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HOUSE BILL 1921

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Liias, Chandler, Pearson, Blake, Chase, Ormsby, Pettigrew, Walsh, Condotta, and Appleton

Read first time 02/03/09. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to geoduck diver licenses; amending RCW 77.65.410;  
2 creating a new section; and declaring an emergency.

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

4 **Sec. 1.** RCW 77.65.410 and 1993 c 340 s 24 are each amended to read  
5 as follows:

6 (1) Every diver engaged in the commercial harvest of subtidal  
7 geoduck clams ((shall obtain a nontransferable geoduck diver license))  
8 in the state shall obtain a geoduck diver license. An individual may  
9 only own one license.

10 (2) After July 1, 2009, the director may not issue new geoduck  
11 diver licenses. A person may renew an existing license only if the  
12 person held a geoduck diver license in 2007 and also held a geoduck  
13 diver license in either 2005 or 2006. The license holder must also  
14 have been listed on a department of natural resources' geoduck harvest  
15 agreement plan of operation during this period.

16 (3) Any license issued after January 1, 2009, that does not meet  
17 the requirements of this section must be revoked.

18 (4) The annual license fee is two hundred thirty dollars for  
19 residents and two hundred eighty-five dollars for nonresidents.

1       (5) Geoduck diver licenses held by persons who were listed on a  
2 department of natural resources' geoduck harvest agreement plan of  
3 operation during 2007 are transferable after July 1, 2010, and are  
4 subject to a transfer of ownership fee payable by the acquiring person  
5 in the amount of two thousand three hundred dollars for a resident and  
6 two thousand eight hundred fifty dollars for a nonresident. The  
7 transfer fee must be paid to the department. Geoduck diver licenses  
8 held by persons not listed on a department of natural resources'  
9 geoduck harvest agreement plan of operation during 2007 are  
10 nontransferable.

11       (6) The license holder must perform all geoduck harvesting  
12 personally.

13       (7) The department shall revoke a geoduck diver license not renewed  
14 each year by December 31st. However, the director may reissue the  
15 geoduck diver license, subject to a reissue fee of two thousand three  
16 hundred dollars for a resident and two thousand eight hundred fifty  
17 dollars for a nonresident, in addition to the annual license fee.

18       NEW SECTION. Sec. 2. This act applies retroactively to geoduck  
19 diver licenses issued on or after January 1, 2009.

20       NEW SECTION. Sec. 3. This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of the  
22 state government and its existing public institutions, and takes effect  
23 immediately.

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