

(2) The council shall be composed of the chairperson and ~~((ten))~~ twelve other members as follows:

(a) The chairperson and ~~((four))~~ six other members shall be appointed by the governor and shall be selected for their interest and expertise in the prevention of child abuse. A minimum of four designees by the governor shall not be affiliated with governmental agencies. ~~((A minimum of two of the designees shall reside east of the Cascade mountain range))~~ The appointments shall be made on a geographic basis to assure state-wide representation. Members appointed by the governor shall serve for two-year terms, except that the chairperson and two other members designated by the governor shall initially serve for three years. Vacancies shall be filled for any unexpired term by appointment in the same manner as the original appointments were made.

(b) The secretary of social and health services or the secretary's designee and the superintendent of public instruction or the superintendent's designee shall serve as voting members of the council.

(c) In addition to the members of the council, four members of the legislature shall serve as nonvoting, ex officio members of the council, one from each political caucus of the house of representatives to be appointed by the speaker of the house of representatives and one from each political caucus of the senate to be appointed by the president of the senate.

Passed the Senate April 17, 1989.

Passed the House April 10, 1989.

Approved by the Governor May 11, 1989.

Filed in Office of Secretary of State May 11, 1989.

## CHAPTER 305

[Substitute House Bill No. 1028]

### RECREATIONAL FISHING LICENSES—RATES AND REQUIREMENTS

AN ACT Relating to recreational fishing licenses; amending RCW 75.25.015, 75.25.040, 75.25.080, 75.25.090, 75.25.100, 75.25.110, 75.25.120, 75.25.130, 75.25.140, 75.25.150, 75.25.160, 75.25.170, 77.32.005, 77.32.230, and 77.32.360; adding new sections to chapter 75.25 RCW; repealing RCW 75.25.020 and 75.25.125; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 75.25 RCW to read as follows:

The following recreational fishing licenses are administered and issued by the department of fisheries under authority of the director of fisheries:

- (1) Hood Canal shrimp license;
- (2) Razor clam license;
- (3) Personal use fishing license;
- (4) Salmon license; and
- (5) Sturgeon license.

Sec. 2. Section 1, chapter 31, Laws of 1983 1st ex. sess. as amended by section 6, chapter 80, Laws of 1984 and RCW 75.25.015 are each amended to read as follows:

(1) A Hood Canal shrimp license is required for all persons other than residents under fifteen years of age to take or possess shrimp taken for personal use from that portion of Hood Canal lying south of the Hood Canal floating bridge.

(2) The annual fees for Hood Canal shrimp licenses are:

(a) For a resident ((license)), fifteen years of age or older and under seventy years of age, five dollars~~((, except that a person seventy years of age or older may pay a one-time fee of five dollars));~~

(b) For a nonresident ((license)), fifteen dollars.

Sec. 3. Section 4, chapter 243, Laws of 1979 ex. sess. as last amended by section 91, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.040 are each amended to read as follows:

(1) A razor clam license is required for all persons other than residents under fifteen years of age to take, dig for, or possess razor clams taken for personal use from the clam beds of this state including razor clams taken from national park beaches.

(2) The annual fees for razor clam licenses are:

(a) For a resident ((license, two)) fifteen years of age or older and under seventy years of age, three dollars~~((and fifty cents));~~ and

(b) For a nonresident ((license)), ten dollars.

~~((2) Upon application, a resident sixty-five years of age or older or under sixteen years of age shall be issued a razor clam license at no cost. Dealers may collect the dealer's fee established in RCW 75.25.130.~~

~~((3) Razor clam license fees shall be deposited in the general fund and shall be appropriated for the development or operation of programs beneficial to razor clam harvesting.))~~

Sec. 4. Section 2, chapter 81, Laws of 1980 as amended by section 92, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.080 are each amended to read as follows:

(1) It is lawful to dig the personal-use daily bag limit of razor clams for another person if that person has in possession a physical disability permit issued by the director.

(2) An application for a physical disability permit must be submitted on a department of fisheries official form and must be accompanied by a licensed medical doctor's certification of disability.

