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SENATE BILL 5846

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State of Washington

54th Legislature

1995 Regular Session

By Senator Snyder

Read first time 02/09/95. Referred to Committee on Natural Resources.

1 AN ACT Relating to crab taken in offshore waters; and amending RCW  
2 75.30.360 and 75.30.380.

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

4 **Sec. 1.** RCW 75.30.360 and 1994 c 260 s 3 are each amended to read  
5 as follows:

6 (1) The director shall allow the landing into Washington state of  
7 crab taken in offshore waters only if:

8 (a) The crab are legally caught and landed by fishers with a valid  
9 Washington state Dungeness crab coastal fishery license or a valid  
10 Dungeness crab coastal class B fishery license; or

11 (b) ~~((The crab are legally caught and landed by fishers with a  
12 valid Oregon or California commercial crab fishing license during the  
13 calendar year between the dates of February 15th and September 15th  
14 inclusive, if the crab were caught in offshore waters beyond the  
15 jurisdiction of Washington state, if))~~ The crab were taken with crab  
16 gear that consisted of one buoy attached to each crab pot, ~~((if))~~ and  
17 each crab pot was fished individually ~~((, and if the fisher landing the  
18 crab has obtained a valid delivery license; or~~

1       (c) ~~The director determines that the landing of offshore Dungeness~~  
2 ~~crab by fishers without a Washington state Dungeness crab~~ coastal  
3 ~~fishery license or a valid Dungeness crab~~ coastal class B fishery  
4 license is in the best interest of the coastal crab processing industry  
5 and the director has been requested to allow such landings by at least  
6 three Dungeness crab processors, and if the landings are permitted only  
7 between the dates of December 1st to February 15th inclusively, if only  
8 crab fishers commercially licensed to fish by Oregon or California are  
9 permitted to land, if the crab was taken with gear that consisted of  
10 one buoy attached to each crab pot, if each crab pot was fished  
11 individually, if the fisher landing the crab has obtained a valid  
12 delivery license, and if the decision is made on a case-by-case basis  
13 for the sole reason of improving the economic stability of the  
14 commercial crab fishery)).

15       (2) Nothing in this section allows the commercial fishing of  
16 Dungeness crab in waters within three miles of Washington state by  
17 fishers who do not possess a valid Dungeness crab coastal fishery  
18 license or a valid Dungeness crab coastal class B fishery license.  
19 Landings of offshore Dungeness crab by fishers without a valid  
20 Dungeness crab coastal fishery license or a valid Dungeness crab  
21 coastal class B (~~{fishery}~~) fishery license do not qualify the fisher  
22 for such licenses.

23       **Sec. 2.** RCW 75.30.380 and 1994 c 260 s 5 are each amended to read  
24 as follows:

25       Dungeness crab coastal fishery licenses are freely transferable on  
26 a willing seller-willing buyer basis(~~(, if upon each sale of a~~  
27 ~~Dungeness crab coastal fishery license, twenty percent of the sale~~  
28 ~~proceeds are remitted to the department and deposited in the coastal~~  
29 ~~crab account. Funds shall be used for license purchase as provided in~~  
30 ~~RCW 75.30.400 or for coastal crab management activities as provided in~~  
31 ~~RCW 75.30.410.~~

32       For any license transfer that includes the transfer of the  
33 designated vessel and associated business, the seller must sign a  
34 notarized affidavit that the value of the vessel and associated  
35 business was not inflated. A marine survey documenting the value of  
36 the vessel and associated business shall be filed with the department  
37 along with the affidavit and the application to transfer the Dungeness

1 ~~crab~~ coastal fishery license. The cost of the survey shall be paid by  
2 the purchaser)).

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