a nonstate  
34 resident veteran with a disability who otherwise satisfies the  
35 criteria of subsection (1)(a) and (b) of this section must be issued  
36 a combination fishing license or any hunting license at the same cost  
37 charged to a nondisabled Washington resident for the same license.

1       **Sec. 8.** RCW 77.12.170 and 2011 c 339 s 3, 2011 c 320 s 23, and  
2 2011 c 171 s 112 are each reenacted and amended to read as follows:

3       (1) There is established in the state treasury the state wildlife  
4 account (~~(which)~~) that consists of moneys received from:

5       (a) Rentals or concessions of the department;

6       (b) The sale of real or personal property held for department  
7 purposes, unless the property is seized or recovered through a fish,  
8 shellfish, or wildlife enforcement action;

9       (c) The assessment of administrative penalties;

10       (d) The sale of licenses, permits, tags, and stamps required by  
11 chapter 77.32 RCW, RCW 77.65.490, section 11 of this act, and  
12 application fees;

13       (e) Fees for informational materials published by the department;

14       (f) Fees for personalized vehicle, Wild on Washington, and  
15 Endangered Wildlife license plates and Washington's Wildlife license  
16 plate collection as provided in chapter 46.17 RCW;

17       (g) Articles or wildlife sold by the director under this title;

18       (h) Compensation for damage to department property or wildlife  
19 losses or contributions, gifts, or grants received under RCW  
20 77.12.320. However, this excludes fish and shellfish overages, and  
21 court-ordered restitution or donations associated with any fish,  
22 shellfish, or wildlife enforcement action, as such moneys must be  
23 deposited pursuant to RCW 77.15.425;

24       (i) Excise tax on (~~(anadromous—game)~~) enhanced food fish  
25 collected under chapter 82.27 RCW;

26       (j) The department's share of revenues from auctions and raffles  
27 authorized by the commission;

28       (k) The sale of watchable wildlife decals under RCW 77.32.560;  
29 (~~(and)~~)

30       (l) Moneys received from the recreation access pass account  
31 created in RCW 79A.80.090 must be dedicated to stewardship,  
32 operations, and maintenance of department lands used for public  
33 recreation purposes; (~~(and)~~)

34       (m) Donations received by the director under RCW 77.12.039; and

35       (n) The commercial anadromous surcharge required by chapter 77.65  
36 RCW.

37       (2) State and county officers receiving any moneys listed in  
38 subsection (1) of this section (~~(shall)~~) must deposit them in the  
39 state treasury to be credited to the state wildlife account.

1       **Sec. 9.** RCW 77.15.500 and 2000 c 107 s 248 are each amended to  
2 read as follows:

3       (1) A person is guilty of commercial fishing without a license in  
4 the second degree if the person fishes for, takes, or delivers food  
5 fish, shellfish, or game fish while acting for commercial purposes  
6 and:

7       (a) The person does not hold a fishery license or delivery  
8 license under chapter 77.65 RCW for the food fish or shellfish;  
9 (~~or~~)

10       (b) The person is not a licensed operator designated as an  
11 alternate operator on a fishery or delivery license under chapter  
12 77.65 RCW for the food fish or shellfish; or

13       (c) The person does not hold a crewmember license when required  
14 under section 11 of this act.

15       (2) A person is guilty of commercial fishing without a license in  
16 the first degree if the person commits the act described by  
17 subsection (1) of this section and:

18       (a) The violation involves taking, delivery, or possession of  
19 food fish or shellfish with a value of two hundred fifty dollars or  
20 more; or

21       (b) The violation involves taking, delivery, or possession of  
22 food fish or shellfish from an area that was closed to the taking of  
23 such food fish or shellfish by any statute or rule.

24       (3)(a) Commercial fishing without a license in the second degree  
25 is a gross misdemeanor.

26       (b) Commercial fishing without a license in the first degree is a  
27 class C felony.

