

Summary

Meeting dates: August 4, 2017

Agenda item: 2018 Agency Request Legislative Package

Presenter(s): Nate Pamplin, Policy Director

Background summary:

WDFW's Executive Management Team is seeking Commission approval to advance two pieces of legislation and nine budget requests for the 2018 supplemental budget cycle. Being a supplemental year, the Governor's Office and OFM will be looking for simple technical fixes and emergent items only. The deadline for agency-request submissions to OFM and the Governor's Office is September 18, 2017.

Policy issue(s) you are bringing to the Commission for consideration:

The agency request package is made up of two legislative proposals that include:

- Increasing Recreational Fishing and Hunting Participation – This legislative proposal would increase the youth age to 16, allows the department to explore discount license packages, provide a discount to hunter's ed graduates, and revises the lowland lakes license requirements.
 - Disability Designation – This legislative proposal would allow the department to adjust our disability designation criteria through rule-making to improve alignment with federal law.
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Public involvement process used and what you learned:

Agency staff have been involving agency advisory committees and key partners in the development of these two legislative proposals. Groups consulted include the Physicians Assistants and ARNPs Associations, the ADA Advisory Committee and the Inland Fish Program Advisory Group

Action requested:

Review and possible approval of proposed agency request legislation for the 2018 legislative session.

Draft motion language for August 21, 2015:

Move to approve the 2018 agency request legislative proposals as presented.

Justification for Commission action:

The Fish and Wildlife Commission sets policy for the Department of Fish and Wildlife, and is responsible for final review and approval of Department goals, objectives, and budget proposals (RCW 77.04.055).

Communications Plan:

Once the agency has Commission approval, staff will be planning meetings with key stakeholder groups to seek support for these legislative proposals.

WDFW 2018 Supplemental Timeline

Operating Budget Requests and Legislative Packages

April 19	EMT Kick-off (NRB): introduce prioritization and Commission proposals; discuss timing of development given likely June 30 Sine Die
April-May	Develop proposal prioritization criteria
May 17	Budget development training
June 2	Legislative proposals due to Legislative Affairs by COB: <i>statement of need, major provisions, affected agencies, fiscal impact information, stakeholder information, agency contacts, and legal review; draft bill language, fact sheet, and decpac proposal if applicable.</i>
June	GA and CBO meetings with individual programs to define supplemental budget issues, write budget proposals
July 2-14	Refine budget and legislative requests and adjust based on 2017 session budget and bills. GA and CBO conversations with director & deputy.
July 18-19	EMT Meeting (R6): Finalization of 2018 budget request and agency-request legislation lists that will be sent to Commission.
July 28	Send legislative and budget proposals to FWC for review prior to Olympia meeting.
August 4-5	Commission Meeting: Presentation of agency proposed legislative and budget packages.
August 7	Final <u>maintenance level</u> decision packages due to Budget Office.
August 18	Commission Conference Call: Discuss/approve/amend budget package for final submittal's list. Fiscal notes related to legislative packages due to Budget Office including other agencies' notes, even if there is no fiscal impact.
August 25	Final <u>agency request legislation packages</u> due to Legislative Affairs by COB. <i>Update and/or complete: legislation checklist, proposal form, code reviser Z-draft, approved fiscal note, legislative fact sheet, affected agency fiscal notes (if applicable), decpac (if applicable).</i>
September 8	Final <u>performance level</u> decision packages due to Budget Office.
September 18	Agency-request legislation with budget decision packages due to Governor's Office and OFM.

**WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE
2018 AGENCY REQUEST LEGISLATIVE PROPOSAL FORM**

OVERVIEW

Draft Bill Title: AN ACT Relating to the granting of a disability designation by the department of fish and wildlife; amending RCW 77.15.460 and 77.32.237; and repealing RCW 77.32.238 and 77.32.400.

Statement of Need:

This legislation clears up confusing statutes, aligns our statutes with state law that allows universal signature authority for Physicians Assistants and ARPNS, and gives the F&W Commission authority to promulgate rule on disability designation criteria and accommodations.

Is the bill needed this year? If so, why?:

DFW has a legal obligation to correct statute to bring it in compliance with other statutes, and to clarify statutes that are confusing and have the potential to result in litigation. Further, this will allow DFW the ability to better accommodate persons with disabilities.

Does it address a Results Washington objective?:

Yes, increasing accommodations for disabled hunters and fishers will increase the number of licenses sold.

