S-3959.1 _____

SENATE BILL 6242
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State of Washington   **54th Legislature**   **1996 Regular Session**

By Senators Spanel, A. Anderson, Snyder, McDonald, Haugen and Kohl

Read first time 01/09/96. Referred to Committee on Natural Resources.

1   AN ACT Relating to managing of salmon fisheries to assure harvest
2 by Washington citizens of their full nontribal share; adding a new
3 section to chapter 75.08 RCW; and creating a new section.

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

5   NEW SECTION. **Sec. 1.**   The legislature finds that current
6 management of salmon fisheries often results in citizens of the state
7 of Washington receiving less than the fifty percent or more of
8 available harvest assured to them by federal court decisions
9 establishing treaty Indian fishing rights. A clear policy is needed to
10 clarify the intent of the legislature that, whenever legally
11 appropriate, salmon fisheries be managed so as to assure that
12 Washington citizens receive their full, lawful fifty percent or more
13 share of available harvest to the full extent such harvest is not set
14 aside for Indian tribes under federal law.

15   NEW SECTION. **Sec. 2.** A new section is added to chapter 75.08 RCW
16 to read as follows:
17   To the extent as is consistent with federal law, Washington salmon
18 fisheries shall be managed so that Washington citizens receive no less

1 than a full, fifty percent or more share of available harvests with
2 applicable northwest treaty Indian tribes. Nothing herein shall be
3 construed to diminish nor affect the fishing rights set aside for said
4 tribes pursuant to their treaty rights under federal law. In those
5 years in which the uncertainties of management result in less than the
6 full, lawful fifty percent or more share required by this section being
7 achieved, equitable adjustment principles provided for in federal law
8 shall be utilized to assure that such shortfalls in harvest are made up
9 in future years and so that Washington citizens receive their full
10 lawful harvest share over time.

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