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**SUBSTITUTE SENATE BILL 6125**

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**State of Washington**

**53rd Legislature**

**1994 Regular Session**

**By** Senate Committee on Natural Resources (originally sponsored by Senators Owen, Haugen, Sellar, Spanel and Winsley; by request of Department of Fisheries and Department of Wildlife)

Read first time 1/21/94.

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 77.32 RCW; adding a new section to chapter 75.25 RCW; creating  
6 a new section; and providing effective dates.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.32 RCW  
9 to read as follows:

10 The legislature finds that it is in the best interest of  
11 recreational hunters and fishers in the state of Washington to be able  
12 to purchase all recreational hunting and fishing licenses as a single  
13 document. Under the combined department of fish and wildlife, there is  
14 the opportunity to establish uniform license requirements and  
15 procedures.

16 There is created a sport recreational license, to be administered  
17 by the department of fish and wildlife. The sport recreational license  
18 shall include the personal use food fish, game fish, hunting, hound,  
19 and eastern Washington upland bird licenses, for residents and

1 nonresidents. The license shall also include three-day game fish and  
2 food fish licenses, for residents and nonresidents.

3 **Sec. 2.** RCW 75.08.011 and 1993 sp.s. c 2 s 20 and 1993 c 340 s 47  
4 are each reenacted and amended to read as follows:

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

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

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

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

13 (4) "Fisheries patrol officer" means a person appointed and  
14 commissioned by the director, with authority to enforce this title,  
15 rules of the director, and other statutes as prescribed by the  
16 legislature. Fisheries patrol officers are peace officers.

17 (5) "Ex officio fisheries patrol officer" means a commissioned  
18 officer of a municipal, county, state, or federal agency having as its  
19 primary function the enforcement of criminal laws in general, while the  
20 officer is in the appropriate jurisdiction. The term "ex officio  
21 fisheries patrol officer" also includes wildlife agents, special agents  
22 of the national marine fisheries service, United States fish and  
23 wildlife special agents, state parks commissioned officers, department  
24 of natural resources enforcement officers, and United States forest  
25 service officers, while the agents and officers are within their  
26 respective jurisdictions.

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

30 (7) "State waters" means all marine waters and fresh waters within  
31 ordinary high water lines and within the territorial boundaries of the  
32 state.

33 (8) "Offshore waters" means marine waters of the Pacific Ocean  
34 outside the territorial boundaries of the state, including the marine  
35 waters of other states and countries.

36 (9) "Concurrent waters of the Columbia river" means those waters of  
37 the Columbia river that coincide with the Washington-Oregon state  
38 boundary.

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

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

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

14 (13) "Shellfish" means those species of marine and freshwater  
15 invertebrates that have been classified and that shall not be taken  
16 except as authorized by rule of the director. The term "shellfish"  
17 includes all stages of development and the bodily parts of shellfish  
18 species.

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

21	Scientific Name	Common Name
22	<i>Oncorhynchus tshawytscha</i>	Chinook salmon
23	<i>Oncorhynchus kisutch</i>	Coho salmon
24	<i>Oncorhynchus keta</i>	Chum salmon
25	<i>Oncorhynchus gorbuscha</i>	Pink salmon
26	<i>Oncorhynchus nerka</i>	Sockeye salmon

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

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

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

36 (18) "Angling gear" means a line attached to a rod and reel capable  
37 of being held in hand while landing the fish or a hand-held line  
38 operated without rod or reel (~~to which are attached no more than two~~

1 ~~single hooks or one artificial bait with no more than four multiple~~  
2 ~~hooks~~)).

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

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

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

12 (22) "Seaweed" means marine aquatic plant species that are  
13 dependent upon the marine aquatic or tidal environment, and exist in  
14 either an attached or free floating form, and includes but is not  
15 limited to marine aquatic plants in the classes Chlorophyta,  
16 Phaeophyta, and Rhodophyta.

