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**SUBSTITUTE SENATE BILL 6198**

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**State of Washington**

**65th Legislature**

**2018 Regular Session**

**By** Senate Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Takko, Wilson, Rolfes, Rivers, and Mullet; by request of Department of Fish and Wildlife)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to increasing participation in recreational  
2 fishing and hunting; amending RCW 77.08.010, 77.32.470, 77.32.520,  
3 and 77.32.580; adding new sections to chapter 77.32 RCW; and  
4 providing an expiration date.

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

6 **Sec. 1.** RCW 77.08.010 and 2017 3rd sp.s. c 8 s 2 are each  
7 amended to read as follows:

8 The definitions in this section apply throughout this title or  
9 rules adopted under this title unless the context clearly requires  
10 otherwise.

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

14 (2) "Bag limit" means the maximum number of game animals, game  
15 birds, or game fish which may be taken, caught, killed, or possessed  
16 by a person, as specified by rule of the commission for a particular  
17 period of time, or as to size, sex, or species.

18 (3) "Building" means a private domicile, garage, barn, or public  
19 or commercial building.

20 (4) "Closed area" means a place where the hunting of some or all  
21 species of wild animals or wild birds is prohibited.

1 (5) "Closed season" means all times, manners of taking, and  
2 places or waters other than those established by rule of the  
3 commission as an open season. "Closed season" also means all hunting,  
4 fishing, taking, or possession of game animals, game birds, game  
5 fish, food fish, or shellfish that do not conform to the special  
6 restrictions or physical descriptions established by rule of the  
7 commission as an open season or that have not otherwise been deemed  
8 legal to hunt, fish, take, harvest, or possess by rule of the  
9 commission as an open season.

10 (6) "Closed waters" means all or part of a lake, river, stream,  
11 or other body of water, where fishing or harvesting is prohibited.

12 (7) "Commercial" means related to or connected with buying,  
13 selling, or bartering.

14 (8) "Commission" means the state fish and wildlife commission.

15 (9) "Concurrent waters of the Columbia river" means those waters  
16 of the Columbia river that coincide with the Washington-Oregon state  
17 boundary.

18 (10) "Contraband" means any property that is unlawful to produce  
19 or possess.

20 (11) "Covered animal species" means any species of elephant,  
21 rhinoceros, tiger, lion, leopard, cheetah, pangolin, marine turtle,  
22 shark, or ray either: (a) Listed in appendix I or appendix II of the  
23 convention on international trade in endangered species of wild flora  
24 and fauna; or (b) listed as critically endangered, endangered, or  
25 vulnerable on the international union for conservation of nature and  
26 natural resources red list of threatened species.

27 (12) "Covered animal species part or product" means any item that  
28 contains, or is wholly or partially made from, any covered animal  
29 species.

30 (13) "Deleterious exotic wildlife" means species of the animal  
31 kingdom not native to Washington and designated as dangerous to the  
32 environment or wildlife of the state.

33 (14) "Department" means the department of fish and wildlife.

34 (15) "Director" means the director of fish and wildlife.

35 (16) "Distribute" or "distribution" means either a change in  
36 possession for consideration or a change in legal ownership.

37 (17) "Endangered species" means wildlife designated by the  
38 commission as seriously threatened with extinction.

39 (18) "Ex officio fish and wildlife officer" means:

1 (a) A commissioned officer of a municipal, county, or state  
2 agency having as its primary function the enforcement of criminal  
3 laws in general, while the officer is acting in the respective  
4 jurisdiction of that agency;

5 (b) An officer or special agent commissioned by one of the  
6 following: The national marine fisheries service; the Washington  
7 state parks and recreation commission; the United States fish and  
8 wildlife service; the Washington state department of natural  
9 resources; the United States forest service; or the United States  
10 parks service, if the agent or officer is in the respective  
11 jurisdiction of the primary commissioning agency and is acting under  
12 a mutual law enforcement assistance agreement between the department  
13 and the primary commissioning agency;

14 (c) A commissioned fish and wildlife peace officer from another  
15 state who meets the training standards set by the Washington state  
16 criminal justice training commission pursuant to RCW 10.93.090,  
17 43.101.080, and 43.101.200, and who is acting under a mutual law  
18 enforcement assistance agreement between the department and the  
19 primary commissioning agency; or

20 (d) A Washington state tribal police officer who successfully  
21 completes the requirements set forth under RCW 43.101.157, is  
22 employed by a tribal nation that has complied with RCW 10.92.020(2)  
23 (a) and (b), and is acting under a mutual law enforcement assistance  
24 agreement between the department and the tribal government.

