
SENATE BILL 5385

State of Washington

62nd Legislature

2011 Regular Session

By Senators Regala, Ranker, Rockefeller, and Fraser; by request of Department of Fish and Wildlife

Read first time 01/24/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to increasing revenue to the state wildlife
2 account; amending RCW 77.08.045, 77.12.170, 77.12.177, 77.32.050,
3 77.32.240, 77.32.350, 77.32.370, 77.32.430, 77.32.450, 77.32.460,
4 77.32.470, 77.32.520, 77.32.580, 77.65.020, 77.65.090, 77.65.110,
5 77.65.150, 77.65.160, 77.65.170, 77.65.190, 77.65.200, 77.65.210,
6 77.65.220, 77.65.280, 77.65.340, 77.65.390, 77.65.440, 77.65.450,
7 77.65.480, 77.65.510, 77.70.080, 77.70.190, 77.70.220, 77.70.260,
8 77.70.490, and 77.115.040; reenacting and amending RCW 43.84.092;
9 repealing RCW 77.32.510; providing effective dates; providing an
10 expiration date; and declaring an emergency.

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

12 **Sec. 1.** RCW 43.84.092 and 2010 1st sp.s. c 30 s 20, 2010 1st sp.s.
13 c 9 s 7, 2010 c 248 s 6, 2010 c 222 s 5, 2010 c 162 s 6, and 2010 c 145
14 s 11 are each reenacted and amended to read as follows:

15 (1) All earnings of investments of surplus balances in the state
16 treasury shall be deposited to the treasury income account, which
17 account is hereby established in the state treasury.

18 (2) The treasury income account shall be utilized to pay or receive
19 funds associated with federal programs as required by the federal cash

1 management improvement act of 1990. The treasury income account is
2 subject in all respects to chapter 43.88 RCW, but no appropriation is
3 required for refunds or allocations of interest earnings required by
4 the cash management improvement act. Refunds of interest to the
5 federal treasury required under the cash management improvement act
6 fall under RCW 43.88.180 and shall not require appropriation. The
7 office of financial management shall determine the amounts due to or
8 from the federal government pursuant to the cash management improvement
9 act. The office of financial management may direct transfers of funds
10 between accounts as deemed necessary to implement the provisions of the
11 cash management improvement act, and this subsection. Refunds or
12 allocations shall occur prior to the distributions of earnings set
13 forth in subsection (4) of this section.

14 (3) Except for the provisions of RCW 43.84.160, the treasury income
15 account may be utilized for the payment of purchased banking services
16 on behalf of treasury funds including, but not limited to, depository,
17 safekeeping, and disbursement functions for the state treasury and
18 affected state agencies. The treasury income account is subject in all
19 respects to chapter 43.88 RCW, but no appropriation is required for
20 payments to financial institutions. Payments shall occur prior to
21 distribution of earnings set forth in subsection (4) of this section.

22 (4) Monthly, the state treasurer shall distribute the earnings
23 credited to the treasury income account. The state treasurer shall
24 credit the general fund with all the earnings credited to the treasury
25 income account except:

26 (a) The following accounts and funds shall receive their
27 proportionate share of earnings based upon each account's and fund's
28 average daily balance for the period: The aeronautics account, the
29 aircraft search and rescue account, the budget stabilization account,
30 the capitol building construction account, the Cedar River channel
31 construction and operation account, the Central Washington University
32 capital projects account, the charitable, educational, penal and
33 reformatory institutions account, the cleanup settlement account, the
34 Columbia river basin water supply development account, the common
35 school construction fund, the county arterial preservation account, the
36 county criminal justice assistance account, the county sales and use
37 tax equalization account, the deferred compensation administrative
38 account, the deferred compensation principal account, the department of

1 licensing services account, the department of retirement systems
2 expense account, the developmental disabilities community trust
3 account, the drinking water assistance account, the drinking water
4 assistance administrative account, the drinking water assistance
5 repayment account, the Eastern Washington University capital projects
6 account, the education construction fund, the education legacy trust
7 account, the election account, the energy freedom account, the energy
8 recovery act account, the essential rail assistance account, The
9 Evergreen State College capital projects account, the federal forest
10 revolving account, the ferry bond retirement fund, the freight
11 congestion relief account, the freight mobility investment account, the
12 freight mobility multimodal account, the grade crossing protective
13 fund, the public health services account, the health system capacity
14 account, the high capacity transportation account, the state higher
15 education construction account, the higher education construction
16 account, the highway bond retirement fund, the highway infrastructure
17 account, the highway safety account, the high occupancy toll lanes
18 operations account, the hospital safety net assessment fund, the
19 industrial insurance premium refund account, the judges' retirement
20 account, the judicial retirement administrative account, the judicial
21 retirement principal account, the local leasehold excise tax account,
22 the local real estate excise tax account, the local sales and use tax
23 account, the marine resources stewardship trust account, the medical
24 aid account, the mobile home park relocation fund, the motor vehicle
25 fund, the motorcycle safety education account, the multiagency
26 permitting team account, the multimodal transportation account, the
27 municipal criminal justice assistance account, the municipal sales and
28 use tax equalization account, the natural resources deposit account,
29 the oyster reserve land account, the pension funding stabilization
30 account, the perpetual surveillance and maintenance account, the public
31 employees' retirement system plan 1 account, the public employees'
32 retirement system combined plan 2 and plan 3 account, the public
33 facilities construction loan revolving account beginning July 1, 2004,
34 the public health supplemental account, the public transportation
35 systems account, the public works assistance account, the Puget Sound
36 capital construction account, the Puget Sound ferry operations account,
37 the Puyallup tribal settlement account, the real estate appraiser
38 commission account, the recreational vehicle account, the regional

1 mobility grant program account, the resource management cost account,
2 the rural arterial trust account, the rural Washington loan fund, the
3 site closure account, the small city pavement and sidewalk account, the
4 special category C account, the special wildlife account, the state
5 employees' insurance account, the state employees' insurance reserve
6 account, the state investment board expense account, the state
7 investment board commingled trust fund accounts, the state patrol
8 highway account, the state route number 520 civil penalties account,
9 the state route number 520 corridor account, the state wildlife
10 account, the supplemental pension account, the Tacoma Narrows toll
11 bridge account, the teachers' retirement system plan 1 account, the
12 teachers' retirement system combined plan 2 and plan 3 account, the
13 tobacco prevention and control account, the tobacco settlement account,
14 the transportation 2003 account (nickel account), the transportation
15 equipment fund, the transportation fund, the transportation improvement
16 account, the transportation improvement board bond retirement account,
17 the transportation infrastructure account, the transportation
18 partnership account, the traumatic brain injury account, the tuition
19 recovery trust fund, the University of Washington bond retirement fund,
20 the University of Washington building account, the urban arterial trust
21 account, the volunteer firefighters' and reserve officers' relief and
22 pension principal fund, the volunteer firefighters' and reserve
23 officers' administrative fund, the Washington judicial retirement
24 system account, the Washington law enforcement officers' and
25 firefighters' system plan 1 retirement account, the Washington law
26 enforcement officers' and firefighters' system plan 2 retirement
27 account, the Washington public safety employees' plan 2 retirement
28 account, the Washington school employees' retirement system combined
29 plan 2 and 3 account, the Washington state health insurance pool
30 account, the Washington state patrol retirement account, the Washington
31 State University building account, the Washington State University bond
32 retirement fund, the water pollution control revolving fund, and the
33 Western Washington University capital projects account. Earnings
34 derived from investing balances of the agricultural permanent fund, the
35 normal school permanent fund, the permanent common school fund, the
36 scientific permanent fund, and the state university permanent fund
37 shall be allocated to their respective beneficiary accounts.

1 (b) Any state agency that has independent authority over accounts
2 or funds not statutorily required to be held in the state treasury that
3 deposits funds into a fund or account in the state treasury pursuant to
4 an agreement with the office of the state treasurer shall receive its
5 proportionate share of earnings based upon each account's or fund's
6 average daily balance for the period.

7 (5) In conformance with Article II, section 37 of the state
8 Constitution, no treasury accounts or funds shall be allocated earnings
9 without the specific affirmative directive of this section.

10 **Sec. 2.** RCW 77.08.045 and 1998 c 191 s 31 are each amended to read
11 as follows:

12 As used in this title or rules adopted pursuant to this title:

13 (1) "Migratory waterfowl" means members of the family Anatidae,
14 including brants, ducks, geese, and swans;

15 (2) "Migratory bird" means migratory waterfowl and coots, snipe,
16 doves, and band-tailed pigeon;

17 (3) "Migratory bird (~~stamp~~) permit" means the (~~stamp~~) permit
18 that is required by RCW 77.32.350 to be in the possession of all
19 persons to hunt migratory birds;

20 (4) "Prints and artwork" means replicas of the original stamp
21 design that are sold to the general public. Prints and artwork are not
22 to be construed to be the migratory bird (~~stamp~~) permit that is
23 required by RCW 77.32.350. Artwork may be any facsimile of the
24 original stamp design, including color renditions, metal duplications,
25 or any other kind of design; and

26 (5) "Migratory waterfowl art committee" means the committee created
27 by RCW 77.12.680. The committee's primary function is to select the
28 annual migratory bird stamp design.

