
SENATE BILL 5665

State of Washington

63rd Legislature

2013 Regular Session

By Senators Pearson and Rolfes

Read first time 02/07/13. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to geoduck diver licenses; amending RCW 77.65.410;
2 adding a new section to chapter 77.65 RCW; adding a new section to
3 chapter 43.30 RCW; creating a new section; and declaring an emergency.

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

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

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

11 (2) After July 1, 2013, the director may not issue new geoduck
12 diver licenses. A person may renew an existing license only if the
13 person held a geoduck diver license in 2011 or 2012. The license
14 holder must also have been listed on a department of natural resources'
15 geoduck harvest agreement plan of operation during this period.

16 (3) Any license issued after January 1, 2013, 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 2011 or 2012 are transferable after July 1, 2013, and
4 are subject to a transfer of ownership fee payable by the acquiring
5 person in the amount of two thousand three hundred dollars for a
6 resident and two thousand eight hundred fifty dollars for a
7 nonresident. The transfer fee must be paid to the department. Geoduck
8 diver licenses held by persons not listed on a department of natural
9 resources' geoduck harvest agreement plan of operation during 2011 or
10 2012 are 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 (8) Beginning January 1, 2015, each person applying for a geoduck
19 diver license under this section must complete the safety program
20 established in section 4 of this act.

21 NEW SECTION. Sec. 2. This act applies retroactively to geoduck
22 diver licenses issued on or after January 1, 2013.

23 NEW SECTION. Sec. 3. A new section is added to chapter 77.65 RCW
24 to read as follows:

25 A holder of a geoduck diver license issued under RCW 77.65.410
26 found in violation of a department of natural resources' geoduck
27 harvest agreement two or more times must have the license revoked and
28 surrender the license. The person surrendering the geoduck diver
29 license may not hold another geoduck diver license for a period of one
30 calendar year from the date the license is surrendered. The department
31 may reissue the geoduck diver license to a different person, subject to
32 the payment of the required fees in RCW 77.65.410.

33 NEW SECTION. Sec. 4. A new section is added to chapter 43.30 RCW
34 to read as follows:

35 (1) The department shall establish a geoduck safety advisory

1 committee. The geoduck safety advisory committee consists of one
2 member from the department, one member from the department of fish and
3 wildlife, one member from the Washington harvesters association, and
4 one member from the harvest divers union.

5 (2) The geoduck safety advisory committee must meet at least
6 quarterly. By December 1, 2014, the committee must establish a safety
7 program for geoduck divers license holders.

8 (3) Beginning January 1, 2015, each person applying for a geoduck
9 diver license under RCW 77.65.410 must complete the safety program
10 established by the geoduck safety advisory committee created in this
11 section.

12 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
13 preservation of the public peace, health, or safety, or support of the
14 state government and its existing public institutions, and takes effect
15 immediately.

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