

2 **ESSB 6125** - H COMM AMD
3 By Committee on Fisheries & Wildlife

4 ADOPTED AS AMENDED 3/3/94

5 Strike everything after the enacting clause and insert the
6 following:

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

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

15 There is created a sport recreational license, to be administered
16 by the department of fish and wildlife. The sport recreational license
17 shall include the personal use food fish, game fish, hunting, hound,
18 and eastern Washington upland bird licenses, for residents and
19 nonresidents. The license shall also include three-day game fish and
20 food fish licenses, for residents and nonresidents. The license shall
21 include a warm water game fish surcharge, the funds from which shall be
22 deposited in the warm water game fish account created under section 18
23 of this act.

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

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

- 28 (1) "Director" means the director of fish and wildlife.
29 (2) "Department" means the department of fish and wildlife.
30 (3) "Person" means an individual or a public or private entity or
31 organization. The term "person" includes local, state, and federal
32 government agencies, and all business organizations, including
33 corporations and partnerships.
34 (4) "Fisheries patrol officer" means a person appointed and
35 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. 3.** RCW 75.25.091 and 1993 sp.s. c 17 s 2 are each amended to
4 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. 4.** RCW 75.25.092 and 1993 sp.s. c 17 s 3 are each amended to
32 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 seaweed or shellfish~~

1 except crawfish (Pacifastacus sp.) for personal use from state waters
2 or offshore waters including national 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. 5.** RCW 75.25.110 and 1993 sp.s. c 17 s 6 are each amended to
13 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. 6.** RCW 75.25.120 and 1993 sp.s. c 17 s 7 are each amended to
2 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. 7.** RCW 75.25.150 and 1993 sp.s. c 17 s 9 are each amended to
23 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. 8.** RCW 75.25.180 and 1993 sp.s. c 17 s 10 and 1993 sp.s. c 2
28 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. 9. 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. 10. RCW 77.32.161 and 1991 sp.s. c 7 s 2 are each amended to
27 read as follows:

28 A nonresident or resident may obtain a temporary fishing license,
29 which allows the holder to fish for game fish throughout the state for
30 either three ((consecutive)) days or for one day. The fee for ~~((this))~~
31 a three-day license is nine dollars for residents and seventeen dollars
32 for nonresidents. The fee for a one-day license is three dollars for
33 residents and seven dollars for nonresidents. The resident temporary
34 fishing license is not valid for an eight consecutive day period
35 beginning on the opening day of the lowland lake fishing season.

1 **Sec. 11.** RCW 77.32.101 and 1991 sp.s. c 7 s 1 are each amended to
2 read as follows:

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

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

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

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

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

27 **Sec. 12.** RCW 77.32.230 and 1991 sp.s. c 7 s 5 are each amended to
28 read as follows:

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

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

1 (3) An honorably discharged veteran who is a resident and is
2 confined to a wheelchair shall receive upon application a hunting
3 license free of charge.

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

10 ~~((+3))~~ (5) A ((blind)) person who is blind or a physically
11 handicapped person confined to a wheelchair who has been issued a card
12 for a permanent disability under RCW 46.16.381 may use that card in
13 place of a fishing license ((unless tags, permits, stamps, or
14 punchcards are required by this chapter)).

15 ~~((+4))~~ (6) A fishing license is not required for ((persons))
16 residents under the age of fifteen.

17 ~~((+5))~~ (7) Tags, permits, stamps, and ((punchcards)) steelhead
18 licenses required by this chapter shall be purchased separately by
19 persons receiving a free or reduced-fee license.

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

23 **Sec. 13.** RCW 77.32.256 and 1991 sp.s. c 7 s 7 are each amended to
24 read as follows:

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

31 NEW SECTION. Sec. 14. All licenses issued by the department of
32 fisheries under Title 75 RCW or issued by the department of wildlife
33 under Title 77 RCW shall be recognized as valid by the department of
34 fish and wildlife until the stated expiration date.

35 NEW SECTION. Sec. 15. A warm water game fish enhancement program
36 is created in the department to be funded from the sale of a warm water

1 game fish surcharge and the revenue attributed to the sale of
2 department fishing licenses that are purchased by fishers who fish for
3 certain warm water game fish species. The enhancement program shall be
4 designed to increase the opportunities to fish for and catch warm water
5 game fish including: Largemouth black bass, smallmouth black bass,
6 channel catfish, black crappie, white crappie, walleye, and tiger
7 musky, and other species as defined by the department. The program
8 shall be designed to use a practical applied approach to increasing
9 warm water fishing. The department shall use the funds available
10 efficiently to assure the greatest increase in the fishing for warm
11 water fish at the lowest cost. This approach shall involve the
12 minimization of overhead and administrative costs and the maximization
13 of productive in-the-field activities.