29 **Sec. 3.** RCW 77.12.170 and 2009 c 333 s 13 are each amended to read
30 as follows:

31 (1) There is established in the state treasury the state wildlife
32 account which consists of moneys received from:

33 (a) Rentals or concessions of the department;

34 (b) The sale of real or personal property held for department
35 purposes, unless the property is seized or recovered through a fish,
36 shellfish, or wildlife enforcement action;

1 (c) The assessment of administrative penalties(~~(, and)~~);
2 (d) The sale of licenses, permits, tags, and stamps required by
3 chapter 77.32 RCW (~~and~~), RCW 77.65.490, (~~except annual resident~~
4 ~~adult saltwater and all annual razor clam and shellfish licenses, which~~
5 ~~shall be deposited into the state general fund)~~ and application fees;
6 ~~((d))~~ (e) Fees for informational materials published by the
7 department;
8 ~~((e))~~ (f) Fees for personalized vehicle, Wild on Washington, and
9 Endangered Wildlife license plates and Washington's Wildlife license
10 plate collection as provided in chapter 46.16 RCW;
11 ~~((f))~~ (g) Articles or wildlife sold by the director under this
12 title;
13 ~~((g))~~ (h) Compensation for damage to department property or
14 wildlife losses or contributions, gifts, or grants received under RCW
15 77.12.320. However, this excludes fish and shellfish overages, and
16 court-ordered restitution or donations associated with any fish,
17 shellfish, or wildlife enforcement action, as such moneys must be
18 deposited pursuant to RCW 77.15.425;
19 ~~((h))~~ (i) Excise tax on anadromous game fish collected under
20 chapter 82.27 RCW;
21 ~~((i))~~ (j) The department's share of revenues from auctions and
22 raffles authorized by the commission; ~~(and~~
23 ~~(j))~~ (k) The sale of watchable wildlife decals under RCW
24 77.32.560; and
25 (1) Donations received by the director under RCW 77.12.039.
26 (2) State and county officers receiving any moneys listed in
27 subsection (1) of this section shall deposit them in the state treasury
28 to be credited to the state wildlife account.

29 **Sec. 4.** RCW 77.12.177 and 2001 c 253 s 16 are each amended to read
30 as follows:

31 (1) Except as provided in this title, state and county officers
32 receiving the following moneys shall deposit them in the state general
33 fund:

34 (a) The sale of commercial licenses required under this title,
35 except for licenses issued under RCW 77.65.490; and

36 (b) Moneys received for damages to food fish or shellfish.

1 (2) The director shall make weekly remittances to the state
2 treasurer of moneys collected by the department.

3 (3) All fines and forfeitures collected or assessed by a district
4 court for a violation of this title or rule of the department shall be
5 remitted as provided in chapter 3.62 RCW.

6 (4) Proceeds from the sale of food fish or shellfish taken in test
7 fishing conducted by the department, to the extent that these proceeds
8 exceed the estimates in the budget approved by the legislature, may be
9 allocated as unanticipated receipts under RCW 43.79.270 to reimburse
10 the department for unanticipated costs for test fishing operations in
11 excess of the allowance in the budget approved by the legislature.

12 (5) Proceeds from the sale of salmon carcasses and salmon eggs from
13 state general funded hatcheries by the department of general
14 administration shall be deposited in the regional fisheries enhancement
15 group account established in RCW 77.95.090.

16 ~~(6) ((Moneys received by the commission under RCW 77.12.039, to the
17 extent these moneys exceed estimates in the budget approved by the
18 legislature, may be allocated as unanticipated receipts under RCW
19 43.79.270. Allocations under this subsection shall be made only for
20 the specific purpose for which the moneys were received, unless the
21 moneys were received in settlement of a claim for damages to food fish
22 or shellfish, in which case the moneys may be expended for the
23 conservation of these resources.~~

24 ~~(7))~~ Proceeds from the sale of herring spawn on kelp fishery
25 licenses by the department, to the extent those proceeds exceed
26 estimates in the budget approved by the legislature, may be allocated
27 as unanticipated receipts under RCW 43.79.270. Allocations under this
28 subsection shall be made only for herring management, enhancement, and
29 enforcement.

30 **Sec. 5.** RCW 77.32.050 and 2009 c 333 s 71 are each amended to read
31 as follows:

32 (1) All recreational and commercial licenses, permits, tags,
33 ~~((and)) stamps ((required by this title and raffle tickets authorized
34 under chapter 77.12 RCW)), and raffle tickets shall be issued under the
35 authority of the commission. The commission shall adopt rules for the
36 issuance of ~~((recreational))~~ licenses, permits, tags, stamps, and
37 raffle tickets, and for the collection, payment, and handling of~~

1 license fees, including terms and conditions to govern dealers, and
2 ~~((dealers+))~~ dealer fees. A transaction fee on commercial and
3 recreational documents issued through an automated licensing system may
4 be set by the commission and collected from licensees. The department
5 may authorize all or part of such fee to be paid directly to a
6 contractor providing automated licensing system services. ~~((Fees~~
7 ~~retained by dealers shall be uniform throughout the state.))~~ The
8 department and dealers shall ~~((authorize dealers to))~~ collect and
9 retain dealer fees of at least two dollars for purchase of a standard
10 hunting or fishing recreational license document or commercial license
11 document, except that the commission may set a lower dealer fee for
12 issuance of tags or when a licensee buys a license that involves a
13 stamp or display card format rather than a standard department
14 licensing document form. Dealer fees must be uniform throughout the
15 state.

16 (2) ~~((For the 2009-2011 biennium))~~ Until September 1, 2011, the
17 department shall charge an additional transaction fee of ten percent on
18 all recreational licenses, permits, tags, stamps, or raffle tickets.
19 These transaction fees must be deposited into the state wildlife
20 account, created in RCW 77.12.170, for funding fishing and hunting
21 opportunities for recreational license holders.

22 (3) The application fee is waived for all commercial license
23 documents that are issued through the automated licensing system.

24 **Sec. 6.** RCW 77.32.240 and 1998 c 191 s 21 are each amended to read
25 as follows:

26 A scientific permit allows the holder to collect for research or
27 display food fish, game fish, shellfish, and wildlife, including avian
28 nests and eggs as required in RCW 77.32.010, under conditions
29 prescribed by the director. Before a permit is issued, the applicant
30 shall demonstrate to the director their qualifications and establish
31 the need for the permit. The director may require a bond of up to one
32 thousand dollars to ensure compliance with the permit. Permits are
33 valid for the time specified, unless sooner revoked.

34 Holders of permits may exchange specimens with the approval of the
35 director.

36 A permit holder who violates this section shall forfeit the permit

1 and bond and shall not receive a similar permit for one year. The fee
2 for a scientific permit is twelve dollars. The application fee is one
3 hundred five dollars.

4 **Sec. 7.** RCW 77.32.350 and 2009 c 333 s 72 are each amended to read
5 as follows:

6 In addition to a small game hunting license, a supplemental permit
7 (~~(or stamp)~~) is required to hunt for migratory birds.

8 ~~((1))~~ A migratory bird (~~(validation)~~) permit is required for all
9 persons sixteen years of age or older to hunt migratory birds. The fee
10 for the (~~(validation)~~) permit for hunters is (~~(ten)~~) fifteen dollars
11 for residents and nonresidents. (~~The fee for the stamp for collectors~~
12 ~~is ten dollars.~~)

13 ~~(2) The migratory bird license must be validated at the time of~~
14 ~~signature of the licensee.)~~

15 **Sec. 8.** RCW 77.32.370 and 1998 c 191 s 26 are each amended to read
16 as follows:

17 (1) A special hunting season permit is required to hunt in each
18 special season (~~(established under chapter 77.12 RCW)~~).

19 (2) Persons may apply for special hunting season permits as
20 provided by rule of the commission.

21 ~~((The application fee to enter the drawing for a special~~
22 ~~hunting permit is five dollars for residents, fifty dollars for~~
23 ~~nonresidents, and three dollars for youth.)) The application fee to
24 enter a drawing for a special hunting season permit or authorization
25 is:~~

26 (a) Six dollars for residents, or one hundred dollars for
27 nonresidents, for the permits in categories designated by the
28 commission for deer or elk, female big game, or for small game;

29 (b) Twelve dollars for residents, or one hundred dollars for
30 nonresidents, for the permits that the commission designates as
31 "quality" hunts that allow the harvest of buck deer, bull elk, or allow
32 the harvest of male big game species that are only available for
33 hunting by special permit;

34 (c) Fifteen dollars for residents and nonresidents to apply for
35 special authorizations to hunt for migratory birds; and

1 (d) Three dollars for youth for any special hunt drawing or special
2 authorization.

3 **Sec. 9.** RCW 77.32.430 and 2010 c 193 s 11 are each amended to read
4 as follows:

5 (1) Catch record card information is necessary for proper
6 management of the state's food fish and game fish species and shellfish
7 resources. Catch record card administration shall be under rules
8 adopted by the commission. There is no charge for an initial catch
9 record card. Each subsequent or duplicate catch record card costs
10 ~~((ten))~~ eleven dollars.

11 (2) A license to take and possess Dungeness crab is only valid in
12 Puget Sound waters east of the Bonilla-Tatoosh line if the fisher has
13 in possession a valid catch record card officially endorsed for
14 Dungeness crab. The endorsement shall cost no more than ~~((three))~~
15 seven dollars~~((, including any or all fees authorized under RCW~~
16 ~~77.32.050,))~~ and fifty cents when purchased for a personal use
17 saltwater, combination, or shellfish and seaweed license. The
18 endorsement shall cost no more than ~~((one dollar, including any or all~~
19 ~~fees authorized under RCW 77.32.050,))~~ three dollars when purchased for
20 a temporary combination fishing license authorized under RCW
21 77.32.470(3)(a).

22 (3) Catch record cards issued with affixed temporary short-term
23 charter stamp licenses are ~~((not))~~ neither subject to the ten-dollar
24 charge nor to the Dungeness crab endorsement fee provided for in this
25 section. Charter boat or guide operators issuing temporary short-term
26 charter stamp licenses shall affix the stamp to each catch record card
27 issued before fishing commences. Catch record cards issued with a
28 temporary short-term charter stamp are valid for one day.

