

**SUBSTITUTE SENATE BILL 6317**

**State of Washington**

**65th Legislature**

**2018 Regular Session**

**By** Senate Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Van De Wege, King, Rivers, Takko, Hasegawa, and Saldaña; by request of Department of Fish and Wildlife)

READ FIRST TIME 02/23/18.

1 AN ACT Relating to increasing commercial fishing license fees for  
2 nonresidents; amending RCW 77.65.150, 77.65.160, 77.65.170,  
3 77.65.190, 77.65.200, 77.65.210, 77.65.220, 77.65.280, 77.65.340,  
4 77.65.390, 77.65.440, 77.65.480, 77.65.510, and 77.12.453; and  
5 providing an effective date.

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

7 **Sec. 1.** RCW 77.65.150 and 2017 3rd sp.s. c 8 s 21 are each  
8 amended to read as follows:

9 (1) The licenses and permits and their annual license fees,  
10 application fees, and surcharges are:

|    | License  | Annual Fee                | Appli-                          | Governing |
|----|----------|---------------------------|---------------------------------|-----------|
|    | or       | (RCW 77.95.090 Surcharge) | cation                          |           |
|    | Permit   | (RCW 77.12.702 Surcharge) | Fee                             | Section   |
|    |          | Resident                  | Nonresident                     |           |
| 11 | (a) Non- | \$375                     | <del>(\$450)</del> <u>\$760</u> | \$ 70     |
| 12 | salmon   | (plus \$35 for            | (plus \$35 for                  |           |
| 13 | charter  | RCW 77.12.702             | RCW 77.12.702                   |           |
| 14 |          | Surcharge)                | Surcharge)                      |           |

|   |                      |                                      |                     |
|---|----------------------|--------------------------------------|---------------------|
| 1 | (b) Salmon \$460     | (( <del>\$535</del> ) <u>\$845</u> ) | \$105 RCW 77.70.050 |
| 2 | charter (plus \$100) | (plus \$100)                         |                     |
| 3 | (plus \$35 for       | (plus \$35 for                       |                     |
| 4 | RCW 77.12.702        | RCW 77.12.702                        |                     |
| 5 | Surcharge)           | Surcharge)                           |                     |
| 6 | (c) Salmon \$ 0      | \$ 0                                 | \$ 0 RCW 77.70.060  |
| 7 | angler               |                                      |                     |

8 (2) A salmon charter license designating a vessel is required to  
9 operate a charter boat from which persons may, for a fee, fish for  
10 salmon, other fish, and shellfish. The director may issue a salmon  
11 charter license only to a person who meets the qualifications of RCW  
12 77.70.050.

13 (3) A nonsalmon charter license designating a vessel is required  
14 to operate a charter boat from which persons may, for a fee, fish for  
15 shellfish and fish other than salmon or albacore tuna.

16 (4)(a) "Charter boat" means a vessel from which persons may, for  
17 a fee, fish for food fish or shellfish for personal use in those  
18 state waters set forth in (b) of this subsection. "Charter boat" also  
19 means a vessel from which persons may, for a fee, fish for fish or  
20 shellfish for personal use in offshore waters or in the waters of  
21 other states. The director may specify by rule when a vessel is a  
22 "charter boat" within this definition.

23 (b) A person may not operate a vessel from which persons may, for  
24 a fee, fish for food fish or shellfish in Puget Sound, Grays Harbor,  
25 Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia  
26 river below the bridge at Longview unless the vessel is designated on  
27 a charter boat license.

28 (5) A charter boat licensed in Oregon may fish without a  
29 Washington charter license under the same rules as Washington charter  
30 boat operators in ocean waters within the jurisdiction of Washington  
31 state from the southern border of the state of Washington to  
32 Leadbetter Point, as long as the Oregon vessel does not take on or  
33 discharge passengers for any purpose from any Washington port, the  
34 Washington shore, or a dock, landing, or other point in Washington.  
35 The provisions of this subsection shall be in effect as long as the  
36 state of Oregon has reciprocal laws and regulations.

37 (6) A salmon charter license under subsection (1)(b) of this  
38 section may be renewed if the license holder notifies the department  
39 by May 1st of that year that he or she will not participate in the

1 fishery during that calendar year. The license holder must pay the  
 2 one hundred dollar enhancement surcharge, a thirty-five dollar  
 3 surcharge to be deposited in the rockfish research account created in  
 4 RCW 77.12.702, plus a one hundred five dollar application fee, in  
 5 order to be considered a valid renewal and eligible to renew the  
 6 license the following year.

