HOUSE BILL 1647

State of Washington 65th Legislature 2017 Regular Session

By Representatives Springer, Pettigrew, Tarleton, Fitzgibbon, Robinson, Tharinger, McBride, and Doglio; by request of Department of Fish and Wildlife

Read first time 01/25/17. Referred to Committee on Agriculture & Natural Resources.

- AN ACT Relating to increasing revenue to the state wildlife 1 2 account by adjusting recreational fishing and hunting fees; amending 3 RCW 77.12.184, 77.32.010, 77.32.050, 77.32.070, 77.32.256, 77.32.350, 77.32.370, 77.32.430, 77.32.440, 77.32.450, 77.32.460, 77.32.470, 4 77.32.480, 77.32.520, 77.32.575, and 77.32.580; reenacting and 5 amending RCW 77.08.010; adding a new section to chapter 77.12 RCW; 6 7 adding new sections to chapter 77.32 RCW; repealing 2009 c 420 s 7, 8 2011 c 339 s 40, and 2016 c 223 ss 7-9 (uncodified); providing an effective date; and declaring an emergency. 9
- 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 11 Sec. 1. RCW 77.08.010 and 2016 c 2 s 2 (Initiative Measure No. 1401) are each reenacted and amended to read as follows:
- The definitions in this section apply throughout this title or rules adopted under this title unless the context clearly requires otherwise.
- (1) "Anadromous game fish buyer" means a person who purchases or sells steelhead trout and other anadromous game fish harvested by Indian fishers lawfully exercising fishing rights reserved by federal statute, treaty, or executive order, under conditions prescribed by rule of the director.

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1 (2) "Angling gear" means a line attached to a rod and reel 2 capable of being held in hand while landing the fish or a handheld 3 line operated without rod or reel.

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- (3) "Bag limit" means the maximum number of game animals, game birds, or game fish which may be taken, caught, killed, or possessed by a person, as specified by rule of the commission for a particular period of time, or as to size, sex, or species.
- 8 (4) "Building" means a private domicile, garage, barn, or public 9 or commercial building.
 - (5) "Closed area" means a place where the hunting of some or all species of wild animals or wild birds is prohibited.
 - (6) "Closed season" means all times, manners of taking, and places or waters other than those established by rule of the commission as an open season. "Closed season" also means all hunting, fishing, taking, or possession of game animals, game birds, game fish, food fish, or shellfish that do not conform to the special restrictions or physical descriptions established by rule of the commission as an open season or that have not otherwise been deemed legal to hunt, fish, take, harvest, or possess by rule of the commission as an open season.
- 21 (7) "Closed waters" means all or part of a lake, river, stream, 22 or other body of water, where fishing or harvesting is prohibited.
- 23 (8) "Commercial" means related to or connected with buying, 24 selling, or bartering.
 - (9) "Commission" means the state fish and wildlife commission.
- 26 (10) "Concurrent waters of the Columbia river" means those waters 27 of the Columbia river that coincide with the Washington-Oregon state 28 boundary.
- 29 (11) "Contraband" means any property that is unlawful to produce 30 or possess.
- 31 (12) "Covered animal species" means any species of elephant, 32 rhinoceros, tiger, lion, leopard, cheetah, pangolin, marine turtle, 33 shark, or ray either: (a) Listed in appendix I or appendix II of the 34 convention on international trade in endangered species of wild flora 35 and fauna; or (b) listed as critically endangered, endangered, or 36 vulnerable on the international union for conservation of nature and 37 natural resources red list of threatened species.
- 38 (13) "Covered animal species part or product" means any item that 39 contains, or is wholly or partially made from, any covered animal 40 species.

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- 1 (14) "Deleterious exotic wildlife" means species of the animal 2 kingdom not native to Washington and designated as dangerous to the 3 environment or wildlife of the state.
 - (15) "Department" means the department of fish and wildlife.
 - (16) "Director" means the director of fish and wildlife.

- 6 (17) "Distribute" or "distribution" means either a change in possession for consideration or a change in legal ownership.
 - (18) "Endangered species" means wildlife designated by the commission as seriously threatened with extinction.
 - (19) "Ex officio fish and wildlife officer" means:
 - (a) A commissioned officer of a municipal, county, or state agency having as its primary function the enforcement of criminal laws in general, while the officer is acting in the respective jurisdiction of that agency;
 - (b) An officer or special agent commissioned by one of the following: The national marine fisheries service; the Washington state parks and recreation commission; the United States fish and wildlife service; the Washington state department of natural resources; the United States forest service; or the United States parks service, if the agent or officer is in the respective jurisdiction of the primary commissioning agency and is acting under a mutual law enforcement assistance agreement between the department and the primary commissioning agency;
 - (c) A commissioned fish and wildlife peace officer from another state who meets the training standards set by the Washington state criminal justice training commission pursuant to RCW 10.93.090, 43.101.080, and 43.101.200, and who is acting under a mutual law enforcement assistance agreement between the department and the primary commissioning agency; or
 - (d) A Washington state tribal police officer who successfully completes the requirements set forth under RCW 43.101.157, is employed by a tribal nation that has complied with RCW 10.92.020(2) (a) and (b), and is acting under a mutual law enforcement assistance agreement between the department and the tribal government.
 - (20) "Fish" includes all species classified as game fish or food fish by statute or rule, as well as all fin fish not currently classified as food fish or game fish if such species exist in state waters. The term "fish" includes all stages of development and the bodily parts of fish species.

