

Summary

Meeting dates: November 4-5, 2016

Agenda item: Charter Stamp Rule – Briefing and Public Hearing

Presenter(s): Mike Cenci, Deputy Chief, Enforcement

Background summary:

Department staff will brief the Commission on rules needed to clarify the obligations of fishing guides and charter-boat operators in their use of charter stamps, helping to provide a clear process and identify penalties.

Fishing Charter and Guide businesses have the ability to sell one day fishing licenses to their clients. These fishing licenses are referred to as charter stamps. Charter stamps are small stickers that are purchased from WDFW, which must be affixed to catch record cards prior to fishing, provided that the client is 15 years of age or older. The charter stamp program is an important and efficient means of disseminating licenses to arriving customers for those businesses that are expected to provide ala carte services.

In the past a charter business was discovered to have defrauded the state out of thousands of dollars in license revenue through reuse of the charter stamps. Upon further investigation, additional examples were uncovered. When WDFW Police attempted to address the abuse with a criminal law violation, it was determined that department rules were porous and did not provide a process to ensure against abuse. In addition, no statutory authority existed to punish misbehavior.

In collaboration with the Charter Boat Industry, WDFW police penned a bill to provide an enabling statute that gave the Department authority to develop and enable rules associated with the sale, possession, issuance, or reporting of temporary fishing licenses, temporary short-term charter stamps or catch record cards. After failing to pass twice, with the Charter Association's support, the bill became law in 2015.

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

Ensure the integrity of a valuable licensing tool for Charter/Guide businesses.

Public involvement process used and what you learned:

WDFW Police met with leaders in the Charter Boat Industry from Puget Sound, Columbia River, and the Washington Coast on May 17, 2016. The purpose of the meeting was to discuss the realities in the charter business, and DFW's enforcement needs. As a result, both parties agreed to a rule that improves our ability to detect and punish license fraud while preserving license issuance efficiencies for businesses.

Action requested:

Briefing only

Draft motion language:

N/A

Justification for Commission action:

N/A

Communications Plan:

Enforcement Program and the Charter Boat Industry representatives physically met and exchanged drafts and final rule proposal versions.
