

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1062

Chapter 200, Laws of 2019

66th Legislature
2019 Regular Session

COMMERCIAL FISHING LICENSES--SECURITY INTERESTS

EFFECTIVE DATE: July 28, 2019

Passed by the House March 7, 2019
Yeas 98 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 17, 2019
Yeas 48 Nays 0

CYRUS HABIB

President of the Senate

Approved April 30, 2019 2:05 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1062** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 1, 2019

**Secretary of State
State of Washington**

HOUSE BILL 1062

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Representatives Blake and Walsh

Prefiled 12/17/18. Read first time 01/14/19. Referred to Committee on Rural Development, Agriculture, & Natural Resources.

1 AN ACT Relating to expanding access to commercial fishing
2 opportunities; and amending RCW 77.65.070 and 77.65.020.

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

4 **Sec. 1.** RCW 77.65.070 and 2001 c 244 s 3 are each amended to
5 read as follows:

6 (1) A commercial license issued under this chapter permits the
7 license holder to engage in the activity for which the license is
8 issued in accordance with this title and the rules of the department.

9 (2) ~~((No security interest or lien of any kind, including tax
10 liens, may be created or enforced in a license issued under this
11 chapter.~~

12 ~~(3))~~ Unless otherwise provided in this title or rules of the
13 department, commercial licenses and permits issued under this chapter
14 expire at midnight on December 31st of the calendar year for which
15 they are issued. In accordance with this title, licenses may be
16 renewed annually upon application and payment of the prescribed
17 license fees. In accordance with RCW 77.65.030, the department must
18 provide a license or permit holder's surviving spouse, estate, or
19 estate beneficiary a reasonable opportunity to renew the license or
20 permit.

1 **Sec. 2.** RCW 77.65.020 and 2017 3rd sp.s. c 8 s 17 are each
2 amended to read as follows:

3 (1) Unless otherwise provided in this title, a license issued
4 under this chapter is not transferable from the license holder to any
5 other person. This may not be deemed to prohibit the granting or
6 enforcement of a security interest in any such license.

7 (2) The following restrictions apply to transfers of commercial
8 fishery licenses, salmon delivery licenses, and salmon charter
9 licenses that are transferable between license holders:

10 (a) The license holder shall surrender the previously issued
11 license to the department.

12 (b) The department shall complete no more than one transfer of
13 the license in any seven-day period.

14 (c) The fee to transfer a license from one license holder to
15 another is:

16 (i) The same as the license renewal fee if the license is not
17 limited under chapter 77.70 RCW;

18 (ii) Three and one-half times the renewal fee if the license is
19 not a commercial salmon license and the license is limited under
20 chapter 77.70 RCW;

21 (iii) Fifty dollars if the license is a commercial salmon license
22 and is limited under chapter 77.70 RCW; or

23 (iv) Five hundred dollars if the license is a Dungeness crab-
24 coastal fishery license.

25 (d) In addition to the fees under (c) of this subsection, an
26 application fee of one hundred five dollars applies to all commercial
27 license transfers.

28 (3) A commercial license that is transferable under this title
29 survives the death of the holder. Though such licenses are not
30 personal property, they shall be treated as analogous to personal
31 property for purposes of inheritance ~~((and)),~~ intestacy, and
32 enforcement of security interests pursuant to Title 62A RCW. Such
33 licenses are subject to state laws governing wills, trusts, estates,
34 intestate succession, and community property, except that such
35 licenses are exempt from ~~((claims of creditors of the estate and))~~
36 tax liens. The surviving spouse, estate, or beneficiary of the estate
37 may apply for a renewal of the license. There is no fee for transfer
38 of a license from a license holder to the license holder's surviving
39 spouse or estate, or to a beneficiary of the estate.

1 (4) Transfer of a license under this section is subject to the
2 approval of the department according to any rules the department may
3 adopt. Any transfer of a license issued under this chapter without
4 the written consent of each person holding a security interest in the
5 license is void.

Passed by the House March 7, 2019.

Passed by the Senate April 17, 2019.

Approved by the Governor April 30, 2019.

Filed in Office of Secretary of State May 1, 2019.

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