
SENATE BILL 5531

State of Washington

64th Legislature

2015 Regular Session

By Senators Hatfield and Chase

Read first time 01/23/15. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to providing increased revenue to the state
2 wildlife account; amending RCW 77.15.500, 77.65.010, 77.65.150,
3 77.65.160, 77.65.170, 77.65.190, 77.65.280, 77.65.340, 77.65.440,
4 77.65.480, 77.65.510, 82.27.020, and 82.27.070; reenacting and
5 amending RCW 77.12.170; adding new sections to chapter 77.65 RCW;
6 providing an effective date; and declaring an emergency.

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

8 **Sec. 1.** RCW 77.12.170 and 2011 c 339 s 3, 2011 c 320 s 23, and
9 2011 c 171 s 112 are each reenacted and amended to read as follows:

10 (1) There is established in the state treasury the state wildlife
11 account (~~(which)~~) that consists of moneys received from:

12 (a) Rentals or concessions of the department;

13 (b) The sale of real or personal property held for department
14 purposes, unless the property is seized or recovered through a fish,
15 shellfish, or wildlife enforcement action;

16 (c) The assessment of administrative penalties;

17 (d) The sale of licenses, permits, tags, and stamps required by
18 chapter 77.32 RCW, RCW 77.65.490, section 4 of this act, and
19 application fees;

20 (e) Fees for informational materials published by the department;

1 (f) Fees for personalized vehicle, Wild on Washington, and
2 Endangered Wildlife license plates and Washington's Wildlife license
3 plate collection as provided in chapter 46.17 RCW;

4 (g) Articles or wildlife sold by the director under this title;

5 (h) Compensation for damage to department property or wildlife
6 losses or contributions, gifts, or grants received under RCW
7 77.12.320. However, this excludes fish and shellfish overages, and
8 court-ordered restitution or donations associated with any fish,
9 shellfish, or wildlife enforcement action, as such moneys must be
10 deposited pursuant to RCW 77.15.425;

11 (i) Excise tax on ((anadromous—game)) enhanced food fish
12 collected under chapter 82.27 RCW;

13 (j) The department's share of revenues from auctions and raffles
14 authorized by the commission;

15 (k) The sale of watchable wildlife decals under RCW 77.32.560;
16 ((and))

17 (l) Moneys received from the recreation access pass account
18 created in RCW 79A.80.090 must be dedicated to stewardship,
19 operations, and maintenance of department lands used for public
20 recreation purposes; ((and))

21 (m) Donations received by the director under RCW 77.12.039; and

22 (n) The commercial anadromous surcharge required by chapter 77.65
23 RCW.

24 (2) State and county officers receiving any moneys listed in
25 subsection (1) of this section ((shall)) must deposit them in the
26 state treasury to be credited to the state wildlife account.

27 **Sec. 2.** RCW 77.15.500 and 2000 c 107 s 248 are each amended to
28 read as follows:

29 (1) A person is guilty of commercial fishing without a license in
30 the second degree if the person fishes for, takes, or delivers food
31 fish, shellfish, or game fish while acting for commercial purposes
32 and:

33 (a) The person does not hold a fishery license or delivery
34 license under chapter 77.65 RCW for the food fish or shellfish;
35 ((or))

36 (b) The person is not a licensed operator designated as an
37 alternate operator on a fishery or delivery license under chapter
38 77.65 RCW for the food fish or shellfish; or

1 (c) The person does not hold a crewmember license when required
2 under section 4 of this act.

3 (2) A person is guilty of commercial fishing without a license in
4 the first degree if the person commits the act described by
5 subsection (1) of this section and:

6 (a) The violation involves taking, delivery, or possession of
7 food fish or shellfish with a value of two hundred fifty dollars or
8 more; or

9 (b) The violation involves taking, delivery, or possession of
10 food fish or shellfish from an area that was closed to the taking of
11 such food fish or shellfish by any statute or rule.

12 (3)(a) Commercial fishing without a license in the second degree
13 is a gross misdemeanor.

14 (b) Commercial fishing without a license in the first degree is a
15 class C felony.

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

18 (1) In addition to any commercial license required under this
19 chapter, an anadromous surcharge is required in order to commercially
20 fish, harvest, sell, purchase, or process any anadromous species.

