
HOUSE BILL 2339

State of Washington

53rd Legislature

1994 Regular Session

By Representatives King, Foreman and Orr; by request of Department of Fisheries and Department of Wildlife

Read first time 01/14/94. Referred to Committee on Fisheries & Wildlife.

1 AN ACT Relating to the creation of a combined recreational fish and
2 hunting license document; amending RCW 75.25.091, 75.25.092, 75.25.110,
3 75.25.120, 75.25.150, 77.32.101, 77.32.230, and 77.32.256; reenacting
4 and amending RCW 75.08.011 and 75.25.180; adding a new section to
5 chapter 75.25 RCW; creating a new section; and providing effective
6 dates.

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

8 **Sec. 1.** RCW 75.08.011 and 1993 1st sp.s. c 2 s 20 and 1993 c 340
9 s 47 are each reenacted and amended to read as follows:

10 As used in this title or rules of the director, unless the context
11 clearly requires otherwise:

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

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

14 (3) "Person" means an individual or a public or private entity or
15 organization. The term "person" includes local, state, and federal
16 government agencies, and all business organizations, including
17 corporations and partnerships.

18 (4) "Fisheries patrol officer" means a person appointed and
19 commissioned by the director, with authority to enforce this title,

1 rules of the director, and other statutes as prescribed by the
2 legislature. Fisheries patrol officers are peace officers.

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

13 (6) "To fish," "to harvest," and "to take" and their derivatives
14 mean an effort to kill, injure, harass, or catch food fish or
15 shellfish.

16 (7) "State waters" means all marine waters and fresh waters within
17 ordinary high water lines and within the territorial boundaries of the
18 state.

19 (8) "Offshore waters" means marine waters of the Pacific Ocean
20 outside the territorial boundaries of the state, including the marine
21 waters of other states and countries.

22 (9) "Concurrent waters of the Columbia river" means those waters of
23 the Columbia river that coincide with the Washington-Oregon state
24 boundary.

25 (10) "Resident" means a person who has (~~for the preceding ninety~~
26 ~~days~~) maintained a permanent place of abode within the state for at
27 least ninety days immediately preceding an application for a license,
28 has established by formal evidence an intent to continue residing
29 within the state, and who is not licensed to hunt or fish as a resident
30 in another state.

31 (11) "Nonresident" means a person who has not fulfilled the
32 qualifications of a resident.

33 (12) "Food fish" means those species of the classes Osteichthyes,
34 Agnatha, and Chondrichthyes that have been classified and that shall
35 not be fished for except as authorized by rule of the director. The
36 term "food fish" includes all stages of development and the bodily
37 parts of food fish species.

38 (13) "Shellfish" means those species of marine and freshwater
39 invertebrates that have been classified and that shall not be taken

1 except as authorized by rule of the director. The term "shellfish"
2 includes all stages of development and the bodily parts of shellfish
3 species.

4 (14) "Salmon" means all species of the genus *Oncorhynchus*, except
5 those classified as game fish in Title 77 RCW, and includes:

6	Scientific Name	Common Name
7	<i>Oncorhynchus tshawytscha</i>	Chinook salmon
8	<i>Oncorhynchus kisutch</i>	Coho salmon
9	<i>Oncorhynchus keta</i>	Chum salmon
10	<i>Oncorhynchus gorbuscha</i>	Pink salmon
11	<i>Oncorhynchus nerka</i>	Sockeye salmon

12 (15) "Commercial" means related to or connected with buying,
13 selling, or bartering. Fishing for food fish or shellfish with gear
14 unlawful for fishing for personal use, or possessing food fish or
15 shellfish in excess of the limits permitted for personal use are
16 commercial activities.

17 (16) "To process" and its derivatives mean preparing or preserving
18 food fish or shellfish.

19 (17) "Personal use" means for the private use of the individual
20 taking the food fish or shellfish and not for sale or barter.

