
SENATE BILL 5439

State of Washington

57th Legislature

2001 Regular Session

By Senators Jacobsen and Morton; by request of Department of Fish and Wildlife

Read first time 01/23/2001. Referred to Committee on Natural Resources, Parks & Shorelines.

1 AN ACT Relating to fishing guides; and amending RCW 77.65.010,
2 77.65.150, 77.65.370, 77.65.440, and 77.65.480.

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

4 **Sec. 1.** RCW 77.65.010 and 1998 c 190 s 93 are each amended to read
5 as follows:

6 (1) Except as otherwise provided by this title, a person may not
7 engage in any of the following activities without a license or permit
8 issued by the director:

9 (a) Commercially fish for or take food fish or shellfish;

10 (b) Deliver food fish or shellfish taken in offshore waters;

11 (c) Operate a charter boat or commercial fishing vessel engaged in
12 a fishery;

13 (d) Engage in processing or wholesaling food fish or shellfish; or

14 (e) Act as a fishing guide (~~((for salmon for personal use))~~) in
15 freshwater rivers and streams, other than that part of the Columbia
16 river below the bridge at Longview.

17 (2) No person may engage in the activities described in subsection
18 (1) of this section unless the licenses or permits required by this
19 title are in the person's possession, and the person is the named

1 license holder or an alternate operator designated on the license and
2 the person's license is not suspended.

3 (3) A valid Oregon license that is equivalent to a license under
4 this title is valid in the concurrent waters of the Columbia river if
5 the state of Oregon recognizes as valid the equivalent Washington
6 license. The director may identify by rule what Oregon licenses are
7 equivalent.

8 (4) No license or permit is required for the production or
9 harvesting of private sector cultured aquatic products as defined in
10 RCW 15.85.020 or for the delivery, processing, or wholesaling of such
11 aquatic products. However, if a means of identifying such products is
12 required by rules adopted under RCW 15.85.060, the exemption from
13 licensing or permit requirements established by this subsection applies
14 only if the aquatic products are identified in conformance with those
15 rules.

16 **Sec. 2.** RCW 77.65.150 and 2000 c 107 s 36 are each amended to read
17 as follows:

18 (1) The director shall issue the charter licenses and angler
19 permits listed in this section according to the requirements of this
20 title. The licenses and permits and their annual fees and surcharges
21 are:

	License or Permit	Annual Fee		Governing
		(RCW 77.95.090 Surcharge)		Section
		Resident	Nonresident	
25	(a) Nonsalmon charter	\$225	\$375	
26	(b) Salmon charter	\$380	\$685	RCW 77.70.050
27		(plus \$100)	(plus \$100)	
28	(c) Salmon angler	\$ 0	\$ 0	RCW 77.70.060
29	(d) Salmon roe	\$ 95	\$ 95	RCW 77.65.350

30 (2) A salmon charter license designating a vessel is required to
31 operate a charter boat to take salmon, other food fish, and shellfish.
32 The director may issue a salmon charter license only to a person who
33 meets the qualifications of RCW 77.70.050.

34 (3) A nonsalmon charter license designating a vessel is required to
35 operate a charter boat to take food fish other than salmon and
36 shellfish. As used in this subsection, "food fish" does not include
37 salmon.

1 (4) "Charter boat" means a vessel from which persons may, for a
2 fee, fish for food fish, game fish, or shellfish for personal use, and
3 that brings food fish or shellfish into state ports or brings food fish
4 or shellfish taken from state waters into United States ports. The
5 director may specify by rule when a vessel is a "charter boat" within
6 this definition. "Charter boat" does not mean a vessel used by a guide
7 for clients fishing for food fish or game fish for personal use in
8 freshwater rivers, streams, and lakes, other than Lake Washington or
9 that part of the Columbia River below the bridge at Longview.

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

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

25 **Sec. 3.** RCW 77.65.370 and 1998 c 190 s 98 are each amended to read
26 as follows:

27 (1) A natural person shall not offer or perform the services of a
28 professional ((~~salmon~~)) fishing guide in the taking of ((~~salmon~~)) game
29 fish and food fish for personal use in freshwater rivers and streams,
30 other than in that part of the Columbia river below the bridge at
31 Longview, without a professional ((~~salmon~~)) fishing guide license.

32 (2) Only an individual at least sixteen years of age may hold a
33 professional ((~~salmon~~)) fishing guide license. No individual may hold
34 more than one professional ((~~salmon~~)) fishing guide license.

35 (3) The director may specify by rule the requirements for
36 identifying boats engaged in guiding and other requirements considered
37 necessary for public safety.

1 **Sec. 4.** RCW 77.65.440 and 2000 c 107 s 55 are each amended to read
2 as follows:

3 The director shall issue the personal licenses listed in this
4 section according to the requirements of this title. The licenses and
5 their annual fees are:

Personal License	Annual Fee		Governing Section
	(RCW 77.95.090 Surcharge)		
	Resident	Nonresident	
(1) Alternate Operator	\$ 35	\$ 35	RCW 77.65.130
(2) Geoduck Diver	\$185	\$295	RCW 77.65.410
(3) ((Salmon Guide))	(((\$130))	(((\$630))	RCW 77.65.370
<u>Fishing Guide</u>	<u>\$175</u>	<u>\$620</u>	
	(plus \$20)	(plus \$100)	

14 **Sec. 5.** RCW 77.65.480 and 1991 sp.s. c 7 s 4 are each amended to
15 read as follows:

16 (1) A taxidermy license allows the holder to practice taxidermy for
17 profit. The fee for this license is one hundred eighty dollars.

18 (2) A fur dealer's license allows the holder to purchase, receive,
19 or resell raw furs for profit. The fee for this license is one hundred
20 eighty dollars.

21 ~~(3) ((A fishing guide license allows the holder to offer or perform
22 the services of a professional guide in the taking of game fish. The
23 fee for this license is one hundred eighty dollars for a resident and
24 six hundred dollars for a nonresident.~~

25 ~~(4))~~ A game farm license allows the holder to operate a game farm
26 to acquire, breed, grow, keep, and sell wildlife under conditions
27 prescribed by the rules adopted pursuant to this title. The fee for
28 this license is seventy-two dollars for the first year and forty-eight
29 dollars for each following year.

30 ~~((+5))~~ (4) A game fish stocking permit allows the holder to
31 release game fish into the waters of the state as prescribed by rule of
32 the commission. The fee for this permit is twenty-four dollars.

33 ~~((+6))~~ (5) A fishing or field trial permit allows the holder to
34 promote, conduct, hold, or sponsor a fishing or field trial contest in
35 accordance with rules of the commission. The fee for a fishing contest
36 permit is twenty-four dollars. The fee for a field trial contest
37 permit is twenty-four dollars.

1 (~~(7)~~) (6) An anadromous game fish buyer's license allows the
2 holder to purchase or sell steelhead trout and other anadromous game
3 fish harvested by Indian (~~(fishermen)~~) fishers lawfully exercising
4 fishing rights reserved by federal statute, treaty, or executive order,
5 under conditions prescribed by rule of the director. The fee for this
6 license is one hundred eighty dollars.

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