14 NEW SECTION. **Sec. 16.** In order to fish throughout the state for
15 warm water game fish, a person fifteen years of age or older shall pay
16 to the department an annual warm water game fish surcharge. For the
17 purposes of this section, "warm water game fish" means largemouth black
18 bass, smallmouth black bass, walleye, black crappie, white crappie,
19 channel catfish, and tiger musky. The department shall use the most
20 cost-effective format in designing and administering the surcharge.
21 Revenues from the surcharge shall be deposited in the warm water game
22 fish account created under section 18 of this act. The annual
23 surcharge shall be in the following amounts:

24 (1) For residents and nonresidents between fifteen and sixty-nine
25 years of age and for nonresidents seventy years of age or older who
26 hold an annual fishing license issued under RCW 77.32.101, five
27 dollars;

28 (2) For residents seventy years of age or older who hold an annual
29 fishing license issued under RCW 77.32.101, one dollar; and

30 (3) For residents and nonresidents between fifteen and sixty-nine
31 years of age and nonresidents seventy years of age and older who hold
32 a temporary fishing license under RCW 77.32.161, two dollars.

33 NEW SECTION. **Sec. 17.** The goals of the warm water game fish
34 enhancement program are to improve the fishing for warm water game fish
35 using cost-effective management. Development of new ponds and lakes
36 shall be an important and integral part of the program. The department
37 shall work with the department of natural resources to coordinate the

1 reclamation of surface mines and the development of warm water game
2 fish ponds. Improvement of warm water fishing shall be coordinated
3 with the protection and conservation of cold water fish populations.
4 This shall be accomplished by carefully designing the warm water
5 projects to have minimal adverse effects upon the cold water fish
6 populations. New pond and lake development should have beneficial
7 effects upon wildlife due to the increase in lacustrine and wetland
8 habitat that will accompany the improvement of warm water fish habitat.
9 The department shall not develop projects that will increase the
10 populations of undesirable or deleterious fish species such as carp,
11 squawfish, walking catfish, and others.

12 Fish culture programs shall be used in conditions where they will
13 prove to be cost-effective. Consideration should be made for
14 development of urban area enhancement of fishing opportunity for put-
15 and-take species, such as channel catfish, which are amenable to
16 production by low-cost fish culture methods. Fish culture shall also
17 be used for stocking of high value species, such as walleye, smallmouth
18 bass, and tiger musky. Introduction of special genetic strains that
19 show high potential for recreational fishing improvement, including
20 Florida strain largemouth bass, shall be considered.

21 Transplantation and introduction of exotic warm water fish shall be
22 carefully reviewed to assure that adverse effects to native fish and
23 wildlife populations do not occur. This review shall include an
24 analysis of consequences from disease and parasite introduction.

25 Population management through the use of fish toxicants, including
26 rotenone or derris root, shall be considered as a management option in
27 the warm water game fish enhancement program. However, any use of fish
28 toxicants shall be subject to a thorough review to prevent adverse
29 effects to cold water fish, desirable warm water fish, and other biota.
30 Eradication of deleterious fish species shall be a goal of the program.

31 Habitat improvement shall be a major aspect of the warm water
32 enhancement program. Habitat improvement opportunities shall be
33 defined with scientific investigations, field surveys, and by using the
34 extensive experience of other state management entities. Installation
35 of cover, structure, water flow control structures, screens, spawning
36 substrate, vegetation control, and other management techniques shall be
37 fully used. The department shall work to gain access to privately
38 owned waters that can be developed with habitat improvements to improve
39 the warm water resource for public fishing. Habitat improvements shall

1 be conducted in such a manner as to have secondary benefits to
2 waterfowl, other wildlife, and cold water fish.

3 The program may include research if necessary to achieve overall
4 program goals.

5 The department shall use the resources of cooperative groups to
6 assist in the planning and implementation of the warm water game fish
7 enhancement program. In the development of the program the department
8 shall actively involve the organized fishing clubs that primarily fish
9 for warm water fish.

10 NEW SECTION. **Sec. 18.** The warm water game fish account is hereby
11 created in the state wildlife fund. Moneys in the account are subject
12 to legislative appropriation and shall be used for the purpose of
13 funding the warm water game fish enhancement program under section 15
14 of this act. Revenues from the warm water game fish surcharge
15 established under section 16 of this act shall be deposited into the
16 account.

17 NEW SECTION. **Sec. 19.** The director shall make every effort to
18 allocate funding among department fish management programs proportional
19 to the revenues from the sale of fishing licenses issued under RCW
20 77.32.101 and attributable to fishing for the species managed within
21 each of the programs.

22 NEW SECTION. **Sec. 20.** Sections 15 through 19 of this act shall
23 constitute a new chapter in Title 77 RCW.

24 NEW SECTION. **Sec. 21.** (1) Sections 15 and 17 through 19 of this
25 act shall take effect July 1, 1994.

26 (2) Section 16 of this act shall take effect January 1, 1995.

27 NEW SECTION. **Sec. 22.** Section 14 of this act shall take effect
28 July 1, 1994.

29 NEW SECTION. **Sec. 23.** Sections 1 through 13 of this act shall
30 take effect January 1, 1995."

--- END ---