7 **Sec. 2.** RCW 77.65.160 and 2017 3rd sp.s. c 8 s 22 are each  
 8 amended to read as follows:

9 (1) The following commercial salmon fishery licenses are required  
 10 for the license holder to use the specified gear to fish for salmon  
 11 in state waters. Only a person who meets the qualifications of RCW  
 12 77.70.090 may hold a license listed in this subsection. The licenses  
 13 and their annual license fees, application fees, and surcharges under  
 14 RCW 77.95.090 are:

|    | Fishery             | Resident | Nonresident                     | Surcharge  | Application |
|----|---------------------|----------|---------------------------------|------------|-------------|
|    | License             | Fee      | Fee                             |            | Fee         |
| 17 | (a) Salmon Gill Net | \$380    | <del>(\$455)</del> <u>\$765</u> | plus \$100 | \$105       |
| 18 | —Grays              |          |                                 |            |             |
| 19 | Harbor-             |          |                                 |            |             |
| 20 | Columbia            |          |                                 |            |             |
| 21 | river               |          |                                 |            |             |
| 22 | (b) Salmon Gill Net | \$380    | <del>(\$455)</del> <u>\$765</u> | plus \$100 | \$105       |
| 23 | —Puget              |          |                                 |            |             |
| 24 | Sound               |          |                                 |            |             |
| 25 | (c) Salmon Gill Net | \$380    | <del>(\$455)</del> <u>\$765</u> | plus \$100 | \$105       |
| 26 | —Willapa            |          |                                 |            |             |
| 27 | Bay-                |          |                                 |            |             |
| 28 | Columbia            |          |                                 |            |             |
| 29 | river               |          |                                 |            |             |
| 30 | (d) Salmon purse    | \$545    | <del>(\$620)</del> <u>\$930</u> | plus \$100 | \$105       |
| 31 | seine               |          |                                 |            |             |
| 32 | (e) Salmon reef net | \$380    | <del>(\$455)</del> <u>\$765</u> | plus \$100 | \$105       |
| 33 | (f) Salmon troll    | \$380    | <del>(\$455)</del> <u>\$765</u> | plus \$100 | \$105       |

34 (2) A license issued under this section authorizes no taking or  
 35 delivery of salmon or other food fish unless a vessel is designated  
 36 under RCW 77.65.100.

1 (3) Holders of commercial salmon fishery licenses may retain  
2 incidentally caught food fish other than salmon, subject to rules of  
3 the department.

4 (4) A salmon troll license includes a salmon delivery license.

5 (5) A salmon gill net license authorizes the taking of salmon  
6 only in the geographical area for which the license is issued. The  
7 geographical designations in subsection (1) of this section have the  
8 following meanings:

9 (a) "Puget Sound" includes waters of the Strait of Juan de Fuca,  
10 Georgia Strait, Puget Sound and all bays, inlets, canals, coves,  
11 sounds, and estuaries lying easterly and southerly of the  
12 international boundary line and a line at the entrance to the Strait  
13 of Juan de Fuca projected northerly from Cape Flattery to the  
14 lighthouse on Tatoosh Island and then to Bonilla Point on Vancouver  
15 Island.

16 (b) "Grays Harbor-Columbia river" includes waters of Grays Harbor  
17 and tributary estuaries lying easterly of a line projected northerly  
18 from Point Chehalis Light to Point Brown and those waters of the  
19 Columbia river and tributary sloughs and estuaries easterly of a line  
20 at the entrance to the Columbia river projected southerly from the  
21 most westerly point of the North jetty to the most westerly point of  
22 the South jetty.

23 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay  
24 and tributary estuaries and easterly of a line projected northerly  
25 from Leadbetter Point to the Cape Shoalwater tower and those waters  
26 of the Columbia river and tributary sloughs described in (b) of this  
27 subsection.

28 (6) A commercial salmon troll fishery license may be renewed  
29 under this section if the license holder notifies the department by  
30 May 1st of that year that he or she will not participate in the  
31 fishery during that calendar year. A commercial salmon gill net, reef  
32 net, or seine fishery license may be renewed under this section if  
33 the license holder notifies the department before the third Monday in  
34 September of that year that he or she will not participate in the  
35 fishery during that calendar year. The license holder must pay the  
36 one hundred dollar enhancement surcharge, plus a one hundred five  
37 dollar application fee before the third Monday in September, in order  
38 to be considered a valid renewal and eligible to renew the license  
39 the following year.