Sec. 5. Section 1, chapter 87, Laws of 1987 and RCW 75.25.090 are each amended to read as follows:

(1) ~~((An annual))~~ A personal use license is required for ~~((a person sixteen))~~ all persons other than persons under fifteen years of age~~((or older))~~ to fish for, take, or possess food fish for personal use from state waters

or offshore waters (~~(, other than carp and sturgeon in the Columbia river above Chief Joseph Dam)~~). A personal use license is not required under this section to fish for, take, or possess carp and sturgeon in the Columbia river above Chief Joseph Dam, smelt, or albacore. ((An annual personal use license is valid for the calendar year in which it is issued:))

(2) The fees for ((an)) annual personal use licenses are ((three dollars for residents and nine dollars for nonresidents:)):

(a) For a resident fifteen years of age or older and under seventy years of age, three dollars; and

(b) For a nonresident fifteen years of age or older, ten dollars.

~~((2) A) (3) The fees for two-consecutive-day ((combined)) personal use licenses ((and punchcard shall be issued. The fee for the license and punchcard is three dollars for residents and nonresidents.~~

~~(3) It is unlawful to fish for or possess food fish without the licenses, punchcards, and stamps required by this chapter.)) are:~~

(a) For food fish other than sturgeon, three dollars; and

(b) For sturgeon only, three dollars.

Sec. 6. Section 11, chapter 327, Laws of 1977 ex. sess. as last amended by section 2, chapter 87, Laws of 1987 and RCW 75.25.100 are each amended to read as follows:

(1) In addition to a personal use license, a salmon ((punchcard)) license is required ((for a person)) to take, fish for, or possess anadromous salmon taken for personal use from state waters or offshore waters. A salmon ((punchcard)) license is not required for persons under fifteen years of age, nor is it required of a person who has a valid two-consecutive-day ((combined)) personal use license ((and punchcard)) for food fish other than sturgeon.

(2) The fees for ((a)) annual salmon ((punchcard is three dollars. A salmon punchcard is valid for a maximum catch of fifteen salmon, after which another punchcard may be purchased. A salmon punchcard is valid only for the calendar year for which it is issued)) licenses are:

(a) For a resident fifteen years of age or older and under seventy years of age, three dollars; and

(b) For nonresidents, fifteen years of age or older, three dollars.

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

(1) A sturgeon license is required to take, fish for, or possess sturgeon taken for personal use from the following state waters:

(a) Columbia river and all tributaries;

(b) Willapa Bay and all tributaries; and

(c) Grays Harbor and all tributaries.

A sturgeon license is not required of a person under fifteen years of age, nor is it required of a person who has a valid sturgeon-only two-consecutive-day personal use license.

(2) In addition to a sturgeon license, a personal use license is required when fishing for sturgeon in all waters listed in subsection (1) of this section, except the Columbia river above Chief Joseph Dam.

(3) The fees for annual sturgeon licenses are:

(a) For a resident fifteen years of age or older, and under seventy years of age, three dollars; and

(b) For all nonresidents fifteen years of age or older, three dollars.

Sec. 8. Section 13, chapter 327, Laws of 1977 ex. sess. as last amended by section 3, chapter 87, Laws of 1987 and RCW 75.25.110 are each amended to read as follows:

(1) ~~((A personal use license, salmon punchcard, or two consecutive-day combined license and punchcard))~~ Any of the recreational fishing licenses required by this chapter shall, upon request, be issued without charge to ~~((persons under sixteen years of age or seventy years of age and older.~~

~~(2) Upon application;))~~ the following individuals upon request:

(a) Residents under fifteen years of age and residents seventy years of age or older;

(b) Residents who submit applications attesting that they are a person sixty-five years of age or older who is an honorably discharged veteran of the United States armed forces with a service-connected disability and who has been a resident of this state for ~~((five years shall be given a personal use license and salmon punchcard free of charge.))~~ the preceding ninety days;

~~((Upon application;))~~ (c) A blind person ~~((shall be issued a personal use license and salmon punchcard free of charge.))~~;

(d) A person with a developmental disability as defined in RCW 71A-.10.020 with documentation of the disability from the department of social and health services; and

(e) A person who is physically handicapped and confined to a wheelchair.

