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HOUSE BILL 1076

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Blake, Takko, B. Sullivan and Moeller

Read first time 01/10/2007. Referred to Committee on Agriculture & Natural Resources.

1            AN ACT Relating to rockfish research; amending RCW 77.65.150,  
2 77.65.210, and 77.32.470; adding a new section to chapter 77.12 RCW;  
3 creating a new section; providing an effective date; and providing an  
4 expiration date.

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

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

7            (a) Seven rockfish stocks, including canary and yelloweye rockfish,  
8 have been designated under federal law by the national marine fisheries  
9 services as overfished on the west coast.

10           (b) The department of fish and wildlife has classified certain  
11 rockfish species within Puget Sound as critically depressed. These  
12 common species of rockfish have undergone dramatic declines in Puget  
13 Sound and the coast during the past three decades.

14           (c) The Pacific fishery management council and the department of  
15 fish and wildlife have eliminated the directed commercial fisheries and  
16 greatly reduced the recreational fishing opportunity for these species.

17           (d) Due to the interactions of these depleted stocks with the  
18 healthier ones, commercial and recreational fisheries have been  
19 severely constrained in recent years in order to rebuild the

1 populations of these overfished rockfish. For many of these stocks  
2 there have been no recent stock assessments, or the current assessments  
3 are based on poor data. Improved survey information is essential for  
4 assessing abundance and to monitor progress toward rebuilding efforts  
5 on the coast and in Puget Sound.

6 (e) Department of fish and wildlife staff have been developing  
7 underwater robot technology or remote operated vehicles to  
8 scientifically estimate the abundance of rockfish populations in both  
9 the nearshore and in deep waters. These new assessment techniques,  
10 coupled with existing bottom trawl surveys, will be used to estimate  
11 current abundance and future recovery of rockfish populations along the  
12 coast of Washington and in Puget Sound.

13 (2) Therefore, the legislature intends to implement a targeted,  
14 short-term surcharge on commercial licenses issued by the department of  
15 fish and wildlife in 2008 through 2010 that provide for the retention  
16 or landing of groundfish, and a targeted, short-term surcharge on 2008  
17 through 2010 recreational saltwater fishing licenses. Funds derived  
18 from the surcharge will be used by the department of fish and wildlife  
19 solely for the purpose of conducting rockfish research and stock  
20 assessments.

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW  
22 to read as follows:

23 (1) The department is directed to develop and implement a rockfish  
24 research and stock assessment program. Using funds from the rockfish  
25 research account created in subsection (2) of this section, the  
26 department must conduct Puget Sound basin and coastal surveys with new  
27 and existing technology to estimate the current abundance and future  
28 recovery of rockfish populations and other groundfish species.

29 (2) The rockfish research account is created in the custody of the  
30 state treasurer. All receipts from surcharges assessed on commercial  
31 and recreational fishing licenses for the purposes of rockfish research  
32 must be deposited into the account. Expenditures from the account may  
33 be used only for rockfish research, including stock assessments. Only  
34 the director of the department or the director's designee may authorize  
35 expenditures from the account. The account is subject to allotment  
36 procedures under chapter 43.88 RCW, but an appropriation is not  
37 required for expenditures.

1       **Sec. 3.** RCW 77.65.150 and 2006 c 186 s 1 are each amended to read  
 2 as follows:

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

		Annual Fee		
		(RCW 77.95.090 Surcharge)		Governing
License or Permit		(Section 2 of this act Surcharge)		Section
		Resident	Nonresident	
11	(a) Nonsalmon charter	\$225	\$375	
12		<u>(plus \$35 for section 2</u>	<u>(plus \$35 for section 2 of</u>	
13		<u>of this act Surcharge)</u>	<u>this act Surcharge)</u>	
14	(b) Salmon charter	\$380	\$685	RCW 77.70.050
15		(plus \$100)	(plus \$100)	
16		<u>(plus \$35 for section 2</u>	<u>(plus \$35 for section 2 of</u>	
17		<u>of this act Surcharge)</u>	<u>this act Surcharge)</u>	
18	(c) Salmon angler	\$ 0	\$ 0	RCW 77.70.060
19	(d) Salmon roe	\$ 95	\$ 95	RCW 77.65.350

20       (2) A salmon charter license designating a vessel is required to  
 21 operate a charter boat from which persons may, for a fee, fish for  
 22 salmon, other food fish, and shellfish. The director may issue a  
 23 salmon charter license only to a person who meets the qualifications of  
 24 RCW 77.70.050.

