

---

SENATE BILL 5642

---

State of Washington

55th Legislature

1997 Regular Session

By Senators Spanel and Oke

Read first time 02/04/97. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to limiting the number of fishers eligible to  
2 commercially fish for Puget Sound dungeness crab; and amending RCW  
3 75.30.130.

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

5 **Sec. 1.** RCW 75.30.130 and 1993 c 340 s 34 are each amended to read  
6 as follows:

7 (1) It is unlawful to take dungeness crab (*Cancer magister*) in  
8 Puget Sound without first obtaining a dungeness crab--Puget Sound  
9 fishery license. As used in this section, "Puget Sound" has the  
10 meaning given in RCW 75.28.110(5)(a). A dungeness crab--Puget Sound  
11 fishery license is not required to take other species of crab,  
12 including red rock crab (*Cancer productus*).

13 (2) Except as provided in subsections (3) and (7) of this section,  
14 after January 1, 1982, the director shall issue no new dungeness crab--  
15 Puget Sound fishery licenses. Only a person who meets the following  
16 qualifications may renew an existing license:

17 (a) The person shall have held the dungeness crab--Puget Sound  
18 fishery license sought to be renewed during the previous year or  
19 acquired the license by transfer from someone who held it during the

1 previous year, and shall not have subsequently transferred the license  
2 to another person; and

3 (b) The person shall document, by valid shellfish receiving tickets  
4 issued by the department, that one thousand pounds of dungeness crab  
5 were caught and sold during the previous two-year period ending on  
6 December 31st of an odd-numbered year:

7 (i) Under the license sought to be renewed; or

8 (ii) Under any combination of the following commercial fishery  
9 licenses that the person held when the crab were caught and sold: Crab  
10 pot--Non-Puget Sound, crab ring net--Non-Puget Sound, dungeness crab--  
11 Puget Sound. Sales under a license other than the one sought to be  
12 renewed may be used for the renewal of no more than one dungeness  
13 crab--Puget Sound fishery license.

14 (3) Where the person failed to obtain the license during the  
15 previous year because of a license suspension, the person may qualify  
16 for a license by establishing that the person held such a license  
17 during the last year in which the license was not suspended.

18 (4) The director may reduce or waive the poundage requirement  
19 established under subsection (2)(b) of this section upon the  
20 recommendation of a review board established under RCW 75.30.050. The  
21 review board may recommend a reduction or waiver of the poundage  
22 requirement in individual cases if, in the board's judgment,  
23 extenuating circumstances prevent achievement of the poundage  
24 requirement. The director shall adopt rules governing the operation of  
25 the review boards and defining "extenuating circumstances."

26 (5) This section does not restrict the issuance of commercial crab  
27 licenses for areas other than Puget Sound or for species other than  
28 dungeness crab.

29 (~~(6) ((Subject to the restrictions in section 11 of this act,~~  
30 ~~dungeness crab--))~~ Puget Sound fishery licenses are transferable from  
31 one license holder to another.

32 (7) If fewer than (~~two hundred~~) one hundred twenty-five persons  
33 are eligible for dungeness crab--Puget Sound fishery licenses, the  
34 director may accept applications for new licenses. The director shall  
35 determine by random selection the successful applicants for the  
36 additional licenses. The number of additional licenses issued shall be  
37 sufficient to maintain (~~two hundred~~) one hundred twenty-five licenses  
38 in the Puget Sound dungeness crab fishery. The director shall adopt  
39 rules governing the application, selection, and issuance procedures for

1 new dungeness crab--Puget Sound fishery licenses, based upon  
2 recommendations of a board of review established under RCW 75.30.050.

--- END ---