29 (4) The department shall include provisions for recording marked
30 and unmarked salmon in catch record cards issued after March 31, 2004.

31 (5)(a) The funds received from the sale of catch record cards and
32 the Dungeness crab endorsement must be deposited into the state
33 wildlife account created in RCW 77.12.170. The funds received from the
34 Dungeness crab endorsement may be used only for the sampling,
35 monitoring, and management of catch associated with the Dungeness crab
36 recreational fisheries. Until June 30, 2011, funds received from the

1 Dungeness crab endorsement may be used for the removal and disposal of
2 derelict shellfish gear either directly by the department or under
3 contract with a third party.

4 (b) Moneys allocated under this section shall supplement and not
5 supplant other federal, state, and local funds used for Dungeness crab
6 recreational fisheries management.

7 **Sec. 10.** RCW 77.32.450 and 2005 c 140 s 1 are each amended to read
8 as follows:

9 (1) A big game hunting license is required to hunt for big game.
10 A big game license allows the holder to hunt for forest grouse,
11 unclassified wildlife, and the individual species identified within a
12 specific big game combination license package. Each big game license
13 includes one transport tag for each species purchased in that package.
14 A hunter may not purchase more than one license for each big game
15 species except as authorized by rule of the commission. The fees for
16 annual big game combination packages are as follows:

17 (a) Big game number 1: Deer, elk, bear, and cougar. The fee for
18 this license is ~~((sixty-six))~~ eighty-five dollars for residents, ~~((six~~
19 ~~hundred sixty))~~ seven hundred eighty dollars for nonresidents, and
20 ~~((thirty-three))~~ forty dollars for youth.

21 (b) Big game number 2: Deer and elk. The fee for this license is
22 ~~((fifty-six))~~ seventy-five dollars for residents, ~~((five hundred~~
23 ~~sixty))~~ six hundred seventy dollars for nonresidents, and ~~((twenty-~~
24 ~~eight))~~ thirty-five dollars for youth.

25 (c) Big game number 3: ~~((Deer or elk, bear, and cougar. At the~~
26 ~~time of purchase, the holder must identify either deer or elk. The fee~~
27 ~~for this license is forty-six dollars for residents, four hundred sixty~~
28 ~~dollars for nonresidents, and twenty-three dollars for youth.~~

29 ~~((d) Big game number 4:))~~ Deer ~~((or elk. At the time of purchase,~~
30 ~~the holder must identify either deer or elk))~~. The fee for this
31 license is ~~((thirty-six))~~ thirty-nine dollars for residents, three
32 hundred ~~((sixty))~~ ninety-three dollars for nonresidents, and eighteen
33 dollars for youth.

34 ~~((e))~~ (d) Big game number 4: Elk. The fee for this license is
35 fifty dollars for residents, four hundred fifty dollars for
36 nonresidents, and eighteen dollars for youth.

1 (e) Big game number 5: Bear ((and-cougar)). The fee for this
2 license is twenty dollars for residents, two hundred dollars for
3 nonresidents, and ten dollars for youth.

4 (f) Big game number 6: Cougar. The fee for this license is twenty
5 dollars for residents, two hundred dollars for nonresidents, and ten
6 dollars for youth.

7 (2) In the event that the commission authorizes a two animal big
8 game limit, the fees for the second animal are as follows:

9 (a) Elk: The fee is ~~((twenty))~~ sixty dollars for residents, ~~((two~~
10 ~~hundred))~~ three hundred fifty dollars for nonresidents, and ~~((ten))~~
11 twenty dollars for youth.

12 (b) Deer: The fee is ~~((twenty))~~ sixty dollars for residents, two
13 hundred fifty dollars for nonresidents, and ~~((ten))~~ twenty dollars for
14 youth.

15 ~~((c) Bear: The fee is ten dollars for residents, one hundred~~
16 ~~dollars for nonresidents, and five dollars for youth.~~

17 ~~((d) Cougar: The fee is ten dollars for residents, one hundred~~
18 ~~dollars for nonresidents, and five dollars for youth.))~~

19 (3) In the event that the commission authorizes a special permit
20 hunt for goat, sheep, ~~((or))~~ moose, or other big game species not
21 specified the permit fees are ~~((as follows:~~

22 ~~((a) Mountain goat: The fee is one))~~ three hundred dollars for
23 residents, one thousand five hundred dollars for nonresidents, and
24 fifty dollars for youth.

25 ~~((b) Sheep: The fee is one hundred dollars for residents, one~~
26 ~~thousand dollars for nonresidents, and fifty dollars for youth.~~

27 ~~((c) Moose: The fee is one hundred dollars for residents, one~~
28 ~~thousand dollars for nonresidents, and fifty dollars for youth.))~~

29 (4) Multiple season big game permit: The commission may, by rule,
30 offer permits for hunters to hunt deer or elk during more than one
31 general season. Only one deer or elk may be harvested annually under
32 a multiple season big game permit. The fee is one hundred ~~((fifty))~~
33 sixty-five dollars ~~((for residents and one thousand five hundred~~
34 ~~dollars for nonresidents)).~~

35 (5) Authorization to hunt the species set out under subsection
36 (3)~~((a) through (c))~~ of this section ~~((or in multiple seasons as set~~
37 ~~out in subsection (4) of this section))~~ is by special permit issued
38 under RCW 77.32.370.

1 (~~(6) The commission may adopt rules to reduce the price of a~~
2 ~~license or eliminate the transportation tag requirements concerning~~
3 ~~bear or cougar when necessary to meet harvest objectives.))~~

4 **Sec. 11.** RCW 77.32.460 and 2006 c 15 s 1 are each amended to read
5 as follows:

6 (1) A small game hunting license is required to hunt for all
7 classified wild animals and wild birds, except big game. A small game
8 license also allows the holder to hunt for unclassified wildlife.

9 (a) The fee for this license is thirty-five dollars for residents,
10 one hundred (~~(fifty)~~) sixty-five dollars for nonresidents, and fifteen
11 dollars for youth.

12 (b) The fee for this license if purchased (~~(in conjunction with)~~)
13 at the same time as a big game combination license package is
14 (~~(sixteen)~~) twenty dollars for residents, eighty-eight dollars for
15 nonresidents, and eight dollars for youth.

16 (c) The fee for a three-consecutive-day small game license is
17 (~~(fifty)~~) sixty dollars for nonresidents.

18 (2) In addition to a small game license, a turkey tag is required
19 to hunt for turkey.

20 (a) The fee for a primary turkey tag is fourteen dollars for
21 residents and forty dollars for nonresidents. A primary turkey tag
22 will, on request, be issued to the purchaser of a youth small game
23 license at no charge.

24 (b) The fee for each additional turkey tag is fourteen dollars for
25 residents, sixty dollars for nonresidents, and (~~(nine)~~) ten dollars for
26 youth.

27 (c) All moneys received from turkey tags must be deposited in the
28 state wildlife account. One-third of the moneys received from turkey
29 tags must be appropriated solely for the purposes of turkey management.
30 An additional one-third of the moneys received from turkey tags must be
31 appropriated solely for upland game bird management. Moneys received
32 from turkey tags may not supplant existing funds provided for these
33 purposes.

34 **Sec. 12.** RCW 77.32.470 and 2009 c 333 s 6 are each amended to read
35 as follows:

36 (1) A personal use saltwater, freshwater, combination, temporary,

1 or family fishing weekend license is required for all persons fifteen
2 years of age or older to fish for or possess fish taken for personal
3 use from state waters or offshore waters.

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

6 (a) A combination license allows the holder to fish for or possess
7 fish, shellfish, and seaweed from state waters or offshore waters. The
8 fee for this license is ~~((thirty-six))~~ forty-five dollars for
9 residents, ~~((seventy-two))~~ ninety dollars for nonresidents, and five
10 dollars for youth. There is an additional fifty-cent surcharge for
11 this license, to be deposited in the rockfish research account created
12 in RCW 77.12.702.

13 (b) A saltwater license allows the holder to fish for or possess
14 fish taken from saltwater areas. The fee for this license is
15 ~~((eighteen))~~ twenty-five dollars for residents, ~~((thirty-six))~~ fifty
16 dollars for nonresidents, and five dollars for resident seniors. There
17 is an additional fifty-cent surcharge for this license, to be deposited
18 in the rockfish research account created in RCW 77.12.702.

19 (c) A freshwater license allows the holder to fish for, take, or
20 possess food fish or game fish species in all freshwater areas. The
21 fee for this license is twenty-five dollars for residents, ~~((forty))~~
22 fifty dollars for nonresidents, and five dollars for resident seniors.

23 (3)(a) A temporary combination fishing license is valid for one to
24 ~~((five))~~ three consecutive days and allows the holder to fish for or
25 possess fish, shellfish, and seaweed taken from state waters or
26 offshore waters. The fee for this temporary fishing license is:

27 (i) One day - ~~((Seven))~~ Eight dollars for residents and
28 ~~((fourteen))~~ sixteen dollars for nonresidents;

29 (ii) Two days - ~~((Ten))~~ Twelve dollars for residents and twenty-
30 four dollars for nonresidents; and

31 (iii) Three days - ~~((Thirteen))~~ Fifteen dollars for residents and
32 ~~((twenty-six))~~ thirty dollars for nonresidents((+

33 ~~(iv) Four days - Fifteen dollars for residents and thirty dollars~~
34 ~~for nonresidents; and~~

35 ~~(v) Five days - Seventeen dollars for residents and thirty-four~~
36 ~~dollars for nonresidents)).~~

37 (b) The fee for a charter stamp is ~~((seven))~~ eight dollars for a

1 one-day temporary combination fishing license for residents and
2 nonresidents for use on a charter boat as defined in RCW 77.65.150.

