

2 **ESSB 6117** - H COMM AMD
3 By Committee on Natural Resources

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

7 "NEW SECTION. **Sec. 1.** The legislature finds that recovery plans
8 for salmon stocks listed as threatened or endangered under the federal
9 endangered species act will require large scale restrictions, or
10 complete fishing closures, for the commercial and charter boat fishery.
11 To ensure that Canadian fishers continue to honor current restrictions
12 on intercepting Washington coho and chinook as provided in annexes
13 under the Pacific salmon treaty between the United States and Canada,
14 it is essential that nontribal fishers from Washington reduce their
15 harvest of Fraser river sockeye to below their full allocation as
16 allowed under *U.S. v. Washington*, 384 F. Supp. 31 (1974). In addition,
17 in order to successfully conclude negotiations on a new Pacific salmon
18 treaty, it is essential to demonstrate the state's resolve in reducing
19 harvests. This reduction of fishers depends upon federal funding and
20 the implementation of a program to permanently retire a number of
21 commercial salmon fishing licenses in Washington to a level
22 commensurate with proposed harvest reductions.

23 It is the intent of the legislature to provide a source of funds to
24 compensate commercial fishers and charter boat licensees for the loss
25 of their livelihood by purchasing the commercial salmon fisher's
26 license or charter boat license. Federal funds appropriated for the
27 purchase of such licenses may only be available to the state of
28 Washington if the state provides a matching share.

29 NEW SECTION. **Sec. 2.** A new section is added to chapter 75.44 RCW
30 to read as follows:

31 The department, in consultation with representatives of commercial
32 salmon license holders, shall develop a program of license purchase
33 from persons holding a valid license under RCW 75.30.120. The
34 objective of this program is to achieve the greatest license reduction
35 at the lowest cost and in a minimum amount of time. In addition,

1 priority for license purchase shall be based upon participation in and
2 economic dependence on salmon fisheries harvested by commercial fleets
3 from Canada or the United States. The department may purchase charter
4 boat licenses from owners that hold valid charter boat licenses under
5 RCW 75.30.065.

6 Purchase of the licenses is authorized only under the condition
7 that the license is purchased for a one time price and that the license
8 is permanently canceled and removed from the fishery. The department
9 is not authorized to purchase vessels, fishing gear, or salmon delivery
10 licenses. Charter boat licensees who participate in the license
11 buyback program shall not be eligible to transfer all or a part of
12 angler permits issued under RCW 75.30.070.

13 The department shall not exceed a state-funded share of twenty-five
14 percent for each license purchased under the buyback program.

15 **Sec. 3.** RCW 75.44.140 and 1995 c 269 s 3201 are each amended to
16 read as follows:

17 The director shall adopt rules for the administration of the
18 program. ~~((To assist the department in the administration of the
19 program, the director may contract with persons not employed by the
20 state and may enlist the aid of other state agencies.))~~

21 **Sec. 4.** RCW 75.44.150 and 1983 1st ex.s. c 46 s 160 are each
22 amended to read as follows:

23 The director is responsible for the administration and disbursement
24 of all funds ~~((, goods, commodities, and services))~~ received by the
25 state under the program.

26 There is created within the state treasury a fund to be known as
27 the "~~((vessel, gear, license, and permit))~~ salmon commercial fishing
28 license and charter boat reduction fund". This fund shall be used for
29 purchases under ~~((RCW 75.44.110))~~ section 2 of this act and for the
30 administration of the program. This fund shall be credited with
31 federal or other funds received to carry out the purposes of the
32 program ~~((and the proceeds from the sale or other disposition of
33 property purchased under RCW 75.44.110))~~.

34 NEW SECTION. **Sec. 5.** The following acts or parts of acts are each
35 repealed:

1 (1) RCW 75.44.100 and 1985 c 7 s 150, 1983 1st ex.s. c 46 s 155,
2 1977 ex.s. c 230 s 3, & 1975 1st ex.s. c 183 s 3;

3 (2) RCW 75.44.110 and 1984 c 67 s 1, 1983 1st ex.s. c 46 s 156,
4 1979 ex.s. c 43 s 1, 1977 ex.s. c 230 s 4, & 1975 1st ex.s. c 183 s 4;

5 (3) RCW 75.44.120 and 1983 1st ex.s. c 46 s 157 & 1975 1st ex.s. c
6 183 s 5; and

7 (4) RCW 75.44.130 and 1983 1st ex.s. c 46 s 158, 1979 ex.s. c 43 s
8 2, & 1975 1st ex.s. c 183 s 6.

9 NEW SECTION. **Sec. 6.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected."

13 EFFECT: A finding is added related to the need for commercial
14 salmon and charter boat license purchase by the state of Washington in
15 order to successfully negotiate a new U.S.-Canada Pacific Salmon
16 Treaty. New objectives are provided for the salmon and charter boat
17 license purchase program.

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