21 (18) "Angling gear" means a line attached to a rod and reel capable
22 of being held in hand while landing the fish or a hand-held line
23 operated without rod or reel (~~to which are attached no more than two~~
24 ~~single hooks or one artificial bait with no more than four multiple~~
25 ~~hooks~~)).

26 (19) "Open season" means those times, manners of taking, and places
27 or waters established by rule of the director for the lawful fishing,
28 taking, or possession of food fish or shellfish. "Open season"
29 includes the first and last days of the established time.

30 (20) "Fishery" means the taking of one or more particular species
31 of food fish or shellfish with particular gear in a particular
32 geographical area.

33 (21) "Limited-entry license" means a license subject to a license
34 limitation program established in chapter 75.30 RCW.

35 (22) "Seaweed" means marine aquatic plant species that are
36 dependent upon the marine aquatic or tidal environment, and exist in
37 either an attached or free floating form, and includes but is not

1 limited to marine aquatic plants in the classes Chlorophyta,
2 Phaeophyta, and Rhodophyta.

3 **Sec. 2.** RCW 75.25.091 and 1993 1st sp.s. c 17 s 2 are each amended
4 to read as follows:

5 (1) A personal use food fish license is required for all persons
6 other than residents under fifteen years of age (~~(, honorably discharged~~
7 ~~veterans with service-connected disabilities of thirty percent or more~~
8 ~~who have resided in the state for one year or more, or residents~~
9 ~~seventy years of age or older)) to fish for, take, or possess food fish
10 for personal use from state waters or offshore waters. A personal use
11 food fish license is not required under this section to fish for, take,
12 or possess carp, smelt, or albacore.~~

13 (2) The fees for annual personal use food fish licenses include the
14 one dollar regional fisheries enhancement surcharge imposed in RCW
15 75.50.100 and are as follows:

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

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

20 (c) For a nonresident, (~~nineteen~~) twenty dollars.

21 (3) The fee for a (~~two consecutive day~~) three-consecutive-day
22 personal use food fish license is (four) five dollars, and includes
23 the one-dollar regional fishery enhancement group surcharge imposed in
24 RCW 75.50.100.

25 (4) An annual personal use food fish license is valid for a maximum
26 catch of fifteen salmon, after which another annual personal use food
27 fish license may be purchased.

28 (5) An annual personal use food fish license is valid for an annual
29 maximum catch of fifteen sturgeon. No person may take more than
30 fifteen sturgeon in any calendar year.

31 **Sec. 3.** RCW 75.25.092 and 1993 1st sp.s. c 17 s 3 are each amended
32 to read as follows:

33 (1) A personal use shellfish and seaweed license is required for
34 all persons other than residents under fifteen years of age (~~or~~
35 ~~honorably discharged veterans with service-connected disabilities of~~
36 ~~thirty percent or more who have resided in the state for one year or~~
37 ~~more)) to fish for, take, dig for, or possess shellfish or seaweed for~~

1 personal use from state waters or offshore waters including national
2 park beaches.

3 (2) The fees for annual personal use shellfish and seaweed licenses
4 are:

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

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

9 (c) For a nonresident, twenty dollars.

10 (3) The fee for a (~~two consecutive day~~) three-consecutive-day
11 personal use shellfish and seaweed license is five dollars.

12 **Sec. 4.** RCW 75.25.110 and 1993 1st sp.s. c 17 s 6 are each amended
13 to read as follows:

14 (1) Any of the recreational fishing licenses required by this
15 chapter shall, upon (~~request~~) written application, be issued without
16 charge to the following individuals (~~upon request~~):

17 (a) (~~Residents under fifteen years of age;~~

18 ~~(b))~~ Residents who (~~submit applications attesting that they~~) are
19 (~~a person sixty five years of age or older who is an~~) honorably
20 discharged veterang of the United States armed forces and who are
21 sixty-five years of age or older with a service-connected disability
22 (~~and who has been a resident of this state for the preceding ninety~~
23 ~~days~~);

24 (b) Residents who are honorably discharged veterans of the United
25 States armed forces with a thirty percent or more service-connected
26 disability;

27 (c) A (~~blind~~) person who is blind;

28 (d) A person with a developmental disability as defined in RCW
29 71A.10.020 with documentation of the disability from the department of
30 social and health services; and

31 (e) A person who is physically handicapped and confined to a
32 wheelchair.