21 (2) The amount of the applicable commercial anadromous surcharge
22 is as provided in RCW 77.65.150, 77.65.170, 77.65.190, 77.65.280,
23 77.65.340, 77.65.440, 77.65.480, and 77.65.510.

24 (3) The commercial anadromous surcharge must be deposited into
25 the state wildlife account created in RCW 77.12.170. Moneys received
26 from the anadromous surcharge must be appropriated to support
27 commercial fisheries, including activities such as fishery
28 monitoring, sampling and permitting activities, hatchery production
29 and maintenance activities, and commercial fishery enforcement
30 activities.

31 NEW SECTION. Sec. 4. A new section is added to chapter 77.65
32 RCW to read as follows:

33 (1)(a) A crewmember license is required for each individual who
34 works on any commercial vessel while operating in a commercial
35 fishery regulated by the state, except that the individual on the
36 vessel designated as the primary or alternate operator on the
37 commercial fishing license does not also need a crewmember license.

1 (b) A crewmember license is not required for an individual aboard
2 a licensed vessel who does not directly or indirectly participate in
3 the operation of the vessel, the harvest, or catch processing
4 activity. For the purposes of this section the terms "harvest" or
5 "catch processing" include participation in tending, deploying,
6 retrieving, or baiting fishing gear, harvesting, transferring or
7 receiving fish or shellfish, heading and gutting fish, freezing,
8 icing, or placing fish or shellfish in holds.

9 (2) A crewmember license must be purchased by an individual
10 working as a crewmember, which license the holder may use aboard any
11 commercial fishing vessel. A crewmember license purchased by a
12 crewmember may not be transferred to another individual.

13 (3) A crewmember license may be purchased and held by a
14 commercial fishing license holder for use by any individual working
15 on the vessel named in the commercial fishing license. Each
16 crewmember license held by a commercial fishing license holder covers
17 one crewmember per trip, but the same crewmember license can be used
18 to authorize a different individual to act as a crewmember on a
19 subsequent trip.

20 (4)(a) The fee for an annual crewmember license is one hundred
21 dollars for residents and nonresidents. Additional application fees
22 and surcharges do not apply except that if the license is purchased
23 through the automated licensing system the fees authorized in RCW
24 77.32.050 apply.

25 (b) A five consecutive day crewmember license may be purchased
26 for a fee of twenty-five dollars for residents and
27 nonresidents. Additional application fees and surcharges do not apply
28 except that if the license is purchased through the automated
29 licensing system the fees authorized in RCW 77.32.050 apply.

30 (5) Moneys received from the sale of a crewmember license must be
31 deposited into the state wildlife account and be appropriated to
32 support commercial fisheries, including activities such as fishery
33 monitoring, sampling and permitting activities, hatchery production
34 and maintenance activities, and commercial fishery enforcement
35 activities.

36 **Sec. 5.** RCW 77.65.010 and 2009 c 333 s 7 are each amended to
37 read as follows:

1 (1) Except as otherwise provided by this title, a person must
2 have a license or permit issued by the director in order to engage in
3 any of the following activities:

4 (a) Commercially fish for or take food fish or shellfish;

5 (b) Deliver from a commercial fishing vessel food fish or
6 shellfish taken for commercial purposes in offshore waters. As used
7 in this subsection, "deliver" means arrival at a place or port, and
8 includes arrivals from offshore waters to waters within the state and
9 arrivals from state or offshore waters;

10 (c) Operate a charter boat or commercial fishing vessel engaged
11 in a fishery;

12 (d) Engage in processing or wholesaling food fish or shellfish;
13 (~~(e)~~)

14 (e) Act as a food fish guide for personal use in freshwater
15 rivers and streams, except that a charter boat license is required to
16 operate a vessel from which a person may for a fee fish for food fish
17 in state waters listed in RCW 77.65.150(4)(b); or

18 (f) Work as a crewmember on any commercial vessel operating in a
19 commercial fishery regulated by the state, including crews of
20 tenders, processors, catcher processors, or other floating craft
21 while used in catching or transporting fish or shellfish.

22 (2) No person may engage in the activities described in
23 subsection (1) of this section unless the licenses or permits
24 required by this title are in the person's possession, and the person
25 is the named license holder or an alternate operator designated on
26 the license and the person's license is not suspended.

27 (3) A valid Oregon license that is equivalent to a license under
28 this title is valid in the concurrent waters of the Columbia river if
29 the state of Oregon recognizes as valid the equivalent Washington
30 license. The director may identify by rule what Oregon licenses are
31 equivalent.