(2) Personal use licenses, salmon licenses, and sturgeon licenses shall, upon request, be issued to nonresidents under fifteen years of age.

(3) A blind person or a physically handicapped person confined to a wheelchair who has been issued a card for a permanent disability under RCW 46.16.381 may use that card in place of a fishing license unless a punchcard is required by the director.

Sec. 9. Section 17, chapter 327, Laws of 1977 ex. sess. as last amended by section 4, chapter 87, Laws of 1987 and RCW 75.25.120 are each amended to read as follows:

In concurrent waters of the Columbia river and in Washington coastal territorial waters from the Oregon-Washington boundary to a point five nautical miles north, an Oregon angling license comparable to the Washington ~~((salmon punchcard or))~~ personal use license, two-consecutive-day personal use license, salmon license, or sturgeon license is valid if

Oregon recognizes as valid the Washington (~~(salmon punchcard or)~~) personal use license, two consecutive day personal use license, salmon license, or sturgeon license in comparable Oregon waters.

If Oregon recognizes as valid the Washington (~~(salmon punchcard;)~~) personal use license, ((or)) two consecutive day ((combined)) personal use license ((and punchcard)), salmon license, or sturgeon license southward to Cape Falcon in the coastal territorial waters from the Washington-Oregon boundary and in concurrent waters of the Columbia river then Washington shall recognize a valid Oregon license comparable to the Washington personal use license, ((punchcard, or)) two consecutive day ((combined)) personal use license ((and punchcard)), salmon license, or sturgeon license northward to Leadbetter Point.

Oregon licenses are not valid for the taking of (~~(salmon))~~ food fish when angling in concurrent waters of the Columbia river from the Washington shore.

NEW SECTION. Sec. 10. A new section is added to chapter 75.25 RCW to read as follows:

Catch record cards necessary for proper management of the state's food fish and shellfish resources shall be administered under rules adopted by the director and issued at no charge.

Sec. 11. Section 12, chapter 327, Laws of 1977 ex. sess. as last amended by section 6, chapter 87, Laws of 1987 and RCW 75.25.130 are each amended to read as follows:

All recreational licenses(~~(, punchcards, and stamps))~~ required by this chapter shall be issued only under authority of the director. The director may authorize license dealers to issue the recreational licenses(~~(, punchcards, and stamps))~~ and collect the recreational license fees. In addition to the recreational license(~~(, punchcard, or stamp))~~ fees, dealers may charge a dealer's fee (~~(of fifty cents))~~ for each (~~(Hood Canal shrimp license, two consecutive day combined license and punchcard, personal use license, punchcard, and razor clam))~~ recreational license. The director shall establish the amount to be retained by dealers, which shall be at least fifty cents for each license issued. Fees retained by dealers shall be uniform throughout the state. The dealer's fee may be retained by the license dealer.

The director shall adopt rules for the issuance of (~~(personal use))~~ recreational licenses(~~(, Hood Canal shrimp licenses, razor clam licenses, stamps, and punchcards))~~ and for the collection, payment, and handling of license fees and dealers' fees.

Sec. 12. Section 15, chapter 327, Laws of 1977 ex. sess. as last amended by section 7, chapter 87, Laws of 1987 and RCW 75.25.140 are each amended to read as follows:

(1) (~~(Personal use))~~ Recreational licenses(~~(, Hood Canal shrimp licenses, razor clam licenses, stamps, and punchcards))~~ are not transferable.

Upon request of a fisheries patrol officer ~~((or))~~, ex officio fisheries patrol officer, or authorized fisheries employee, a person digging for or possessing razor clams or fishing for or possessing Hood Canal shrimp or food fish for personal use shall exhibit the required recreational license and ~~((punchcard and))~~ write his or her signature for comparison with the signature on the license. Failure to comply with the request is prima facie evidence that the person does not have a license or ~~((punchcard or))~~ is not the person named on the license ~~((or punchcard))~~.

(2) The razor clam license shall be visible on the licensee while digging for razor clams.