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

19 (1) A personal use food fish license is required for all persons  
20 other than residents under fifteen years of age (~~(, honorably discharged~~  
21 ~~veterans with service-connected disabilities of thirty percent or more~~  
22 ~~who have resided in the state for one year or more, or residents~~  
23 ~~seventy years of age or older)) to fish for, take, or possess food fish  
24 for personal use from state waters or offshore waters. A personal use  
25 food fish license is not required under this section to fish for, take,  
26 or possess carp, smelt, or albacore.~~

27 (2) The fees for annual personal use food fish licenses include the  
28 one dollar regional fisheries enhancement surcharge imposed in RCW  
29 75.50.100 and are as follows:

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

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

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

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

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

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

7       **Sec. 4.** RCW 75.25.092 and 1993 sp.s. c 17 s 3 are each amended to  
8 read as follows:

9       (1) A personal use shellfish and seaweed license is required for  
10 all persons other than residents under fifteen years of age ((~~or~~  
11 ~~honorably discharged veterans with service-connected disabilities of~~  
12 ~~thirty percent or more who have resided in the state for one year or~~  
13 ~~more~~)) to fish for, take, dig for, or possess shellfish except crawfish  
14 (Pacifastacus sp.), or seaweed for personal use from state waters or  
15 offshore waters including national park beaches.

16       (2) The fees for annual personal use shellfish and seaweed licenses  
17 are:

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

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

22       (c) For a nonresident, twenty dollars.

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

25       **Sec. 5.** RCW 75.25.110 and 1993 sp.s. c 17 s 6 are each amended to  
26 read as follows:

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

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

31 ~~(b)~~)) Residents who ((~~submit applications attesting that they~~)) are  
32 ((~~a person sixty-five years of age or older who is an~~)) honorably  
33 discharged veterans of the United States armed forces and who are  
34 sixty-five years of age or older with a service-connected disability  
35 ((~~and who has been a resident of this state for the preceding ninety~~  
36 ~~days~~));

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

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

5 (d) A person with a developmental disability as defined in RCW  
6 71A.10.020 with documentation of the disability from the department of  
7 social and health services; and

8 (e) A person who is physically handicapped and confined to a  
9 wheelchair.

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

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

16 **Sec. 6.** RCW 75.25.120 and 1993 sp.s. c 17 s 7 are each amended to  
17 read as follows:

18 In concurrent waters of the Columbia river and in Washington  
19 coastal territorial waters from the Oregon-Washington boundary to a  
20 point five nautical miles north, an Oregon angling license comparable  
21 to the Washington personal use food fish license or (~~two-consecutive-~~  
22 ~~day~~) three-consecutive-day personal use food fish license is valid if  
23 Oregon recognizes as valid the Washington personal use food fish  
24 license or (~~two-consecutive-day~~) three-consecutive-day personal use  
25 food fish license in comparable Oregon waters.

26 If Oregon recognizes as valid the Washington personal use food fish  
27 license or (~~two-consecutive-day~~) three-consecutive-day personal use  
28 food fish license southward to Cape Falcon in the coastal territorial  
29 waters from the Washington-Oregon boundary and in concurrent waters of  
30 the Columbia river then Washington shall recognize a valid Oregon  
31 license comparable to the Washington personal use food fish license or  
32 (~~two-consecutive-day~~) three-consecutive-day personal use food fish  
33 license northward to Leadbetter Point.

34 Oregon licenses are not valid for the taking of food fish when  
35 angling in concurrent waters of the Columbia river from the Washington  
36 shore.

1       **Sec. 7.** RCW 75.25.150 and 1993 sp.s. c 17 s 9 are each amended to  
2 read as follows:

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

6       **Sec. 8.** RCW 75.25.180 and 1993 sp.s. c 17 s 10 and 1993 sp.s. c 2  
7 s 44 are each reenacted and amended to read as follows:

8       Recreational licenses issued by the department under this chapter  
9 are valid for the following periods:

10       (1) Recreational licenses issued without charge to persons  
11 designated by this chapter are valid for a period of five years(~~(÷~~

12       ~~(a) For blind persons;~~

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

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

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

18       (2) ~~((Two consecutive day))~~ Three-consecutive-day personal use food  
19 fish and shellfish and seaweed licenses expire at midnight on the  
20 second day following the validation date written on the license by the  
21 license dealer, except ~~((two consecutive day))~~ three-consecutive-day  
22 personal use food fish and shellfish and seaweed licenses validated for  
23 December 30 or 31 expire at midnight on ~~((that date))~~ December 31.