28       NEW SECTION.   **Sec. 10.** A new section is added to chapter 77.65  
29 RCW to read as follows:

30       In addition to any commercial license required under this  
31 chapter, an anadromous surcharge is required in order to commercially  
32 fish, harvest, sell, purchase, or process any anadromous species. The  
33 commercial anadromous surcharge must be deposited into the state  
34 wildlife account created in RCW 77.12.170. Moneys received from the  
35 anadromous surcharge must be appropriated to support commercial  
36 fisheries, including activities such as fishery monitoring, sampling  
37 and permitting activities, hatchery production and maintenance  
38 activities, and commercial fishery enforcement activities.

1 NEW SECTION. **Sec. 11.** A new section is added to chapter 77.65

2 RCW to read as follows:

3 (1)(a) A crewmember license is required for each individual who  
4 works on any commercial vessel while operating in a commercial  
5 fishery regulated by the state, except that the individual on the  
6 vessel designated as the primary or alternate operator on the  
7 commercial fishing license does not also need a crewmember license.

8 (b) A crewmember license is not required for an individual aboard  
9 a licensed vessel who does not directly or indirectly participate in  
10 the operation of the vessel, the harvest, or catch processing  
11 activity. For the purposes of this section the terms "harvest" or  
12 "catch processing" include participation in tending, deploying,  
13 retrieving, or baiting fishing gear, harvesting, transferring or  
14 receiving fish or shellfish, heading and gutting fish, freezing,  
15 icing, or placing fish or shellfish in holds.

16 (2) A crewmember license must be purchased by an individual  
17 working as a crewmember, which license the holder may use aboard any  
18 commercial fishing vessel. A crewmember license purchased by a  
19 crewmember may not be transferred to another individual.

20 (3) A crewmember license may be purchased and held by a  
21 commercial fishing license holder for use by any individual working  
22 on the vessel named in the commercial fishing license. Each  
23 crewmember license held by a commercial fishing license holder covers  
24 one crewmember per trip, but the same crewmember license can be used  
25 to authorize a different individual to act as a crewmember on a  
26 subsequent trip.

27 (4)(a) The fee for an annual crewmember license is one hundred  
28 dollars for residents and nonresidents. Additional application fees  
29 and surcharges do not apply except that if the license is purchased  
30 through the automated licensing system the fees authorized in RCW  
31 77.32.050 apply.

32 (b) A five consecutive day crewmember license may be purchased  
33 for a fee of twenty-five dollars for residents and  
34 nonresidents. Additional application fees and surcharges do not apply  
35 except that if the license is purchased through the automated  
36 licensing system the fees authorized in RCW 77.32.050 apply.

37 (5) Moneys received from the sale of a crewmember license must be  
38 deposited into the state wildlife account and be appropriated to  
39 support commercial fisheries, including activities such as fishery  
40 monitoring, sampling and permitting activities, hatchery production

1 and maintenance activities, and commercial fishery enforcement  
2 activities.

3 **Sec. 12.** RCW 77.65.010 and 2009 c 333 s 7 are each amended to  
4 read as follows:

5 (1) Except as otherwise provided by this title, a person must  
6 have a license or permit issued by the director in order to engage in  
7 any of the following activities:

8 (a) Commercially fish for or take food fish or shellfish;

9 (b) Deliver from a commercial fishing vessel food fish or  
10 shellfish taken for commercial purposes in offshore waters. As used  
11 in this subsection, "deliver" means arrival at a place or port, and  
12 includes arrivals from offshore waters to waters within the state and  
13 arrivals from state or offshore waters;

14 (c) Operate a charter boat or commercial fishing vessel engaged  
15 in a fishery;

16 (d) Engage in processing or wholesaling food fish or shellfish;  
17 (~~(e)~~)

18 (e) Act as a food fish guide for personal use in freshwater  
19 rivers and streams, except that a charter boat license is required to  
20 operate a vessel from which a person may for a fee fish for food fish  
21 in state waters listed in RCW 77.65.150(4)(b); or

22 (f) Work as a crewmember on any commercial vessel operating in a  
23 commercial fishery regulated by the state, including crews of  
24 tenders, processors, catcher processors, or other floating craft  
25 while used in catching or transporting fish or shellfish.