Sec. 13. Section 99, chapter 46, Laws of 1983 1st ex. sess. as amended by section 9, chapter 80, Laws of 1984 and RCW 75.25.150 are each amended to read as follows:

It is unlawful to dig for or possess razor clams, fish for or possess ~~((anadromous salmon))~~ food fish, or take or possess Hood Canal shrimp without the licenses required by this chapter.

NEW SECTION. Sec. 14. A new section is added to chapter 75.25 RCW to read as follows:

Recreational licenses issued by the department of fisheries under this chapter are valid for the following periods:

(1) Recreational licenses issued without charge to persons designated by this chapter are valid:

(a) For life for blind persons;

(b) For the period of continued state residency for qualified disabled veterans;

(c) For the period of continued state residency for persons sixty-five years of age or more;

(d) For the period of the disability for persons with a developmental disability;

(e) For life for handicapped persons confined to a wheelchair who have been issued a permanent disability card; and

(f) Until a child reaches fifteen years of age.

(2) Two-consecutive-day personal use licenses expire at midnight on the day following the validation date written on the license by the license dealer, except two-consecutive-day personal use licenses validated for December 31 expire at midnight on that date.

(3) An annual salmon license is valid for a maximum catch of fifteen salmon, after which another salmon license may be purchased. A salmon license is valid only for the calendar year for which it is issued.

(4) An annual sturgeon license is valid for a maximum catch of fifteen sturgeon. A sturgeon license is valid only for the calendar year for which it is issued.

(5) All other recreational licenses are valid for the calendar year for which they are issued.

Sec. 15. Section 16, chapter 327, Laws of 1977 ex. sess. as last amended by section 8, chapter 87, Laws of 1987 and RCW 75.25.160 are each amended to read as follows:

A person who violates a provision of this chapter or who knowingly falsifies information required for the issuance of a ~~((Hood Canal shrimp)) recreational license~~~~((, personal use license, razor clam license, or punch card))~~ is guilty of a misdemeanor and is subject to the penalties provided in chapter 9A.20 RCW.

Sec. 16. Section 9, chapter 87, Laws of 1987 and RCW 75.25.170 are each amended to read as follows:

Fees received for ~~((personal use)) recreational licenses~~~~((, punchcards, and stamps))~~ required under this chapter shall be deposited in the general fund and shall be appropriated for management, enhancement, research, and enforcement purposes of the shellfish, salmon, and marine fish programs of the department of fisheries.

Sec. 17. Section 14, chapter 176, Laws of 1957 as last amended by section 102, chapter 78, Laws of 1980 and RCW 77.32.005 are each amended to read as follows:

For the purposes of this chapter:

A "resident" means a ~~((citizen of the United States or))~~ person who ~~((has in good faith declared the intent to become a citizen of the United States;))~~ has maintained a permanent place of abode within this state for at least ninety days immediately preceding an application for a license, ~~((and))~~ has established by formal evidence an intent to continue residing within this state, and who is not licensed to hunt or fish as a resident in another state.

A "nonresident" means a person who has not fulfilled the qualifications of a resident.

***\*Sec. 18. Section 77.32.230, chapter 36, Laws of 1955 as last amended by section 914, chapter 176, Laws of 1988 and RCW 77.32.230 are each amended to read as follows:***

***(1) A person sixty-five years of age or older who is an honorably discharged veteran of the United States armed forces having a service-connected disability and who has been a resident for ~~((five years))~~ the preceding ninety days may receive upon application a state hunting and fishing license free of charge.***

***(2) A resident who is an honorably discharged veteran of the United States armed forces having a service-connected disability and whose service-connected disabilities have been established as permanent in nature by the veterans administration and are rated from thirty to one hundred percent disabled as determined by the veterans administration shall receive a fishing and hunting license for one-half price.***

Disabled veterans applying for a one-half price fishing and hunting license under this subsection shall provide the department or dealer with a copy of documents verifying the disability from the veterans administration.

~~(3)~~ A ~~((person))~~ resident seventy years of age or older ~~((who has been a resident for ten years))~~ may receive, upon application, a fishing license free of charge.

~~((3))~~ (4) A blind person, or a person with a developmental disability as defined in RCW 71A.10.020 with documentation of the disability from the department of social and health services, or a physically handicapped person confined to a wheelchair may receive upon application a fishing license free of charge.