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- (21) "Fish and wildlife officer" means a person appointed and commissioned by the director, with authority to enforce this title and rules adopted pursuant to this title, and other statutes as prescribed by the legislature. Fish and wildlife officer includes a person commissioned before June 11, 1998, as a wildlife agent or a fisheries patrol officer.
- 7 (22) "Fish broker" means a person whose business it is to bring a 8 seller of fish and shellfish and a purchaser of those fish and 9 shellfish together.
- 10 (23) "Fish buyer" means:

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- 11 (a) A wholesale fish dealer or a retail seller who directly 12 receives fish or shellfish from a commercial fisher or receives fish 13 or shellfish in interstate or foreign commerce; or
- 14 (b) A person engaged by a wholesale fish dealer who receives fish 15 or shellfish from a commercial fisher.
- 16 (24) "Fishery" means the taking of one or more particular species 17 of fish or shellfish with particular gear in a particular 18 geographical area.
- 19 (25) "Food, food waste, or other substance" includes human and 20 pet food or other waste or garbage that could attract large wild 21 carnivores.
- 22 (26) "Freshwater" means all waters not defined as saltwater 23 including, but not limited to, rivers upstream of the river mouth, 24 lakes, ponds, and reservoirs.
- 25 (27) "Fur-bearing animals" means game animals that shall not be 26 trapped except as authorized by the commission.
- 27 (28) "Fur dealer" means a person who purchases, receives, or 28 resells raw furs for commercial purposes.
- 29 (29) "Game animals" means wild animals that shall not be hunted 30 except as authorized by the commission.
- 31 (30) "Game birds" means wild birds that shall not be hunted 32 except as authorized by the commission.
- 33 (31) "Game farm" means property on which wildlife is held, 34 confined, propagated, hatched, fed, or otherwise raised for 35 commercial purposes, trade, or gift. The term "game farm" does not 36 include publicly owned facilities.
- 37 (32) "Game reserve" means a closed area where hunting for all wild animals and wild birds is prohibited.
- 39 (33) "Illegal items" means those items unlawful to be possessed.

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- 1 (34)(a) "Intentionally feed, attempt to feed, or attract" means 2 to purposefully or knowingly provide, leave, or place in, on, or 3 about any land or building any food, food waste, or other substance 4 that attracts or could attract large wild carnivores to that land or 5 building.
 - (b) "Intentionally feed, attempt to feed, or attract" does not include keeping food, food waste, or other substance in an enclosed garbage receptacle or other enclosed container unless specifically directed by a fish and wildlife officer or animal control authority to secure the receptacle or container in another manner.
- 11 (35) "Large wild carnivore" includes wild bear, cougar, and wolf.
- 12 (36) "License year" means the period of time for which a 13 recreational license is valid. The license year begins April 1st, and 14 ends March 31st.
- 15 (37) "Limited-entry license" means a license subject to a license limitation program established in chapter 77.70 RCW.
- 17 (38) "Money" means all currency, script, personal checks, money 18 orders, or other negotiable instruments.
 - (39) "Natural person" means a human being.

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- (40)(a) "Negligently feed, attempt to feed, or attract" means to provide, leave, or place in, on, or about any land or building any food, food waste, or other substance that attracts or could attract large wild carnivores to that land or building, without the awareness that a reasonable person in the same situation would have with regard to the likelihood that the food, food waste, or other substance could attract large wild carnivores to the land or building.
- (b) "Negligently feed, attempt to feed, or attract" does not include keeping food, food waste, or other substance in an enclosed garbage receptacle or other enclosed container unless specifically directed by a fish and wildlife officer or animal control authority to secure the receptacle or container in another manner.
- 32 (41) "Nonresident" means a person who has not fulfilled the 33 qualifications of a resident.
 - (42) "Offshore waters" means marine waters of the Pacific Ocean outside the territorial boundaries of the state, including the marine waters of other states and countries.
- 37 (43) "Open season" means those times, manners of taking, and 38 places or waters established by rule of the commission for the lawful 39 hunting, fishing, taking, or possession of game animals, game birds, 40 game fish, food fish, or shellfish that conform to the special

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- restrictions or physical descriptions established by rule of the commission or that have otherwise been deemed legal to hunt, fish, take, or possess by rule of the commission. "Open season" includes the first and last days of the established time.
- 5 (44) "Owner" means the person in whom is vested the ownership 6 dominion, or title of the property.

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- (45) "Person" means and includes an individual; a corporation; a public or private entity or organization; a local, state, or federal agency; all business organizations, including corporations and partnerships; or a group of two or more individuals acting with a common purpose whether acting in an individual, representative, or official capacity.
- 13 (46) "Personal property" or "property" includes both corporeal 14 and incorporeal personal property and includes, among other property, 15 contraband and money.
- 16 (47) "Personal use" means for the private use of the individual 17 taking the fish or shellfish and not for sale or barter.
- 18 (48) "Predatory birds" means wild birds that may be hunted 19 throughout the year as authorized by the commission.
- 20 (49) "Protected wildlife" means wildlife designated by the commission that shall not be hunted or fished.
 - (50) "Raffle" means an activity in which tickets bearing an individual number are sold for not more than twenty-five dollars each and in which a permit or permits are awarded to hunt or for access to hunt big game animals or wild turkeys on the basis of a drawing from the tickets by the person or persons conducting the raffle.
- 27 (51) "Resident" has the same meaning as defined in RCW 77.08.075.
- 28 (52) "Retail-eligible species" means commercially harvested 29 salmon, crab, and sturgeon.
- 30 (53) "Saltwater" means those marine waters seaward of river 31 mouths.
- 32 (54) "Seaweed" means marine aquatic plant species that are 33 dependent upon the marine aquatic or tidal environment, and exist in 34 either an attached or free floating form, and includes but is not 35 limited to marine aquatic plants in the classes Chlorophyta, 36 Phaeophyta, and Rhodophyta.
- 37 (55) "Senior" means a person ((seventy)) sixty-five years old or 38 older for hunting and fishing.
- 39 (56) "Shark fin" means a raw, dried, or otherwise processed 40 detached fin or tail of a shark.