1 (7) Notwithstanding the annual license fees and surcharges  
2 established in subsection (1) of this section, a person who holds a  
3 resident commercial salmon fishery license shall pay an annual  
4 license fee of one hundred dollars plus the surcharge and application  
5 fee if all of the following conditions are met:

6 (a) The license holder is at least seventy-five years of age;

7 (b) The license holder owns a fishing vessel and has fished with  
8 a resident commercial salmon fishery license for at least thirty  
9 years; and

10 (c) The commercial salmon fishery license is for a geographical  
11 area other than the Puget Sound.

12 An alternate operator may not be designated for a license renewed  
13 at the one hundred dollar annual fee under this subsection (7).

14 **Sec. 3.** RCW 77.65.170 and 2017 3rd sp.s. c 8 s 23 are each  
15 amended to read as follows:

16 (1) A salmon delivery license is required for a commercial  
17 fishing vessel to deliver salmon taken for commercial purposes in  
18 offshore waters to a place or port in the state. As used in this  
19 section, "deliver" and "delivery" mean arrival at a place or port,  
20 and include arrivals from offshore waters to waters within the state  
21 and arrivals ashore from offshore waters. The annual fee for a salmon  
22 delivery license is four hundred thirty dollars for residents and  
23 ((~~five hundred five~~)) eight hundred fifteen dollars for nonresidents.  
24 The application fee for a salmon delivery license is one hundred five  
25 dollars. The annual surcharge under RCW 77.95.090 is one hundred  
26 dollars for each license. Holders of nonlimited entry delivery  
27 licenses issued under RCW 77.65.210 may apply the nonlimited entry  
28 delivery license fee against the salmon delivery license fee.

29 (2) Only a person who meets the qualifications established in RCW  
30 77.70.090 may hold a salmon delivery license issued under this  
31 section.

32 (3) A salmon delivery license authorizes no taking of salmon or  
33 other fish or shellfish from the waters of the state.

34 (4) If the director determines that the operation of a vessel  
35 under a salmon delivery license results in the depletion or  
36 destruction of the state's salmon resource or the delivery into this  
37 state of salmon products prohibited by law, the director may revoke  
38 the license under the procedures of chapter 34.05 RCW.

1       **Sec. 4.** RCW 77.65.190 and 2017 3rd sp.s. c 8 s 24 are each  
2 amended to read as follows:

3       A person who does not qualify for a license under RCW 77.70.090  
4 shall obtain a nontransferable emergency salmon delivery license to  
5 make one delivery from a commercial fishing vessel of salmon taken  
6 for commercial purposes in offshore waters. As used in this section,  
7 "delivery" means arrival at a place or port, and include arrivals  
8 from offshore waters to waters within the state and arrivals ashore  
9 from offshore waters. The director shall not issue an emergency  
10 salmon delivery license unless, as determined by the director, a bona  
11 fide emergency exists. The license fee is two hundred seventy-five  
12 dollars for residents and (~~three hundred fifty~~) six hundred sixty  
13 dollars for nonresidents. The application fee is one hundred five  
14 dollars. An applicant for an emergency salmon delivery license shall  
15 designate no more than one vessel that will be used with the license.  
16 Alternate operator licenses are not required of persons delivering  
17 salmon under an emergency salmon delivery license. Emergency salmon  
18 delivery licenses are not renewable.

19       **Sec. 5.** RCW 77.65.200 and 2017 3rd sp.s. c 8 s 25 are each  
20 amended to read as follows:

21       (1) This section establishes commercial fishery licenses required  
22 for food fish fisheries and the annual fees for those licenses. As  
23 used in this section, "food fish" does not include salmon. The  
24 director may issue a limited-entry commercial fishery license only to  
25 a person who meets the qualifications established in applicable  
26 governing sections of this title.

| 27 Fishery<br>28 (Governing section(s)) | 29 Annual Fee |                                 | 30 Application Fee | 31 Vessel<br>32 Required? | 33 Limited<br>34 Entry? |
|---|---------------|---------------------------------|--------------------|---------------------------|-------------------------|
|   | 35 Resident   | 36 Nonresident                  |                    |                           |                         |
| (a) Baitfish Lampara                    | \$335         | <del>(\$410)</del> <u>\$720</u> | \$ 70              | Yes                       | No                      |
| (b) Baitfish purse seine                | \$380         | <del>(\$655)</del> <u>\$765</u> | \$ 70              | Yes                       | No                      |
| (c) Bottom fish jig                     | \$180         | <del>(\$255)</del> <u>\$565</u> | \$ 70              | Yes                       | No                      |
| (d) Bottom fish pot                     | \$180         | <del>(\$255)</del> <u>\$565</u> | \$ 70              | Yes                       | No                      |
| (e) Bottom fish troll                   | \$180         | <del>(\$255)</del> <u>\$565</u> | \$ 70              | Yes                       | No                      |
| (f) Carp                                | \$180         | <del>(\$255)</del> <u>\$565</u> | \$ 70              | No                        | No                      |
| (g) Columbia river smelt                | \$430         | <del>(\$505)</del> <u>\$815</u> | \$ 70              | No                        | No                      |