25 (19) "Fish" includes all species classified as game fish or food  
26 fish by statute or rule, as well as all fin fish not currently  
27 classified as food fish or game fish if such species exist in state  
28 waters. The term "fish" includes all stages of development and the  
29 bodily parts of fish species.

30 (20) "To fish" and its derivatives means an effort to kill,  
31 injure, harass, harvest, or capture a fish or shellfish.

32 (21) "Fish and wildlife officer" means a person appointed and  
33 commissioned by the director, with authority to enforce this title  
34 and rules adopted pursuant to this title, and other statutes as  
35 prescribed by the legislature. Fish and wildlife officer includes a  
36 person commissioned before June 11, 1998, as a wildlife agent or a  
37 fisheries patrol officer.

38 (22) "Fish broker" means a person who facilitates the sale or  
39 purchase of raw or frozen fish or shellfish on a fee or commission  
40 basis, without assuming title to the fish or shellfish.

1 (23) "Fish dealer" means a person who engages in any activity  
2 that triggers the need to obtain a fish dealer license under RCW  
3 77.65.280.

4 (24) "Fishery" means the taking of one or more particular species  
5 of fish or shellfish with particular gear in a particular  
6 geographical area.

7 (25) "Food, food waste, or other substance" includes human and  
8 pet food or other waste or garbage that could attract large wild  
9 carnivores.

10 (26) "Freshwater" means all waters not defined as saltwater  
11 including, but not limited to, rivers upstream of the river mouth,  
12 lakes, ponds, and reservoirs.

13 (27) "Fur-bearing animals" means game animals that shall not be  
14 trapped except as authorized by the commission.

15 (28) "Fur dealer" means a person who purchases, receives, or  
16 resells raw furs for commercial purposes.

17 (29) "Game animals" means wild animals that shall not be hunted  
18 except as authorized by the commission.

19 (30) "Game birds" means wild birds that shall not be hunted  
20 except as authorized by the commission.

21 (31) "Game farm" means property on which wildlife is held,  
22 confined, propagated, hatched, fed, or otherwise raised for  
23 commercial purposes, trade, or gift. The term "game farm" does not  
24 include publicly owned facilities.

25 (32) "Game reserve" means a closed area where hunting for all  
26 wild animals and wild birds is prohibited.

27 (33) "To hunt" and its derivatives means an effort to kill,  
28 injure, harass, harvest, or capture a wild animal or wild bird.

29 (34) "Illegal items" means those items unlawful to be possessed.

30 (35)(a) "Intentionally feed, attempt to feed, or attract" means  
31 to purposefully or knowingly provide, leave, or place in, on, or  
32 about any land or building any food, food waste, or other substance  
33 that attracts or could attract large wild carnivores to that land or  
34 building.

35 (b) "Intentionally feed, attempt to feed, or attract" does not  
36 include keeping food, food waste, or other substance in an enclosed  
37 garbage receptacle or other enclosed container unless specifically  
38 directed by a fish and wildlife officer or animal control authority  
39 to secure the receptacle or container in another manner.

40 (36) "Large wild carnivore" includes wild bear, cougar, and wolf.

1 (37) "License year" means the period of time for which a  
2 recreational license is valid. The license year begins April 1st, and  
3 ends March 31st.

4 (38) "Limited-entry license" means a license subject to a license  
5 limitation program established in chapter 77.70 RCW.

6 (39) "Limited fish seller" means a licensed commercial fisher who  
7 sells his or her fish or shellfish to anyone other than a wholesale  
8 fish buyer thereby triggering the need to obtain a limited fish  
9 seller endorsement under RCW 77.65.510.

10 (40) "Money" means all currency, script, personal checks, money  
11 orders, or other negotiable instruments.

12 (41) "Natural person" means a human being.

13 (42)(a) "Negligently feed, attempt to feed, or attract" means to  
14 provide, leave, or place in, on, or about any land or building any  
15 food, food waste, or other substance that attracts or could attract  
16 large wild carnivores to that land or building, without the awareness  
17 that a reasonable person in the same situation would have with regard  
18 to the likelihood that the food, food waste, or other substance could  
19 attract large wild carnivores to the land or building.