33 (2) A (~~blind~~) person who is blind or a physically handicapped
34 person confined to a wheelchair who has been issued a card for a
35 permanent disability under RCW 46.16.381 may use that card in place of
36 a fishing license.

37 (3) Licenses issued at no charge under this section shall be issued
38 from Olympia as provided by rule of the director.

1 **Sec. 5.** RCW 75.25.120 and 1993 1st sp.s. c 17 s 7 are each amended
2 to read as follows:

3 In concurrent waters of the Columbia river and in Washington
4 coastal territorial waters from the Oregon-Washington boundary to a
5 point five nautical miles north, an Oregon angling license comparable
6 to the Washington personal use food fish license or (~~two consecutive~~
7 ~~day~~) three-consecutive-day personal use food fish license is valid if
8 Oregon recognizes as valid the Washington personal use food fish
9 license or (~~two consecutive day~~) three-consecutive-day personal use
10 food fish license in comparable Oregon waters.

11 If Oregon recognizes as valid the Washington personal use food fish
12 license or (~~two consecutive day~~) three-consecutive-day personal use
13 food fish license southward to Cape Falcon in the coastal territorial
14 waters from the Washington-Oregon boundary and in concurrent waters of
15 the Columbia river then Washington shall recognize a valid Oregon
16 license comparable to the Washington personal use food fish license or
17 (~~two consecutive day~~) three-consecutive-day personal use food fish
18 license northward to Leadbetter Point.

19 Oregon licenses are not valid for the taking of food fish when
20 angling in concurrent waters of the Columbia river from the Washington
21 shore.

22 **Sec. 6.** RCW 75.25.150 and 1993 1st sp.s. c 17 s 9 are each amended
23 to read as follows:

24 It is unlawful to dig for, fish for, harvest, or possess shellfish
25 (~~or~~), food fish, or seaweed without the licenses required by this
26 chapter.

27 **Sec. 7.** RCW 75.25.180 and 1993 1st sp.s. c 17 s 10 and 1993 1st
28 sp.s. c 2 s 44 are each reenacted and amended to read as follows:

29 Recreational licenses issued by the department under this chapter
30 are valid for the following periods:

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

33 ~~(a) For blind persons;~~

34 ~~(b) For the period of continued state residency for qualified~~
35 ~~disabled veterans;~~

36 ~~(c) For persons with a developmental disability; and~~

1 ~~(d) For handicapped persons confined to a wheelchair who have been~~
2 ~~issued a permanent disability card)).~~

3 (2) ~~((Two consecutive day))~~ Three-consecutive-day personal use food
4 fish and shellfish and seaweed licenses expire at midnight on the
5 second day following the validation date written on the license by the
6 license dealer, except ~~((two consecutive day))~~ three-consecutive-day
7 personal use food fish and shellfish and seaweed licenses validated for
8 December 30 or 31 expire at midnight on ~~((that date))~~ December 31.

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

14 ~~((4) A personal use food fish license is valid for an annual~~
15 ~~maximum catch of fifteen sturgeon.~~

16 ~~(5) Personal use shellfish licenses are valid for the calendar year~~
17 ~~for which they are issued.))~~

18 NEW SECTION. Sec. 8. A new section is added to chapter 75.25 RCW
19 to read as follows:

20 The director shall by rule establish the conditions for issuance of
21 duplicate licenses, permits, tags, stamps, and catch record cards
22 required by this chapter. The fee for a duplicate provided under this
23 section is ten dollars for those licenses that are ten dollars and
24 over, and for those licenses under ten dollars the duplicate fee is the
25 value of the license.