3 ~~(c) ((A transaction fee to support the automated licensing system
4 will be taken from the amounts set forth in this subsection for
5 temporary licenses.~~

6 ~~(d))~~ Except for active duty military personnel serving in any
7 branch of the United States armed forces, the temporary combination
8 fishing license is not valid on game fish species for an eight-
9 consecutive-day period beginning on the opening day of the lowland lake
10 fishing season as defined by rule of the commission.

11 ~~((e))~~ (d) The temporary combination fishing license fee for
12 active duty military personnel serving in any branch of the United
13 States armed forces is the resident rate as set forth in (a) of this
14 subsection. Active duty military personnel must provide a valid
15 military identification card at the time of purchase of the temporary
16 license to qualify for the resident rate.

17 ~~((f))~~ (e) There is an additional fifty-cent surcharge on the
18 temporary combination fishing license and the associated charter stamp,
19 to be deposited in the rockfish research account created in RCW
20 77.12.702.

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

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

31 (6) The commission may adopt rules to allow the use of two fishing
32 poles per fishing license holder for use on selected state waters. If
33 authorized by the commission, license holders must purchase a two-pole
34 stamp to use a second pole. The proceeds from the sale of the two-pole
35 stamp must be deposited into the state wildlife account created in RCW
36 77.12.170 and used for the operation and maintenance of state-owned
37 fish hatcheries. The fee for a two-pole stamp is ~~((twenty))~~ thirteen

1 dollars for residents and nonresidents, and five dollars for
2 (~~resident~~) seniors.

3 **Sec. 13.** RCW 77.32.520 and 2007 c 336 s 1 are each amended to read
4 as follows:

5 (1) A personal use shellfish and seaweed license is required for
6 all persons other than residents or nonresidents under fifteen years of
7 age to fish for, take, dig for, or possess seaweed or shellfish,
8 including razor clams, for personal use from state waters or offshore
9 waters including national park beaches.

10 (2) A razor clam license allows a person to harvest only razor
11 clams for personal use from state waters, including national park
12 beaches.

13 (3) The fees for annual personal use shellfish and seaweed licenses
14 are:

15 (a) For a resident fifteen years of age or older, (~~seven~~) ten
16 dollars;

17 (b) For a nonresident fifteen years of age or older, twenty-seven
18 dollars; and

19 (c) For a senior, five dollars.

20 (4) The fee for an annual razor clam license is (~~five~~) eight
21 dollars (~~and fifty cents~~) for residents (~~and eleven~~), fifteen
22 dollars for nonresidents, and eight dollars for seniors.

23 (5) The fee for a three-day razor clam license is (~~three~~) five
24 dollars (~~and fifty cents~~) for both residents and nonresidents.

25 (6) A personal use shellfish and seaweed license or razor clam
26 license must be in immediate possession of the licensee and available
27 for inspection while a licensee is harvesting shellfish or seaweed.
28 However, the license does not need to be visible at all times.

29 **Sec. 14.** RCW 77.32.580 and 2009 c 420 s 3 are each amended to read
30 as follows:

31 (1) In addition to a recreational license required under this
32 chapter, a Columbia river salmon and steelhead stamp or endorsement is
33 required in order for any person fifteen years of age or older to fish
34 recreationally for salmon or steelhead in the Columbia river and its
35 tributaries where these fisheries have been authorized by the
36 department. The cost for each stamp or endorsement is seven dollars

1 and fifty cents for residents and nonresidents and six dollars for
2 youth and seniors. The department shall deposit all receipts from
3 stamp or endorsement purchases into the Columbia river recreational
4 salmon and steelhead pilot stamp program account created in RCW
5 77.12.714.

6 (2) For the purposes of this section and RCW 77.12.712 and
7 77.12.714 through 77.12.718, the term "Columbia river" means the
8 Columbia river from a line across the Columbia river between Rocky
9 Point in Washington and Tongue Point in Oregon to the Chief Joseph dam.

10 **Sec. 15.** RCW 77.65.020 and 2000 c 107 s 28 are each amended to
11 read as follows:

12 (1) Unless otherwise provided in this title, a license issued under
13 this chapter is not transferable from the license holder to any other
14 person.

15 (2) The following restrictions apply to transfers of commercial
16 fishery licenses, salmon delivery licenses, and salmon charter licenses
17 that are transferable between license holders:

18 (a) The license holder shall surrender the previously issued
19 license to the department.

20 (b) The department shall complete no more than one transfer of the
21 license in any seven-day period.

22 (c) The fee to transfer a license from one license holder to
23 another is:

24 (i) The same as the resident license renewal fee if the license is
25 not limited under chapter 77.70 RCW;

26 (ii) Three and one-half times the resident renewal fee if the
27 license is not a commercial salmon license and the license is limited
28 under chapter 77.70 RCW;

29 (iii) Fifty dollars if the license is a commercial salmon license
30 and is limited under chapter 77.70 RCW;

31 (iv) Five hundred dollars if the license is a Dungeness crab-
32 coastal fishery license; or

33 (v) If a license is transferred from a resident to a nonresident,
34 an additional fee is assessed that is equal to the difference between
35 the resident and nonresident license fees at the time of transfer, to
36 be paid by the transferee.

1 (d) In addition to the fees under (c) of this subsection, an
2 application fee of one hundred five dollars applies to all commercial
3 license transfers.

4 (3) A commercial license that is transferable under this title
5 survives the death of the holder. Though such licenses are not
6 personal property, they shall be treated as analogous to personal
7 property for purposes of inheritance and intestacy. Such licenses are
8 subject to state laws governing wills, trusts, estates, intestate
9 succession, and community property, except that such licenses are
10 exempt from claims of creditors of the estate and tax liens. The
11 surviving spouse, estate, or beneficiary of the estate may apply for a
12 renewal of the license. There is no fee for transfer of a license from
13 a license holder to the license holder's surviving spouse or estate, or
14 to a beneficiary of the estate.

15 **Sec. 16.** RCW 77.65.090 and 1994 c 260 s 11 are each amended to
16 read as follows:

17 This section applies to all commercial fishery licenses, delivery
18 licenses, and charter licenses, except for emergency salmon delivery
19 licenses.

20 (1) The holder of a license subject to this section may substitute
21 the vessel designated on the license or designate a vessel if none has
22 previously been designated if the license holder:

23 (a) Surrenders the previously issued license to the department;

24 (b) Submits to the department an application that identifies the
25 currently designated vessel, the vessel proposed to be designated, and
26 any other information required by the department; and

27 (c) Pays to the department a fee of thirty-five dollars and an
28 application fee of one hundred five dollars.

29 (2) Unless the license holder owns all vessels identified on the
30 application described in subsection (1)(b) of this section or unless
31 the vessel is designated on a Dungeness crab-coastal or a Dungeness
32 crab-coastal class B fishery license, the following restrictions apply
33 to changes in vessel designation:

34 (a) The department shall change the vessel designation on the
35 license no more than four times per calendar year.

36 (b) The department shall change the vessel designation on the
37 license no more than once in any seven-day period.

1 **Sec. 17.** RCW 77.65.110 and 2001 c 105 s 4 are each amended to read
2 as follows:

3 This section applies to all commercial fishery licenses, charter
4 boat (~~(license[s])~~) licenses, and delivery licenses.

5 (1) A person designated as an alternate operator must possess an
6 alternate operator license issued under RCW 77.65.130, and be
7 designated on the license prior to engaging in the activities
8 authorized by the license. The holder of the commercial fishery
9 license, charter boat license, or delivery license may designate up to
10 two alternate operators for the license, except:

11 (a) Whiting--Puget Sound fishery licensees may not designate
12 alternate operators;

13 (b) Emergency salmon delivery licensees may not designate alternate
14 operators;

15 (c) Shrimp pot-Puget Sound fishery licensees may designate no more
16 than one alternate operator at a time; and

17 (d) Shrimp trawl-Puget Sound fishery licensees may designate no
18 more than one alternate operator at a time.

19 (2) The fee to change the alternate operator designation is twenty-
20 two dollars in addition to the application fee of one hundred five
21 dollars.

22 **Sec. 18.** RCW 77.65.150 and 2007 c 442 s 3 are each amended to read
23 as follows:

24 (1) The director shall issue the charter licenses and angler
25 permits listed in this section according to the requirements of this
26 title. The licenses and permits and their annual license fees,
27 application fees, and surcharges are:

		Annual Fee		
		(RCW 77.95.090 Surcharge)		Governing
License or Permit		(RCW 77.12.702 Surcharge)		Section
		Resident	Nonresident	<u>Application Fee</u>
(a)	Nonsalmon charter	\$225	\$375	<u>\$ 70</u>
		(plus \$35 for RCW 77.12.702	(plus \$35 for RCW	
		Surcharge)	77.12.702 Surcharge)	

1	(b)	Salmon charter	\$380	\$685	<u>\$105</u>	RCW 77.70.050
2			(plus \$100)	(plus \$100)		
3			(plus \$35 for RCW 77.12.702	(plus \$35 for RCW		
4			Surcharge)	77.12.702 Surcharge)		
5	(c)	Salmon angler	\$ 0	\$ 0	<u>\$ 0</u>	RCW 77.70.060
6	(d)	Salmon roe	\$ 95	\$ 95	<u>\$ 70</u>	RCW 77.65.350

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

12 (3) A nonsalmon charter license designating a vessel is required to
13 operate a charter boat from which persons may, for a fee, fish for food
14 fish other than salmon, albacore tuna, and shellfish.