|    |                                   |       |                                 |       |                    |                    |
|----|-----------------------------------|-------|---------------------------------|-------|--------------------|--------------------|
| 1  | (h) Emerging commercial fishery   | \$335 | <del>(\$410)</del> <u>\$720</u> | \$105 | Determined by rule | Determined by rule |
| 2  | (RCW 77.70.160 and 77.65.400)     |       |                                 |       |                    |                    |
| 3  | (i) Food fish drag seine          | \$180 | <del>(\$255)</del> <u>\$565</u> | \$ 70 | Yes                | No                 |
| 4  | (j) Food fish set line            | \$180 | <del>(\$255)</del> <u>\$565</u> | \$ 70 | Yes                | No                 |
| 5  | (k) Herring dip bag net           | \$325 | <del>(\$400)</del> <u>\$710</u> | \$ 70 | Yes                | Yes                |
| 6  | (RCW 77.70.120)                   |       |                                 |       |                    |                    |
| 7  | (l) Herring drag seine            | \$325 | <del>(\$400)</del> <u>\$710</u> | \$ 70 | Yes                | Yes                |
| 8  | (RCW 77.70.120)                   |       |                                 |       |                    |                    |
| 9  | (m) Herring gill net              | \$325 | <del>(\$400)</del> <u>\$710</u> | \$105 | Yes                | Yes                |
| 10 | (RCW 77.70.120)                   |       |                                 |       |                    |                    |
| 11 | (n) Herring Lampara               | \$325 | <del>(\$400)</del> <u>\$710</u> | \$ 70 | Yes                | Yes                |
| 12 | (RCW 77.70.120)                   |       |                                 |       |                    |                    |
| 13 | (o) Herring purse seine           | \$325 | <del>(\$400)</del> <u>\$710</u> | \$105 | Yes                | Yes                |
| 14 | (RCW 77.70.120)                   |       |                                 |       |                    |                    |
| 15 | (p) Herring spawn-on-kelp (RCW    | N/A   | N/A                             | N/A   | Yes                | Yes                |
| 16 | 77.70.210)                        |       |                                 |       |                    |                    |
| 17 | (q) Sardine purse seine (RCW      | \$335 | <del>(\$410)</del> <u>\$720</u> | \$105 | Yes                | Yes                |
| 18 | 77.70.480)                        |       |                                 |       |                    |                    |
| 19 | (r) Sardine purse seine temporary | \$335 | <del>(\$410)</del> <u>\$720</u> | \$105 | Yes                | No                 |
| 20 | (RCW 77.70.480)                   |       |                                 |       |                    |                    |
| 21 | (s) Smelt dip bag net             | \$180 | <del>(\$255)</del> <u>\$565</u> | \$ 70 | No                 | No                 |
| 22 | (t) Smelt gill net                | \$430 | <del>(\$505)</del> <u>\$815</u> | \$ 70 | Yes                | No                 |
| 23 | (u) Whiting-Puget Sound (RCW      | \$345 | <del>(\$420)</del> <u>\$730</u> | \$105 | Yes                | Yes                |
| 24 | 77.70.130)                        |       |                                 |       |                    |                    |

25 (2) The director may by rule determine the species of food fish  
26 that may be taken with the commercial fishery licenses established in  
27 this section, the gear that may be used with the licenses, and the  
28 areas or waters in which the licenses may be used. Where a fishery  
29 license has been established for a particular species, gear,  
30 geographical area, or combination thereof, a more general fishery  
31 license may not be used to take food fish in that fishery.