26 Sec. 9. RCW 77.32.101 and 1991 sp.s. c 7 s 1 are each amended to
27 read as follows:

28 (1) A combination hunting and fishing license allows a resident
29 holder to hunt and fish for game fish throughout the state. The fee
30 for this license is twenty-nine dollars.

31 (2) A hunting license allows the holder to hunt throughout the
32 state. The fee for this license is fifteen dollars for residents and
33 one hundred fifty dollars for nonresidents.

34 (3) A fishing license allows the holder to fish for game fish
35 throughout the state. The fee for this license is seventeen dollars
36 for residents fifteen years of age or older and under seventy years of
37 age, three dollars for residents seventy years of age or older, twenty

1 dollars for nonresidents under fifteen years of age, and forty-eight
2 dollars for nonresidents fifteen years of age or older.

3 (4) A steelhead fishing license allows the holder of a combination
4 hunting and fishing license or a fishing license issued under this
5 section to fish for steelhead throughout the state. The fee for this
6 license is eighteen dollars.

7 (5) A juvenile steelhead license allows residents under fifteen
8 years of age and nonresidents under fifteen years of age who hold a
9 fishing license to fish for steelhead throughout the state. The fee
10 for this license is six dollars and entitles the holder to take up to
11 five steelhead at which time another juvenile steelhead license may be
12 purchased. Any person who purchases a juvenile steelhead license is
13 prohibited from purchasing a steelhead license for the same calendar
14 year.

15 **Sec. 10.** RCW 77.32.230 and 1991 sp.s. c 7 s 5 are each amended to
16 read as follows:

17 (1) A person sixty-five years of age or older who is an honorably
18 discharged veteran of the United States armed forces having a service-
19 connected disability and who ~~((has been))~~ is a resident ~~((for five~~
20 ~~years))~~ may receive upon written application a ~~((state))~~ hunting and
21 fishing license free of charge.

22 (2) Residents who are honorably discharged veterans of the United
23 States armed forces with a thirty percent or more service-connected
24 disability may receive upon written application a hunting and fishing
25 license free of charge.

26 (3) A ~~((blind))~~ person who is blind, or a person with a
27 developmental disability as defined in RCW 71A.10.020 with
28 documentation of the disability from the department of social and
29 health services, or a physically handicapped person confined to a
30 wheelchair may receive upon written application a fishing license free
31 of charge.

32 ~~((+3))~~ (4) A ~~((blind))~~ person who is blind or a physically
33 handicapped person confined to a wheelchair who has been issued a card
34 for a permanent disability under RCW 46.16.381 may use that card in
35 place of a fishing license ~~((unless tags, permits, stamps, or~~
36 punchcards are required by this chapter)).

37 ~~((+4))~~ (5) A fishing license is not required for ~~((persons))~~
38 residents under the age of fifteen.

1 (~~(5)~~) (6) Tags, permits, stamps, and (~~(punchcards)~~) steelhead
2 licenses required by this chapter shall be purchased separately by
3 persons receiving a free or reduced-fee license.

4 (7) Licenses issued at no charge under this section shall be issued
5 from Olympia as provided by rule of the director, and are valid for
6 five years.

7 **Sec. 11.** RCW 77.32.256 and 1991 sp.s. c 7 s 7 are each amended to
8 read as follows:

9 The director shall by rule establish the conditions for issuance of
10 duplicate licenses, rebates, permits, tags, stamps, and (~~(punchcards)~~)
11 catch record cards required by this chapter. The fee for a duplicate
12 provided under this section is ten dollars for those licenses that are
13 ten dollars and over, and for those licenses under ten dollars the
14 duplicate fee is the value of the license.

15 NEW SECTION. **Sec. 12.** All licenses issued by the department of
16 fisheries under Title 75 RCW or issued by the department of wildlife
17 under Title 77 RCW shall be recognized as valid by the department of
18 fish and wildlife until the stated expiration date.

19 NEW SECTION. **Sec. 13.** This act shall take effect January 1, 1995,
20 except for section 12 of this act, which shall take effect July 1,
21 1994.

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