4.3.b: Increase the number of individual fishing and hunting licenses issued by 1% per year from 2,168,689 in 2016 to 2,256,746 by 2020

Lead Program Contact(s): Sam Taylor, 360-902-2625

Lead AAG Contact(s): Michael Young, 360-664-2962

POLICY IMPACTS

Summary of Major Provisions and Impact on Existing Laws (by Section number):

Section 1: amends RCW 77.15.460 clarifies that hunters who meet disability designation criteria may hunt from a vehicle as a part of their disability accommodations.

Section 2: amends 77.32.237 to provide authority to the Commission to promulgate rules to establish eligibility criteria for persons with disabilities and to regulate the conduct of persons with disabilities participating in fish and wildlife related recreation activities and their permitted companions.

Section 3: Repeals RCW 77.32.238 which defines disability criteria and RCW 77.32.400 which defines signature authority for purposes of attaining disability criteria. Section 2 will allow this to be done through commission rule.

Legal Review:

FISCAL IMPACTS

Agency Fiscal Impact: N/A

STAKEHOLDER/ LEGISLATIVE OUTREACH**Description of stakeholder outreach and feedback on this proposal:**

Agency staff has met with Kate Tudor and Leslie Emerick who represent the Physician’s Assistants and ARNPs Associations and they were supportive of the broadened signature authority.

Affected Stakeholders:

Name	Affiliation	Summary of Position	Contact Information
Kate White Tudor	Physician’s Assistants Association	Supportive of broadening signature authority	kate@whitetudor.com
Leslie Emerick	Advanced Registered Nurse Practitioners Associations	Supportive of broadening signature authority	lesemerick@lkemerick.com

PROPOSED RCW REVISIONS

Sec. 1. RCW 77.15.460 and 2014 c 48 s 18 are each amended to read as follows:

(1) A person is guilty of unlawful possession of a loaded rifle or shotgun in a motor vehicle, as defined in RCW 46.04.320, or upon an off-road vehicle, as defined in RCW 46.04.365, if:

(a) The person carries, transports, conveys, possesses, or controls a rifle or shotgun in a motor vehicle, or upon an off-road vehicle, except as allowed by department rule; and

(b) The rifle or shotgun contains shells or cartridges in the magazine or chamber, or is a muzzle-loading firearm that is loaded and capped or primed.

(2) A person is guilty of unlawful use of a loaded firearm if:

(a) The person negligently discharges a firearm from, across, or along the maintained portion of a public highway; or

(b) The person discharges a firearm from within a moving motor vehicle or from upon a moving off-road vehicle.

(3) Unlawful possession of a loaded rifle or shotgun in a motor vehicle or upon an off-road vehicle, and unlawful use of a loaded firearm are misdemeanors.

(4) This section does not apply if the person:

(a) Is a law enforcement officer who is authorized to carry a firearm and is on duty within the officer's respective jurisdiction;
or

(b) (~~Possesses a disabled hunter's permit~~) Has been granted a disability designation as provided by RCW 77.32.237 and complies with all rules of the department concerning hunting by persons with disabilities (~~;~~ ~~or~~

(c) Discharges the rifle or shotgun from upon a nonmoving motor vehicle, as long as the engine is turned off and the motor vehicle is not parked on or beside the maintained portion of a public road, except as authorized by the commission by rule. This subsection (4) (c) does not apply to off-road vehicles, which are unlawful to use for hunting under RCW 46.09.480, unless the person has a department permit issued under RCW 77.32.237)).

(5) For purposes of subsection (1) of this section, a rifle or shotgun shall not be considered loaded if the detachable clip or magazine is not inserted in or attached to the rifle or shotgun.

Sec. 2. RCW 77.32.237 and 2007 c 254 s 6 are each amended to read as follows:

The commission shall (~~attempt to~~) enhance the (~~hunting~~) fish, shellfish, and wildlife-related recreational opportunities for persons with (~~a disability~~) disabilities. The commission shall authorize the director to (~~issue disabled hunter permits~~) grant disability designation to persons with (~~a disability~~) disabilities who meet eligibility criteria established by the commission by rule. The commission shall adopt rules defining who are persons with disabilities for purposes of eligibility for disability designation. Persons granted disability designation are eligible for reasonable accommodations, determined by the director, to allow them to participate in fish, shellfish, and wildlife-related recreational activities. The commission shall adopt rules governing the conduct of

persons with (~~a disability who hunt and their designated licensed hunter~~) disabilities participating in fish, shellfish, and wildlife-related recreational activities and the conduct of companions permitted, as a reasonable accommodation, to assist such persons in fish, shellfish, and wildlife-related recreational opportunities.