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

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

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

33       **NEW SECTION. Sec. 9.** A new section is added to chapter 75.25 RCW  
34 to read as follows:

35       The director shall by rule establish the conditions for issuance of  
36 duplicate licenses, permits, tags, stamps, and catch record cards  
37 required by this chapter. The fee for a duplicate provided under this

1 section is ten dollars for those licenses that are ten dollars and  
2 over, and for those licenses under ten dollars the duplicate fee is the  
3 value of the license.

4 **Sec. 10.** RCW 77.32.101 and 1991 sp.s. c 7 s 1 are each amended to  
5 read as follows:

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

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

12 (3) A fishing license allows the holder to fish for game fish  
13 throughout the state. The fee for this license is seventeen dollars  
14 for residents fifteen years of age or older and under seventy years of  
15 age, three dollars for residents seventy years of age or older, twenty  
16 dollars for nonresidents under fifteen years of age, and forty-eight  
17 dollars for nonresidents fifteen years of age or older.

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

22 (5) A juvenile steelhead license allows residents under fifteen  
23 years of age and nonresidents under fifteen years of age who hold a  
24 fishing license to fish for steelhead throughout the state. The fee  
25 for this license is six dollars and entitles the holder to take up to  
26 five steelhead at which time another juvenile steelhead license may be  
27 purchased. Any person who purchases a juvenile steelhead license is  
28 prohibited from purchasing a steelhead license for the same calendar  
29 year.

30 **Sec. 11.** RCW 77.32.230 and 1991 sp.s. c 7 s 5 are each amended to  
31 read as follows:

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

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

5       (3) A (~~blind~~) person who is blind, or a person with a  
6 developmental disability as defined in RCW 71A.10.020 with  
7 documentation of the disability from the department of social and  
8 health services, or a physically handicapped person confined to a  
9 wheelchair may receive upon written application a fishing license free  
10 of charge.

11       (~~(3)~~) (4) A (~~blind~~) person who is blind or a physically  
12 handicapped person confined to a wheelchair who has been issued a card  
13 for a permanent disability under RCW 46.16.381 may use that card in  
14 place of a fishing license (~~unless tags, permits, stamps, or~~  
15 ~~punchcards are required by this chapter~~)).

16       (~~(4)~~) (5) A fishing license is not required for (~~persons~~)  
17 residents under the age of fifteen.

18       (~~(5)~~) (6) Tags, permits, stamps, and (~~punchcards~~) steelhead  
19 licenses required by this chapter shall be purchased separately by  
20 persons receiving a free or reduced-fee license.

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

24       **Sec. 12.** RCW 77.32.256 and 1991 sp.s. c 7 s 7 are each amended to  
25 read as follows:

26       The director shall by rule establish the conditions for issuance of  
27 duplicate licenses, rebates, permits, tags, stamps, and (~~punchcards~~)  
28 catch record cards required by this chapter. The fee for a duplicate  
29 provided under this section is ten dollars for those licenses that are  
30 ten dollars and over, and for those licenses under ten dollars the  
31 duplicate fee is the value of the license.

32       NEW SECTION. **Sec. 13.** All licenses issued by the department of  
33 fisheries under Title 75 RCW or issued by the department of wildlife  
34 under Title 77 RCW shall be recognized as valid by the department of  
35 fish and wildlife until the stated expiration date.

1        NEW SECTION.   **Sec. 14.**   This act shall take effect January 1, 1995,  
2   except for section 13 of this act, which shall take effect July 1,  
3   1994.

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