32 (4) No license or permit is required for the production or
33 harvesting of private sector cultured aquatic products as defined in
34 RCW 15.85.020 or for the delivery, processing, or wholesaling of such
35 aquatic products. However, if a means of identifying such products is
36 required by rules adopted under RCW 15.85.060, the exemption from
37 licensing or permit requirements established by this subsection
38 applies only if the aquatic products are identified in conformance
39 with those rules.

1 **Sec. 6.** RCW 77.65.150 and 2011 c 339 s 18 are each amended to
 2 read as follows:

3 (1) The director shall issue the charter licenses and angler
 4 permits listed in this section according to the requirements of this
 5 title. The licenses and permits and their annual license fees,
 6 application fees, and surcharges are:

	<u>Fishery License</u>	<u>Annual License Fee</u>		<u>Anadromous Surcharge RCW</u>		<u>Regional Fisheries</u>	<u>Rockfish</u>	<u>Application</u>	<u>Governing</u>
	or	((RCW 77.95.090 Surcharge))		<u>77.65. . . (section 3 of this act)</u>		<u>Enhancement</u>	<u>Research</u>	Fee	Section
	Permit	((RCW 77.12.702 Surcharge))				<u>Group</u>	<u>Surcharge RCW</u>		
						<u>Enhancement</u>	<u>77.12.702</u>		
						<u>Surcharge RCW</u>			
						<u>77.95.090</u>			
		<u>Resident</u>	<u>Nonresident</u>	<u>Resident</u>	<u>Nonresident</u>				
14	(a) Non-	\$225	\$375	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>plus \$35</u>	\$ 70	
15	salmon	((plus \$35 for	((plus \$35 for						
16	charter	<u>RCW 77.12.702</u>	<u>RCW 77.12.702</u>						
17		<u>Surcharge))</u>	<u>Surcharge))</u>						
18	(b) Salmon	\$380	\$685	<u>plus \$310</u>	<u>plus \$310</u>	<u>plus \$100</u>	<u>plus \$35</u>	\$105	RCW
19	charter	((plus \$100)	((plus \$100)						77.70.050
20		(plus \$35 for	(plus \$35 for						
21		<u>RCW 77.12.702</u>	<u>RCW 77.12.702</u>						
22		<u>Surcharge))</u>	<u>Surcharge))</u>						
23	(c) Salmon	\$ 0	\$ 0	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$ 0	RCW
24	angler								77.70.060
25	(d) Salmon roe	\$ 95	\$ 95	<u>plus \$80</u>	<u>plus \$80</u>	<u>\$0</u>	<u>\$0</u>	\$ 70	RCW
26									77.65.350

27 (2) A salmon charter license designating a vessel is required to
 28 operate a charter boat from which persons may, for a fee, fish for
 29 salmon, other food fish, and shellfish. The director may issue a
 30 salmon charter license only to a person who meets the qualifications
 31 of RCW 77.70.050.

32 (3) A nonsalmon charter license designating a vessel is required
 33 to operate a charter boat from which persons may, for a fee, fish for
 34 food fish other than salmon, albacore tuna, and shellfish.

35 (4)(a) "Charter boat" means a vessel from which persons may, for
 36 a fee, fish for food fish or shellfish for personal use in those
 37 state waters set forth in (b) of this subsection. "Charter boat" also

1 means a vessel from which persons may, for a fee, fish for food fish
2 or shellfish for personal use in offshore waters or in the waters of
3 other states. The director may specify by rule when a vessel is a
4 "charter boat" within this definition.

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

10 (5) A charter boat licensed in Oregon may fish without a
11 Washington charter license under the same rules as Washington charter
12 boat operators in ocean waters within the jurisdiction of Washington
13 state from the southern border of the state of Washington to
14 Leadbetter Point, as long as the Oregon vessel does not take on or
15 discharge passengers for any purpose from any Washington port, the
16 Washington shore, or a dock, landing, or other point in Washington.
17 The provisions of this subsection shall be in effect as long as the
18 state of Oregon has reciprocal laws and regulations.

