
SENATE BILL 5455

State of Washington

56th Legislature

1999 Regular Session

By Senators Fraser, Swecker, Prentice, Costa, Fairley, Jacobsen and Eide

Read first time 01/22/1999. Referred to Committee on Natural Resources, Parks & Recreation.

1 AN ACT Relating to anadromous salmonid fishing; adding new sections
2 to chapter 77.12 RCW; creating a new section; and making an
3 appropriation.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) Sport fishing is an enjoyable, healthy, lifelong activity that
7 is enjoyed by many families;

8 (b) Anadromous salmonids are a treasure of the state of Washington
9 that provide unparalleled sport fishing opportunities;

10 (c) Without proper care and consideration, Washington's anadromous
11 salmonids and their spawning grounds can be unintentionally hurt by
12 sport fishers, with long-term consequences for the survival of the
13 species;

14 (d) Every effort that is made to help preserve the precious
15 resource of anadromous salmonids in Washington, no matter how small, is
16 important;

17 (e) It can often be difficult to distinguish between species of
18 anadromous salmonids and sport fishers may unintentionally take a
19 scarce fish that is needed for species protection;

1 (f) Catch and release fishing is beneficial to both sport fishers
2 and fish but must be done properly to prevent harm to the fish;

3 (g) The state's fishing laws and rules are useful for preserving
4 our fishing resources but, without study, can be difficult for sport
5 fishers to locate and follow;

6 (h) There is a need for young sport fishers to be educated as to
7 what they can do to enjoy their sport while helping to preserve the
8 fish and environment;

9 (i) It is in the state's best interests to educate sport fishers,
10 young and old;

11 (j) It is necessary for the preservation of the species that all
12 young sport fishers who engage in sport fishing in Washington are
13 educated about anadromous salmonids; and

14 (k) Education and outreach are vital components of a long-term
15 protection and recovery strategy for the state.

16 (2) The legislature therefore declares that all young sport
17 fishers, and sport fishers of any age who wish to, should be educated
18 about identification of anadromous salmonid types, catch and release
19 techniques, spawning bed and stream bank identification and protection,
20 and the location and knowledge of fishing rules.

21 NEW SECTION. **Sec. 2.** The definitions in this section apply
22 throughout sections 2 and 3 of this act unless the context clearly
23 requires otherwise.

24 (1) "Anadromous salmonid" and its derivatives means any of the
25 following types of fish: Salmon of any variety, steelhead trout, and
26 searun cutthroat trout.

27 (2) "To fish" and its derivatives means an effort to kill, injure,
28 harass, or catch a game fish.

29 NEW SECTION. **Sec. 3.** (1) All residents of this state under the
30 age of eighteen shall carry with them, while fishing for anadromous
31 salmonids, a certification of completion of a state-approved course of
32 instruction of two to four hours addressing identification of salmon
33 types, catch and release techniques, spawning bed and stream bank
34 identification and protection, and location and knowledge of fishing
35 laws and rules. Any nonresident of this state under the age of
36 eighteen who wishes to fish for anadromous salmonids must either pass

1 the examination established in this section or must be accompanied by
2 someone who has passed the examination.

3 (2) The director shall establish a program for training persons in
4 the identification of:

5 (a) Salmon types;

6 (b) Catch and release reasoning, equipment, and techniques;

7 (c) Spawning bed and stream bank identification and protection; and

8 (d) The location and knowledge of fishing laws and rules.

9 (3) The training program is available to all people. The director
10 shall establish an examination to be taken by those residents who have
11 completed the instruction and by those nonresidents who wish to sport
12 fish for anadromous salmonids in this state. A certificate of
13 completion, which is required to be possessed by a sport fisher under
14 age eighteen, shall only be issued upon the successful completion of
15 the examination.

16 (4) The director may cooperate with organized fishing or sporting
17 groups and other public or private organizations in order to administer
18 the program at the lowest possible cost. The director may apply for
19 funding from alternate sources, both governmental and nongovernmental,
20 in order to lower the cost of the program to the participants.

21 (5) The director shall by rule prescribe the type of instruction
22 and the qualifications of the instructors. The director shall
23 authorize instructors of this program. Course materials should include
24 color reference materials that are designed for easy field use.

25 (6) The director shall assess a fee on class participants as
26 necessary to cover the costs of administering the program.

27 (7) Upon successful completion of the course, which shall include
28 a knowledge test and may, if feasible, include a skills test, a trainee
29 shall receive a fisher education certificate signed by an authorized
30 instructor. The certificate is evidence of compliance with this
31 section.

32 (8) The director may accept certificates awarded by other states
33 that conduct substantially similar courses as evidence of compliance
34 with this section.

35 (9) Every charter boat that offers anadromous salmonid fishing to
36 the general public shall have at least one authorized instructor of the
37 program created in this section on board at each sailing. That
38 instructor shall directly oversee and participate in the fishing
39 activity that occurs on the voyage.

1 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act are each added
2 to chapter 77.12 RCW.

3 NEW SECTION. **Sec. 5.** If any provision of this act or its
4 application to any person or circumstance is held invalid, the
5 remainder of the act or the application of the provision to other
6 persons or circumstances is not affected.

7 NEW SECTION. **Sec. 6.** The sum of dollars, or as much
8 thereof as may be necessary, is appropriated from the general fund to
9 the department of fish and wildlife for the fiscal year ending June 30,
10 2000, to carry out the purposes of this act.

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