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1 (57)(a) "Shark fin derivative product" means any product intended 2 for use by humans or animals that is derived in whole or in part from shark fins or shark fin cartilage. 3

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- (b) "Shark fin derivative product" does not include a drug approved by the United States food and drug administration and available by prescription only or medical device or vaccine approved by the United States food and drug administration.
- (58) "Shellfish" means those species of marine and freshwater invertebrates that have been classified and that shall not be taken or possessed except as authorized by rule of the commission. The term "shellfish" includes all stages of development and the bodily parts of shellfish species.
- (59) "State waters" means all marine waters and fresh waters 13 14 within ordinary high water lines and within the territorial boundaries of the state. 15
 - (60) "Taxidermist" means a person who, for commercial purposes, creates lifelike representations of fish and wildlife using fish and wildlife parts and various supporting structures.
- (61) "To fish" and its derivatives means an effort to kill, 19 injure, harass, harvest, or capture a fish or shellfish. 20
- 21 (62) "To hunt" and its derivatives means an effort to kill, injure, harass, harvest, or capture a wild animal or wild bird. 22
- "To process" and its derivatives mean preparing 23 24 preserving fish, wildlife, or shellfish.
 - (64) "To take" and its derivatives means to kill, injure, harvest, or capture a fish, shellfish, wild animal, bird, or seaweed.
- (65) "To trap" and its derivatives means a method of hunting 27 using devices to capture wild animals or wild birds. 28
- (66) "To waste" or "to be wasted" means to allow any edible portion of any game bird, food fish, game fish, shellfish, or big 31 game animal other than cougar to be rendered unfit for human consumption, or to fail to retrieve edible portions of such a game 32 bird, food fish, game fish, shellfish, or big game animal other than 33 cougar from the field. For purposes of this chapter, edible portions 34 of game birds must include, at a minimum, the breast meat of those 35 36 birds. Entrails, including the heart and liver, of any wildlife species are not considered edible. 37
- (67) "Trafficking" means offering, attempting to engage, 38 engaging in sale, barter, or purchase of fish, shellfish, wildlife, 39 40 or deleterious exotic wildlife.

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(68) "Unclaimed" means that no owner of the property has been identified or has requested, in writing, the release of the property to themselves nor has the owner of the property designated an individual to receive the property or paid the required postage to effect delivery of the property.

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- (69) "Unclassified wildlife" means wildlife existing in Washington in a wild state that have not been classified as big game, game animals, game birds, predatory birds, protected wildlife, endangered wildlife, or deleterious exotic wildlife.
- (70) "Wholesale fish dealer" means a person who, acting for commercial purposes, takes possession or ownership of fish or shellfish and sells, barters, or exchanges or attempts to sell, barter, or exchange fish or shellfish that have been landed into the state of Washington or entered the state of Washington in interstate or foreign commerce.
- 16 (71) "Wild animals" means those species of the class Mammalia 17 whose members exist in Washington in a wild state. The term "wild 18 animal" does not include feral domestic mammals or old world rats and 19 mice of the family Muridae of the order Rodentia.
 - (72) "Wild birds" means those species of the class Aves whose members exist in Washington in a wild state.
 - (73) "Wildlife" means all species of the animal kingdom whose members exist in Washington in a wild state. This includes but is not limited to mammals, birds, reptiles, amphibians, fish, and invertebrates. The term "wildlife" does not include feral domestic mammals, old world rats and mice of the family Muridae of the order Rodentia, or those fish, shellfish, and marine invertebrates classified as food fish or shellfish by the director. The term "wildlife" includes all stages of development and the bodily parts of wildlife members.
- 31 (74) "Wildlife meat cutter" means a person who packs, cuts, 32 processes, or stores wildlife for consumption for another for 33 commercial purposes.
- 34 (75) "Youth" means a person ((fifteen years old for fishing and))
 35 under sixteen years old for hunting and fishing.
- 36 (76) "License" includes the terms license, tag, permit, decal, 37 stamp, authorization, and endorsement, unless the context clearly 38 states otherwise.

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NEW SECTION. Sec. 2. A new section is added to chapter 77.12
RCW to read as follows:

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- (1) The commission may establish by rule a surcharge on all license fees authorized under this title by November 1st of each odd-numbered year if the commission determines that the surcharge is necessary to fund maintenance level appropriations such as fish food costs, central service agency rate changes, and global personnel policies that adjust state salaries, health care, and pension benefits.
- 10 (2) The commission may establish or increase the surcharge if the 11 projected ending fund balance of the state wildlife account is less 12 than ten percent of the amount appropriated in the state budget. If 13 there is a sufficient fund balance in the state wildlife account to 14 fund maintenance level appropriations, then the commission may 15 decrease or eliminate the surcharge.
- 16 (3) The surcharge may not exceed the percentage increase needed 17 to generate revenue to offset the costs associated with maintenance 18 level appropriations as described in subsection (1) of this section, 19 and must apply equally to all license fees authorized under this 20 title.
- 21 **Sec. 3.** RCW 77.12.184 and 2009 c 333 s 31 are each amended to 22 read as follows:
- 23 (1) The department shall deposit all moneys received from the 24 following activities into the state wildlife account created in RCW 25 77.12.170:
- 26 (a) The sale of interpretive, recreational, historical, 27 educational, and informational literature and materials;
- 28 (b) The sale of advertisements in regulation pamphlets and other 29 appropriate mediums; ((and))
- 30 (c) The sale of department merchandise including clothing and 31 sundries; and
- 32 <u>(d)</u> Enrollment fees in department-sponsored educational training 33 events.
- 34 (2) Moneys collected under subsection (1) of this section shall 35 be spent primarily for producing regulation booklets for users and 36 for the development, production, reprinting, and distribution of 37 informational and educational materials. The department may also 38 spend these moneys for necessary expenses associated with training

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1 activities, <u>promotions</u>, and other activities as determined by the 2 director.