15 (4)(a) "Charter boat" means a vessel from which persons may, for a
16 fee, fish for food fish or shellfish for personal use in those state
17 waters set forth in (b) of this subsection. "Charter boat" also means
18 a vessel from which persons may, for a fee, fish for food fish or
19 shellfish for personal use in offshore waters or in the waters of other
20 states. The director may specify by rule when a vessel is a "charter
21 boat" within this definition.

22 (b) A person may not operate a vessel from which persons may, for
23 a fee, fish for food fish or shellfish in Puget Sound, Grays Harbor,
24 Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia
25 river below the bridge at Longview unless the vessel is designated on
26 a charter boat license.

27 (5) A charter boat licensed in Oregon may fish without a Washington
28 charter license under the same rules as Washington charter boat
29 operators in ocean waters within the jurisdiction of Washington state
30 from the southern border of the state of Washington to Leadbetter
31 Point, as long as the Oregon vessel does not take on or discharge
32 passengers for any purpose from any Washington port, the Washington
33 shore, or a dock, landing, or other point in Washington. The
34 provisions of this subsection shall be in effect as long as the state
35 of Oregon has reciprocal laws and regulations.

36 (6) A salmon charter license under subsection (1)(b) of this
37 section may be renewed if the license holder notifies the department by
38 May 1st of that year that he or she will not participate in the fishery

1 during that calendar year. The license holder must pay the one hundred
 2 dollar enhancement surcharge (~~(and)~~) a thirty-five dollar surcharge to
 3 be deposited in the rockfish research account created in RCW 77.12.702,
 4 plus a (~~fifteen-dollar handling charge~~) one hundred five dollar
 5 application fee, in order to be considered a valid renewal and eligible
 6 to renew the license the following year.

7 **Sec. 19.** RCW 77.65.160 and 2001 c 244 s 1 are each amended to read
 8 as follows:

9 (1) The following commercial salmon fishery licenses are required
 10 for the license holder to use the specified gear to fish for salmon in
 11 state waters. Only a person who meets the qualifications of RCW
 12 77.70.090 may hold a license listed in this subsection. The licenses
 13 and their annual license fees, application fees, and surcharges under
 14 RCW 77.95.090 are:

15	Fishery	Resident	Nonresident	Surcharge	Application Fee
16	License	Fee	Fee		
17	(a) Salmon Gill Net--Grays Harbor-	\$380	\$685	plus \$100	<u>\$105</u>
18	Columbia river				
19	(b) Salmon Gill Net--Puget Sound	\$380	\$685	plus \$100	<u>\$105</u>
20	(c) Salmon Gill Net--Willapa Bay-	\$380	\$685	plus \$100	<u>\$105</u>
21	Columbia river				
22	(d) Salmon purse seine	\$530	\$985	plus \$100	<u>\$105</u>
23	(e) Salmon reef net	\$380	\$685	plus \$100	<u>\$105</u>
24	(f) Salmon troll	\$380	\$685	plus \$100	<u>\$105</u>

25 (2) A license issued under this section authorizes no taking or
 26 delivery of salmon or other food fish unless a vessel is designated
 27 under RCW 77.65.100.

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

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

32 (5) A salmon gill net license authorizes the taking of salmon only
 33 in the geographical area for which the license is issued. The
 34 geographical designations in subsection (1) of this section have the
 35 following meanings:

1 (a) "Puget Sound" includes waters of the Strait of Juan de Fuca,
2 Georgia Strait, Puget Sound and all bays, inlets, canals, coves,
3 sounds, and estuaries lying easterly and southerly of the international
4 boundary line and a line at the entrance to the Strait of Juan de Fuca
5 projected northerly from Cape Flattery to the lighthouse on Tatoosh
6 Island and then to Bonilla Point on Vancouver Island.

7 (b) "Grays Harbor-Columbia river" includes waters of Grays Harbor
8 and tributary estuaries lying easterly of a line projected northerly
9 from Point Chehalis Light to Point Brown and those waters of the
10 Columbia river and tributary sloughs and estuaries easterly of a line
11 at the entrance to the Columbia river projected southerly from the most
12 westerly point of the North jetty to the most westerly point of the
13 South jetty.

14 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay and
15 tributary estuaries and easterly of a line projected northerly from
16 Leadbetter Point to the Cape Shoalwater tower and those waters of the
17 Columbia river and tributary sloughs described in (b) of this
18 subsection.

19 (6) A commercial salmon troll fishery license may be renewed under
20 this section if the license holder notifies the department by May 1st
21 of that year that he or she will not participate in the fishery during
22 that calendar year. A commercial salmon gill net, reef net, or seine
23 fishery license may be renewed under this section if the license holder
24 notifies the department before the third Monday in September of that
25 year that he or she will not participate in the fishery during that
26 calendar year. The license holder must pay the one hundred dollar
27 enhancement surcharge, plus a (~~fifteen-dollar handling charge~~) one
28 hundred five dollar application fee before the third Monday in
29 September, in order to be considered a valid renewal and eligible to
30 renew the license the following year.

31 (7) Notwithstanding the annual license fees and surcharges
32 established in subsection (1) of this section, a person who holds a
33 resident commercial salmon fishery license shall pay an annual license
34 fee of one hundred dollars plus the surcharge and application fee if
35 all of the following conditions are met:

36 (a) The license holder is at least seventy-five years of age;

37 (b) The license holder owns a fishing vessel and has fished with a

1 resident commercial salmon fishery license for at least thirty years;
2 and

3 (c) The commercial salmon fishery license is for a geographical
4 area other than the Puget Sound.

5 An alternate operator may not be designated for a license renewed
6 at the one hundred dollar annual fee under this subsection (7).

7 **Sec. 20.** RCW 77.65.170 and 2005 c 20 s 2 are each amended to read
8 as follows:

9 (1) A salmon delivery license is required for a commercial fishing
10 vessel to deliver salmon taken for commercial purposes in offshore
11 waters to a place or port in the state. As used in this section,
12 "deliver" and "delivery" mean arrival at a place or port, and include
13 arrivals from offshore waters to waters within the state and arrivals
14 ashore from offshore waters. The annual fee for a salmon delivery
15 license is three hundred eighty dollars for residents and six hundred
16 eighty-five dollars for nonresidents. The application fee for a salmon
17 delivery license is one hundred five dollars. The annual surcharge
18 under RCW 77.95.090 is one hundred dollars for each license. Holders
19 of nonlimited entry delivery licenses issued under RCW 77.65.210 may
20 apply the nonlimited entry delivery license fee against the salmon
21 delivery license fee.

22 (2) Only a person who meets the qualifications established in RCW
23 77.70.090 may hold a salmon delivery license issued under this section.

24 (3) A salmon delivery license authorizes no taking of salmon or
25 other food fish or shellfish from the waters of the state.

26 (4) If the director determines that the operation of a vessel under
27 a salmon delivery license results in the depletion or destruction of
28 the state's salmon resource or the delivery into this state of salmon
29 products prohibited by law, the director may revoke the license under
30 the procedures of chapter 34.05 RCW.

31 **Sec. 21.** RCW 77.65.190 and 2005 c 20 s 3 are each amended to read
32 as follows:

33 A person who does not qualify for a license under RCW 77.70.090
34 shall obtain a nontransferable emergency salmon delivery license to
35 make one delivery from a commercial fishing vessel of salmon taken for
36 commercial purposes in offshore waters. As used in this section,

1 "delivery" means arrival at a place or port, and include arrivals from
 2 offshore waters to waters within the state and arrivals ashore from
 3 offshore waters. The director shall not issue an emergency salmon
 4 delivery license unless, as determined by the director, a bona fide
 5 emergency exists. The license fee is two hundred twenty-five dollars
 6 for residents and four hundred seventy-five dollars for nonresidents.
 7 The application fee is one hundred five dollars. An applicant for an
 8 emergency salmon delivery license shall designate no more than one
 9 vessel that will be used with the license. Alternate operator licenses
 10 are not required of persons delivering salmon under an emergency salmon
 11 delivery license. Emergency salmon delivery licenses are not
 12 renewable.

13 **Sec. 22.** RCW 77.65.200 and 2009 c 331 s 4 are each amended to read
 14 as follows:

15 (1) This section establishes commercial fishery licenses required
 16 for food fish fisheries and the annual fees for those licenses. As
 17 used in this section, "food fish" does not include salmon. The
 18 director may issue a limited-entry commercial fishery license only to
 19 a person who meets the qualifications established in applicable
 20 governing sections of this title.

