
SENATE BILL 5031

State of Washington

53rd Legislature

1993 Regular Session

By Senator Haugen

Read first time 01/11/93. Referred to Committee on Natural Resources.

1 AN ACT Relating to marine fish research; reenacting and amending
2 RCW 75.28.095; adding a new section to chapter 75.25 RCW; adding a new
3 section to chapter 75.28 RCW; adding a new section to Title 75 RCW;
4 adding a new chapter to Title 75 RCW; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds and declares the
7 following:

8 (1) Declines in various Washington marine species of fish have
9 adversely affected the sport and commercial fishing industries.

10 (2) Research, development, and technology transfer on the
11 artificial propagation, rearing, and stocking of some marine species
12 are needed.

13 (3) Funding for this research and development is most appropriately
14 borne by a special fund derived from user fees on sport and commercial
15 fishers who stand to benefit directly from the resurgence of various
16 marine species.

1 NEW SECTION. **Sec. 2.** Unless the context clearly requires
2 otherwise, the definitions in this section apply throughout this
3 chapter.

4 (1) "Fund" means the marine fish enhancement research fund.

5 (2) "Marine fish" means all species for which a personal use
6 license is required except salmon and sturgeon.

7 (3) "Program" means the Washington marine fish enhancement research
8 program.

9 NEW SECTION. **Sec. 3.** The Washington marine fish enhancement
10 research program is established for the purpose of supporting basic and
11 applied research and technology transfer on the artificial propagation,
12 rearing, and stocking of marine fish species that are important to
13 sport and commercial fishing in the marine and ocean waters of
14 Washington. Research funds shall be allocated between studies of
15 marine fish species important to sport fishers and studies of marine
16 fish important to commercial fishers in proportion to each fishing
17 group's relative financial contribution to the program. Research shall
18 include, but is not limited to: (1) Artificial propagation, rearing,
19 and stocking of marine fishes; (2) ecological requirements necessary to
20 sustain marine fish stocks; (3) population dynamics in order to better
21 understand potential survival patterns; (4) tagging and monitoring
22 programs to evaluate success of stocking programs; and (5) stock
23 identification and genetics research to enable identification of
24 migration patterns and populations of fish stocks.

25 NEW SECTION. **Sec. 4.** The program shall be administered by the
26 director with the advice and assistance of the advisory panel created
27 in section 5 of this act.

28 NEW SECTION. **Sec. 5.** To assist the director in establishing
29 policy direction for research projects, there is hereby created a
30 marine fish enhancement research advisory panel. The panel shall
31 consist of the following members to be appointed by the director:

32 (1) One member representing the Washington trawl fisheries,
33 appointed from a list of trawl fishers who express interest in serving
34 on the advisory panel;

1 (2) One member representing the Washington commercial halibut
2 fishing industry, appointed from a list of halibut fishers who express
3 interest in serving on the advisory panel;

4 (3) One member representing the Washington charter boat fishing
5 industry, appointed from a list of charter boat owners who express
6 interest in serving on the advisory panel;

7 (4) One member representing Washington marine recreational fishers,
8 appointed from a list of recreational fishers who express interest in
9 serving on the advisory panel;

10 (5) One scientist at large; and

11 (6) One member representing the United States national marine
12 fisheries service.

13 NEW SECTION. **Sec. 6.** (1) The marine fish enhancement research
14 fund is hereby created in the custody of the state treasury. All fees
15 received by the department under sections 7 and 8 of this act and RCW
16 75.28.095(5) shall be deposited in the fund. Any money received for
17 the purposes of carrying out this chapter from other sources may be
18 deposited in the fund. Expenditures from the fund may be used only for
19 the purposes of the program. The fund is subject to allotment
20 procedures under chapter 43.88 RCW, but no appropriation is required
21 for expenditures.

22 (2) An amount, not to exceed twelve percent of the total annual
23 revenues deposited in the fund, may be used by the department for
24 administering the research program, for the production and distribution
25 of the marine fish enhancement research stamp, and for collecting stamp
26 revenues.