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- (3) Regulation pamphlets may be subsidized through appropriate advertising, but must be made available free of charge to the users.
- (4) The director may enter into joint ventures with other agencies and organizations to generate revenue for providing public information and education on wildlife and hunting and fishing rules.
- 8 **Sec. 4.** RCW 77.32.010 and 2014 c 48 s 26 are each amended to 9 read as follows:
- 10 (1) Except as otherwise provided in this chapter or department 11 rule, a recreational license issued by the director is required to 12 hunt, fish, or take wildlife or seaweed. A recreational fishing or 13 shellfish license is not required for carp((, smelt,)) and crawfish, 14 and a hunting license is not required for bullfrogs.
- 15 (2) A pass or permit issued under RCW 79A.80.020, 79A.80.030, or 16 79A.80.040 is required to park or operate a motor vehicle on a 17 recreation site or lands, as defined in RCW 79A.80.010.
 - (3) The commission may, by rule, indicate that a fishing permit issued to a nontribal member by the Colville Tribes shall satisfy the license requirements in subsection (1) of this section on the waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods, and that a Colville Tribes tribal member identification card shall satisfy the license requirements in subsection (1) of this section on all waters of Lake Rufus Woods.
- 25 **Sec. 5.** RCW 77.32.050 and 2011 c 339 s 5 are each amended to 26 read as follows:
 - (1) All recreational and commercial licenses, permits, tags, stamps, and raffle tickets ((shall be)) are issued under the authority of the commission. The commission shall adopt rules for the issuance of licenses, permits, tags, stamps, and raffle tickets, and for the collection, payment, and handling of license fees, including terms and conditions to govern dealers, and dealer fees.
 - (2)(a) A transaction fee on commercial and recreational documents issued through an automated licensing system may be set by the commission and collected from licensees. The department may authorize all or part of ((such)) the fee to be paid directly to a contractor providing automated licensing system services.

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(b) The department and dealers shall collect and retain dealer fees of at least two dollars for purchase of a standard hunting or fishing recreational license document or commercial license document, except that the commission may set a lower dealer fee for issuance of tags or when a licensee buys a license that involves a stamp or display card format rather than a standard department licensing document form. Dealer fees must be uniform throughout the state.

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- (((2) Until September 1, 2011, the department shall charge an additional transaction fee of ten percent on all recreational licenses, permits, tags, stamps, or raffle tickets. These transaction fees must be deposited into the state wildlife account, created in RCW 77.12.170, for funding fishing and hunting opportunities for recreational license holders.
- (3) The application fee is waived for all commercial license 14 documents that are issued through the automated licensing system.)) 15
- 16 Sec. 6. RCW 77.32.070 and 2008 c 244 s 1 are each amended to 17 read as follows:
- (1) Applicants for a license, permit, tag, or stamp shall furnish the information required by the director. However, the director may not require the purchaser of a razor clam license under RCW 77.32.520 to provide any personal information except for proof of residency. The commission may adopt rules requiring licensees or permittees to keep records and make reports concerning the taking of or effort to 23 24 harvest fish, shellfish, and wildlife. The reporting requirement may be waived where, for any reason, the department is not able to receive the report. The department must provide reasonable options 27 for a licensee to submit information to a live operator prior to the reporting deadline.
 - (2)(a) The commission may, by rule, set an administrative penalty for failure to comply with rules requiring the reporting of taking or effort to harvest <u>fish</u>, <u>shellfish</u>, <u>or</u> wildlife. The commission may also adopt rules requiring <u>fishers or</u> hunters who have not reported ((for the)) in a previous license year to complete a report and pay the assessed administrative penalty before a new ((hunting)) license is issued.
- $((\frac{a}{b}))$ (b) The total administrative penalty per hunter set by 36 37 the commission must not exceed ((ten)) thirty dollars.
- 38 (((b) By December 31st of each year, the department shall report 39 the rate of hunter compliance with the harvest reporting requirement,

p. 11 HB 1647 the administrative penalty imposed for failing to report, and the amount of administrative penalties collected during that year to the appropriate fiscal and policy committees of the senate and house of representatives.))

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- (3)(a) The commission may, by rule, set an administrative penalty 5 6 for failure to comply with rules requiring the reporting of data from 7 catch record cards ((officially endorsed for Puget Sound Dungeness crab)). The commission may also adopt rules requiring fishers who 8 possessed a catch record card ((officially endorsed for Puget Sound 9 Dungeness crab)) and who have not reported ((for the)) in a previous 10 11 license year to complete a report and pay the assessed administrative 12 penalty before a new catch record card ((officially endorsed for 13 Puget Sound Dungeness crab)) is issued.
- 14 $((\frac{a}{b}))$ (b) The total administrative penalty per fisher set by the commission must not exceed ten dollars.
- 16 (((b) By December 31st of each year, the department shall report
 17 the rate of fisher compliance with the Puget Sound Dungeness crab
 18 catch record card reporting requirement, the administrative penalty
 19 imposed for failing to report, and the amount of administrative
 20 penalties collected during that year to the appropriate fiscal and
 21 policy committees of the senate and house of representatives.))
- 22 **Sec. 7.** RCW 77.32.256 and 2003 c 318 s 2 are each amended to 23 read as follows:
- The director shall by rule establish the conditions and fees for issuance of duplicate licenses, rebates, permits, tags, ((and)) stamps, and catch record cards required by this chapter. The fee for duplicate licenses, rebates, permits, tags, ((and)) stamps, ((except)) and catch record cards((-,)) may not exceed the actual cost to the department for issuing the duplicate.
- 30 **Sec. 8.** RCW 77.32.350 and 2011 c 339 s 7 are each amended to 31 read as follows:
- In addition to a small game hunting license, a supplemental permit is required to hunt for migratory birds.
- A migratory bird permit is required for all persons sixteen years of age or older to hunt migratory birds. The fee for the permit for hunters is ((fifteen)) twenty-five dollars for residents and nonresidents.

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- 1 **Sec. 9.** RCW 77.32.370 and 2011 c 339 s 8 are each amended to 2 read as follows:
- 3 (1) A special hunting season permit is required to hunt in each 4 special season.
- 5 (2) Persons may apply for special hunting season permits as 6 provided by rule of the commission.