32 **Sec. 6.** RCW 77.65.210 and 2017 3rd sp.s. c 8 s 26 are each  
33 amended to read as follows:

34 (1) Except as provided in subsection (2) of this section, a  
35 person may not use a commercial fishing vessel to deliver food fish  
36 or shellfish taken for commercial purposes in offshore waters to a

1 port in the state without a nonlimited entry delivery license. As  
 2 used in this section, "deliver" and "delivery" mean arrival at a  
 3 place or port, and include arrivals from offshore waters to waters  
 4 within the state and arrivals ashore from offshore waters. As used in  
 5 this section, "food fish" does not include salmon. As used in this  
 6 section, "shellfish" does not include ocean pink shrimp, coastal  
 7 crab, coastal spot shrimp, or fish or shellfish taken under an  
 8 emerging commercial fisheries license if taken from offshore waters.  
 9 The annual license fee for a nonlimited entry delivery license is two  
 10 hundred sixty dollars for residents and (~~three hundred thirty-five~~)  
 11 six hundred forty-five dollars for nonresidents, and an additional  
 12 thirty-five dollar surcharge for both residents and nonresidents to  
 13 be deposited in the rockfish research account created in RCW  
 14 77.12.702. The application fee for a nonlimited entry delivery  
 15 license is one hundred five dollars.

16 (2) Holders of the following licenses may deliver food fish or  
 17 shellfish taken in offshore waters without a nonlimited entry  
 18 delivery license: Salmon troll fishery licenses issued under RCW  
 19 77.65.160; salmon delivery licenses issued under RCW 77.65.170; crab  
 20 pot fishery licenses issued under RCW 77.65.220; food fish trawl—Non-  
 21 Puget Sound fishery licenses, and emerging commercial fishery  
 22 licenses issued under RCW 77.65.200; Dungeness crab—coastal fishery  
 23 licenses; ocean pink shrimp delivery licenses; Washington coastal  
 24 spot shrimp pot fishery licenses issued under chapter 77.70 RCW; and  
 25 emerging commercial fishery licenses issued under RCW 77.65.220.

26 (3) A nonlimited entry delivery license authorizes no taking of  
 27 fish or shellfish from state waters.

28 **Sec. 7.** RCW 77.65.220 and 2017 3rd sp.s. c 8 s 27 are each  
 29 amended to read as follows:

30 (1) This section establishes commercial fishery licenses required  
 31 for shellfish fisheries and the annual fees for those licenses. The  
 32 director may issue a limited-entry commercial fishery license only to  
 33 a person who meets the qualifications established in applicable  
 34 governing sections of this title.

| 35 Fishery<br>36 (Governing section(s)) | 37 Annual Fee |                          | 38 Application Fee | Vessel<br>Required? | Limited<br>Entry? |
|---|---------------|--------------------------|--------------------|---------------------|-------------------|
|   | Resident      | Nonresident              |                    |                     |                   |
| (a) Burrowing shrimp                    | \$235         | <del>(\$340)</del> \$620 | \$105              | Yes                 | No                |