25       (3) A nonsalmon charter license designating a vessel is required to  
 26 operate a charter boat from which persons may, for a fee, fish for food  
 27 fish other than salmon and shellfish.

28       (4)(a) "Charter boat" means a vessel from which persons may, for a  
 29 fee, fish for food fish or shellfish for personal use in those state  
 30 waters set forth in (b) of this subsection. "Charter boat" also means  
 31 a vessel from which persons may, for a fee, fish for food fish or  
 32 shellfish for personal use in offshore waters or in the waters of other  
 33 states. The director may specify by rule when a vessel is a "charter  
 34 boat" within this definition.

35       (b) A person may not operate a vessel from which persons may, for  
 36 a fee, fish for food fish or shellfish in Puget Sound, Grays Harbor,

1 Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia  
2 river below the bridge at Longview unless the vessel is designated on  
3 a charter boat license.

4 (5) A charter boat licensed in Oregon may fish without a Washington  
5 charter license under the same rules as Washington charter boat  
6 operators in ocean waters within the jurisdiction of Washington state  
7 from the southern border of the state of Washington to Leadbetter  
8 Point, as long as the Oregon vessel does not take on or discharge  
9 passengers for any purpose from any Washington port, the Washington  
10 shore, or a dock, landing, or other point in Washington. The  
11 provisions of this subsection shall be in effect as long as the state  
12 of Oregon has reciprocal laws and regulations.

13 (6) A salmon charter license under subsection (1)(b) of this  
14 section may be renewed if the license holder notifies the department by  
15 May 1st of that year that he or she will not participate in the fishery  
16 during that calendar year. The license holder must pay the one  
17 hundred-dollar enhancement surcharge and the thirty-five-dollar  
18 rockfish research surcharge under section 2 of this act, plus a  
19 fifteen-dollar handling charge, in order to be considered a valid  
20 renewal and eligible to renew the license the following year.

21 **Sec. 4.** RCW 77.65.210 and 2005 c 20 s 4 are each amended to read  
22 as follows:

23 (1) Except as provided in subsection (2) of this section, a person  
24 may not use a commercial fishing vessel to deliver food fish or  
25 shellfish taken for commercial purposes in offshore waters to a port in  
26 the state without a nonlimited entry delivery license. As used in this  
27 section, "deliver" and "delivery" mean arrival at a place or port, and  
28 include arrivals from offshore waters to waters within the state and  
29 arrivals ashore from offshore waters. As used in this section, "food  
30 fish" does not include salmon. As used in this section, "shellfish"  
31 does not include ocean pink shrimp, coastal crab, or fish or shellfish  
32 taken under an emerging commercial fisheries license if taken from off-  
33 shore waters. The annual license fee for a nonlimited entry delivery  
34 license is one hundred ten dollars for residents and two hundred  
35 dollars for nonresidents, and an additional thirty-five dollars for  
36 both residents and nonresidents for the rockfish research surcharge  
37 under section 2 of this act.

1 (2) Holders of salmon troll fishery licenses issued under RCW  
2 77.65.160, salmon delivery licenses issued under RCW 77.65.170, crab  
3 pot fishery licenses issued under RCW 77.65.220, food fish trawl--Non-  
4 Puget Sound fishery licenses, and emerging commercial fishery licenses  
5 issued under RCW 77.65.200, Dungeness crab--coastal fishery licenses,  
6 ocean pink shrimp delivery licenses, shrimp trawl--Non-Puget Sound  
7 fishery licenses, and emerging commercial fishery licenses issued under  
8 RCW 77.65.220 may deliver food fish or shellfish taken in offshore  
9 waters without a nonlimited entry delivery license.

