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**SUBSTITUTE SENATE BILL 6117**

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**State of Washington**

**55th Legislature**

**1998 Regular Session**

**By** Senate Committee on Ways & Means (originally sponsored by Senators Morton, Snyder, Swecker, Stevens, Rossi and Oke)

Read first time . Referred to Committee on .

1 AN ACT Relating to repurchasing commercial salmon fishing licenses;  
2 amending RCW 75.44.140 and 75.44.150; adding a new section to chapter  
3 75.30 RCW; creating a new section; and repealing RCW 75.44.100,  
4 75.44.110, 75.44.120, and 75.44.130.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the proposed  
7 listing of a number of Washington origin salmon stocks as threatened or  
8 endangered species under the federal endangered species act does not  
9 portend well for the health of the commercial salmon fishery and the  
10 charter boat fishery that harvest those endangered stocks. Recovery  
11 plans for endangered stocks will necessitate large scale restrictions,  
12 or complete fishing closures, for the commercial fishery and charter  
13 boat fishery. This situation will result in a serious economic  
14 hardship to commercial salmon fishers and charter boat operators. It  
15 is the intent of the legislature to provide a source of funds to  
16 compensate commercial fishers and charter boat licensees for the loss  
17 of their livelihood by purchasing the commercial salmon fisher's  
18 license or charter boat license for the purpose of permanent  
19 cancellation of the license. State funds may be utilized as a matching

1 share for federal funds that are appropriated for the purpose of  
2 commercial salmon fishing license or charter boat license buyback.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 75.30 RCW  
4 to read as follows:

5 The department may purchase commercial salmon fishing licenses from  
6 commercial salmon fishers that hold a valid commercial salmon fishing  
7 license under RCW 75.30.120, the commercial salmon fishing license  
8 limitation program. The department may purchase charter boat licenses  
9 from owners that hold valid charter boat licenses under RCW 75.30.065.  
10 Purchase of the license is authorized only under the condition that the  
11 license is purchased for a one time price and that the license is  
12 permanently canceled and removed from the fishery. The department is  
13 not authorized to purchase vessels, fishing gear, or salmon delivery  
14 licenses. Charter boat licensees who participate in the license  
15 buyback program shall not be eligible to transfer all or a part of  
16 angler permits issued under RCW 75.30.070.

17 The department shall not utilize funds from a state appropriation  
18 for the buyback or as matching funds for the buyback of commercial  
19 salmon fishing licenses or charter boat licenses from nonresident  
20 license holders.

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

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

25 The director shall adopt rules for the administration of the  
26 program. ~~((To assist the department in the administration of the  
27 program, the director may contract with persons not employed by the  
28 state and may enlist the aid of other state agencies.))~~ Purchase of  
29 commercial salmon fishing licenses and salmon charter boat licenses in  
30 the buyback program created in section 2 of this act shall only be on  
31 a willing buyer--willing seller basis. The director shall strive to  
32 first purchase licenses from fisheries that most seriously cause  
33 mortality of threatened or endangered salmon stocks.

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

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

4 There is created within the state treasury a fund to be known as  
5 the "~~((vessel, gear, license, and permit))~~ salmon commercial fishing  
6 license and charter boat reduction fund". This fund shall be used for  
7 purchases under RCW 75.44.110 and for the administration of the  
8 program. This fund shall be credited with federal or other funds  
9 received to carry out the purposes of the program (~~(and the proceeds~~  
10 ~~from the sale or other disposition of property purchased under RCW~~  
11 ~~75.44.110))~~).

12 NEW SECTION. Sec. 5. The following acts or parts of acts are each  
13 repealed:

14 (1) RCW 75.44.100 and 1985 c 7 s 150, 1983 1st ex.s. c 46 s 155,  
15 1977 ex.s. c 230 s 3, & 1975 1st ex.s. c 183 s 3;

16 (2) RCW 75.44.110 and 1984 c 67 s 1, 1983 1st ex.s. c 46 s 156,  
17 1979 ex.s. c 43 s 1, 1977 ex.s. c 230 s 4, & 1975 1st ex.s. c 183 s 4;

18 (3) RCW 75.44.120 and 1983 1st ex.s. c 46 s 157 & 1975 1st ex.s. c  
19 183 s 5; and

20 (4) RCW 75.44.130 and 1983 1st ex.s. c 46 s 158, 1979 ex.s. c 43 s  
21 2, & 1975 1st ex.s. c 183 s 6.

22 NEW SECTION. Sec. 6. If any provision of this act or its  
23 application to any person or circumstance is held invalid, the  
24 remainder of the act or the application of the provision to other  
25 persons or circumstances is not affected.

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