

(2) This section does not apply to provisions of a collective bargaining agreement which both parties agree to exclude from the provisions of subsection (1) of this section and to provisions within the collective bargaining agreement with separate and specific termination dates.

(3) This section shall not apply to the following:

(a) Bargaining units covered by RCW 41.56.430 et seq. for factfinding and interest arbitration;

(b) Collective bargaining agreements authorized by chapter 53.18 RCW;

(c) Security forces established under RCW 43.52.520; or

(d) Collective bargaining agreements authorized by chapter 54.04 RCW.

(4) This section shall not apply to collective bargaining agreements in effect or being bargained at the time of the effective date of this section.

Passed the Senate February 10, 1989.

Passed the House March 29, 1989.

Approved by the Governor April 18, 1989.

Filed in Office of Secretary of State April 18, 1989.

CHAPTER 47

[House Bill No. 1025]

COMMERCIAL FISHING LICENSES—REQUIREMENTS AND RESTRICTIONS

AN ACT Relating to commercial fishing licenses; amending RCW 75.28.020 and 75.28.095; and repealing RCW 75.28.081, 75.28.123, and 75.28.370.

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

Sec. 1. Section 75.28.020, chapter 12, Laws of 1955 as last amended by section 104, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.28.020 are each amended to read as follows:

(1) The department may only issue a commercial license to a person who is sixteen years of age or older (~~and who is a citizen~~) and a bona fide resident of the United States. The deckhand license required by RCW 75.28.690 may be issued to persons under sixteen years of age. The department may only issue a commercial license to a corporation if it is authorized to do business in this state. A valid Oregon license which is comparable to a license under this title is valid in the concurrent waters of the Columbia River if the state of Oregon recognizes as valid the comparable Washington license.

Sec. 2. Section 1, chapter 90, Laws of 1969 as last amended by section 1, chapter 9, Laws of 1988 and RCW 75.28.095 are each amended to read as follows:

(1) A charter boat license is required for a vessel to be operated as a charter boat from which food fish are taken for personal use. The annual license fees are:

Species	Resident Fee	Nonresident Fee
(a) Food fish other than salmon	\$100	\$200
(b) Salmon and other food fish	\$200	\$200

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

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

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

(3) A vessel shall not engage in both charter or sports fishing and commercial fishing on the same day. ~~((A vessel may be licensed for both charter boat fishing and for commercial fishing at the same time. The license or delivery permit allowing the activity not being engaged in shall be deposited with the fisheries patrol officer for that area or an agent designated by the director.))~~

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

(1) Section 14, chapter 283, Laws of 1971 ex. sess., section 2, chapter 40, Laws of 1975-'76 2nd ex. sess., section 111, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.28.081;

(2) Section 2, chapter 300, Laws of 1983 and RCW 75.28.123; and

(3) Section 75.28.370, chapter 12, Laws of 1955, section 2, chapter 66, Laws of 1979, section 134, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.28.370.

Passed the House February 3, 1989.

Passed the Senate April 4, 1989.

Approved by the Governor April 19, 1989.

Filed in Office of Secretary of State April 19, 1989.