|    |                                 |       |                                 |       |            |            |
|----|---------------------------------|-------|---------------------------------|-------|------------|------------|
| 1  | (b) Crab ring net-              | \$180 | <del>(\$255)</del> <u>\$565</u> | \$ 70 | Yes        | No         |
| 2  | Puget Sound                     |       |                                 |       |            |            |
| 3  | (c) Dungeness crab-coastal (RCW | \$345 | <del>(\$420)</del> <u>\$730</u> | \$105 | Yes        | Yes        |
| 4  | 77.70.280)                      |       |                                 |       |            |            |
| 5  | (d) Dungeness crab-             | \$180 | <del>(\$255)</del> <u>\$565</u> | \$105 | Yes        | Yes        |
| 6  | Puget Sound                     |       |                                 |       |            |            |
| 7  | (RCW 77.70.110)                 |       |                                 |       |            |            |
| 8  | (e) Emerging commercial fishery | \$335 | <del>(\$410)</del> <u>\$720</u> | \$105 | Determined | Determined |
| 9  | (RCW 77.70.160 and              |       |                                 |       | by rule    | by rule    |
| 10 | 77.65.400)                      |       |                                 |       |            |            |
| 11 | (f) Geoduck (RCW                | \$ 0  | \$ 0                            | \$ 70 | Yes        | Yes        |
| 12 | 77.70.220)                      |       |                                 |       |            |            |
| 13 | (g) Hardshell clam              | \$580 | <del>(\$655)</del> <u>\$965</u> | \$ 70 | Yes        | No         |
| 14 | mechanical                      |       |                                 |       |            |            |
| 15 | harvester                       |       |                                 |       |            |            |
| 16 | (RCW 77.65.250)                 |       |                                 |       |            |            |
| 17 | (h) Oyster reserve              | \$180 | <del>(\$255)</del> <u>\$565</u> | \$ 70 | No         | No         |
| 18 | (RCW 77.65.260)                 |       |                                 |       |            |            |
| 19 | (i) Razor clam                  | \$180 | <del>(\$255)</del> <u>\$565</u> | \$105 | No         | No         |
| 20 | (j) Sea cucumber dive           | \$280 | <del>(\$355)</del> <u>\$665</u> | \$105 | Yes        | Yes        |
| 21 | (RCW 77.70.190)                 |       |                                 |       |            |            |
| 22 | (k) Sea urchin dive             | \$280 | <del>(\$355)</del> <u>\$665</u> | \$105 | Yes        | Yes        |
| 23 | (RCW 77.70.150)                 |       |                                 |       |            |            |
| 24 | (l) Shellfish dive              | \$180 | <del>(\$255)</del> <u>\$565</u> | \$ 70 | Yes        | No         |
| 25 | (m) Shellfish pot               | \$180 | <del>(\$255)</del> <u>\$565</u> | \$ 70 | Yes        | No         |
| 26 | (n) Shrimp pot-                 | \$335 | <del>(\$410)</del> <u>\$720</u> | \$105 | Yes        | Yes        |
| 27 | Puget Sound                     |       |                                 |       |            |            |
| 28 | (RCW 77.70.410)                 |       |                                 |       |            |            |
| 29 | (o) Shrimp trawl-               | \$335 | <del>(\$410)</del> <u>\$720</u> | \$105 | Yes        | Yes        |
| 30 | Puget Sound                     |       |                                 |       |            |            |
| 31 | (RCW 77.70.420)                 |       |                                 |       |            |            |
| 32 | (p) Spot shrimp-coastal         | \$335 | <del>(\$410)</del> <u>\$720</u> | \$ 70 | Yes        | Yes        |
| 33 | (q) Squid                       | \$335 | <del>(\$410)</del> <u>\$720</u> | \$ 70 | Yes        | No         |

34           (2) The director may by rule determine the species of shellfish  
35 that may be taken with the commercial fishery licenses established in  
36 this section, the gear that may be used with the licenses, and the

1 areas or waters in which the licenses may be used. Where a fishery  
2 license has been established for a particular species, gear,  
3 geographical area, or combination thereof, a more general fishery  
4 license may not be used to take shellfish in that fishery.

5 **Sec. 8.** RCW 77.65.280 and 2017 3rd sp.s. c 8 s 29 are each  
6 amended to read as follows:

7 (1) A fish dealer license is required for a person in the state  
8 who:

9 (a) Takes possession of raw or frozen fish or shellfish, in whole  
10 or in parts, to prepare, repackage, process, or preserve. This  
11 includes, but is not limited to:

12 (i) Canning or processing of fish or shellfish for payment,  
13 whether the fish or shellfish is commercially harvested or taken for  
14 personal use; and

15 (ii) The commercial manufacture or preparation of fertilizer,  
16 oil, meal, caviar, fish bait, or any other by-products from fish or  
17 shellfish;

18 (b) Engages in the wholesale selling, buying, or brokering of raw  
19 or frozen fish or shellfish. Certain buyers may be additionally  
20 required to obtain a wholesale fish buyer endorsement as specified in  
21 RCW 77.65.340.

22 (2) A fish dealer license is not required for:

23 (a) Licensed commercial fish or shellfish harvesters who either  
24 sell only to licensed wholesale fish buyers or who possess a limited  
25 fish seller endorsement;

26 (b) Retail businesses that purchase exclusively from Washington  
27 licensed wholesale fish buyers or from limited fish sellers for sale  
28 to end consumers.

29 (3) A business engaged in any activity requiring a fish dealer  
30 license only needs to purchase one fish dealer license to cover the  
31 actions of all employees.

32 (4) The annual license fee for a resident fish dealer is four  
33 hundred dollars. The fee for a nonresident fish dealer license is  
34 ~~((four hundred seventy-five))~~ seven hundred eighty-five dollars. The  
35 application fee for both resident and nonresident licenses is one  
36 hundred five dollars.

37 **Sec. 9.** RCW 77.65.340 and 2017 3rd sp.s. c 8 s 33 are each  
38 amended to read as follows:

1 (1) A wholesale fish buyer endorsement is required for a licensed  
2 fish dealer:

3 (a) To take first possession or ownership of fish or shellfish  
4 directly from a commercial fisher that is landed into the state of  
5 Washington;

6 (b) To take first possession or ownership of raw or frozen fish  
7 or shellfish in the state of Washington from interstate or foreign  
8 commerce; or

9 (c) To engage in the wholesale buying or selling of fish or  
10 shellfish harvested by Indian fishers lawfully exercising fishing  
11 rights reserved by federal statute, treaty, or executive order, and  
12 the dealer is also responsible for documenting the commercial harvest  
13 and sales according to the rules of the department.