NEW SECTION. **Sec. 3.** The following acts or parts of acts are each repealed:

(1)RCW 77.32.238 (Adoption of rules defining a person with a disability–Shooting from a motor vehicle–Assistance from licensed hunter) and 2007 c 254 s 5 & 1989 c 297 s 2; and

(2)RCW 77.32.400 (Persons with a disability–Designated harvester card–Fish and shellfish) and 2007 c 254 s 2 & 1998 c 191 s 1.

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**WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE
2018 AGENCY REQUEST LEGISLATIVE PROPOSAL FORM**

OVERVIEW

Draft Bill Title: An act relating to increasing recreational fishing and hunting participation.

Statement of Need:

Nationally, there is a declining trend of the participation in hunting and fishing. Currently, WDFW experiences a 1-2% decline in license sales, which make up approximately 1/3 of the Department's budget when coupled with the leveraged federal contracts that incorporate license sales in the allocation formula. WDFW is seeking legislative changes to remove barriers of participation and provide financial incentives, in particular to youth or those new to the sports, to aid in WDFW's recruitment efforts. While a more comprehensive review is underway as part of SB5583 Sec 307(13), there are a few important changes that can be made immediately to promote recruitment into hunting and fishing.

This bill does the following:

- Aligns the definition of youth to be those persons under 16 for both hunting and fishing. Currently, youth are persons less than 15 for fishing, and less than 16 for hunting. Further, a full-price resident fishing license is required for those persons 16 or older; thus a youth fishing license and associated discounts only apply to persons that are 15 years old. Statutes that reference fishing licenses and age are amended for consistency with the proposed change.
- Provides additional authority for the Department to create bundled license packages and multi-year license packages through rule, and provides the ability for the Director to offer promotional pricing.
- Provides a financial incentive to resident hunter ed graduates by providing a \$20 discount to the purchase of their first hunting license.
- Removes the restriction that prohibits temporary fishing combination licenses from being used from the popular lowland lakes fishing opener.

Additional background on the lowland lakes opener is below.

Although many lakes are open to fishing year-round, the fourth Saturday in April marks the traditional start of the lowland lakes fishing season, when estimates of 300,000 anglers turn out to fish.

WDFW stocks more than 16 million trout and kokanee in lakes statewide. Those fish include 2.3 million catchable trout, nearly 150,000 larger trout averaging about one pound apiece, and millions of smaller trout that were stocked the previous year and have grown to catchable size. The "lowland lakes" opener is a popular start to the fishing season because planted trout tend to remain in the top 3-5 feet of water for up to a week after planting and trout are more active during the spring with cool water.

To participate on opening day of the lowland lakes, Washington anglers must have an annual freshwater or combination fishing license. WDFW sells temporary 1-, 2-, and 3-day temporary combination fishing licenses year-round, however, RCW 77.32.470(3)(c) prohibits an angler with a temporary combination fishing license from using it to fish for game fish (such as trout) during the first eight days of the lowland lakes opener.

The original rationale for this statute was to prevent anglers that might only participate in the lowland lakes opener from just buying the discounted temporary combination license. The statute requires those wanting to participate to possess an annual fishing license.

WDFW desires to increase fishing participation, and one way is to have customers, especially new anglers, have a positive experience (whether during the license purchase, to visiting accessible boat launches with clean restrooms, to ample fishing opportunities) such that they will get hooked on a new hobby or return to the sport. Ultimately, returning customers will either buy additional temporary licenses or upgrade to an annual license, which contributes funding for the agency's mission to conserve fish and wildlife and provide for sustainable opportunities.

Often times, new anglers might be invited to participate during the spring opener and may not be aware of the license restriction. While we include a note regarding the temporary license prohibition associated with temporary licenses in the licensing system, WDFW needs to sell temporary combination licenses for other opportunities in Puget Sound or on the coast. This generates confusion for retail dealers and the customer in knowing available opportunities for a temporary license that otherwise offers multiple privileges to the holder. For instance, the temporary licenses are still a valid document to pursue food fish during the lowland lakes opener. Thus, during an otherwise exciting time for new anglers participating in an easy fishery, anglers could be cited by enforcement officers for failure to possess the correct license document. During the eight days of the lowland lakes opener in 2017, there were 4,042 freshwater fish contacts by WDFW law enforcement officers and 27 violations for incorrect license type.

Is the bill needed this year? If so, why?: Annually, there is confusion by anglers and retail dealers that offer the temporary license but are not aware that the temporary license doesn't allow them to legally fish for trout in the first eight days of the lowland lakes opener. WDFW still offers the temporary licenses because temporary combination licenses are allowed for food fish. Addressing the issue in the 2018 session would eliminate this issue for the 2018 lowland lakes opener.

Additionally, WDFW has a need to stem the declining trend in hunting and fishing participation and desires to implement these changes to increase recruitment.

