

**SUBSTITUTE SENATE BILL 5360**

**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** Senate Committee on Natural Resources & Parks (originally sponsored by Senators Hargrove, Anderson, Spanel, Swecker, Haugen, Oke, Snyder and Kline)

Read first time 02/17/97.

1 AN ACT Relating to the renewal of commercial fishery and salmon  
2 charter licenses; amending RCW 75.28.110 and 75.28.095; and declaring  
3 an emergency.

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

5 **Sec. 1.** RCW 75.28.110 and 1996 c 267 s 28 are each amended to read  
6 as follows:

7 (1) The following commercial salmon fishery licenses are required  
8 for the license holder to use the specified gear to fish for salmon in  
9 state waters. Only a person who meets the qualifications of RCW  
10 75.30.120 may hold a license listed in this subsection. The licenses  
11 and their annual fees and surcharges under RCW 75.50.100 are:

	<i>Fishery</i>	<i>Resident</i>	<i>Nonresident</i>	<i>Surcharge</i>
	<i>License</i>	<i>Fee</i>	<i>Fee</i>	
14	<i>(a) Salmon Gill Net--Grays</i>	<i>\$380</i>	<i>\$685</i>	<i>plus \$100</i>
15	<i>Harbor-Columbia river</i>			
16	<i>(b) Salmon Gill Net--Puget</i>	<i>\$380</i>	<i>\$685</i>	<i>plus \$100</i>
17	<i>Sound</i>			
18	<i>(c) Salmon Gill Net--Willapa</i>	<i>\$380</i>	<i>\$685</i>	<i>plus \$100</i>
19	<i>Bay-Columbia river</i>			
20	<i>(d) Salmon purse seine</i>	<i>\$530</i>	<i>\$985</i>	<i>plus \$100</i>

1	(e) <i>Salmon reef net</i>	\$380	\$685	<i>plus \$100</i>
2	(f) <i>Salmon troll</i>	\$380	\$685	<i>plus \$100</i>

3 (2) A license issued under this section authorizes no taking or  
4 delivery of salmon or other food fish unless a vessel is designated  
5 under RCW 75.28.045.

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

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

10 (5) A salmon gill net license authorizes the taking of salmon only  
11 in the geographical area for which the license is issued. The  
12 geographical designations in subsection (1) of this section have the  
13 following meanings:

14 (a) "Puget Sound" includes waters of the Strait of Juan de Fuca,  
15 Georgia Strait, Puget Sound and all bays, inlets, canals, coves,  
16 sounds, and estuaries lying easterly and southerly of the international  
17 boundary line and a line at the entrance to the Strait of Juan de Fuca  
18 projected northerly from Cape Flattery to the lighthouse on Tatoosh  
19 Island and then to Bonilla Point on Vancouver Island.

20 (b) "Grays Harbor-Columbia river" includes waters of Grays Harbor  
21 and tributary estuaries lying easterly of a line projected northerly  
22 from Point Chehalis Light to Point Brown and those waters of the  
23 Columbia river and tributary sloughs and estuaries easterly of a line  
24 at the entrance to the Columbia river projected southerly from the most  
25 westerly point of the North jetty to the most westerly point of the  
26 South jetty.

27 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay and  
28 tributary estuaries and easterly of a line projected northerly from  
29 Leadbetter Point to the Cape Shoalwater tower and those waters of the  
30 Columbia river and tributary sloughs described in (b) of this  
31 subsection.

32 (6) A commercial salmon troll fishery license may be renewed under  
33 this section if the license holder notifies the department by May 1st  
34 of that year that he or she will not participate in the fishery during  
35 that calendar year. A commercial salmon gill net, reef net, or seine  
36 fishery license may be renewed under this section if the license holder  
37 notifies the department by August 1st of that year that he or she will  
38 not participate in the fishery during that calendar year. The license

1 holder must pay the one hundred-dollar enhancement surcharge, plus a  
2 fifteen-dollar handling charge, in order to be considered a valid  
3 renewal and eligible to renew the license the following year.

4 **Sec. 2.** RCW 75.28.095 and 1995 c 104 s 1 are each amended to read  
5 as follows:

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

	<i>License or Permit</i>	<i>Annual Fee</i>		<i>Governing</i>
		<i>(RCW 75.50.100 Surcharge)</i>		<i>Section</i>
		<i>Resident</i>	<i>Nonresident</i>	
13	<i>(a) Nonsalmon charter</i>	\$225	\$375	
14	<i>(b) Salmon charter</i>	\$380	\$685	<i>RCW 75.30.065</i>
15		<i>(plus \$100)</i>	<i>(plus \$100)</i>	
16	<i>(c) Salmon angler</i>	\$ 0	\$ 0	<i>RCW 75.30.070</i>
17	<i>(d) Salmon roe</i>	\$ 95	\$ 95	<i>RCW 75.28.690</i>

18 (2) Except as provided in subsection (5) of this section, it is  
19 unlawful to operate a vessel as a charter boat from which salmon or  
20 salmon and other food fish or shellfish are taken without a salmon  
21 charter license designating the vessel. The director may issue a  
22 salmon charter license only to a person who meets the qualifications of  
23 RCW 75.30.065.

24 (3) Except as provided in subsections (2) and (5) of this section,  
25 it is unlawful to operate a vessel as a charter boat from which food  
26 fish or shellfish are taken without a nonsalmon charter license. As  
27 used in this subsection, "food fish" does not include salmon.

28 (4) "Charter boat" means a vessel from which persons may, for a  
29 fee, fish for food fish or shellfish for personal use, and that brings  
30 food fish or shellfish into state ports or brings food fish or  
31 shellfish taken from state waters into United States ports. The  
32 director may specify by rule when a vessel is a "charter boat" within  
33 this definition. "Charter boat" does not mean a vessel used by a guide  
34 for clients fishing for food fish for personal use in freshwater  
35 rivers, streams, and lakes, other than Lake Washington or that part of  
36 the Columbia River below the bridge at Longview.

1 (5) A charter boat licensed in Oregon may fish without a Washington  
2 charter license under the same rules as Washington charter boat  
3 operators in ocean waters within the jurisdiction of Washington state  
4 from the southern border of the state of Washington to Leadbetter  
5 Point, as long as the Oregon vessel does not land at any Washington  
6 port with the purpose of taking on or discharging passengers. The  
7 provisions of this subsection shall be in effect as long as the state  
8 of Oregon has reciprocal laws and regulations.

9 (6) A salmon charter license under subsection (1)(b) of this  
10 section may be renewed if the license holder notifies the department by  
11 May 1st of that year that he or she will not participate in the fishery  
12 during that calendar year. The license holder must pay the one  
13 hundred-dollar enhancement surcharge, plus a fifteen-dollar handling  
14 charge, in order to be considered a valid renewal and eligible to renew  
15 the license the following year.

16 NEW SECTION. Sec. 3. This act is necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of the  
18 state government and its existing public institutions, and takes effect  
19 immediately.

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