26 (2) No person may engage in the activities described in  
27 subsection (1) of this section unless the licenses or permits  
28 required by this title are in the person's possession, and the person  
29 is the named license holder or an alternate operator designated on  
30 the license and the person's license is not suspended.

31 (3) A valid Oregon license that is equivalent to a license under  
32 this title is valid in the concurrent waters of the Columbia river if  
33 the state of Oregon recognizes as valid the equivalent Washington  
34 license. The director may identify by rule what Oregon licenses are  
35 equivalent.

36 (4) No license or permit is required for the production or  
37 harvesting of private sector cultured aquatic products as defined in  
38 RCW 15.85.020 or for the delivery, processing, or wholesaling of such  
39 aquatic products. However, if a means of identifying such products is

1 required by rules adopted under RCW 15.85.060, the exemption from  
 2 licensing or permit requirements established by this subsection  
 3 applies only if the aquatic products are identified in conformance  
 4 with those rules.

5 **Sec. 13.** RCW 77.65.150 and 2011 c 339 s 18 are each amended to  
 6 read as follows:

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

	<u>Fishery License</u>	<u>Annual License Fee</u>		<u>Anadromous Surcharge RCW</u>		<u>Regional Fisheries</u>	<u>Rockfish</u>	<u>Application</u>	<u>Governing</u>
	or	(((RCW 77.95.090 Surcharge)))		77.65. . . (section 10 of this act)		<u>Enhancement</u>	<u>Research</u>	<u>Fee</u>	<u>Section</u>
	Permit	(((RCW 77.12.702 Surcharge)))				<u>Group</u>	<u>Surcharge RCW</u>		
						<u>Enhancement</u>	<u>77.12.702</u>		
						<u>Surcharge RCW</u>			
						<u>77.95.090</u>			
		<u>Resident</u>	<u>Nonresident</u>	<u>Resident</u>	<u>Nonresident</u>				
18	(a) Non-	\$225	\$375	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>plus \$35</u>	\$ 70	
19	salmon	(((plus \$35 for	(((plus \$35 for						
20	charter	RCW 77.12.702	RCW 77.12.702						
21		Surcharge)))	Surcharge)))						
22	(b) Salmon	\$380	\$685	<u>plus \$310</u>	<u>plus \$310</u>	<u>plus \$100</u>	<u>plus \$35</u>	\$105	RCW
23	charter	(((plus \$100)	(((plus \$100)						77.70.050
24		(plus \$35 for	(plus \$35 for						
25		RCW 77.12.702	RCW 77.12.702						
26		Surcharge)))	Surcharge)))						
27	(c) Salmon	\$ 0	\$ 0	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$ 0	RCW
28	angler								77.70.060
29	(d) Salmon roe	\$ 95	\$ 95	<u>plus \$80</u>	<u>plus \$80</u>	<u>\$0</u>	<u>\$0</u>	\$ 70	RCW
30									77.65.350

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

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

4 (4)(a) "Charter boat" means a vessel from which persons may, for  
5 a fee, fish for food fish or shellfish for personal use in those  
6 state waters set forth in (b) of this subsection. "Charter boat" also  
7 means a vessel from which persons may, for a fee, fish for food fish  
8 or shellfish for personal use in offshore waters or in the waters of  
9 other states. The director may specify by rule when a vessel is a  
10 "charter boat" within this definition.