19 (6) A salmon charter license under subsection (1)(b) of this
20 section may be renewed if the license holder notifies the department
21 by May 1st of that year that he or she will not participate in the
22 fishery during that calendar year. The license holder must pay the
23 one hundred dollar enhancement surcharge, a thirty-five dollar
24 surcharge to be deposited in the rockfish research account created in
25 RCW 77.12.702, plus a one hundred five dollar application fee, plus a
26 one hundred twenty dollar commercial anadromous surcharge, in order
27 to be considered a valid renewal and eligible to renew the license
28 the following year.

29 **Sec. 7.** RCW 77.65.160 and 2011 c 339 s 19 are each amended to
30 read as follows:

31 (1) The following commercial salmon fishery licenses are required
32 for the license holder to use the specified gear to fish for salmon
33 in state waters. Only a person who meets the qualifications of RCW
34 77.70.090 may hold a license listed in this subsection. The licenses
35 and their annual license fees, application fees, and surcharges
36 (~~under RCW 77.95.090~~) are:

	Fishery License	<u>Annual License Fee</u>		<u>Anadromous Surcharge RCW 77.65...</u> (section 3 of this act)		<u>Regional Fisheries Enhancement Group</u> Surcharge <u>RCW 77.95.090</u>	Application Fee
		Resident Fee	Nonresident Fee	<u>Resident</u>	<u>Nonresident</u>		
7	(a) Salmon Gill Net	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
8	—Grays						
9	Harbor-						
10	Columbia						
11	river						
12	(b) Salmon Gill Net	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
13	—Puget						
14	Sound						
15	(c) Salmon Gill Net	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
16	—Willapa						
17	Bay-						
18	Columbia						
19	river						
20	(d) Salmon purse	\$530	\$985	<u>plus \$365</u>	<u>plus \$365</u>	plus \$100	\$105
21	seine						
22	(e) Salmon reef net	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105
23	(f) Salmon troll	\$380	\$685	<u>plus \$290</u>	<u>plus \$290</u>	plus \$100	\$105

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

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

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

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

35 (a) "Puget Sound" includes waters of the Strait of Juan de Fuca,
36 Georgia Strait, Puget Sound and all bays, inlets, canals, coves,
37 sounds, and estuaries lying easterly and southerly of the
38 international boundary line and a line at the entrance to the Strait

1 of Juan de Fuca projected northerly from Cape Flattery to the
2 lighthouse on Tatoosh Island and then to Bonilla Point on Vancouver
3 Island.

4 (b) "Grays Harbor-Columbia river" includes waters of Grays Harbor
5 and tributary estuaries lying easterly of a line projected northerly
6 from Point Chehalis Light to Point Brown and those waters of the
7 Columbia river and tributary sloughs and estuaries easterly of a line
8 at the entrance to the Columbia river projected southerly from the
9 most westerly point of the North jetty to the most westerly point of
10 the South jetty.

11 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay
12 and tributary estuaries and easterly of a line projected northerly
13 from Leadbetter Point to the Cape Shoalwater tower and those waters
14 of the Columbia river and tributary sloughs described in (b) of this
15 subsection.

16 (6) A commercial salmon troll fishery license may be renewed
17 under this section if the license holder notifies the department by
18 May 1st of that year that he or she will not participate in the
19 fishery during that calendar year. A commercial salmon gill net, reef
20 net, or seine fishery license may be renewed under this section if
21 the license holder notifies the department before the third Monday in
22 September of that year that he or she will not participate in the
23 fishery during that calendar year. The license holder must pay the
24 one hundred dollar enhancement surcharge, (~~plus~~) a one hundred five
25 dollar application fee, plus a one hundred dollar commercial
26 anadromous surcharge before the third Monday in September, in order
27 to be considered a valid renewal and eligible to renew the license
28 the following year.

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

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

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

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

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

3 **Sec. 8.** RCW 77.65.170 and 2011 c 339 s 20 are each amended to
4 read as follows:

5 (1) A salmon delivery license is required for a commercial
6 fishing vessel to deliver salmon taken for commercial purposes in
7 offshore waters to a place or port in the state. (~~As used in this~~
8 ~~section, "deliver" and "delivery" mean arrival at a place or port,~~
9 ~~and include arrivals from offshore waters to waters within the state~~
10 ~~and arrivals ashore from offshore waters.))~~

11 (2)(a) The annual fee for a salmon delivery license is three
12 hundred eighty dollars for residents and six hundred eighty-five
13 dollars for nonresidents.