14 (2) A business licensed as a fish dealer must purchase at least  
15 one wholesale fish buyer endorsement to engage in the activities in  
16 subsection (1) of this section, which allows the business to buy or  
17 sell on its premises and which allows one named employee to buy and  
18 sell off premises. A business must obtain an additional wholesale  
19 fish buyer endorsement for each additional employee who buys and  
20 sells fish or shellfish off premises.

21 (3) The annual fee for a resident wholesale fish buyer's  
22 endorsement for business operations with only one fish buyer is fifty  
23 dollars. The annual fee for a resident wholesale fish buyer's  
24 endorsement for business operations with two or more employees is two  
25 hundred forty-five dollars. The annual fee for a nonresident  
26 wholesale fish buyer's endorsement is ~~((three hundred twenty))~~ six  
27 hundred thirty dollars. The application fee for both resident and  
28 nonresident endorsements is one hundred five dollars.

29 **Sec. 10.** RCW 77.65.390 and 2017 3rd sp.s. c 8 s 36 are each  
30 amended to read as follows:

31 An ocean pink shrimp delivery license is required for a  
32 commercial fishing vessel to deliver ocean pink shrimp taken for  
33 commercial purposes in offshore waters and delivered to a port in the  
34 state. As used in this section, "deliver" and "delivery" mean arrival  
35 at a place or port, and include arrivals from offshore waters to  
36 waters within the state and arrivals from state or offshore waters.  
37 The annual license fee is three hundred dollars for residents and  
38 ~~((three hundred seventy-five))~~ six hundred eighty-five dollars for

1 nonresidents. The application fee is one hundred five dollars. Ocean  
2 pink shrimp delivery licenses are transferable.

3 **Sec. 11.** RCW 77.65.440 and 2017 3rd sp.s. c 8 s 37 are each  
4 amended to read as follows:

5 The director shall issue the personal licenses listed in this  
6 section according to the requirements of this title. The licenses and  
7 their annual fees are:

| Personal License       | Annual Fee<br>(RCW 77.95.090 Surcharge) |                                 | Applica-<br>tion Fee | Governing<br>Section |
|------------------------|---|---------------------------------|----------------------|----------------------|
|                        | Resident                                | Nonresident                     |                      |                      |
| (1) Alternate Operator | \$185                                   | <del>(\$260)</del> <u>\$570</u> | \$ 70                | RCW 77.65.130        |
| (2) Geoduck Diver      | \$355                                   | <del>(\$440)</del> <u>\$740</u> | \$ 70                | RCW 77.65.410        |
| (3) Food Fish Guide    | <del>(\$280)</del> <u>\$210</u>         | <del>(\$355)</del> <u>\$595</u> | \$ 70                | RCW 77.65.370        |
|                        | (plus \$20)                             | (plus \$100)                    |                      |                      |

18 **Sec. 12.** RCW 77.65.480 and 2017 3rd sp.s. c 8 s 38 are each  
19 amended to read as follows:

20 (1) A taxidermy license allows the holder to practice taxidermy  
21 for commercial purposes, as that term is defined in RCW 77.15.110.  
22 The fee for this license is one hundred eighty dollars. The  
23 application fee is seventy dollars.

24 (2) A fur dealer's license allows the holder to purchase,  
25 receive, or resell raw furs for commercial purposes, as that term is  
26 defined in RCW 77.15.110. The fee for this license is one hundred  
27 eighty dollars. The application fee is seventy dollars.

28 (3)(a) A game fish guide license allows the holder to offer or  
29 perform the services of a game fish guide in the taking of game fish.  
30 The fee for this license is ~~((four hundred ten))~~ three hundred five  
31 dollars for a resident and ~~((four hundred eighty five))~~ six hundred  
32 ninety dollars for a nonresident. The application fee is seventy  
33 dollars. An application for a game fish guide license must include  
34 the information required in RCW 77.65.560.

35 (b) A game fish guide license purchased by a person, firm, or  
36 business on behalf of an employee is subject to RCW 77.65.600.

1 (4) A game farm license allows the holder to operate a game farm  
2 to acquire, breed, grow, keep, and sell wildlife under conditions  
3 prescribed by the rules adopted pursuant to this title. The fee for  
4 this license is seventy-two dollars for the first year and forty-  
5 eight dollars for each following year. The application fee is seventy  
6 dollars.

7 (5) A game fish stocking permit allows the holder to release game  
8 fish into the waters of the state as prescribed by rule of the  
9 commission. The fee for this permit is twenty-four dollars. The  
10 application fee is seventy dollars.

11 (6) A fishing or field trial permit allows the holder to promote,  
12 conduct, hold, or sponsor a fishing or field trial contest in  
13 accordance with rules of the commission. The fee for a fishing  
14 contest permit is twenty-four dollars. The fee for a field trial  
15 contest permit is twenty-four dollars. The application fee is seventy  
16 dollars.

17 **Sec. 13.** RCW 77.65.510 and 2017 3rd sp.s. c 8 s 41 are each  
18 amended to read as follows:

19 (1) The limited fish seller endorsement permits a license holder  
20 or alternate operator to clean, dress, and sell his or her  
21 commercially harvested catch directly to consumers at retail. The  
22 limited (~~(fish)~~) fish seller endorsement may be issued as an  
23 optional addition to all holders of a commercial fishing license  
24 issued by the department and may be purchased at the time of the  
25 underlying license sale or any time thereafter.

26 (2) The holder of a limited fish seller endorsement selling their  
27 own catch directly to consumers is exempt from the permitting  
28 requirements of chapter 246-215 WAC. To ensure food safety for  
29 consumers, the holder of a limited fish seller endorsement must  
30 follow these requirements: (a) Only sell fresh, whole fish or fresh  
31 fish that has been cleaned and dressed; (b) use ice from a commercial  
32 source to hold the fish; and (c) provide the buyer with a receipt  
33 stating the date of purchase, Washington fish-receiving ticket number  
34 documenting the original delivery, name, address, and phone number of  
35 the holder of the limited fish seller endorsement from whom the fish  
36 or shellfish was purchased, and the species and weight or number of  
37 fish or shellfish sold. Failure to satisfy these food safety  
38 requirements is punishable as an infraction under RCW 77.15.160. A  
39 licensed commercial fisher holding a limited fish seller endorsement

1 may allow a designated alternate to sell under the authority of that  
2 endorsement.

3 (3) An individual need only add one limited fish seller  
4 endorsement to his or her license portfolio. If a limited fish seller  
5 endorsement is selected by an individual holding more than one  
6 commercial fishing license issued by the department, an endorsement  
7 is considered to be added to all commercial fishing licenses held by  
8 that individual, and is the only endorsement required for the  
9 individual to sell at retail any species permitted by any of the  
10 underlying endorsed licenses.

11 (4) The fee for a resident limited fish seller endorsement is  
12 seventy dollars. The fee for a nonresident limited fish seller  
13 endorsement is ((~~one hundred forty five~~)) four hundred fifty-five  
14 dollars. The application fee for both a resident and nonresident  
15 endorsement is one hundred five dollars.

16 (5) The holder of a limited fish seller endorsement is  
17 responsible for documenting the commercial harvest and sales  
18 according to the rules of the department.

19 (6) The limited fish seller endorsement is to be held by a  
20 natural person and is not transferable or assignable. If the endorsed  
21 license is transferred, the limited fish seller endorsement  
22 immediately becomes void, and the transferor is not eligible for a  
23 full or prorated reimbursement of the annual fee paid for the limited  
24 fish seller endorsement. Upon becoming void, the holder of a limited  
25 fish seller endorsement must surrender the physical endorsement to  
26 the department.

27 (7) The holder of a qualifying commercial fishing license or an  
28 alternate operator designated on such a license, must either possess  
29 a limited fish seller endorsement or a wholesale fish buyer  
30 endorsement provided for in RCW 77.65.340 in order to lawfully sell  
31 their catch or harvest in the state to anyone other than a licensed  
32 wholesale fish buyer.

33 **Sec. 14.** RCW 77.12.453 and 1983 1st ex.s. c 46 s 27 are each  
34 amended to read as follows:

35 The director may issue permits to members of the Wanapum band of  
36 Indians to take salmon and other freshwater food fish for ceremonial  
37 and subsistence purposes. The department shall establish the areas in  
38 which the permits are valid and shall regulate the times for and

1 manner of taking the salmon and other freshwater food fish. This  
2 section does not create a right to fish commercially.

3 NEW SECTION. **Sec. 15.** Sections 1 through 8 and 10 through 13 of  
4 this act take effect January 1, 2019.

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