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

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

25 (6) A salmon charter license under subsection (1)(b) of this  
26 section may be renewed if the license holder notifies the department  
27 by May 1st of that year that he or she will not participate in the  
28 fishery during that calendar year. The license holder must pay the  
29 one hundred dollar enhancement surcharge, a thirty-five dollar  
30 surcharge to be deposited in the rockfish research account created in  
31 RCW 77.12.702, plus a one hundred five dollar application fee, plus a  
32 one hundred twenty dollar commercial anadromous surcharge, in order  
33 to be considered a valid renewal and eligible to renew the license  
34 the following year.

35 **Sec. 14.** RCW 77.65.160 and 2011 c 339 s 19 are each amended to  
36 read as follows:

37 (1) The following commercial salmon fishery licenses are required  
38 for the license holder to use the specified gear to fish for salmon  
39 in state waters. Only a person who meets the qualifications of RCW

1 77.70.090 may hold a license listed in this subsection. The licenses  
 2 and their annual license fees, application fees, and surcharges  
 3 (~~under RCW 77.95.090~~) are:

Fishery License	Annual License Fee		Anadromous Surcharge RCW 77.65. . . (section 10 of this act)		Regional Fisheries Enhancement Group Surcharge RCW 77.95.090	Application Fee
	Resident Fee	Nonresident Fee	Resident	Nonresident		
(a) Salmon Gill Net —Grays Harbor- Columbia river	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
(b) Salmon Gill Net —Puget Sound	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
(c) Salmon Gill Net —Willapa Bay- Columbia river	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
(d) Salmon purse seine	\$530	\$985	<u>plus \$365</u>	<u>plus \$365</u>	plus \$100	\$105
(e) Salmon reef net	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
(f) Salmon troll	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105

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

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

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

34 (5) A salmon gill net license authorizes the taking of salmon  
 35 only in the geographical area for which the license is issued. The  
 36 geographical designations in subsection (1) of this section have the  
 37 following meanings:

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

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

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

20 (6) A commercial salmon troll fishery license may be renewed  
21 under this section if the license holder notifies the department by  
22 May 1st of that year that he or she will not participate in the  
23 fishery during that calendar year. A commercial salmon gill net, reef  
24 net, or seine fishery license may be renewed under this section if  
25 the license holder notifies the department before the third Monday in  
26 September of that year that he or she will not participate in the  
27 fishery during that calendar year. The license holder must pay the  
28 one hundred dollar enhancement surcharge, (~~plus~~) a one hundred five  
29 dollar application fee, plus a one hundred dollar commercial  
30 anadromous surcharge before the third Monday in September, in order  
31 to be considered a valid renewal and eligible to renew the license  
32 the following year.

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

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

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

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

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

8 **Sec. 15.** RCW 77.65.170 and 2011 c 339 s 20 are each amended to  
9 read as follows:

10 (1) A salmon delivery license is required for a commercial  
11 fishing vessel to deliver salmon taken for commercial purposes in  
12 offshore waters to a place or port in the state. As used in this  
13 section, "deliver" and "delivery" mean arrival at a place or port,  
14 and include arrivals from offshore waters to waters within the state  
15 and arrivals ashore from offshore waters. The annual fee for a salmon  
16 delivery license is three hundred eighty dollars for residents and  
17 six hundred eighty-five dollars for nonresidents. The application fee  
18 for a salmon delivery license is one hundred five dollars. The annual  
19 surcharge under RCW 77.95.090 is one hundred dollars for each  
20 license. The annual commercial anadromous surcharge under section 10  
21 of this act is two hundred ninety dollars for a resident or  
22 nonresident. Holders of nonlimited entry delivery licenses issued  
23 under RCW 77.65.210 may apply the nonlimited entry delivery license  
24 fee against the salmon delivery license fee.

25 (2) Only a person who meets the qualifications established in RCW  
26 77.70.090 may hold a salmon delivery license issued under this  
27 section.

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

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

35 **Sec. 16.** RCW 77.65.190 and 2011 c 339 s 21 are each amended to  
36 read as follows:

37 A person who does not qualify for a license under RCW 77.70.090  
38 shall obtain a nontransferable emergency salmon delivery license to

1 make one delivery from a commercial fishing vessel of salmon taken  
2 for commercial purposes in offshore waters. As used in this section,  
3 "delivery" means arrival at a place or port, and include arrivals  
4 from offshore waters to waters within the state and arrivals ashore  
5 from offshore waters. The director shall not issue an emergency  
6 salmon delivery license unless, as determined by the director, a bona  
7 fide emergency exists. The license fee is two hundred twenty-five  
8 dollars for residents and four hundred seventy-five dollars for  
9 nonresidents. The application fee is one hundred five dollars. The  
10 annual commercial anadromous surcharge under section 10 of this act  
11 is one hundred sixty-five dollars for a resident or nonresident. An  
12 applicant for an emergency salmon delivery license shall designate no  
13 more than one vessel that will be used with the license. Alternate  
14 operator licenses are not required of persons delivering salmon under  
15 an emergency salmon delivery license. Emergency salmon delivery  
16 licenses are not renewable.

17 **Sec. 17.** RCW 77.65.280 and 2014 c 48 s 27 are each amended to  
18 read as follows:

19 (1) A wholesale fish dealer's license is required for:

20 (a) A business in the state to engage in the commercial  
21 processing of food fish or shellfish, including custom canning or  
22 processing of personal use food fish or shellfish.

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

28 (c) Fishers who land and sell their catch or harvest in the state  
29 to anyone other than a licensed wholesale dealer within or outside  
30 the state, unless the fisher has a direct retail endorsement.

31 (d) A business to engage in the commercial manufacture or  
32 preparation of fertilizer, oil, meal, caviar, fish bait, or other by-  
33 products from food fish or shellfish.

34 (e) A business engaging a fish buyer as defined under RCW  
35 77.65.340.

36 (2) The annual license fee for a wholesale dealer is two hundred  
37 fifty dollars. The application fee is one hundred five dollars. The  
38 annual commercial anadromous surcharge under section 10 of this act  
39 is one hundred seventy-five dollars. A wholesale fish dealer's

1 license is not required for persons engaged in the processing,  
 2 wholesale selling, buying, or brokering of private sector cultured  
 3 aquatic products as defined in RCW 15.85.020. However, if a means of  
 4 identifying such products is required by rules adopted under RCW  
 5 15.85.060, the exemption from licensing requirements established by  
 6 this subsection applies only if the aquatic products are identified  
 7 in conformance with those rules.

8 **Sec. 18.** RCW 77.65.340 and 2014 c 48 s 28 are each amended to  
 9 read as follows:

10 (1) A fish buyer's license is required of and shall be carried by  
 11 each individual engaged by a wholesale fish dealer to purchase food  
 12 fish or shellfish from a commercial fisher. A fish buyer may  
 13 represent only one wholesale fish dealer.

14 (2) The annual fee for a fish buyer's license is ninety-five  
 15 dollars. The application fee is one hundred five dollars. The annual  
 16 commercial anadromous surcharge under section 10 of this act is one  
 17 hundred dollars.

18 **Sec. 19.** RCW 77.65.440 and 2011 c 339 s 28 are each amended to  
 19 read as follows:

20 The director shall issue the personal licenses listed in this  
 21 section according to the requirements of this title. The licenses  
 22 (~~and~~), their annual fees, and surcharges are:

Personal License	Annual License Fee		Anadromous Surcharge RCW		Regional Fisheries Enhancement Group		Application Fee	Governing Section
	Resident	Nonresident	Resident	Nonresident	Resident	Nonresident		
(1) Alternate Operator	\$35	\$35	\$0	\$0	plus \$0	\$0	\$70	RCW 77.65.130
(2) Geoduck Diver	\$185	\$295	\$0	\$0	plus \$0	\$0	\$70	RCW 77.65.410
(3) Food Fish Guide	\$130	\$630	plus \$110	plus \$110	plus \$20	plus \$100	\$70	RCW 77.65.370

1       **Sec. 20.** RCW 77.65.480 and 2013 c 314 s 2 are each amended to  
2 read as follows:

3       (1) A taxidermy license allows the holder to practice taxidermy  
4 for commercial purposes, as that term is defined in RCW 77.15.110.  
5 The fee for this license is one hundred eighty dollars. The  
6 application fee is seventy dollars.

7       (2) A fur dealer's license allows the holder to purchase,  
8 receive, or resell raw furs for commercial purposes, as that term is  
9 defined in RCW 77.15.110. The fee for this license is one hundred  
10 eighty dollars. The application fee is seventy dollars.

11       (3) A game fish guide license allows the holder to offer or  
12 perform the services of a game fish guide in the taking of game fish.  
13 The fee for this license is one hundred eighty dollars for a resident  
14 and six hundred dollars for a nonresident. The application fee is  
15 seventy dollars. An application for a game fish guide license must  
16 include the information required in RCW 77.65.560. The annual  
17 commercial anadromous surcharge under section 10 of this act is one  
18 hundred twenty-five dollars for a resident or nonresident.

19       (4) A game farm license allows the holder to operate a game farm  
20 to acquire, breed, grow, keep, and sell wildlife under conditions  
21 prescribed by the rules adopted pursuant to this title. The fee for  
22 this license is seventy-two dollars for the first year and forty-  
23 eight dollars for each following year. The application fee is seventy  
24 dollars.

25       (5) A game fish stocking permit allows the holder to release game  
26 fish into the waters of the state as prescribed by rule of the  
27 commission. The fee for this permit is twenty-four dollars. The  
28 application fee is seventy dollars.

29       (6) A fishing or field trial permit allows the holder to promote,  
30 conduct, hold, or sponsor a fishing or field trial contest in  
31 accordance with rules of the commission. The fee for a fishing  
32 contest permit is twenty-four dollars. The fee for a field trial  
33 contest permit is twenty-four dollars. The application fee is seventy  
34 dollars.

35       (7)(a) An anadromous game fish buyer's license allows the holder  
36 to purchase or sell steelhead trout and other anadromous game fish  
37 harvested by Indian fishers lawfully exercising fishing rights  
38 reserved by federal statute, treaty, or executive order, under  
39 conditions prescribed by rule of the director. The fee for this

1 license is one hundred eighty dollars. The application fee is one  
2 hundred five dollars.

3 (b) An anadromous game fish buyer's license is not required for  
4 those businesses that buy steelhead trout and other anadromous game  
5 fish from Washington licensed game fish dealers and sell solely at  
6 retail.

7 **Sec. 21.** RCW 77.65.510 and 2011 c 339 s 31 are each amended to  
8 read as follows:

9 (1) The department must establish and administer a direct retail  
10 endorsement to serve as a single license that permits a Washington  
11 license holder or alternate operator to commercially harvest retail-  
12 eligible species and to clean, dress, and sell his or her catch  
13 directly to consumers at retail, including over the internet. The  
14 direct retail endorsement must be issued as an optional addition to  
15 all holders of: (a) A commercial fishing license for retail-eligible  
16 species that the department offers under this chapter; and (b) an  
17 alternate operator license who are designated as an alternate  
18 operator on a commercial fishing license for retail eligible species.

19 (2) The direct retail endorsement must be offered at the time of  
20 application for the qualifying commercial fishing license.  
21 Individuals in possession of a qualifying commercial fishing license  
22 issued under this chapter, and alternate operators designated on such  
23 a license, may add a direct retail endorsement to their current  
24 license at any time. Individuals who do not have a commercial fishing  
25 license for retail-eligible species issued under this chapter, and  
26 who are not designated as alternate operators on such a license, may  
27 not receive a direct retail endorsement. The costs, conditions,  
28 responsibilities, and privileges associated with the endorsed  
29 commercial fishing license is not affected or altered in any way by  
30 the addition of a direct retail endorsement. These costs include the  
31 base cost of the license and any revenue and excise taxes.