14 (b) The application fee for a salmon delivery license is one
15 hundred five dollars.

16 (c) The annual surcharge under RCW 77.95.090 is one hundred
17 dollars for each license.

18 (d) The annual commercial anadromous surcharge under section 3 of
19 this act is two hundred ninety dollars for a resident or nonresident.

20 (e) Holders of nonlimited entry delivery licenses issued under
21 RCW 77.65.210 may apply the nonlimited entry delivery license fee
22 against the salmon delivery license fee.

23 ~~((+2))~~ (3) Only a person who meets the qualifications
24 established in RCW 77.70.090 may hold a salmon delivery license
25 issued under this section.

26 ~~((+3))~~ (4) A salmon delivery license authorizes no taking of
27 salmon or other food fish or shellfish from the waters of the state.

28 ~~((+4))~~ (5) If the director determines that the operation of a
29 vessel under a salmon delivery license results in the depletion or
30 destruction of the state's salmon resource or the delivery into this
31 state of salmon products prohibited by law, the director may revoke
32 the license under the procedures of chapter 34.05 RCW.

33 (6) As used in this section, "deliver" and "delivery" mean
34 arrival at a place or port and include arrivals from offshore waters
35 to waters within the state and arrivals ashore from offshore waters.

36 **Sec. 9.** RCW 77.65.190 and 2011 c 339 s 21 are each amended to
37 read as follows:

1 (1) A person who does not qualify for a license under RCW
2 77.70.090 shall obtain a nontransferable emergency salmon delivery
3 license to make one delivery from a commercial fishing vessel of
4 salmon taken for commercial purposes in offshore waters. (~~As used in~~
5 ~~this section, "delivery" means arrival at a place or port, and~~
6 ~~include arrivals from offshore waters to waters within the state and~~
7 ~~arrivals ashore from offshore waters.~~) The director shall not issue
8 an emergency salmon delivery license unless, as determined by the
9 director, a bona fide emergency exists.

10 (2)(a) The license fee for a nontransferable emergency salmon
11 delivery license is two hundred twenty-five dollars for residents and
12 four hundred seventy-five dollars for nonresidents.

13 (b) The application fee for a nontransferable emergency salmon
14 delivery license is one hundred five dollars.

15 (c) The annual commercial anadromous surcharge under section 3 of
16 this act for a nontransferable emergency salmon delivery license is
17 one hundred sixty-five dollars for a resident or nonresident.

18 (3) An applicant for an emergency salmon delivery license shall
19 designate no more than one vessel that will be used with the license.
20 Alternate operator licenses are not required of persons delivering
21 salmon under an emergency salmon delivery license. Emergency salmon
22 delivery licenses are not renewable.

23 (4) As used in this section, "delivery" means arrival at a place
24 or port and includes arrivals from offshore waters to waters within
25 the state and arrivals ashore from offshore waters.

26 **Sec. 10.** RCW 77.65.280 and 2014 c 48 s 27 are each amended to
27 read as follows:

28 (1) A wholesale fish dealer's license is required for:

29 (a) A business in the state to engage in the commercial
30 processing of food fish or shellfish, including custom canning or
31 processing of personal use food fish or shellfish.

32 (b) A business in the state to engage in the wholesale selling,
33 buying, or brokering of food fish or shellfish. A wholesale fish
34 dealer's license is not required of those businesses which buy
35 exclusively from Washington licensed wholesale dealers and sell
36 solely at retail.

37 (c) Fishers who land and sell their catch or harvest in the state
38 to anyone other than a licensed wholesale dealer within or outside
39 the state, unless the fisher has a direct retail endorsement.

1 (d) A business to engage in the commercial manufacture or
2 preparation of fertilizer, oil, meal, caviar, fish bait, or other by-
3 products from food fish or shellfish.

4 (e) A business engaging a fish buyer as defined under RCW
5 77.65.340.

6 (2)(a) The annual license fee for a wholesale dealer is two
7 hundred fifty dollars. The application fee is one hundred five
8 dollars.

9 (b) The annual commercial anadromous surcharge under section 3 of
10 this act for a wholesale dealer is one hundred seventy-five dollars.

11 (3) A wholesale fish dealer's license is not required for persons
12 engaged in the processing, wholesale selling, buying, or brokering of
13 private sector cultured aquatic products as defined in RCW 15.85.020.
14 However, if a means of identifying such products is required by rules
15 adopted under RCW 15.85.060, the exemption from licensing
16 requirements established by this subsection applies only if the
17 aquatic products are identified in conformance with those rules.

18 **Sec. 11.** RCW 77.65.340 and 2014 c 48 s 28 are each amended to
19 read as follows:

20 (1) A fish buyer's license is required of and shall be carried by
21 each individual engaged by a wholesale fish dealer to purchase food
22 fish or shellfish from a commercial fisher. A fish buyer may
23 represent only one wholesale fish dealer.

24 (2)(a) The annual fee for a fish buyer's license is ninety-five
25 dollars.

26 (b) The application fee for a fish buyer's license is one hundred
27 five dollars.

28 (c) The annual commercial anadromous surcharge under section 3 of
29 this act for a fish buyer's license is one hundred dollars.

30 **Sec. 12.** RCW 77.65.440 and 2011 c 339 s 28 are each amended to
31 read as follows:

32 The director shall issue the personal licenses listed in this
33 section according to the requirements of this title. The licenses
34 ~~((and))~~, their annual fees, and surcharges are:

	Personal License	Annual License Fee (((RCW 77.95.090 Surchage)))	Anadromous Surchage RCW 77.65. . . (section 3 of this act)	Regional Fisheries Enhancement Group	Application Fee	Governing Section			
				<u>Enhancement Surchage RCW</u> <u>77.95.090</u>					
		Resident	Nonresident	<u>Resident</u>	<u>Nonresident</u>				
6	(1) Alternate Operator	\$35	\$35	<u>\$0</u>	<u>\$0</u>	plus \$0	<u>\$0</u>	\$70	RCW 77.65.130
8	(2) Geoduck Diver	\$185	\$295	<u>\$0</u>	<u>\$0</u>	plus \$0	<u>\$0</u>	\$70	RCW 77.65.410
10	(3) Food Fish Guide	\$130	\$630	<u>plus \$110</u>	<u>plus \$110</u>	<u>plus \$20</u>	<u>plus \$100</u>	\$70	RCW 77.65.370
11		(((plus \$20)))	(((plus \$100)))						

12 **Sec. 13.** RCW 77.65.480 and 2013 c 314 s 2 are each amended to
13 read as follows:

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

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

22 (3) A game fish guide license allows the holder to offer or
23 perform the services of a game fish guide in the taking of game fish.
24 The fee for this license is one hundred eighty dollars for a resident
25 and six hundred dollars for a nonresident. The application fee is
26 seventy dollars. An application for a game fish guide license must
27 include the information required in RCW 77.65.560. The annual
28 commercial anadromous surcharge under section 3 of this act is one
29 hundred twenty-five dollars for a resident or nonresident.

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

36 (5) A game fish stocking permit allows the holder to release game
37 fish into the waters of the state as prescribed by rule of the

1 commission. The fee for this permit is twenty-four dollars. The
2 application fee is seventy dollars.

3 (6) A fishing or field trial permit allows the holder to promote,
4 conduct, hold, or sponsor a fishing or field trial contest in
5 accordance with rules of the commission. The fee for a fishing
6 contest permit is twenty-four dollars. The fee for a field trial
7 contest permit is twenty-four dollars. The application fee is seventy
8 dollars.

9 (7)(a) An anadromous game fish buyer's license allows the holder
10 to purchase or sell steelhead trout and other anadromous game fish
11 harvested by Indian fishers lawfully exercising fishing rights
12 reserved by federal statute, treaty, or executive order, under
13 conditions prescribed by rule of the director. The fee for this
14 license is one hundred eighty dollars. The application fee is one
15 hundred five dollars.

16 (b) An anadromous game fish buyer's license is not required for
17 those businesses that buy steelhead trout and other anadromous game
18 fish from Washington licensed game fish dealers and sell solely at
19 retail.

20 **Sec. 14.** RCW 77.65.510 and 2011 c 339 s 31 are each amended to
21 read as follows:

22 (1) The department must establish and administer a direct retail
23 endorsement to serve as a single license that permits a Washington
24 license holder or alternate operator to commercially harvest retail-
25 eligible species and to clean, dress, and sell his or her catch
26 directly to consumers at retail, including over the internet. The
27 direct retail endorsement must be issued as an optional addition to
28 all holders of: (a) A commercial fishing license for retail-eligible
29 species that the department offers under this chapter; and (b) an
30 alternate operator license who are designated as an alternate
31 operator on a commercial fishing license for retail eligible species.