21 Fishery 22 (Governing section(s))	23 Annual Fee		24 <u>Application Fee</u>	25 Vessel 26 Required?	27 Limited 28 Entry?
	29 Resident	30 Nonresident			
31 (a) Baitfish Lampara	\$185	\$295	<u>\$ 70</u>	Yes	No
32 (b) Baitfish purse seine	\$530	\$985	<u>\$ 70</u>	Yes	No
33 (c) Bottom fish jig	\$130	\$185	<u>\$ 70</u>	Yes	No
34 (d) Bottom fish pot	\$130	\$185	<u>\$ 70</u>	Yes	No
35 (e) Bottom fish troll	\$130	\$185	<u>\$ 70</u>	Yes	No
36 (f) Carp	\$130	\$185	<u>\$ 70</u>	No	No
37 (g) Columbia river smelt	\$380	\$685	<u>\$ 70</u>	No	No
38 (h) Dog fish set net	\$130	\$185	<u>\$ 70</u>	Yes	No
(i) Emerging commercial fishery (RCW 77.70.160 and 77.65.400)	\$185	\$295	<u>\$ 105</u>	Determined by rule	Determined by rule
(j) Food fish drag seine	\$130	\$185	<u>\$ 70</u>	Yes	No
(k) Food fish set line	\$130	\$185	<u>\$ 70</u>	Yes	No
(l) Food fish trawl-	\$240	\$405	<u>\$ 70</u>	Yes	No

1	Non-Puget Sound					
2	(m) Food fish trawl-	\$185	\$295	<u>\$ 70</u>	Yes	No
3	Puget Sound					
4	(n) Herring dip bag net	\$175	\$275	<u>\$ 70</u>	Yes	Yes
5	(RCW 77.70.120)					
6	(o) Herring drag seine	\$175	\$275	<u>\$ 70</u>	Yes	Yes
7	(RCW 77.70.120)					
8	(p) Herring gill net	\$175	\$275	<u>\$ 105</u>	Yes	Yes
9	(RCW 77.70.120)					
10	(q) Herring Lampara	\$175	\$275	<u>\$ 70</u>	Yes	Yes
11	(RCW 77.70.120)					
12	(r) Herring purse seine	\$175	\$275	<u>\$105</u>	Yes	Yes
13	(RCW 77.70.120)					
14	(s) Herring spawn-on-kelp	N/A	N/A	<u>N/A</u>	Yes	Yes
15	(RCW 77.70.210)					
16	(t) Sardine purse seine (RCW	\$185	\$295	<u>\$ 105</u>	Yes	Yes
17	77.70.480)					
18	(u) Sardine purse seine	\$185	\$295	<u>\$ 105</u>	Yes	No
19	temporary (RCW					
20	77.70.480)					
21	(v) Smelt dip bag net	\$130	\$185	<u>\$ 70</u>	No	No
22	(w) Smelt gill net	\$380	\$685	<u>\$ 70</u>	Yes	No
23	(x) Whiting-Puget Sound	\$295	\$520	<u>\$ 105</u>	Yes	Yes
24	(RCW 77.70.130)					

25 (2) The director may by rule determine the species of food fish
26 that may be taken with the commercial fishery licenses established in
27 this section, the gear that may be used with the licenses, and the
28 areas or waters in which the licenses may be used. Where a fishery
29 license has been established for a particular species, gear,
30 geographical area, or combination thereof, a more general fishery
31 license may not be used to take food fish in that fishery.

32 **Sec. 23.** RCW 77.65.210 and 2007 c 442 s 4 are each amended to read
33 as follows:

34 (1) Except as provided in subsection (2) of this section, a person
35 may not use a commercial fishing vessel to deliver food fish or
36 shellfish taken for commercial purposes in offshore waters to a port in
37 the state without a nonlimited entry delivery license. As used in this
38 section, "deliver" and "delivery" mean arrival at a place or port, and
39 include arrivals from offshore waters to waters within the state and
40 arrivals ashore from offshore waters. As used in this section, "food

1 fish" does not include salmon. As used in this section, "shellfish"
 2 does not include ocean pink shrimp, coastal crab, or fish or shellfish
 3 taken under an emerging commercial fisheries license if taken from off-
 4 shore waters. The annual license fee for a nonlimited entry delivery
 5 license is one hundred ten dollars for residents and two hundred
 6 dollars for nonresidents, and an additional thirty-five dollar
 7 surcharge for both residents and nonresidents to be deposited in the
 8 rockfish research account created in RCW 77.12.702. The application
 9 fee for a nonlimited entry delivery license is one hundred five
 10 dollars.

11 (2) Holders of salmon troll fishery licenses issued under RCW
 12 77.65.160, salmon delivery licenses issued under RCW 77.65.170, crab
 13 pot fishery licenses issued under RCW 77.65.220, food fish trawl--Non-
 14 Puget Sound fishery licenses, and emerging commercial fishery licenses
 15 issued under RCW 77.65.200, Dungeness crab--coastal fishery licenses,
 16 ocean pink shrimp delivery licenses, shrimp trawl--Non-Puget Sound
 17 fishery licenses, and emerging commercial fishery licenses issued under
 18 RCW 77.65.220 may deliver food fish or shellfish taken in offshore
 19 waters without a nonlimited entry delivery license.

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

22 **Sec. 24.** RCW 77.65.220 and 2000 c 107 s 43 are each amended to
 23 read as follows:

24 (1) This section establishes commercial fishery licenses required
 25 for shellfish fisheries and the annual fees for those licenses. The
 26 director may issue a limited-entry commercial fishery license only to
 27 a person who meets the qualifications established in applicable
 28 governing sections of this title.

29 Fishery 30 (Governing section(s))	31 Annual Fee		32 <u>Application Fee</u>	33 Vessel 34 Required?	35 Limited 36 Entry?
	Resident	Nonresident			
32 (a) Burrowing shrimp	\$185	\$295	<u>\$ 105</u>	Yes	No
33 (b) Crab ring net- 34 Non-Puget Sound	\$130	\$185	<u>\$ 70</u>	Yes	No
35 (c) Crab ring net- 36 Puget Sound	\$130	\$185	<u>\$ 70</u>	Yes	No

1	(d) Dungeness crab-coastal	\$295	\$520	<u>\$ 105</u>	Yes	Yes
2	(RCW 77.70.280)					
3	(e) Dungeness crab-	\$295	\$520	<u>\$ 105</u>	Yes	Yes
4	coastal, class B					
5	(RCW 77.70.280)					
6	(f) Dungeness crab-	\$130	\$185	<u>\$ 105</u>	Yes	Yes
7	Puget Sound					
8	(RCW 77.70.110)					
9	(g) Emerging commercial	\$185	\$295	<u>\$ 105</u>	Determined	Determined
10	fishery (RCW 77.70.160				by rule	by rule
11	and 77.65.400)					
12	(h) Geoduck (RCW	\$ 0	\$ 0	<u>\$70</u>	Yes	Yes
13	77.70.220)					
14	(i) Hardshell clam	\$530	\$985	<u>\$ 70</u>	Yes	No
15	mechanical					
16	harvester					
17	(RCW 77.65.250)					
18	(j) Oyster reserve	\$130	\$185	<u>\$ 70</u>	No	No
19	(RCW 77.65.260)					
20	(k) Razor clam	\$130	\$185	<u>\$ 105</u>	No	No
21	(l) Sea cucumber dive	\$130	\$185	<u>\$ 105</u>	Yes	Yes
22	(RCW 77.70.190)					
23	(m) Sea urchin dive	\$130	\$185	<u>\$105</u>	Yes	Yes
24	(RCW 77.70.150)					
25	(n) Shellfish dive	\$130	\$185	<u>\$ 70</u>	Yes	No
26	(o) Shellfish pot	\$130	\$185	<u>\$ 70</u>	Yes	No
27	(p) Shrimp pot-	\$185	\$295	<u>\$ 105</u>	Yes	Yes
28	Puget Sound					
29	(RCW 77.70.410)					
30	(q) Shrimp trawl-	\$240	\$405	<u>\$ 105</u>	Yes	No
31	Non-Puget Sound					
32	(r) Shrimp trawl-	\$185	\$295	<u>\$105</u>	Yes	Yes
33	Puget Sound					
34	(RCW 77.70.420)					
35	(s) Squid	\$185	\$295	<u>\$70</u>	Yes	No

36 (2) The director may by rule determine the species of shellfish
37 that may be taken with the commercial fishery licenses established in
38 this section, the gear that may be used with the licenses, and the
39 areas or waters in which the licenses may be used. Where a fishery
40 license has been established for a particular species, gear,
41 geographical area, or combination thereof, a more general fishery
42 license may not be used to take shellfish in that fishery.

1 **Sec. 25.** RCW 77.65.280 and 2002 c 301 s 5 are each amended to read
2 as follows:

3 A wholesale fish dealer's license is required for:

4 (1) A business in the state to engage in the commercial processing
5 of food fish or shellfish, including custom canning or processing of
6 personal use food fish or shellfish.

7 (2) A business in the state to engage in the wholesale selling,
8 buying, or brokering of food fish or shellfish. A wholesale fish
9 dealer's license is not required of those businesses which buy
10 exclusively from Washington licensed wholesale dealers and sell solely
11 at retail.

12 (3) Fishermen who land and sell their catch or harvest in the state
13 to anyone other than a licensed wholesale dealer within or outside the
14 state, unless the fisher has a direct retail endorsement.

15 (4) A business to engage in the commercial manufacture or
16 preparation of fertilizer, oil, meal, caviar, fish bait, or other by-
17 products from food fish or shellfish.

18 (5) A business employing a fish buyer as defined under RCW
19 77.65.340.

20 The annual license fee for a wholesale dealer is two hundred fifty
21 dollars. The application fee is one hundred five dollars. A wholesale
22 fish dealer's license is not required for persons engaged in the
23 processing, wholesale selling, buying, or brokering of private sector
24 cultured aquatic products as defined in RCW 15.85.020. However, if a
25 means of identifying such products is required by rules adopted under
26 RCW 15.85.060, the exemption from licensing requirements established by
27 this subsection applies only if the aquatic products are identified in
28 conformance with those rules.

29 **Sec. 26.** RCW 77.65.340 and 2000 c 107 s 50 are each amended to
30 read as follows:

31 (1) A fish buyer's license is required of and shall be carried by
32 each individual engaged by a wholesale fish dealer to purchase food
33 fish or shellfish from a licensed commercial fisherman. A fish buyer
34 may represent only one wholesale fish dealer.

35 (2) The annual fee for a fish buyer's license is ninety-five
36 dollars. The application fee is one hundred five dollars.

1 eighty dollars for nonresidents. The application fee is one hundred
2 five dollars.

3 **Sec. 30.** RCW 77.65.480 and 2009 c 333 s 11 are each amended to
4 read as follows:

5 (1) A taxidermy license allows the holder to practice taxidermy for
6 commercial purposes, as that term is defined in RCW 77.15.110. The fee
7 for this license is one hundred eighty dollars. The application fee is
8 seventy dollars.