Does it address a Goals Washington objective?: Yes, Goal 3 (Sustainable energy & a clean environment) Objective 4.3c: Increase the number of individual fishing and hunting licenses issued by 1% each year from 2,168,689 in FY 2016 to 2,256,746 by FY 2020.

Lead Program Contact(s): Peter Vernie, Licensing Division Manager, 360-902-2302

Lead AAG Contact(s): Joe Panesko, 360-586-0643

POLICY IMPACTS

Summary of Major Provisions and Impact on Existing Laws (by Section number):

The statutes amended are solely within WDFW and will not impact other functional areas. If adopted, WDFW would need to amend some WACs regarding definition of youth and lowland lakes license requirements.

FISCAL IMPACTS

Agency Fiscal Impact: Indeterminate.

Youth age alignment, combination and promotional licenses, and hunter education discounts all provide fairly minimal loss of license revenue, but it may be offset by increased participation and/or future recruited license purchases.

Some individuals that only participate in the lowland lakes opener and do not fish other times of the year would be able to just buy a discounted temporary license, which may reduce revenue to WDFW. If 10% of the resident anglers and 100% of the nonresident anglers that only buy an annual freshwater license during half of April would now purchase just a single 1-day temp combination license to participate in the lowland lake opening, the revenue loss would be \$87k/year. However, in reality, individuals may buy 2- or 3-day temp licenses (or even multiple temp licenses), versus just buying a single 1-day temp combination license, and not all nonresidents would just purchase a temporary license.

This is further complicated because more anglers (including new customers) may participate in the lowland lakes opener because they will no longer have to purchase an annual freshwater or combination fishing license; and because of the high success of fishermen fishing in the lowland lakes opener, these anglers may become returning customers in the future and either purchase additional temporary license(s) or upgrade to an annual license later. This is a core concept consistent with the agency's strategic goals and there is significant on-going effort to recruit, retain, and re-engage the angling public by reducing participation barriers. Because this statute change would affect customer behavior in multiple ways, with likely off-setting revenue impacts, the fiscal impact is considered indeterminate.

STAKEHOLDER/ LEGISLATIVE OUTREACH

Description of stakeholder outreach and feedback on this proposal:

The Department presented the lowland lakes proposal in late-May to the Inland Fish Program Advisory Group to gauge their support. In general, the Advisory Group supported the concept to remove regulatory barriers that might impact recruitment. Members were also asked if they would be willing to support the proposal and whether the agency could refer them to OFM for further discussion, if needed.

Affected Stakeholders:

Name	Affiliation	Summary of Position	Contact Information
Sam Hutchinson	n/a	Supportive (lowland lakes)	360-620-2937
Don Wittenberger	n/a	Supportive (lowland lakes)	206-542-1268
Steve Jones	Clark-Skamanian Fishers	Supportive (lowland lakes)	360-606-5947
Jim Ledbetter	Snohomish Sportsmen Association	Supportive (lowland lakes)	206-523-0095
Mike Meseberg	Mardon's Resort	Supportive (lowland lakes)	509-350-1591

PROPOSED RCW REVISIONS

AN ACT Relating to increasing participation in recreational fishing and hunting.

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

Sec. 4. RCW 77.08.010 and 2016 c 2 s 2 (Initiative Measure No. 1401, approved November 3, 2015) are each amended to read as follows:

RCW Caption: Definitions.

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

(1) "Anadromous game fish buyer" means a person who purchases or sells steelhead trout and other anadromous game fish harvested by Indian fishers lawfully exercising fishing rights reserved by federal statute, treaty, or executive order, under conditions prescribed by rule of the director.

(2) "Angling gear" means a line attached to a rod and reel capable of being held in hand while landing the fish or a hand-held line operated without rod or reel.

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

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

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

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

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

(8) "Commercial" means related to or connected with buying, selling, or bartering.

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

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

(11) "Contraband" means any property that is unlawful to produce or possess.

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

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

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

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

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

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

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

(19) "Ex officio fish and wildlife officer" means:

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

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

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

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

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

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

(22) "Fish broker" means a person whose business it is to bring a seller of fish and shellfish and a purchaser of those fish and shellfish together.

(23) "Fish buyer" means:

(a) A wholesale fish dealer or a retail seller who directly receives fish or shellfish from a commercial fisher or receives fish or shellfish in interstate or foreign commerce; or

(b) A person engaged by a wholesale fish dealer who receives fish or shellfish from a commercial fisher.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(39) "Natural person" means a human being.

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

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

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

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

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

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

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

(46) "Personal property" or "property" includes both corporeal and incorporeal personal property and includes, among other property, contraband and money.