32 (2) The direct retail endorsement must be offered at the time of
33 application for the qualifying commercial fishing license.
34 Individuals in possession of a qualifying commercial fishing license
35 issued under this chapter, and alternate operators designated on such
36 a license, may add a direct retail endorsement to their current
37 license at any time. Individuals who do not have a commercial fishing
38 license for retail-eligible species issued under this chapter, and
39 who are not designated as alternate operators on such a license, may

1 not receive a direct retail endorsement. The costs, conditions,
2 responsibilities, and privileges associated with the endorsed
3 commercial fishing license is not affected or altered in any way by
4 the addition of a direct retail endorsement. These costs include the
5 base cost of the license and any revenue and excise taxes.

6 (3) An individual need only add one direct retail endorsement to
7 his or her license portfolio. If a direct retail endorsement is
8 selected by an individual holding more than one commercial fishing
9 license issued under this chapter, a single direct retail endorsement
10 is considered to be added to all qualifying commercial fishing
11 licenses held by that individual, and is the only license required
12 for the individual to sell at retail any retail-eligible species
13 permitted by all of the underlying endorsed licenses. If a direct
14 retail endorsement is selected by an individual designated as an
15 alternate operator on more than one commercial license issued under
16 this chapter, a single direct retail endorsement is the only license
17 required for the individual to sell at retail any retail-eligible
18 species permitted by all of the underlying endorsed licenses on which
19 the individual is designated as an alternate operator. The direct
20 retail endorsement applies only to the Washington license holder or
21 alternate operator obtaining the endorsement.

22 (4)(a) In addition to any fees charged for the endorsed licenses
23 and harvest documentation as required by this chapter or the rules of
24 the department, the department may set a reasonable annual fee not to
25 exceed the administrative costs to the department for a direct retail
26 endorsement.

27 (b) In addition to an annual fee, the application fee is one
28 hundred five dollars and the annual commercial anadromous surcharge
29 under section 3 of this act is seventy-five dollars.

30 (5) The holder of a direct retail endorsement is responsible for
31 documenting the commercial harvest of salmon and crab according to
32 the provisions of this chapter, the rules of the department for a
33 wholesale fish dealer, and the reporting requirements of the endorsed
34 license. Any retail-eligible species caught by the holder of a direct
35 retail endorsement must be documented on fish tickets.

36 (6) The direct retail endorsement must be displayed in a readily
37 visible manner by the seller wherever and whenever a sale to someone
38 other than a licensed wholesale dealer occurs. The commission may
39 require that the holder of a direct retail endorsement notify the
40 department up to eighteen hours before conducting an in-person sale

1 of retail-eligible species, except for in-person sales that have a
2 cumulative retail sales value of less than one hundred fifty dollars
3 in a twenty-four hour period that are sold directly from the vessel.
4 For sales occurring in a venue other than in person, such as over the
5 internet, through a catalog, or on the phone, the direct retail
6 endorsement number of the seller must be provided to the buyer both
7 at the time of sale and the time of delivery. All internet sales must
8 be conducted in accordance with federal laws and regulations.

9 (7) The direct retail endorsement is to be held by a natural
10 person and is not transferable or assignable. If the endorsed license
11 is transferred, the direct retail endorsement immediately becomes
12 void, and the transferor is not eligible for a full or prorated
13 reimbursement of the annual fee paid for the direct retail
14 endorsement. Upon becoming void, the holder of a direct retail
15 endorsement must surrender the physical endorsement to the
16 department.

17 (8) The holder of a direct retail endorsement must abide by the
18 provisions of Title 69 RCW as they apply to the processing and retail
19 sale of seafood. The department must distribute a pamphlet, provided
20 by the department of agriculture, with the direct retail endorsement
21 generally describing the labeling requirements set forth in chapter
22 69.04 RCW as they apply to seafood.

23 (9) The holder of a qualifying commercial fishing license issued
24 under this chapter, or an alternate operator designated on such a
25 license, must either possess a direct retail endorsement or a
26 wholesale dealer license provided for in RCW 77.65.280 in order to
27 lawfully sell their catch or harvest in the state to anyone other
28 than a licensed wholesale dealer.