32 (3) An individual need only add one direct retail endorsement to  
33 his or her license portfolio. If a direct retail endorsement is  
34 selected by an individual holding more than one commercial fishing  
35 license issued under this chapter, a single direct retail endorsement  
36 is considered to be added to all qualifying commercial fishing  
37 licenses held by that individual, and is the only license required  
38 for the individual to sell at retail any retail-eligible species  
39 permitted by all of the underlying endorsed licenses. If a direct

1 retail endorsement is selected by an individual designated as an  
2 alternate operator on more than one commercial license issued under  
3 this chapter, a single direct retail endorsement is the only license  
4 required for the individual to sell at retail any retail-eligible  
5 species permitted by all of the underlying endorsed licenses on which  
6 the individual is designated as an alternate operator. The direct  
7 retail endorsement applies only to the Washington license holder or  
8 alternate operator obtaining the endorsement.

9 (4) In addition to any fees charged for the endorsed licenses and  
10 harvest documentation as required by this chapter or the rules of the  
11 department, the department may set a reasonable annual fee not to  
12 exceed the administrative costs to the department for a direct retail  
13 endorsement. The application fee is one hundred five dollars. The  
14 annual commercial anadromous surcharge under section 10 of this act  
15 is seventy-five dollars.

16 (5) The holder of a direct retail endorsement is responsible for  
17 documenting the commercial harvest of salmon and crab according to  
18 the provisions of this chapter, the rules of the department for a  
19 wholesale fish dealer, and the reporting requirements of the endorsed  
20 license. Any retail-eligible species caught by the holder of a direct  
21 retail endorsement must be documented on fish tickets.

22 (6) The direct retail endorsement must be displayed in a readily  
23 visible manner by the seller wherever and whenever a sale to someone  
24 other than a licensed wholesale dealer occurs. The commission may  
25 require that the holder of a direct retail endorsement notify the  
26 department up to eighteen hours before conducting an in-person sale  
27 of retail-eligible species, except for in-person sales that have a  
28 cumulative retail sales value of less than one hundred fifty dollars  
29 in a twenty-four hour period that are sold directly from the vessel.  
30 For sales occurring in a venue other than in person, such as over the  
31 internet, through a catalog, or on the phone, the direct retail  
32 endorsement number of the seller must be provided to the buyer both  
33 at the time of sale and the time of delivery. All internet sales must  
34 be conducted in accordance with federal laws and regulations.

35 (7) The direct retail endorsement is to be held by a natural  
36 person and is not transferable or assignable. If the endorsed license  
37 is transferred, the direct retail endorsement immediately becomes  
38 void, and the transferor is not eligible for a full or prorated  
39 reimbursement of the annual fee paid for the direct retail  
40 endorsement. Upon becoming void, the holder of a direct retail

1 endorsement must surrender the physical endorsement to the  
2 department.

3 (8) The holder of a direct retail endorsement must abide by the  
4 provisions of Title 69 RCW as they apply to the processing and retail  
5 sale of seafood. The department must distribute a pamphlet, provided  
6 by the department of agriculture, with the direct retail endorsement  
7 generally describing the labeling requirements set forth in chapter  
8 69.04 RCW as they apply to seafood.

9 (9) The holder of a qualifying commercial fishing license issued  
10 under this chapter, or an alternate operator designated on such a  
11 license, must either possess a direct retail endorsement or a  
12 wholesale dealer license provided for in RCW 77.65.280 in order to  
13 lawfully sell their catch or harvest in the state to anyone other  
14 than a licensed wholesale dealer.