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

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

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

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

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

(52) "Retail-eligible species" means commercially harvested salmon, crab, and sturgeon.

(53) "Saltwater" means those marine waters seaward of river mouths.

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

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

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

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

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

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

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

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

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

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

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

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

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

(66) "To waste" or "to be wasted" means to allow any edible portion of any game bird, food fish, game fish, shellfish, or big game animal other than cougar to be rendered unfit for human consumption, or to fail to retrieve edible portions of such a game bird, food fish,

game fish, shellfish, or big game animal other than cougar from the field. For purposes of this chapter, edible portions of game birds must include, at a minimum, the breast meat of those birds. Entrails, including the heart and liver, of any wildlife species are not considered edible.

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

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

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

(70) "Wholesale fish dealer" means a person who, acting for commercial purposes, takes possession or ownership of fish or shellfish and sells, barter, or exchanges or attempts to sell, barter, or exchange fish or shellfish that have been landed into the state of Washington or entered the state of Washington in interstate or foreign commerce.

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

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

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

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

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

[2016 c 2 § 2 (Initiative Measure No. 1401, approved November 3, 2015). Prior: 2014 c 202 § 301; 2014 c 48 § 1; prior: 2012 c 176 § 4; prior: 2011 c 324 § 3; 2009 c 333 § 12; 2008 c 277 § 2; prior: 2007 c 350 § 2; 2007 c 254 § 1; 2005 c 104 § 1; 2003 c 387 § 1; 2002 c 281 § 2; 2001 c 253 § 10; 2000 c 107 § 207; 1998 c 190 § 111; 1996 c 207 § 2; 1993 sp.s. c 2 § 66; 1989 c 297 § 7; 1987 c 506 § 11; 1980 c 78 §

9; 1955 c 36 § 77.08.010; prior: 1947 c 275 § 9; Rem. Supp. 1947 § 5992-19.]

Sec. 2. RCW 77.32.460 and 2011 c 339 s 11 are each amended to read as follows:

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

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

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

(b) A saltwater license allows the holder to fish for or possess fish taken from saltwater areas. The fee for this license is twenty-five dollars for residents, fifty-two dollars for nonresidents, and five dollars for resident seniors. There is an additional fifty-cent surcharge for this license, to be deposited in the rockfish research account created in RCW [77.12.702](#).

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

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

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

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

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

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

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

(d) The temporary combination fishing license fee for active duty military personnel serving in any branch of the United States armed forces is the resident rate as set forth in (a) of this subsection. Active duty military personnel must provide a valid military

identification card at the time of purchase of the temporary license to qualify for the resident rate.

(de) There is an additional fifty-cent surcharge on the temporary combination fishing license and the associated charter stamp, to be deposited in the rockfish research account created in RCW [77.12.702](#).

(4) A family fishing weekend license allows for a maximum of six anglers: One resident and five youth; two residents and four youth; or one resident, one nonresident, and four youth. This license allows the holders to fish for or possess fish taken from state waters or offshore waters. The fee for this license is twenty dollars. This license is only valid during periods as specified by rule of the department.

(5) The commission may adopt rules to create and sell combination licenses for all hunting and fishing activities at or below a fee equal to the total cost of the individual license contained within any combination. This may include a Fish Washington license package, a Hunt Washington license package, and multi-year license packages. The director may offer temporary discounted promotional pricing to increase angler, hunting, or wildlife viewing participation.

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

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

RCW Caption: Personal use shellfish and seaweed license—Razor clam license—Fees—License available for inspection.

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

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

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

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

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

(c) For a senior, five dollars.

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

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

(6) A personal use shellfish and seaweed license or razor clam license must be in immediate possession of the licensee and available for inspection while a licensee is harvesting shellfish or seaweed. However, the license does not need to be visible at all times. [2011 c 339 § 13; 2007 c 336 § 1; 2004 c 248 § 1; 2000 c 107 § 27; 1999 c 243 § 3; 1998 c 191 § 2; 1994 c 255 § 4; 1993 sp.s. c 17 § 3. Formerly RCW 75.25.092.]

Sec. 4. RCW 77.32.580 and 2011 c 339 s 14 are each amended to read as follows:

RCW Caption: Columbia river salmon and steelhead stamp or endorsement—Cost. (*Expires June 30, 2018.*)

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

(2) For the purposes of this section and RCW 77.12.712 and 77.12.714 through 77.12.718, the term "Columbia river" means the Columbia river from a line across the Columbia river between Rocky Point in Washington and Tongue Point in Oregon to the Chief Joseph dam. [2011 c 339 § 14; 2009 c 420 § 3.]

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

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