29 (10) The direct retail endorsement entitles the holder to sell a
30 retail-eligible species only at a temporary food service
31 establishment as that term is defined in RCW 69.06.045, or directly
32 to a restaurant or other similar food service business.

33 **Sec. 15.** RCW 82.27.020 and 2010 c 193 s 16 are each amended to
34 read as follows:

35 (1) In addition to all other taxes, licenses, or fees provided by
36 law there is established an excise tax on the commercial possession
37 of enhanced food fish as provided in this chapter. The tax is levied
38 upon and shall be collected from the owner of the enhanced food fish
39 whose possession constitutes the taxable event. The taxable event is

1 the first possession in Washington by an owner after the enhanced
2 food fish has been landed. Processing and handling of enhanced food
3 fish by a person who is not the owner is not a taxable event to the
4 processor or handler.

5 (2) A person in possession of enhanced food fish and liable to
6 this tax may deduct from the price paid to the person from which the
7 enhanced food fish (except oysters) are purchased an amount equal to
8 a tax at one-half the rate levied in this section upon these
9 products.

10 (3) The measure of the tax is the value of the enhanced food fish
11 at the point of landing.

12 (4) The tax shall be equal to the measure of the tax multiplied
13 by the rates for enhanced food fish as follows:

14 (a) Chinook, coho, and chum salmon and anadromous game fish:
15 (~~Five and twenty-five~~) Eight and forty one-hundredths percent;

16 (b) Pink and sockeye salmon: (~~Three and fifteen~~) Five and four
17 one-hundredths percent;

18 (c) Other food fish and shellfish, except oysters, sea urchins,
19 and sea cucumbers: Two and one-tenth percent;

20 (d) Oysters: Eight one-hundredths of one percent;

21 (e) Sea urchins: (~~Four and six tenths percent through December~~
22 ~~31, 2013, or until the department of fish and wildlife notifies the~~
23 ~~department that the number of sea urchin licenses has been reduced to~~
24 ~~twenty licenses, whichever occurs first, and~~) Two and one-tenth
25 percent (~~thereafter~~); and

26 (f) Sea cucumbers: (~~Four and six tenths percent through December~~
27 ~~31, 2013, or until the department of fish and wildlife notifies the~~
28 ~~department that the number of sea cucumber licenses has been reduced~~
29 ~~to twenty licenses, whichever occurs first, and~~) Two and one-tenth
30 percent (~~thereafter~~).

31 (5) An additional tax is imposed equal to the rate specified in
32 RCW 82.02.030 multiplied by the tax payable under subsection (4) of
33 this section.

34 **Sec. 16.** RCW 82.27.070 and 2010 c 193 s 17 are each amended to
35 read as follows:

36 (1) All taxes collected by the department of revenue under this
37 chapter (~~shall~~) must be deposited in the (~~state general fund~~
38 ~~except for the excise tax on anadromous game fish, which shall be~~
39 ~~deposited in the~~) state wildlife account created in RCW 77.12.170,

1 except for the additional tax in RCW 82.27.020(5), which must be
2 deposited into the state general fund.

3 (2) Moneys deposited into the state wildlife account from the
4 increase in the excise tax collected on chinook, coho, and chum
5 salmon and anadromous game fish of three and fifteen one-hundredths
6 percent, and on pink and sockeye salmon of one and eighty-nine one-
7 hundredths percent as provided for in section 15, chapter..., Laws of
8 2015 (section 15 of this act) must be appropriated to support
9 commercial fisheries, including activities such as fishery
10 monitoring, sampling and permitting activities, hatchery production
11 and maintenance activities, and commercial fishery enforcement
12 activities. ((From January 1, 2000, to December 31, 2013, or until
13 the department of fish and wildlife notifies the department that the
14 license reduction goals of the sea urchin or sea cucumber fishery
15 have been met, whichever occurs first, twenty five forty sixths of
16 the revenues derived from the excise tax on sea urchins collected
17 under RCW 82.27.020 shall be deposited into the sea urchin dive
18 fishery account created in RCW 77.70.150, and twenty five forty-
19 sixths of the revenues derived from the excise tax on sea cucumbers
20 collected under RCW 82.27.020 shall be deposited into the sea
21 cucumber dive fishery account created in RCW 77.70.190.))

22 NEW SECTION. Sec. 17. This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of
24 the state government and its existing public institutions, and takes
25 effect July 1, 2015.

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