20 (b) "Negligently feed, attempt to feed, or attract" does not  
21 include keeping food, food waste, or other substance in an enclosed  
22 garbage receptacle or other enclosed container unless specifically  
23 directed by a fish and wildlife officer or animal control authority  
24 to secure the receptacle or container in another manner.

25 (43) "Nonresident" means a person who has not fulfilled the  
26 qualifications of a resident.

27 (44) "Offshore waters" means marine waters of the Pacific Ocean  
28 outside the territorial boundaries of the state, including the marine  
29 waters of other states and countries.

30 (45) "Open season" means those times, manners of taking, and  
31 places or waters established by rule of the commission for the lawful  
32 hunting, fishing, taking, or possession of game animals, game birds,  
33 game fish, food fish, or shellfish that conform to the special  
34 restrictions or physical descriptions established by rule of the  
35 commission or that have otherwise been deemed legal to hunt, fish,  
36 take, or possess by rule of the commission. "Open season" includes  
37 the first and last days of the established time.

38 (46) "Owner" means the person in whom is vested the ownership  
39 dominion, or title of the property.

1 (47) "Person" means and includes an individual; a corporation; a  
2 public or private entity or organization; a local, state, or federal  
3 agency; all business organizations, including corporations and  
4 partnerships; or a group of two or more individuals acting with a  
5 common purpose whether acting in an individual, representative, or  
6 official capacity.

7 (48) "Personal property" or "property" includes both corporeal  
8 and incorporeal personal property and includes, among other property,  
9 contraband and money.

10 (49) "Personal use" means for the private use of the individual  
11 taking the fish or shellfish and not for sale or barter.

12 (50) "Predatory birds" means wild birds that may be hunted  
13 throughout the year as authorized by the commission.

14 (51) "To process" and its derivatives mean preparing or  
15 preserving fish, wildlife, or shellfish.

16 (52) "Protected wildlife" means wildlife designated by the  
17 commission that shall not be hunted or fished.

18 (53) "Raffle" means an activity in which tickets bearing an  
19 individual number are sold for not more than twenty-five dollars each  
20 and in which a permit or permits are awarded to hunt or for access to  
21 hunt big game animals or wild turkeys on the basis of a drawing from  
22 the tickets by the person or persons conducting the raffle.

23 (54) "Resident" has the same meaning as defined in RCW 77.08.075.

24 (55) "Saltwater" means those marine waters seaward of river  
25 mouths.

26 (56) "Seaweed" means marine aquatic plant species that are  
27 dependent upon the marine aquatic or tidal environment, and exist in  
28 either an attached or free floating form, and includes but is not  
29 limited to marine aquatic plants in the classes Chlorophyta,  
30 Phaeophyta, and Rhodophyta.

31 (57) "Senior" means a person seventy years old or older.

32 (58) "Shark fin" means a raw, dried, or otherwise processed  
33 detached fin or tail of a shark.

34 (59)(a) "Shark fin derivative product" means any product intended  
35 for use by humans or animals that is derived in whole or in part from  
36 shark fins or shark fin cartilage.

37 (b) "Shark fin derivative product" does not include a drug  
38 approved by the United States food and drug administration and  
39 available by prescription only or medical device or vaccine approved  
40 by the United States food and drug administration.

1 (60) "Shellfish" means those species of marine and freshwater  
2 invertebrates that have been classified and that shall not be taken  
3 or possessed except as authorized by rule of the commission. The term  
4 "shellfish" includes all stages of development and the bodily parts  
5 of shellfish species.

6 (61) "State waters" means all marine waters and fresh waters  
7 within ordinary high water lines and within the territorial  
8 boundaries of the state.

9 (62) "To take" and its derivatives means to kill, injure,  
10 harvest, or capture a fish, shellfish, wild animal, bird, or seaweed.

11 (63) "Taxidermist" means a person who, for commercial purposes,  
12 creates lifelike representations of fish and wildlife using fish and  
13 wildlife parts and various supporting structures.

14 (64) "Trafficking" means offering, attempting to engage, or  
15 engaging in sale, barter, or purchase of fish, shellfish, wildlife,  
16 or deleterious exotic wildlife.

17 (65) "To trap" and its derivatives means a method of hunting  
18 using devices to capture wild animals or wild birds.