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- (3) The application fee to enter a drawing for a special hunting season permit or authorization is:
- 9 (a) Six dollars <u>and sixty cents</u> for residents, or one hundred <u>ten</u>
 10 dollars for nonresidents, for the permits in categories designated by
 11 the commission for deer or elk, female big game, or for small game;
 - (b) ((Twelve)) Thirteen dollars and twenty cents for residents, or one hundred ten dollars for nonresidents, for the permits that the commission designates as "quality" hunts that allow the harvest of buck deer, bull elk, or allow the harvest of male big game species that are only available for hunting by special permit;
- 17 (c) ((Twelve)) Thirteen dollars and twenty cents for residents 18 and nonresidents to apply for special authorizations to hunt for 19 migratory birds; and
- 20 (d) Three dollars <u>and thirty cents</u> for youth for any special hunt 21 drawing or special authorization <u>application</u>.
- 22 (4) The commission may establish rules and assess an
 23 administrative fee of up to ten dollars per permit for hunters who
 24 have been drawn for multiple permits and wish to surrender excess
 25 permits prior to the start of the applicable hunting season in order
 26 to restore their points.
- 27 **Sec. 10.** RCW 77.32.430 and 2011 c 339 s 9 are each amended to 28 read as follows:
 - (1) Catch record card information is necessary for proper management of the state's food fish and game fish species and shellfish resources. ((Catch record card administration shall be under rules adopted by the commission. There is no charge for an initial catch record card.)) Each subsequent ((or duplicate catch record)) card costs ((eleven dollars)) the same price as the original card. Temporary catch record cards are only valid for the day or days designated on an angler's one-day or three-day temporary license.
- (2)(a) A youth angler has the option of either: (i) Buying a resident annual catch record card for salmon, steelhead, sturgeon, halibut, or Puget Sound crab endorsement at a reduced rate

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established in subsection (3) of this section; or (ii) recording his or her catch on a mentor's catch record card, with the youth angler's catch counting towards the mentor's daily limit.

- (b) For the purpose of this subsection (2), a mentor is a licensed angler over the age of sixteen.
- (3)(a) The fee for each individual annual catch record card for salmon, steelhead, sturgeon, or halibut is eight dollars and sixty-four cents for residents, thirteen dollars and eighteen cents for nonresidents, and four dollars and nine cents for youth, seniors, or individuals who qualify for reduced rate licenses in RCW 77.32.480.
- 11 (b) The fee for each individual temporary catch record card for salmon, steelhead, sturgeon, or halibut is four dollars and nine cents for residents, eight dollars and sixty-four cents for nonresidents, and one dollar and eighty-two cents for youth, seniors, or individuals who qualify for reduced rate licenses in RCW 77.32.480.
 - (4) A license to take and possess Dungeness crab is only valid in Puget Sound waters east of the Bonilla-Tatoosh line if the fisher has in possession a valid catch record card officially endorsed for Dungeness crab. The endorsement shall cost ((no more than seven)) fifteen dollars ((and fifty cents)) when purchased for a personal use saltwater, combination, or shellfish and seaweed license. The endorsement shall cost ((no more than three)) ten dollars when purchased for a temporary combination fishing license authorized under RCW 77.32.470(3)(a). The annual endorsement shall cost seven dollars and fifty cents for youth and the temporary endorsement shall cost five dollars for youth.
 - short-term)) charter and quide stamp licenses are ((neither)) not subject to the ((ten-dollar charge nor to the Dungeness crab endorsement fee)) fees provided for in this section. Charter boat or guide operators issuing ((temporary short-term)) charter or quide stamp licenses shall affix the stamp to each multispecies catch record card issued before fishing commences. Catch record cards issued with a ((temporary short-term)) charter or quide stamp are valid for one day.
- (((4))) (6) The department shall include provisions for recording marked and unmarked salmon in catch record cards ((issued after March 39 31, 2004)).

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 $((\frac{5}{1}))$ $(\frac{7}{1})$ (a) The funds received from the sale of catch record cards, catch card penalty fees, and the Dungeness crab endorsement must be deposited into the state wildlife account created in RCW $\frac{77.12.170}{1}$.

((One dollar of the funds)) (b) Six percent of the revenue received from the sale of each Dungeness crab endorsement must be used for the removal and disposal of derelict shellfish gear either directly by the department or under contract with a third party. The department is required to maintain a separate accounting of these funds and provide an annual report to the commission and the legislature by January 1st of every year. The remaining portion of the funds received from the sale of each Dungeness crab endorsement must be used for education, sampling, monitoring, and management of catch associated with the Dungeness crab recreational fisheries.

15 (((b))) <u>(c)</u> Moneys allocated under this section shall supplement 16 and not supplant other federal, state, and local funds used for 17 Dungeness crab recreational fisheries management.

Sec. 11. RCW 77.32.440 and 1999 c 235 s 2 are each amended to 19 read as follows:

(((1) The commission shall adopt rules to continue funding current enhancement programs at levels equal to the participation of licensees in each of the individual enhancement programs. All enhancement funding will continue to be deposited directly into the individual accounts created for each enhancement.

(2) In implementing subsection (1) of this section with regard to warm water game fish, the department shall deposit in the warm water game fish account the sum of one million two hundred fifty thousand dollars each fiscal year during the fiscal years 1999 and 2000, based on two hundred fifty thousand warm water anglers. Beginning in fiscal year 2001, and each year thereafter, the deposit to the warm water game fish account established in this subsection shall be adjusted annually to reflect the actual numbers of license holders fishing for warm water game fish based on an annual survey of licensed anglers from the previous year conducted by the department beginning with the April 1, 1999, to March 31, 2000, license year survey.)) Enhancement programs receive revenue using a percentage rate applied to the fee of each eligible license and deposited within each dedicated account as follows:

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- 1 (1) Five percent of all freshwater and combination fishing
 2 licenses, including temporary combination fishing licenses, must be
 3 deposited in the warm water game fish account created in RCW
 4 77.44.050;
- 5 (2) Eleven percent of all saltwater and combination fishing 6 licenses, including temporary combination fishing licenses, must be 7 deposited in the recreational fisheries enhancement account created 8 in RCW 77.105.150;
- 9 (3) Four percent of all saltwater, freshwater, and combination 10 fishing licenses, including temporary combination fishing licenses, 11 must be deposited in the regional fisheries enhancement group account 12 created in RCW 77.95.090;
- 13 (4) Two percent of all saltwater and combination fishing
 14 licenses, including temporary combination fishing licenses, must be
 15 deposited in the rockfish research account created in RCW 77.12.702;
 16 and
- 17 <u>(5) Five percent of all small game hunting licenses must be</u>
 18 <u>deposited in the eastern Washington pheasant enhancement account</u>
 19 created in RCW 77.12.820.
- 20 **Sec. 12.** RCW 77.32.450 and 2011 c 339 s 10 are each amended to 21 read as follows:

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- (1) A big game hunting license is required to hunt for big game. A big game license allows the holder to hunt for forest grouse, unclassified wildlife, and the individual species identified within a specific big game combination license package. Each big game license includes one transport tag for each species purchased in that package. A hunter may not purchase more than one license for each big game species except as authorized by rule of the commission. The fees for annual big game combination packages are as follows:
- (a) Big game number 1: Deer, elk, bear, and cougar. The fee for this license is ((eighty-five)) ninety-three dollars and fifty cents for residents, ((seven)) eight hundred ((eighty)) fifty-eight dollars for nonresidents, and ((forty)) forty-four dollars for youth.
- (b) Big game number 2: Deer and elk. The fee for this license is ((seventy-five)) eighty-two dollars and fifty cents for residents, ((six)) seven hundred ((seventy)) thirty-seven dollars for nonresidents, and ((thirty-five)) thirty-eight dollars and fifty cents for youth.

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- 1 (c) Big game number 3: Deer. The fee for this license is 2 ((thirty-nine)) forty-two dollars and ninety cents for residents, 3 ((three)) four hundred ((ninety-three)) thirty-two dollars and thirty 4 cents for nonresidents, and ((eighteen)) nineteen dollars and eighty 5 cents for youth.
 - (d) Big game number 4: Elk. The fee for this license is ((forty-four)) forty-eight dollars and forty cents for residents, four hundred ((fifty)) ninety-five dollars for nonresidents, and ((eighteen)) nineteen dollars and eighty cents for youth.

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- 10 (e) Big game number 5: Bear. The fee for this license is 11 ((twenty)) twenty-two dollars for residents, two hundred twenty 12 dollars for nonresidents, and ((ten)) eleven dollars for youth.
- (f) Big game number 6: Cougar. The fee for this license is ((twenty)) twenty-two dollars for residents, two hundred twenty dollars for nonresidents, and ((ten)) eleven dollars for youth.
- 16 (2) In the event that the commission authorizes a two animal big 17 game limit, the fees for the second ((animal)) tag are as follows:
 - (a) Elk: The fee <u>for the second tag</u> is ((sixty)) <u>sixty-six</u> dollars for residents, three hundred ((fifty)) <u>eighty-five</u> dollars for nonresidents, and ((twenty)) <u>twenty-two</u> dollars for youth.
- (b) Deer: The fee <u>for the second tag</u> is ((sixty)) <u>sixty-six</u>
 dollars for residents, two hundred ((fifty)) <u>seventy-five</u> dollars for
 nonresidents, and ((twenty)) <u>twenty-two</u> dollars for youth.
 - (3) In the event that the commission authorizes a special permit hunt for goat, sheep, moose, or other big game species not specified the ((permit)) license fees are three hundred thirty dollars for residents, one thousand ((five)) six hundred fifty dollars for nonresidents, and ((fifty)) fifty-five dollars for youth.
- (4) Multiple season big game ((permit)) tags: The commission may, by rule, offer ((permits)) tags for hunters to hunt deer or elk during more than one general season. Only one deer or elk may be harvested annually under a multiple season big game ((permit)) tag.

 The fee for this tag is one hundred ((sixty-five)) eighty-one dollars and fifty cents.
- 35 (5) <u>Master hunter deer or elk license: The fee for this license</u> 36 <u>is twenty dollars.</u>
- 37 <u>(6) Damage deer, bear, or elk license: The fee for this license</u> 38 is twenty dollars.
- 39 <u>(7)</u> Authorization to hunt the species set out under subsection 40 (3) of this section is by special permit issued under RCW 77.32.370.

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1 **Sec. 13.** RCW 77.32.460 and 2011 c 339 s 11 are each amended to 2 read as follows:

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- (1) A small game hunting license is required to hunt for all classified wild animals and wild birds, except big game. A small game license also allows the holder to hunt for unclassified wildlife.
- (a) The fee for this license is ((thirty-five)) thirty-eight dollars and fifty cents for residents, one hundred ((sixty-five)) eighty-one dollars and fifty cents for nonresidents, and ((fifteen)) sixteen dollars and fifty cents for youth.
- (b) The fee for this license if purchased at the same time as a 10 11 big game combination license package is ((twenty)) twenty-two dollars 12 for residents, ((eighty-eight)) ninety-six dollars and eighty cents for nonresidents, and eight dollars and eighty cents for youth. 13
- 14 (c) The fee for a three-consecutive-day small game license is ((sixty)) sixty-six dollars for nonresidents. 15
- 16 (2) In addition to a small game license, a turkey tag is required 17 to hunt for turkey.
 - (a) The fee for a primary turkey tag is ((fourteen)) fifteen dollars and forty cents for residents and ((forty)) forty-four dollars for nonresidents. A primary turkey tag will, on request, be issued to the purchaser of a youth small game license at no charge.
- (b) The fee for each additional turkey tag is ((fourteen)) 22 fifteen dollars and forty cents for residents, ((sixty)) sixty-six dollars for nonresidents, and ((ten)) eleven dollars for youth. 24
 - (c) All moneys received from turkey tags must be deposited in the state wildlife account. One-third of the moneys received from turkey tags must be appropriated solely for the purposes of turkey management. An additional one-third of the moneys received from turkey tags must be appropriated solely for upland game management. Moneys received from turkey tags may not supplant existing funds provided for these purposes.
- NEW SECTION. Sec. 14. A new section is added to chapter 77.32 32 RCW to read as follows: 33
- The commission is authorized to adopt rules to offer a one-time 34 35 discount of up to twenty dollars on a hunting license purchase to first-time resident hunters who have completed the Washington hunter 36 37 education training program.

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- 1 <u>NEW SECTION.</u> **Sec. 15.** A new section is added to chapter 77.32
- 2 RCW to read as follows:
- The commission may develop a hunting access reservation system 3
- and may charge participants a fee of up to ten dollars for each 4
- reservation. 5

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- NEW SECTION. Sec. 16. A new section is added to chapter 77.32 б RCW to read as follows: 7
- (1) The commission shall adopt rules defining the conditions for 8 the collection and possession of birds of prey used in falconry. 9
- 10 (2) A falconry license issued by the department is required for residents to collect or possess birds of prey for falconry and is 11 valid for two calendar years. A nonresident capture permit issued by 12 the department is required for nonresidents to collect birds of prey 13 for falconry in Washington. 14
- (3) The fee for a falconry license is fifty-five dollars for 15 youth residents and one hundred fifteen dollars for residents. The 16 17 fee for a nonresident capture permit is two hundred forty dollars.
- (4) For the purpose of this section, "birds of prey" means a 18 hawk, falcon, eagle, owl, or any other bird belonging to the orders 19 Accipitriformes, Falconiformes, or Strigiformes that is distinguished 20 by a sharp-hooked bill and sharp talons and that naturally hunts and 21 feeds on other animals. 22
- 23 **Sec. 17.** RCW 77.32.470 and 2011 c 339 s 12 are each amended to 24 read as follows:
 - A personal use saltwater, freshwater, combination, temporary((, or family fishing weekend)) license is required for all persons ((fifteen)) sixteen years of age or older to fish for or possess fish taken for personal use from state waters or offshore waters.
- 30 (2) The fees for annual personal use saltwater, freshwater, or combination licenses are as follows: 31
- (a) A combination license allows the holder to fish for or 32 possess fish, shellfish, and seaweed from state waters or offshore 33 34 waters. The fee for this license is ((forty-five)) fifty-four dollars for residents((τ)) and one hundred ((eight)) twenty-six dollars for 35 nonresidents((, and five dollars for youth. There is an additional 36 fifty-cent surcharge for this license, to be deposited in the 37 rockfish research account created in RCW 77.12.702)).

p. 19 HB 1647 (b) A saltwater license allows the holder to fish for or possess fish taken from saltwater areas. The fee for this license is ((twenty-five)) thirty dollars for residents, ((fifty-two)) fifty-eight dollars for nonresidents, and ((five)) eight dollars and fifty cents for resident seniors. ((There is an additional fifty-cent surcharge for this license, to be deposited in the rockfish research account created in RCW 77.12.702.))

- (c) A freshwater license allows the holder to fish for, take, or possess food fish or game fish species in all freshwater areas. The fee for this license is ((twenty-five)) thirty dollars for residents, ((seventy-five)) ninety dollars for nonresidents, and ((five)) eight dollars for resident seniors.
- (3)(a) A temporary combination fishing license is valid for one ((to)) or three consecutive days and allows the holder to fish for or possess fish, shellfish, and seaweed taken from state waters or offshore waters. The fee for this temporary fishing license is:
 - (i) One day ((Eight)) <u>Sixteen</u> dollars for residents and ((sixteen)) <u>twenty-two</u> dollars for nonresidents; <u>and</u>
 - (ii) ((Two days Twelve dollars for residents and twenty-four dollars for nonresidents; and
- 21 (iii))) Three days ((Fifteen)) Twenty-seven dollars for 22 residents and ((thirty)) forty-four dollars for nonresidents.
 - (b) The fee for a charter stamp is ((eight)) eleven dollars for a one-day temporary combination fishing license for residents and nonresidents for use on a charter boat as defined in RCW 77.65.150.

 The charter stamp includes a multispecies catch record card and a Puget Sound Dungeness crab endorsement.
 - (c) The fee for a guide stamp is eleven dollars for a one-day temporary combination fishing license for residents and nonresidents in the company of a guide licensed under chapter 77.65 RCW. The guide stamp includes a multispecies catch record card and a Columbia river salmon and steelhead endorsement.
 - $((\frac{\langle c \rangle}{}))$ (d) Except for active duty military personnel serving in any branch of the United States armed forces, the temporary combination fishing license is not valid on game fish species for an eight-consecutive-day period beginning on the opening day of the lowland lake fishing season as defined by rule of the commission.
 - $((\frac{d}{d}))$ <u>(e)</u> The temporary combination fishing license fee for active duty military personnel serving in any branch of the United States armed forces is the resident rate as set forth in (a) of this

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subsection. Active duty military personnel must provide a valid military identification card at the time of purchase of the temporary license to qualify for the resident rate.

- (((e) There is an additional fifty-cent surcharge on the temporary combination fishing license and the associated charter stamp, to be deposited in the rockfish research account created in RCW 77.12.702.))
- (4) ((A family fishing weekend license allows for a maximum of six anglers: One resident and five youth; two residents and four youth; or one resident, one nonresident, and four youth. This license allows the holders to fish for or possess fish taken from state waters or offshore waters. The fee for this license is twenty dollars. This license is only valid during periods as specified by rule of the department.
- (5))) (a) The commission may adopt rules to create ((and)), combine, or sell ((combination licenses for all hunting and fishing activities at or below a fee equal to the total cost of the individual license contained within any combination)) licenses for all hunting and fishing activities at or below existing pricing.
- 20 <u>(b) The director may offer temporary promotional pricing to</u> 21 <u>increase angler, hunting, or wildlife viewing participation</u>.
 - ((+6+)) (5) The commission may adopt rules to allow the use of two fishing poles per fishing license holder for use on selected state waters. If authorized by the commission, license holders must purchase a two-pole stamp to use a second pole. The proceeds from the sale of the two-pole stamp must be deposited into the state wildlife account created in RCW 77.12.170 and used for the operation and maintenance of state-owned fish hatcheries. The fee for a two-pole stamp is ((thirteen)) fifteen dollars for residents and nonresidents, and ((thirteen)) six dollars for seniors.
- **Sec. 18.** RCW 77.32.480 and 2016 c 78 s 1 are each amended to 32 read as follows:
- (1) Upon written application, a combination fishing license shall be issued at the reduced rate of ((five)) six dollars and fifty cents and all hunting licenses shall be issued at the reduced rate of a youth hunting license fee for the following individuals:
- 37 (a) A resident sixty-five years old or older who is an honorably 38 discharged veteran of the United States armed forces having a 39 service-connected disability;