27 NEW SECTION. **Sec. 7.** A new section is added to chapter 75.25 RCW
28 to read as follows:

29 (1) In addition to a valid personal use license, a person taking
30 marine fish from state and offshore waters for sport purposes shall
31 have permanently affixed to his or her personal use license an annual
32 marine fish enhancement research stamp that shall be issued upon
33 payment of one dollar.

34 (2) Sport anglers who are entitled to a free personal use license,
35 or who are not required to obtain a personal use license, shall not be
36 required to obtain a marine fish enhancement research stamp.

1 (3) A dealer's fee may not be charged for issuing a marine fish
2 enhancement research stamp.

3 NEW SECTION. **Sec. 8.** A new section is added to chapter 75.28 RCW
4 to read as follows:

5 In addition to a valid Washington commercial fishing license, a
6 person taking food fish for commercial purposes shall have permanently
7 affixed to his or her license an annual food fish enhancement research
8 stamp that may be obtained from the department upon payment of thirty
9 dollars.

10 **Sec. 9.** RCW 75.28.095 and 1989 c 316 s 2, 1989 c 147 s 1, and 1989
11 c 47 s 2 are each reenacted and amended to read as follows:

12 (1) A charter boat license is required for a vessel to be operated
13 as a charter boat from which food fish are taken for personal use.
14 Unless adjusted by the director pursuant to the director's authority
15 granted in RCW 75.28.065, the annual license fees are:

16 Species	Resident	Nonresident
17	Fee	Fee
18 (a) Food fish other		
19 than salmon	\$135	\$270
20 (b) Salmon and		
21 other food fish	\$275	\$550

22 (2) "Charter boat" means a vessel from which persons may, for a
23 fee, fish for food fish, and which delivers food fish into state ports
24 or delivers food fish taken from state waters into United States ports.
25 "Charter boat" does not mean:

26 (a) Vessels not generally engaged in charter boat fishing which are
27 under private lease or charter and operated by the lessee for the
28 lessee's personal recreational enjoyment; or

29 (b) Vessels used by guides for clients fishing for food fish for
30 personal use in freshwater rivers, streams, and lakes, other than Lake
31 Washington or that part of the Columbia River below the bridge at
32 Longview.

33 (3) A charter boat licensed in Oregon shall be permitted to fish
34 without a charter boat license in ocean waters within the jurisdiction
35 of Washington state from the southern border of the state of Washington
36 to Leadbetter Point under the same regulations as Washington charter

1 boat operators, as long as the Oregon vessel does not land at any
2 Washington port with the purpose of taking on or discharging
3 passengers. The provisions of this subsection shall be in effect as
4 long as the state of Oregon has reciprocal laws and regulations.

5 (4) A vessel shall not engage in both charter or sports fishing and
6 commercial fishing on the same day.

7 (5) Beginning January 1, 1994, and effective until December 31,
8 1999, in addition to a valid charter boat license, the owner of a
9 charter boat shall obtain and permanently affix to the charter boat
10 license an annual marine fish enhancement research stamp that may be
11 obtained from the department upon payment of thirty dollars.

12 NEW SECTION. Sec. 10. Sections 1 through 6 of this act shall
13 constitute a new chapter in Title 75 RCW.

14 NEW SECTION. Sec. 11. Sections 7 and 8 of this act shall take
15 effect January 1, 1994.

16 NEW SECTION. Sec. 12. A new section is added to Title 75 RCW to
17 read as follows:

18 The following acts or parts of acts as now existing or hereafter
19 amended are each repealed, effective December 31, 1999:

- 20 (1) RCW 75.____ and 1993 c s 1 (section 1 of this act);
- 21 (2) RCW 75.____ and 1993 c s 2 (section 2 of this act);
- 22 (3) RCW 75.____ and 1993 c s 3 (section 3 of this act);
- 23 (4) RCW 75.____ and 1993 c s 4 (section 4 of this act);
- 24 (5) RCW 75.____ and 1993 c s 5 (section 5 of this act);
- 25 (6) RCW 75.____ and 1993 c s 6 (section 6 of this act);
- 26 (7) RCW 75.25.____ and 1993 c s 7 (section 7 of this act); and
- 27 (8) RCW 75.28.____ and 1993 c s 8 (section 8 of this act).

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