~~((4))~~ (5) A blind person or a physically handicapped person confined to a wheelchair who has been issued a card for a permanent disability under RCW 46.16.381 may use that card in place of a fishing license unless tags, permits, stamps, or punchcards are required by this chapter.

~~((5))~~ (6) A fishing license is not required for persons under the age of fifteen.

~~((6))~~ (7) Tags, permits, stamps, and punchcards required by this chapter shall be purchased separately by persons receiving a free or reduced-fee license.

\*Sec. 18 was vetoed, see message at end of chapter.

\*Sec. 19. Section 13, chapter 310, Laws of 1981 as last amended by section 88, chapter 506, Laws of 1987 and RCW 77.32.360 are each amended to read as follows:

(1) A steelhead punchcard is required to fish for steelhead trout. The fee for this punchcard is fifteen dollars.

(2) Persons possessing steelhead trout shall immediately validate their punchcard as provided by rule.

(3) Steelhead punchcards required under this section expire April 30th following the date of issuance.

(4) Each person who returns a steelhead punchcard to an authorized license dealer by June 1 following the period for which it was issued shall be given a credit equal to five dollars towards that day's purchase of any license, permit, transport tag, punchcard, or stamp required by this chapter.

This subsection does not apply to annual steelhead punchcards for persons under the age of fifteen and persons age seventy or older.

(5) Persons under the age of fifteen and persons age seventy or older may purchase an annual steelhead punchcard for five dollars. The five-dollar punchcard entitles the holder to retain no more than ten steelhead. After retaining ten steelhead, a new punchcard may be purchased.

~~((5))~~ (6) An upland bird punchcard is required to hunt for quail, partridge, and pheasant in areas designated by rule of the commission. The fee for this punchcard is fifteen dollars.



~~((6))~~ **(7) Persons killing quail, partridge, and pheasant shall immediately validate their punchcard as provided by rule of the commission.**

~~((7))~~ **(8) Upland bird punchcards required under this section expire March 31st following the date of issuance.**

\*Sec. 19 was vetoed, see message at end of chapter.

**NEW SECTION.** Sec. 20. The following acts or parts of acts are each repealed:

(1) Section 2, chapter 243, Laws of 1979 ex. sess., section 90, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.25.020; and

(2) Section 5, chapter 87, Laws of 1987 and RCW 75.25.125.

**NEW SECTION.** Sec. 21. This act shall take effect on January 1, 1990.

Passed the House April 22, 1989.

Passed the Senate April 22, 1989.

Approved by the Governor May 11, 1989, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 11, 1989.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to sections 18 and 19, Engrossed Substitute House Bill No. 1028 entitled:

"AN ACT Relating to recreational fishing licenses."

Section 18 of this bill provides half-price hunting and fishing licenses to veterans with a service connected disability of 30 percent or greater. Section 19 of this bill creates a reduced rate (\$5) steelhead punch-card for persons under 15 or 70 years and older. Currently, persons in these age brackets pay \$15. To enact these sections will cause the Department of Wildlife the loss of approximately \$160,000 over the next biennium.

I regret denying these groups reduced fees; however, we need to approach the issue of special groups in consistent fashion to avoid greater erosion of the funding for this department. When the Legislature created the Department of Wildlife in 1987 (HB 758), it directed the Wildlife Commission to conduct a study of license fees with its report due by July 1989. At a minimum, the Legislature should review this work before adding to the list of reduced or free licenses.

With the exception of sections 18 and 19, Engrossed Substitute House Bill No. 1028 is approved."

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## CHAPTER 306

[Substitute Senate Bill No. 5293]

### COLLEGES AND UNIVERSITIES—TUITION AND FEES—EXEMPTIONS— CONGRESSIONAL DEPENDENTS AND VIETNAM VETERANS

AN ACT Relating to higher education; amending RCW 28B.15.014, 28B.15.620, and 28A.58.217; and adding new sections to chapter 28B.80 RCW.

Be it enacted by the Legislature of the State of Washington:

**\*NEW SECTION.** Sec. 1. A new section is added to chapter 28B.80 RCW to read as follows: