

HOUSE BILL REPORT

HB 1341

As Reported by House Committee On:
Agriculture & Natural Resources

Title: An act relating to unlawfully engaging in fishing guide activity.

Brief Description: Concerning unlawfully engaging in fishing guide activity.

Sponsors: Representatives Tharinger, Chandler, Blake, Buys, Klippert, Ryu, Lytton, Morris, Orcutt, Hurst, Pettigrew, Van De Wege and Stanford; by request of Department of Fish and Wildlife.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 1/27/15, 2/3/15 [DP].

Brief Summary of Bill

- Creates the crime of Unlawfully Engaging in Fishing Guide Activity, which makes punishable as a gross misdemeanor the failure of a holder of certain licenses to perform any duty related to catch record cards or to violate any rule regarding temporary fishing licenses, charter stamps, or catch record cards.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 13 members: Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler, Dunshee, Hurst, Kretz, Orcutt, Pettigrew, Schmick, Stanford and Van De Wege.

Staff: Peter Clodfelter (786-7127).

Background:

Fish Guide and Charter Boat Licenses.

The Department of Fish and Wildlife (WDFW) manages the harvest of fish and the licensing of fishers. A commercial license is required to act as a food fish or game fish guide. In

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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 related to game fish such as steelhead, bass, and catfish. A food fish guide license allows guide services related 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 the 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 WDFW by April 30 each year, whether or not fish were caught. The first catch record card is free; each subsequent catch record card is \$11. Catch record cards may be obtained from licensed dealers or by charter boat or guide operators. Charter boat or guide operators issuing temporary short-term charter stamp licenses are required to affix the stamp to each catch record card issued before fishing begins. Catch record cards affixed with a temporary stamp are valid for one day.

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 duty related to catch record cards or who violate any rule regarding temporary fishing licenses, charter stamps, or catch record cards.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The bill would clarify that charter boat operators cannot reuse charter stamps multiple times; the bill would level the playing field for charter guides who follow the law. Several years ago during an investigation by the WDFW, the WDFW uncovered fraud related to reusing charter stamps. This bill would stop such fraud from occurring and punish fraud related to reusing charter stamps. Further, the bill would provide revenue to the WDFW.

(Opposed) None.

Persons Testifying: Representative Tharinger, prime sponsor; and Erik Olson, Washington Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: None.