

SENATE BILL REPORT

HB 1896

As of February 21, 2014

Title: An act relating to enhancing compliance with the responsibilities of fishing guides.

Brief Description: Enhancing compliance with the responsibilities of fishing guides.

Sponsors: Representatives Lytton, Chandler, Blake, MacEwen and Wilcox.

Brief History: Passed House: 3/06/13, 97-0; 2/12/14, 96-2.

Committee Activity: Natural Resources & Parks: 3/14/13, 3/21/13 [DPA]; 2/20/14.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass as amended.

Signed by Senators Pearson, Chair; Rolfes, Ranking Member; Kline, Parlette and Smith.

Staff: Curt Gavigan (786-7437)

Background: Fish Guide and Charter Boat Licensing. A commercial license is required to act as a food fish or game fish guide. In general, the term guide refers to a person who accepts compensation while transporting or accompanying fishers and sharing techniques and expertise of the fish and waters. There are two classes of fish guide licenses. A game fish guide license allows guide services relating to game fish such as steelhead, bass, and catfish. A food fish guide license allows guide services relating to food fish in most freshwater areas. Food fish include salmon, sturgeon, halibut, bottomfish, and tuna.

A charter boat license is required to operate a vessel for a fee, in areas where others fish for food fish or shellfish in Puget Sound, Grays Harbor, Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia river below the bridge at Longview.

Acting as a fish guide or operating a charter boat without the proper license is a gross misdemeanor.

Catch Record Cards. In general, a catch record card for recreational fish must be submitted to the the Department of Fish and Wildlife (DFW) by April 30 each year, whether or not fish were caught. Fish guides or charter boat operators who issue a short-term license for the trip, known as a stamp, must affix the stamp to each catch record card issued before fishing occurs. Catch record cards affixed with a temporary stamp are valid for one day.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: A new gross misdemeanor is created for people who hold a game fish guide license, a food fish guide license, or a charter boat license and who fail to perform any duties related to catch record cards or who violate any rule regarding temporary fishing licenses, charter stamps, or catch record cards.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

Testimony From 2013 Regular Session.

PRO: This bill will help limit an abuse by a few charter and guide operators of charter stamp and catch record card requirements. While 99 percent of these guides are legitimate, this bill provides the tools needed to address the few violators. This bill addresses irregularities that DFW enforcers found between charter stamps issued and affixed to catch cards and records. It provides a tool for DFW to address this inconsistency.

Testimony From 2014 Regular Session.

PRO: This bill seeks to close a gap in existing statute where a few unscrupulous guides and operators have defrauded the state of revenue.

Persons Testifying:

Persons Testifying From 2013 Regular Session.

PRO: Kristine Lytton; Michael Cenci, Erik Olson, DFW Police; Mark Cedergreen, Westport Charterboat Assn.

Persons Testifying From 2014 Regular Session.

PRO: Mike Cenci, Erik Olson, WDFW Police; Mark Cedergreen, Westport Charterboat Assn., Ilwaco Charter Assn., Charter Assn. of Puget Sound.