

2 **ESSB 5592** - H COMM AMD **NOT ADOPTED 4/7/95**

3 By Committee on Natural Resources

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5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 75.30.350 and 1994 c 260 s 2 are each amended to read
8 as follows:

9 (1) Effective January 1, 1995, it is unlawful to fish for coastal
10 crab in Washington state waters without a Dungeness crab~~coastal~~ or a
11 Dungeness crab~~coastal~~ class B fishery license. Gear used must consist
12 of one buoy attached to each crab pot. Each crab pot must be fished
13 individually.

14 (2) A Dungeness crab~~coastal~~ fishery license is transferable.
15 Except as provided in subsection (3) of this section, such a license
16 shall only be issued to a person who proved active historical
17 participation in the coastal crab fishery by having designated, after
18 December 31, 1993, a vessel or a replacement vessel on the qualifying
19 license that singly or in combination meets the following criteria:

20 (a) Made a minimum of eight coastal crab landings totaling a
21 minimum of five thousand pounds per season in at least two of the four
22 qualifying seasons identified in subsection ~~((+4))~~ (5) of this
23 section, as documented by valid Washington state shellfish receiving
24 tickets; and showed historical and continuous participation in the
25 coastal crab fishery by having held one of the following licenses or
26 their equivalents each calendar year beginning 1990 through 1993, and
27 was designated on the qualifying license of the person who held one of
28 the following licenses in 1994:

29 (i) Crab pot~~Non-Puget Sound~~ license, issued under RCW
30 75.28.130(1)(b);

31 (ii) Nonsalmon delivery license, issued under RCW 75.28.125;

32 (iii) Salmon troll license, issued under RCW 75.28.110;

33 (iv) Salmon delivery license, issued under RCW 75.28.113;

34 (v) Food fish trawl license, issued under RCW 75.28.120; or

35 (vi) Shrimp trawl license, issued under RCW 75.28.130; or

1 (b) Made a minimum of four landings of coastal crab totaling two
2 thousand pounds during the period from December 1, 1991, to March 20,
3 1992, and made a minimum of eight crab landings totaling a minimum of
4 five thousand pounds of coastal crab during each of the following
5 periods: December 1, 1991, to September 15, 1992; December 1, 1992, to
6 September 15, 1993; and December 1, 1993, to September 15, 1994. For
7 landings made after December 31, 1993, the vessel shall have been
8 designated on the qualifying license of the person making the landings;
9 or

10 (c) Made any number of coastal crab landings totaling a minimum of
11 twenty thousand pounds per season in at least two of the four
12 qualifying seasons identified in subsection (5) of this section, as
13 documented by valid Washington state shellfish receiving tickets,
14 showed historical and continuous participation in the coastal crab
15 fishery by having held one of the qualifying licenses each calendar
16 year beginning 1990 through 1993, and the vessel was designated on the
17 qualifying license of the person who held that license in 1994.

18 (3) A Dungeness crab coastal fishery license shall be issued to a
19 person if: The person can demonstrate prior historical involvement in
20 the Washington coastal crab fishery as the owner or operator of a
21 vessel that made landings, had a new or substantially remodelled vessel
22 under construction during any part of the qualifying landing period of
23 December 1, 1988, to September 15, 1992, had any number of coastal crab
24 landings totaling a minimum of five thousand pounds in calendar years
25 1992 or 1993, and the new or substantially remodelled vessel was
26 designated on the qualifying license of the person who held that
27 license in 1994. All landings shall be documented by valid Washington
28 state shellfish receiving tickets.

29 (4) A Dungeness crab coastal class B fishery license is not
30 transferable. Such a license shall be issued to persons who do not
31 meet the qualification criteria for a Dungeness crab coastal fishery
32 license, if the person has designated on a qualifying license after
33 December 31, 1993, a vessel or replacement vessel that, singly or in
34 combination, made a minimum of four landings totaling a minimum of two
35 thousand pounds of coastal crab, documented by valid Washington state
36 shellfish receiving tickets, during at least one of the four qualifying
37 seasons, and if the person has participated continuously in the coastal
38 crab fishery by having held or by having owned a vessel that held one
39 or more of the licenses listed in subsection (2) of this section in

1 each calendar year subsequent to the qualifying season in which
2 qualifying landings were made through 1994. Dungeness crab coastal
3 class B fishery licenses cease to exist after December 31, 1999, and
4 the continuing license provisions of RCW 34.05.422(3) are not
5 applicable.

6 ~~((4))~~ (5) The four qualifying seasons for purposes of this
7 section are:

8 (a) December 1, 1988, through September 15, 1989;

9 (b) December 1, 1989, through September 15, 1990;

10 (c) December 1, 1990, through September 15, 1991; and

11 (d) December 1, 1991, through September 15, 1992.

12 ~~((5))~~ (6) For purposes of this section and RCW 75.30.420,
13 "coastal crab" means Dungeness crab (cancer magister) taken in all
14 Washington territorial and offshore waters south of the United States-
15 Canada boundary and west of the Bonilla-Tatoosh line (a line from the
16 western end of Cape Flattery to Tatoosh Island lighthouse, then to the
17 buoy adjacent to Duntz Rock, then in a straight line to Bonilla Point
18 of Vancouver island), Grays Harbor, Willapa Bay, and the Columbia
19 river.

20 (7) For purposes of this section, "replacement vessel" means a
21 vessel used in the coastal crab fishery in 1994, and that replaces a
22 vessel used in the coastal crab fishery during any period from 1988
23 through 1993, and which vessel's licensing and catch history, together
24 with the licensing and catch history of the vessel it replaces,
25 qualifies a single applicant for a Dungeness crab coastal or Dungeness
26 crab coastal class B fishery license. A Dungeness crab coastal or
27 Dungeness crab coastal class B fishery license may only be issued to a
28 person who designated a vessel in the 1994 coastal crab fishery and who
29 designated the same vessel in 1995."

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33 On page 1, line 1 of the title, after "licenses;" strike the
34 remainder of the title and insert "and amending RCW 75.30.350."

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