9 (2) A fur dealer's license allows the holder to purchase, receive,
10 or resell raw furs for commercial purposes, as that term is defined in
11 RCW 77.15.110. The fee for this license is one hundred eighty dollars.
12 The application fee is seventy dollars.

13 (3) A game fish guide license allows the holder to offer or perform
14 the services of a game fish guide in the taking of game fish. The fee
15 for this license is one hundred eighty dollars for a resident and six
16 hundred dollars for a nonresident. The application fee is seventy
17 dollars.

18 (4) A game farm license allows the holder to operate a game farm to
19 acquire, breed, grow, keep, and sell wildlife under conditions
20 prescribed by the rules adopted pursuant to this title. The fee for
21 this license is seventy-two dollars for the first year and forty-eight
22 dollars for each following year. The application fee is seventy
23 dollars.

24 (5) A game fish stocking permit allows the holder to release game
25 fish into the waters of the state as prescribed by rule of the
26 commission. The fee for this permit is twenty-four dollars. The
27 application fee is seventy dollars.

28 (6) A fishing or field trial permit allows the holder to promote,
29 conduct, hold, or sponsor a fishing or field trial contest in
30 accordance with rules of the commission. The fee for a fishing contest
31 permit is twenty-four dollars. The fee for a field trial contest
32 permit is twenty-four dollars. The application fee is seventy dollars.

33 (7)(a) An anadromous game fish buyer's license allows the holder to
34 purchase or sell steelhead trout and other anadromous game fish
35 harvested by Indian fishers lawfully exercising fishing rights reserved
36 by federal statute, treaty, or executive order, under conditions

1 prescribed by rule of the director. The fee for this license is one
2 hundred eighty dollars. The application fee is one hundred five
3 dollars.

4 (b) An anadromous game fish buyer's license is not required for
5 those businesses that buy steelhead trout and other anadromous game
6 fish from Washington licensed game fish dealers and sell solely at
7 retail.

8 **Sec. 31.** RCW 77.65.510 and 2009 c 195 s 1 are each amended to read
9 as follows:

10 (1) The department must establish and administer a direct retail
11 endorsement to serve as a single license that permits a Washington
12 license holder or alternate operator to commercially harvest retail-
13 eligible species and to clean, dress, and sell his or her catch
14 directly to consumers at retail, including over the internet. The
15 direct retail endorsement must be issued as an optional addition to all
16 holders of: (a) A commercial fishing license for retail-eligible
17 species that the department offers under this chapter; and (b) an
18 alternate operator license who are designated as an alternate operator
19 on a commercial fishing license for retail eligible species.

20 (2) The direct retail endorsement must be offered at the time of
21 application for the qualifying commercial fishing license. Individuals
22 in possession of a qualifying commercial fishing license issued under
23 this chapter, and alternate operators designated on such a license, may
24 add a direct retail endorsement to their current license at any time.
25 Individuals who do not have a commercial fishing license for retail-
26 eligible species issued under this chapter, and who are not designated
27 as alternate operators on such a license, may not receive a direct
28 retail endorsement. The costs, conditions, responsibilities, and
29 privileges associated with the endorsed commercial fishing license is
30 not affected or altered in any way by the addition of a direct retail
31 endorsement. These costs include the base cost of the license and any
32 revenue and excise taxes.

33 (3) An individual need only add one direct retail endorsement to
34 his or her license portfolio. If a direct retail endorsement is
35 selected by an individual holding more than one commercial fishing
36 license issued under this chapter, a single direct retail endorsement
37 is considered to be added to all qualifying commercial fishing licenses

1 held by that individual, and is the only license required for the
2 individual to sell at retail any retail-eligible species permitted by
3 all of the underlying endorsed licenses. If a direct retail
4 endorsement is selected by an individual designated as an alternate
5 operator on more than one commercial license issued under this chapter,
6 a single direct retail endorsement is the only license required for the
7 individual to sell at retail any retail-eligible species permitted by
8 all of the underlying endorsed licenses on which the individual is
9 designated as an alternate operator. The direct retail endorsement
10 applies only to the Washington license holder or alternate operator
11 obtaining the endorsement.

12 (4) In addition to any fees charged for the endorsed licenses and
13 harvest documentation as required by this chapter or the rules of the
14 department, the department may set a reasonable annual fee not to
15 exceed the administrative costs to the department for a direct retail
16 endorsement. The application fee is one hundred five dollars.

17 (5) The holder of a direct retail endorsement is responsible for
18 documenting the commercial harvest of salmon and crab according to the
19 provisions of this chapter, the rules of the department for a wholesale
20 fish dealer, and the reporting requirements of the endorsed license.
21 Any retail-eligible species caught by the holder of a direct retail
22 endorsement must be documented on fish tickets.

23 (6) The direct retail endorsement must be displayed in a readily
24 visible manner by the seller wherever and whenever a sale to someone
25 other than a licensed wholesale dealer occurs. The commission may
26 require that the holder of a direct retail endorsement notify the
27 department up to eighteen hours before conducting an in-person sale of
28 retail-eligible species, except for in-person sales that have a
29 cumulative retail sales value of less than one hundred fifty dollars in
30 a twenty-four hour period that are sold directly from the vessel. For
31 sales occurring in a venue other than in person, such as over the
32 internet, through a catalog, or on the phone, the direct retail
33 endorsement number of the seller must be provided to the buyer both at
34 the time of sale and the time of delivery. All internet sales must be
35 conducted in accordance with federal laws and regulations.

36 (7) The direct retail endorsement is to be held by a natural person
37 and is not transferrable or assignable. If the endorsed license is
38 transferred, the direct retail endorsement immediately becomes void,

1 and the transferor is not eligible for a full or prorated reimbursement
2 of the annual fee paid for the direct retail endorsement. Upon
3 becoming void, the holder of a direct retail endorsement must surrender
4 the physical endorsement to the department.

5 (8) The holder of a direct retail endorsement must abide by the
6 provisions of Title 69 RCW as they apply to the processing and retail
7 sale of seafood. The department must distribute a pamphlet, provided
8 by the department of agriculture, with the direct retail endorsement
9 generally describing the labeling requirements set forth in chapter
10 69.04 RCW as they apply to seafood.

11 (9) The holder of a qualifying commercial fishing license issued
12 under this chapter, or an alternate operator designated on such a
13 license, must either possess a direct retail endorsement or a wholesale
14 dealer license provided for in RCW 77.65.280 in order to lawfully sell
15 their catch or harvest in the state to anyone other than a licensed
16 wholesale dealer.

17 (10) The direct retail endorsement entitles the holder to sell a
18 retail-eligible species only at a temporary food service establishment
19 as that term is defined in RCW 69.06.045, or directly to a restaurant
20 or other similar food service business.

21 **Sec. 32.** RCW 77.70.080 and 2000 c 107 s 62 are each amended to
22 read as follows:

23 (1) The total number of anglers authorized by the director shall
24 not exceed the total number authorized for 1980.

25 (2) Angler permits issued under RCW 77.70.060 are transferable.
26 All or a portion of the permit may be transferred to another salmon
27 charter license holder.

28 (3) The angler permit holder and proposed transferee shall notify
29 the department when transferring an angler permit, and the director
30 shall issue a new angler permit certificate. If the original permit
31 holder retains a portion of the permit, the director shall issue a new
32 angler permit certificate reflecting the decrease in angler capacity.

33 (4) The department shall collect a fee of ten dollars for each
34 certificate issued under subsection (3) of this section, plus an
35 application fee of one hundred five dollars.

1 **Sec. 33.** RCW 77.70.190 and 2010 c 193 s 15 are each amended to
2 read as follows:

3 (1) A sea cucumber dive fishery license is required to take sea
4 cucumbers for commercial purposes. A sea cucumber dive fishery license
5 authorizes the use of only one diver in the water at any time during
6 sea cucumber harvest operations. If the same vessel has been
7 designated on two sea cucumber dive fishery licenses, two divers may be
8 in the water. A natural person may not hold more than two sea cucumber
9 dive fishery licenses.

10 (2) Except as provided in subsection (6) of this section, the
11 director shall issue no new sea cucumber dive fishery licenses. For
12 licenses issued for the year 2000 and thereafter, the director shall
13 renew existing licenses only to a natural person who held the license
14 at the end of the previous year. If a sea cucumber dive fishery
15 license is not held by a natural person as of December 31, 1999, it is
16 not renewable. However, if the license is not held because of
17 revocation or suspension of licensing privileges, the director shall
18 renew the license in the name of a natural person at the end of the
19 revocation or suspension if the license holder applies for renewal of
20 the license before the end of the year in which the revocation or
21 suspension ends.

22 (3) Where a licensee failed to obtain the license during either of
23 the previous two years because of a license suspension by the director
24 or the court, the licensee may qualify for a license by establishing
25 that the person held such a license during the last year in which the
26 person was eligible.

27 (4) Surcharges as provided for in this section shall be collected
28 and deposited into the sea cucumber dive fishery account hereby created
29 in the custody of the state treasurer. The collections and deposits
30 must continue, as set forth in (a) and (b) of this subsection, through
31 license year 2013, or until the number of licenses is reduced to
32 twenty, whichever occurs first. Only the director or the director's
33 designee may authorize expenditures from the account. The sea cucumber
34 dive fishery account is subject to allotment procedures under chapter
35 43.88 RCW, but no appropriation is required for expenditures.
36 Expenditures from the account shall only be used to retire sea cucumber
37 licenses until the number of licenses is reduced to twenty, and
38 thereafter shall only be used for sea cucumber management and

1 enforcement. The director or the director's designee shall notify the
2 department of revenue within thirty days when the number of licenses is
3 reduced to twenty.