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

24 (67) "Unclassified wildlife" means wildlife existing in  
25 Washington in a wild state that have not been classified as big game,  
26 game animals, game birds, predatory birds, protected wildlife,  
27 endangered wildlife, or deleterious exotic wildlife.

28 (68) "To waste" or "to be wasted" means to allow any edible  
29 portion of any game bird, food fish, game fish, shellfish, or big  
30 game animal other than cougar to be rendered unfit for human  
31 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 birds. Entrails, including the heart and liver, of any wildlife  
36 species are not considered edible.

37 (69) "Wholesale fish buyer" means a person who engages in any  
38 fish buying or selling activity that triggers the need to obtain a  
39 wholesale fish buyer endorsement under RCW 77.65.340.

1 (70) "Wild animals" means those species of the class Mammalia  
2 whose members exist in Washington in a wild state. The term "wild  
3 animal" does not include feral domestic mammals or old world rats and  
4 mice of the family Muridae of the order Rodentia.

5 (71) "Wild birds" means those species of the class Aves whose  
6 members exist in Washington in a wild state.

7 (72) "Wildlife" means all species of the animal kingdom whose  
8 members exist in Washington in a wild state. This includes but is not  
9 limited to mammals, birds, reptiles, amphibians, fish, and  
10 invertebrates. The term "wildlife" does not include feral domestic  
11 mammals, old world rats and mice of the family Muridae of the order  
12 Rodentia, or those fish, shellfish, and marine invertebrates  
13 classified as food fish or shellfish by the director. The term  
14 "wildlife" includes all stages of development and the bodily parts of  
15 wildlife members.

16 (73) "Wildlife meat cutter" means a person who packs, cuts,  
17 processes, or stores wildlife for consumption for another for  
18 commercial purposes.

19 (74) "Youth" means a person (~~((fifteen years old for fishing and))~~)  
20 under sixteen years old for fishing and hunting.

21 **Sec. 2.** RCW 77.32.470 and 2011 c 339 s 12 are each amended to  
22 read as follows:

23 (1) A personal use saltwater, freshwater, combination, temporary,  
24 or family fishing weekend license is required for all persons  
25 (~~((fifteen))~~) sixteen years of age or older to fish for or possess fish  
26 taken for personal use from state waters or offshore waters.

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

29 (a) A combination license allows the holder to fish for or  
30 possess fish, shellfish, and seaweed from state waters or offshore  
31 waters. The fee for this license is forty-five dollars for  
32 residents(~~((7))~~) and one hundred eight dollars for nonresidents(~~((7—and~~  
33 ~~five dollars for youth))~~). There is an additional fifty-cent surcharge  
34 for this license, to be deposited in the rockfish research account  
35 created in RCW 77.12.702.

36 (b) A saltwater license allows the holder to fish for or possess  
37 fish taken from saltwater areas. The fee for this license is twenty-  
38 five dollars for residents, fifty-two dollars for nonresidents, and  
39 five dollars for resident seniors. There is an additional fifty-cent



1 surcharge for this license, to be deposited in the rockfish research  
2 account created in RCW 77.12.702.

3 (c) A freshwater license allows the holder to fish for, take, or  
4 possess food fish or game fish species in all freshwater areas. The  
5 fee for this license is twenty-five dollars for residents, seventy-  
6 five dollars for nonresidents, and five dollars for resident seniors.

7 (3)(a) A temporary combination fishing license is valid for one  
8 to three consecutive days and allows the holder to fish for or  
9 possess fish, shellfish, and seaweed taken from state waters or  
10 offshore waters. The fee for this temporary fishing license is:

11 (i) One day - Eight dollars for residents and sixteen dollars for  
12 nonresidents;

13 (ii) Two days - Twelve dollars for residents and twenty-four  
14 dollars for nonresidents; and

15 (iii) Three days - Fifteen dollars for residents and thirty  
16 dollars for nonresidents.

17 (b) The fee for a charter stamp is eight dollars for a one-day  
18 temporary combination fishing license for residents and nonresidents  
19 for use on a charter boat as defined in RCW 77.65.150.

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

25 ~~(d))~~ The temporary combination fishing license fee for active  
26 duty military personnel serving in any branch of the United States  
27 armed forces is the resident rate as set forth in (a) of this  
28 subsection. Active duty military personnel must provide a valid  
29 military identification card at the time of purchase of the temporary  
30 license to qualify for the resident rate.