15 (10) The direct retail endorsement entitles the holder to sell a  
16 retail-eligible species only at a temporary food service  
17 establishment as that term is defined in RCW 69.06.045, or directly  
18 to a restaurant or other similar food service business.

19 **Sec. 22.** RCW 82.27.020 and 2010 c 193 s 16 are each amended to  
20 read as follows:

21 (1) In addition to all other taxes, licenses, or fees provided by  
22 law there is established an excise tax on the commercial possession  
23 of enhanced food fish as provided in this chapter. The tax is levied  
24 upon and shall be collected from the owner of the enhanced food fish  
25 whose possession constitutes the taxable event. The taxable event is  
26 the first possession in Washington by an owner after the enhanced  
27 food fish has been landed. Processing and handling of enhanced food  
28 fish by a person who is not the owner is not a taxable event to the  
29 processor or handler.

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

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

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

1 (a) Chinook, coho, and chum salmon and anadromous game fish:  
2 (~~Five and twenty-five~~) Eight and forty one-hundredths percent;

3 (b) Pink and sockeye salmon: (~~Three and fifteen~~) Five and four  
4 one-hundredths percent;

5 (c) Other food fish and shellfish, except oysters, sea urchins,  
6 and sea cucumbers: Two and one-tenth percent;

7 (d) Oysters: Eight one-hundredths of one percent;

8 (e) Sea urchins: (~~Four and six tenths percent through December~~  
9 ~~31, 2013, or until the department of fish and wildlife notifies the~~  
10 ~~department that the number of sea urchin licenses has been reduced to~~  
11 ~~twenty licenses, whichever occurs first, and~~) Two and one-tenth  
12 percent ((thereafter)); and

13 (f) Sea cucumbers: (~~Four and six tenths percent through December~~  
14 ~~31, 2013, or until the department of fish and wildlife notifies the~~  
15 ~~department that the number of sea cucumber licenses has been reduced~~  
16 ~~to twenty licenses, whichever occurs first, and~~) Two and one-tenth  
17 percent ((thereafter)).

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

21 **Sec. 23.** RCW 82.27.070 and 2010 c 193 s 17 are each amended to  
22 read as follows:

23 All taxes collected by the department of revenue under this  
24 chapter ((shall)) must be deposited in the ((state general fund  
25 except for the excise tax on anadromous game fish, which shall be  
26 deposited in the)) state wildlife account, except for the additional  
27 tax in RCW 82.27.020(5), which must be deposited into the state  
28 general fund. Moneys deposited into the state wildlife account from  
29 the increase in the excise tax collected on chinook, coho, and chum  
30 salmon and anadromous game fish of three and fifteen one-hundredths  
31 percent, and on pink and sockeye salmon of one and eighty-nine one-  
32 hundredths percent as provided for in section 22 of this act must be  
33 appropriated to support commercial fisheries, including activities  
34 such as fishery monitoring, sampling and permitting activities,  
35 hatchery production and maintenance activities, and commercial  
36 fishery enforcement activities. ((From January 1, 2000, to December  
37 31, 2013, or until the department of fish and wildlife notifies the  
38 department that the license reduction goals of the sea urchin or sea  
39 cucumber fishery have been met, whichever occurs first, twenty-five

1 ~~forty sixths of the revenues derived from the excise tax on sea~~  
2 ~~urchins collected under RCW 82.27.020 shall be deposited into the sea~~  
3 ~~urchin dive fishery account created in RCW 77.70.150, and twenty five~~  
4 ~~forty sixths of the revenues derived from the excise tax on sea~~  
5 ~~cucumbers collected under RCW 82.27.020 shall be deposited into the~~  
6 ~~sea cucumber dive fishery account created in RCW 77.70.190.))~~

7 NEW SECTION. **Sec. 24.** This act is necessary for the immediate  
8 preservation of the public peace, health, or safety, or support of  
9 the state government and its existing public institutions, and takes  
10 effect July 1, 2015.

--- END ---