4 (a) A surcharge of one hundred dollars shall be charged with each
5 sea cucumber dive fishery license renewal for licenses issued in 2000
6 through 2013, or until the number of licenses is reduced to twenty,
7 whichever occurs first.

8 (b) For licenses issued for license years 2000 through 2013, or
9 until the number of licenses is reduced to twenty, whichever occurs
10 first, a surcharge shall be charged on the sea cucumber dive fishery
11 license for designating an alternate operator. The surcharge shall be
12 as follows: Five hundred dollars for the first year or each of the
13 first two consecutive years after 1999 that any alternate operator is
14 designated and two thousand five hundred dollars each year thereafter
15 that any alternate operator is designated.

16 (5) Sea cucumber dive fishery licenses are transferable. For
17 licenses issued for license years 2000 through 2013, or whenever the
18 number of licenses is reduced to twenty, whichever occurs first, there
19 is a surcharge to transfer a sea cucumber dive fishery license. The
20 surcharge is five hundred dollars for the first transfer of a license
21 valid for license year 2000 and two thousand five hundred dollars for
22 any subsequent transfer, occurring in the license years 2000 through
23 2013, or whenever the number of licenses is reduced to twenty,
24 whichever occurs first. The application fee to transfer a sea cucumber
25 dive fishery license is one hundred five dollars. Notwithstanding this
26 subsection, a one-time transfer exempt from surcharge applies for a
27 transfer from the natural person licensed on January 1, 2000, to that
28 person's spouse or child.

29 (6) If fewer than twenty persons are eligible for sea cucumber dive
30 fishery licenses, the director may accept applications for new
31 licenses. The additional licenses may not cause more than twenty
32 natural persons to be eligible for a sea cucumber dive fishery license.
33 New licenses issued under this section shall be distributed according
34 to rules of the department that recover the value of such licensed
35 privilege.

36 **Sec. 34.** RCW 77.70.220 and 2000 c 107 s 71 are each amended to
37 read as follows:

1 (1) A person shall not harvest geoduck clams commercially without
2 a geoduck fishery license. This section does not apply to the harvest
3 of private sector cultured aquatic products as defined in RCW
4 15.85.020. The application fee is seventy dollars.

5 (2) Only a person who has entered into a geoduck harvesting
6 agreement with the department of natural resources under RCW
7 (~~79.96.080~~) 79.135.210 may hold a geoduck fishery license.

8 (3) A geoduck fishery license authorizes no taking of geoducks
9 outside the boundaries of the public lands designated in the underlying
10 harvesting agreement, or beyond the harvest ceiling set in the
11 underlying harvesting agreement.

12 (4) A geoduck fishery license expires when the underlying geoduck
13 harvesting agreement terminates.

14 (5) The director shall determine the number of geoduck fishery
15 licenses that may be issued for each geoduck harvesting agreement, the
16 number of units of gear whose use the license authorizes, and the type
17 of gear that may be used, subject to RCW 77.60.070. In making those
18 determinations, the director shall seek to conserve the geoduck
19 resource and prevent damage to its habitat.

20 (6) The holder of a geoduck fishery license and the holder's agents
21 and representatives shall comply with all applicable commercial diving
22 safety regulations adopted by the federal occupational safety and
23 health administration established under the federal occupational safety
24 and health act of 1970 as such law exists on May 8, 1979, 84 Stat. 1590
25 et seq.; 29 U.S.C. Sec. 651 et seq. A violation of those regulations
26 is a violation of this subsection. For the purposes of this section,
27 persons who dive for geoducks are "employees" as defined by the federal
28 occupational safety and health act. A violation of this subsection is
29 grounds for suspension or revocation of a geoduck fishery license
30 following a hearing under the procedures of chapter 34.05 RCW. The
31 director shall not suspend or revoke a geoduck fishery license if the
32 violation has been corrected within ten days of the date the license
33 holder receives written notice of the violation. If there is a
34 substantial probability that a violation of the commercial diving
35 standards could result in death or serious physical harm to a person
36 engaged in harvesting geoduck clams, the director shall suspend the
37 license immediately until the violation has been corrected. If the
38 license holder is not the operator of the harvest vessel and has

1 contracted with another person for the harvesting of geoducks, the
2 director shall not suspend or revoke the license if the license holder
3 terminates its business relationship with that person until compliance
4 with this subsection is secured.

5 (7) A person using a vessel in the geoduck fishery is required to
6 apply for and obtain a vessel identification number from the
7 department. The application fee for the vessel identification number
8 is one hundred five dollars.

9 **Sec. 35.** RCW 77.70.260 and 2000 c 107 s 74 are each amended to
10 read as follows:

11 The owner of an ocean pink shrimp fishing vessel that does not
12 qualify for an ocean pink shrimp delivery license issued under RCW
13 77.65.390 shall obtain an ocean pink shrimp single delivery license in
14 order to make a landing into a state port of ocean pink shrimp taken in
15 offshore waters. The director shall not issue an ocean pink shrimp
16 single delivery license unless, as determined by the director, a bona
17 fide emergency exists. A maximum of six ocean pink shrimp single
18 delivery licenses may be issued annually to any vessel. The fee for an
19 ocean pink shrimp single delivery license is one hundred dollars. The
20 application fee is one hundred five dollars.

21 **Sec. 36.** RCW 77.70.490 and 2009 c 331 s 3 are each amended to read
22 as follows:

- 23 (1) A Washington Pacific sardine purse seine fishery license:
24 (a) May only be issued to a person that held a coastal pilchard
25 experimental fishery permit in 2008, except as otherwise provided in
26 this section;
27 (b) Must be renewed annually to remain active; and
28 (c) Subject to the restrictions of subsections (6) and (7) of this
29 section and RCW 77.65.040, is transferable.

30 (2) A Washington Pacific sardine purse seine fishery license may be
31 issued to any person that held a coastal pilchard experimental fishery
32 permit in 2005, 2006, or 2007 and is precluded from qualifying under
33 subsection (1) of this section because the vessel designated on the
34 permit sank prior to 2008.

35 (3) Beginning in 2010, after taking into consideration the status
36 of the Pacific sardine population, the impact of removal of sardines

1 and other forage fish to the marine ecosystem, including the effect on
2 endangered marine species, and the market for Pacific sardines in the
3 state, the director may issue:

4 (a) A Washington Pacific sardine purse seine fishery license to any
5 person provided that the issuance would not raise the number of
6 licenses beyond the number initially issued in 2009;

7 (b) A Washington Pacific sardine purse seine temporary annual
8 fishery permit to any person if the combined number of active
9 Washington Pacific sardine purse seine fishery licenses and annual
10 temporary permits already issued during the year is less than twenty-
11 five.

12 (4) The annual fee for a Washington Pacific sardine purse seine
13 fishery license is one hundred eighty-five dollars for residents and
14 two hundred ninety-five dollars for nonresidents. The application fee
15 is one hundred five dollars.

16 (5) The fee for a Washington Pacific sardine purse seine temporary
17 annual fishery permit is one hundred eighty-five dollars for residents
18 and two hundred ninety-five dollars for nonresidents. The application
19 fee is one hundred five dollars. A temporary annual fishery permit
20 expires at the end of the calendar year in which the permit is issued.

21 (6) Only a person who owns or operates the vessel designated on the
22 license or permit may hold a Washington Pacific sardine purse seine
23 fishery license or temporary annual fishery permit.

24 (7) A person may not own or hold an ownership interest in more than
25 two Washington Pacific sardine purse seine fishery licenses.

26 (8) The director shall adopt rules that require a person fishing
27 under a Washington Pacific sardine purse seine fishery license or a
28 temporary annual permit to minimize bycatch, and to the extent bycatch
29 cannot be avoided, to minimize the mortality of such bycatch.

30 **Sec. 37.** RCW 77.115.040 and 2007 c 216 s 6 are each amended to
31 read as follows:

32 (1) All aquatic farmers, as defined in RCW 15.85.020, shall
33 register with the department. The application fee is one hundred five
34 dollars. The director shall assign each aquatic farm a unique
35 registration number and develop and maintain in an electronic database
36 a registration list of all aquaculture farms. The department shall
37 establish procedures to annually update the aquatic farmer information

1 contained in the registration list. The department shall coordinate
2 with the department of health using shellfish growing area
3 certification data when updating the registration list.

4 (2) Registered aquaculture farms shall provide the department with
5 the following information:

6 (a) The name of the aquatic farmer;

7 (b) The address of the aquatic farmer;

8 (c) Contact information such as telephone, fax, web site, and e-
9 mail address, if available;

10 (d) The number and location of acres under cultivation, including
11 a map displaying the location of the cultivated acres;

12 (e) The name of the landowner of the property being cultivated or
13 otherwise used in the aquatic farming operation;

14 (f) The private sector cultured aquatic product being propagated,
15 farmed, or cultivated; and

16 (g) Statistical production data.

17 (3) The state veterinarian shall be provided with registration and
18 statistical data by the department.

19 NEW SECTION. **Sec. 38.** RCW 77.32.510 (Recreational license fees--
20 Disposition of appropriation) and 1998 c 191 s 43 are each repealed.

21 NEW SECTION. **Sec. 39.** Sections 1 through 4 and 6 through 38 of
22 this act take effect September 1, 2011.

23 NEW SECTION. **Sec. 40.** Section 14 of this act expires June 30,
24 2016.

25 NEW SECTION. **Sec. 41.** Section 5 of this act is necessary for the
26 immediate preservation of the public peace, health, or safety, or
27 support of the state government and its existing public institutions,
28 and takes effect June 30, 2011.

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