31 ~~((e))~~ (d) There is an additional fifty-cent surcharge on the  
32 temporary combination fishing license and the associated charter  
33 stamp, to be deposited in the rockfish research account created in  
34 RCW 77.12.702.

35 (4) (~~A family fishing weekend license allows for a maximum of~~  
36 ~~six anglers: One resident and five youth; two residents and four~~  
37 ~~youth; or one resident, one nonresident, and four youth. This license~~  
38 ~~allows the holders to fish for or possess fish taken from state~~  
39 ~~waters or offshore waters. The fee for this license is twenty~~

1 dollars. This license is only valid during periods as specified by  
2 rule of the department.

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

7 (6)) The commission may adopt rules to allow the use of two  
8 fishing poles per fishing license holder for use on selected state  
9 waters. If authorized by the commission, license holders must  
10 purchase a two-pole stamp to use a second pole. The proceeds from the  
11 sale of the two-pole stamp must be deposited into the state wildlife  
12 account created in RCW 77.12.170 and used for the operation and  
13 maintenance of state-owned fish hatcheries. The fee for a two-pole  
14 stamp is thirteen dollars for residents and nonresidents, and five  
15 dollars for seniors.

16 **Sec. 3.** RCW 77.32.520 and 2011 c 339 s 13 are each amended to  
17 read as follows:

18 (1) A personal use shellfish and seaweed license is required for  
19 all persons other than residents or nonresidents under (~~fifteen~~)  
20 sixteen years of age to fish for, take, dig for, or possess seaweed  
21 or shellfish, including razor clams, for personal use from state  
22 waters or offshore waters including national park beaches.

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

26 (3) The fees for annual personal use shellfish and seaweed  
27 licenses are:

28 (a) For a resident (~~fifteen~~) sixteen years of age or older, ten  
29 dollars;

30 (b) For a nonresident (~~fifteen~~) sixteen years of age or older,  
31 twenty-seven dollars; and

32 (c) For a senior, five dollars.

33 (4) The fee for an annual razor clam license is eight dollars for  
34 residents, fifteen dollars for nonresidents, and eight dollars for  
35 seniors.

36 (5) The fee for a three-day razor clam license is five dollars  
37 for both residents and nonresidents.

38 (6) A personal use shellfish and seaweed license or razor clam  
39 license must be in immediate possession of the licensee and available

1 for inspection while a licensee is harvesting shellfish or seaweed.  
2 However, the license does not need to be visible at all times.

3 **Sec. 4.** RCW 77.32.580 and 2016 c 223 s 5 are each amended to  
4 read as follows:

5 (1) In addition to a recreational license required under this  
6 chapter, a Columbia river salmon and steelhead endorsement is  
7 required in order for any person (~~(fifteen)~~) sixteen years of age or  
8 older to fish recreationally for salmon or steelhead in the Columbia  
9 river and its tributaries where these fisheries have been authorized  
10 by the department. The cost for each endorsement is seven dollars and  
11 fifty cents for residents and nonresidents and six dollars for  
12 (~~youth and~~) seniors. The department shall deposit all receipts from  
13 endorsement purchases into the Columbia river recreational salmon and  
14 steelhead endorsement program account created in RCW 77.12.714.

15 (2) For the purposes of this section and RCW 77.12.712 and  
16 77.12.714 through 77.12.718, the term "Columbia river" means the  
17 Columbia river from a line across the Columbia river between Rocky  
18 Point in Washington and Tongue Point in Oregon to the Chief Joseph  
19 dam.

20 NEW SECTION. **Sec. 5.** A new section is added to chapter 77.32  
21 RCW to read as follows:

22 The commission is authorized to adopt rules to offer a one-time  
23 discount of up to twenty dollars on a hunting license purchase to  
24 first-time resident hunters who have completed the Washington hunter  
25 education training program established in RCW 77.32.155.

26 NEW SECTION. **Sec. 6.** A new section is added to chapter 77.32  
27 RCW to read as follows:

28 (1) The commission may adopt rules to create and sell combination  
29 licenses for all hunting and fishing activities at or below a fee  
30 equal to the total cost of the individual license contained within  
31 any combination. Combination licenses may span one or more license  
32 years.

33 (2) The director may offer temporary discounted promotional  
34 pricing to increase angler, hunting, or wildlife viewing  
35 participation.

1        NEW SECTION.    **Sec. 7.**    Section 4 of this act expires June 30,  
2    2019.

--- END ---