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- 1 (b) A resident who is an honorably discharged veteran of the 2 United States armed forces with a thirty percent or more serviceconnected disability; 3
- A resident with a disability who permanently uses 4 (C) а wheelchair; 5
 - (d) A resident who is blind or visually impaired; and

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- 7 (e) A resident with a developmental disability as defined in RCW 71A.10.020 with documentation of the disability certified by a 8 physician licensed to practice in this state. 9
 - (2) Upon department verification of eligibility, a nonstate resident veteran with a disability who otherwise satisfies the criteria of subsection (1)(a) and (b) of this section must be issued a combination fishing license or any hunting license at the same cost charged to a nondisabled Washington resident for the same license.
 - (3) Upon written application and department verification, the following recreational hunting licenses must be issued at no cost to a resident member of the state guard or national guard, as defined in RCW 38.04.010, as long as the state guard or national guard member is: An active full-time state guard or national guard employee; or a state guard or national guard member whose status requires the state guard or national guard member to participate in drill training on a part-time basis:
- (a) A small game hunting license under RCW 77.32.460(1); 23
- 24 (b) A supplemental migratory bird permit under RCW 77.32.350; and
- (c) A big game hunting license under RCW 77.32.450 (1) and (2). 25
- Sec. 19. RCW 77.32.520 and 2011 c 339 s 13 are each amended to 26 27 read as follows:
- (1) A personal use shellfish and seaweed license is required for all persons other than residents or nonresidents under ((fifteen)) 29 30 sixteen years of age to fish for, take, dig for, or possess seaweed or shellfish, including razor clams, for personal use from state 31 waters or offshore waters including national park beaches. 32
- 33 (2) A razor clam license allows a person to harvest only razor 34 clams for personal use from state waters, including national park 35 beaches.
- 36 (3) The fees for annual personal use shellfish and seaweed licenses are: 37
- (a) For a resident ((fifteen)) sixteen years of age or older, 38 ((ten)) eighteen dollars; 39

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- 1 (b) For a nonresident ((fifteen)) sixteen years of age or older,
 2 ((twenty-seven)) forty-seven dollars; and
 - (c) For a senior, ((five)) eight dollars.

- 4 (4) The fee for an annual razor clam license is ((eight))
 5 seventeen dollars for residents, ((fifteen)) thirty-one dollars for
 6 nonresidents, and ((eight)) twenty dollars for seniors.
- 7 (5) The fee for a three-day razor clam license is ((five)) 8 thirteen dollars for both residents and nonresidents.
- 9 (6) A personal use shellfish and seaweed license or razor clam 10 license must be in immediate possession of the licensee and available 11 for inspection while a licensee is harvesting shellfish or seaweed. 12 However, the license does not need to be visible at all times.
- 13 **Sec. 20.** RCW 77.32.575 and 2009 c 333 s 73 are each amended to 14 read as follows:
- 15 (1) A western Washington pheasant ((permit)) <u>license</u> is required 16 to hunt for pheasant in western Washington.
- 17 (2) The ((permit)) <u>license</u> is available as a season option, a
 18 youth full season option, or a three-day option. The fee for the
 19 ((permit)) <u>license</u> is:
- 20 (a) For the resident full season option, ((seventy-five)) eighty-21 <u>five</u> dollars <u>and fifty cents</u>;
- 22 (b) For the nonresident full season option, one hundred ((fifty))
 23 sixty-five dollars;
- 24 (c) For the youth full season option, ((thirty-five)) thirty-25 eight dollars and fifty cents;
- 26 (d) For the three-day option for a resident, ((thirty-five))
 27 thirty-eight dollars and fifty cents and for a nonresident,
 28 ((seventy)) seventy-seven dollars.
- 29 **Sec. 21.** RCW 77.32.580 and 2016 c 223 s 5 are each amended to 30 read as follows:
- (1) In addition to a recreational license required under this 31 chapter, a Columbia river salmon and steelhead endorsement is 32 required in order for any person ((fifteen)) sixteen years of age or 33 34 older to fish recreationally for salmon or steelhead in the Columbia river and its tributaries where these fisheries have been authorized 35 by the department. The cost for each endorsement is ((seven)) eight 36 dollars ((fifty)) <u>forty-one</u> cents ((for residents and 37 and nonresidents and six dollars for youth and seniors)). The department 38

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- shall deposit all receipts from endorsement purchases into the Columbia river recreational salmon and steelhead endorsement program account created in RCW 77.12.714.
- 4 (2) For the purposes of this section and RCW 77.12.712 and 77.12.714 through 77.12.718, the term "Columbia river" means the Columbia river from a line across the Columbia river between Rocky Point in Washington and Tongue Point in Oregon to the Chief Joseph dam.
- 9 <u>NEW SECTION.</u> **Sec. 22.** The following acts or parts of acts are 10 each repealed:
- 11 (1) 2009 c 420 s 7 (uncodified);
- 12 (2) 2011 c 339 s 40 (uncodified); and
- 13 (3) 2016 c 223 ss 7-9 (uncodified).
- NEW SECTION. Sec. 23. Section 22 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 30, 2017.

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