10 (3) A nonlimited entry delivery license authorizes no taking of  
11 food fish or shellfish from state waters.

12 **Sec. 5.** RCW 77.32.470 and 2005 c 192 s 1 are each amended to read  
13 as follows:

14 (1) A personal use saltwater, freshwater, combination, temporary,  
15 or family fishing weekend license is required for all persons fifteen  
16 years of age or older to fish for or possess fish taken for personal  
17 use from state waters or offshore waters.

18 (2) The fees for annual personal use saltwater, freshwater, or  
19 combination licenses are as follows:

20 (a) A combination license allows the holder to fish for or possess  
21 fish, shellfish, and seaweed from state waters or offshore waters. The  
22 fee for this license is thirty-six dollars for residents, seventy-two  
23 dollars for nonresidents, and five dollars for youth. There is an  
24 additional fifty-cent surcharge for this license, to be deposited in  
25 the rockfish research account created section 2 of this act.

26 (b) A saltwater license allows the holder to fish for or possess  
27 fish taken from saltwater areas. The fee for this license is eighteen  
28 dollars for residents, thirty-six dollars for nonresidents, and five  
29 dollars for resident seniors. There is an additional fifty-cent  
30 surcharge for this license, to be deposited in the rockfish research  
31 account created section 2 of this act.

32 (c) A freshwater license allows the holder to fish for, take, or  
33 possess food fish or game fish species in all freshwater areas. The  
34 fee for this license is twenty dollars for residents, forty dollars for  
35 nonresidents, and five dollars for resident seniors.

36 (3)(a) A temporary combination fishing license is valid for one to

1 five consecutive days and allows the holder to fish for or possess  
2 fish, shellfish, and seaweed taken from state waters or offshore  
3 waters. The fee for this temporary fishing license is:

4 (i) One day - Seven dollars for residents and fourteen dollars for  
5 nonresidents;

6 (ii) Two days - Ten dollars for residents and twenty dollars for  
7 nonresidents;

8 (iii) Three days - Thirteen dollars for residents and twenty-six  
9 dollars for nonresidents;

10 (iv) Four days - Fifteen dollars for residents and thirty dollars  
11 for nonresidents; and

12 (v) Five days - Seventeen dollars for residents and thirty-four  
13 dollars for nonresidents.

14 (b) The fee for a charter stamp is seven dollars for a one-day  
15 temporary combination fishing license for residents and nonresidents  
16 for use on a charter boat as defined in RCW 77.65.150.

17 (c) A transaction fee to support the automated licensing system  
18 will be taken from the amounts set forth in this subsection for  
19 temporary licenses.

20 (d) Except for active duty military personnel serving in any branch  
21 of the United States armed forces, the temporary combination fishing  
22 license is not valid on game fish species for an eight-consecutive-day  
23 period beginning on the opening day of the lowland lake fishing season.

24 (e) There is an additional fifty-cent surcharge on the temporary  
25 combination fishing license, to be deposited in the rockfish research  
26 account created in section 2 of this act.

27 (4) A family fishing weekend license allows for a maximum of six  
28 anglers: One resident and five youth; two residents and four youth; or  
29 one resident, one nonresident, and four youth. This license allows the  
30 holders to fish for or possess fish taken from state waters or offshore  
31 waters. The fee for this license is twenty dollars. This license is  
32 only valid during periods as specified by rule of the department.

33 (5) The commission may adopt rules to create and sell combination  
34 licenses for all hunting and fishing activities at or below a fee equal  
35 to the total cost of the individual license contained within any  
36 combination.

1        NEW SECTION.    **Sec. 6.**    This act takes effect January 1, 2008.

2        NEW SECTION.    **Sec. 7.**    This act expires December 31, 2010.

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