

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5592**

54th Legislature  
1995 Regular Session

Passed by the Senate April 19, 1995  
YEAS 45    NAYS 0

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**President of the Senate**

Passed by the House April 7, 1995  
YEAS 88    NAYS 7

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5592** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE SENATE BILL 5592

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AS AMENDED BY THE HOUSE

Passed Legislature - 1995 Regular Session

State of Washington                      54th Legislature                      1995 Regular Session

By Senate Committee on Natural Resources (originally sponsored by  
Senators Spanel and Swecker)

Read first time 03/01/95.

1            AN ACT Relating to coastal crab fishing licenses; and amending RCW  
2 75.30.350.

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

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

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

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

17            (a) Made a minimum of eight coastal crab landings totaling a  
18 minimum of five thousand pounds per season in at least two of the four  
19 qualifying seasons identified in subsection ~~((4))~~ (5) of this

1 section, as documented by valid Washington state shellfish receiving  
2 tickets; and showed historical and continuous participation in the  
3 coastal crab fishery by having held one of the following licenses or  
4 their equivalents each calendar year beginning 1990 through 1993, and  
5 was designated on the qualifying license of the person who held one of  
6 the following licenses in 1994:

7 (i) Crab pot«Non-Puget Sound license, issued under RCW  
8 75.28.130(1)(b);

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

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

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

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

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

14 (b) Made a minimum of four Washington landings of coastal crab  
15 totaling two thousand pounds during the period from December 1, 1991,  
16 to March 20, 1992, and made a minimum of eight crab landings totaling  
17 a minimum of five thousand pounds of coastal crab during each of the  
18 following periods: December 1, 1991, to September 15, 1992; December  
19 1, 1992, to September 15, 1993; and December 1, 1993, to September 15,  
20 1994. For landings made after December 31, 1993, the vessel shall  
21 have been designated on the qualifying license of the person making the  
22 landings; or

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

31 (3) A Dungeness crab-coastal fishery license shall be issued to a  
32 person who had a new vessel under construction between December 1,  
33 1988, and September 15, 1992, if the vessel made coastal crab landings  
34 totaling a minimum of five thousand pounds by September 15, 1993, and  
35 the new vessel was designated on the qualifying license of the person  
36 who held that license in 1994. All landings shall be documented by  
37 valid Washington state shellfish receiving tickets. License  
38 applications under this subsection may be subject to review by the

1 advisory review board in accordance with RCW 75.30.050. For purposes  
2 of this subsection, "under construction" means either:

3 (a)(i) A contract for any part of the work was signed before  
4 September 15, 1992; and

5 (ii) The contract for the vessel under construction was not  
6 transferred or otherwise alienated from the contract holder between the  
7 date of the contract and the issuance of the Dungeness crab-coastal  
8 fishery license; and

9 (iii) Construction had not been completed before December 1, 1988;  
10 or

11 (b)(i) The keel was laid before September 15, 1992; and

12 (ii) Vessel ownership was not transferred or otherwise alienated  
13 from the owner between the time the keel was laid and the issuance of  
14 the Dungeness crab-coastal fishery license; and

15 (iii) Construction had not been completed before December 1, 1988.

16 (4) A Dungeness crab-coastal class B fishery license is not  
17 transferable. Such a license shall be issued to persons who do not  
18 meet the qualification criteria for a Dungeness crab-coastal fishery  
19 license, if the person has designated on a qualifying license after  
20 December 31, 1993, a vessel or replacement vessel that, singly or in  
21 combination, made a minimum of four landings totaling a minimum of two  
22 thousand pounds of coastal crab, documented by valid Washington state  
23 shellfish receiving tickets, during at least one of the four qualifying  
24 seasons, and if the person has participated continuously in the coastal  
25 crab fishery by having held or by having owned a vessel that held one  
26 or more of the licenses listed in subsection (2) of this section in  
27 each calendar year subsequent to the qualifying season in which  
28 qualifying landings were made through 1994. Dungeness crab-coastal  
29 class B fishery licenses cease to exist after December 31, 1999, and  
30 the continuing license provisions of RCW 34.05.422(3) are not  
31 applicable.

32 ~~((+4))~~ (5) The four qualifying seasons for purposes of this  
33 section are:

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

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

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

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

38 ~~((+5))~~ (6) For purposes of this section and RCW 75.30.420,  
39 "coastal crab" means Dungeness crab (cancer magister) taken in all

1 Washington territorial and offshore waters south of the United States-  
2 Canada boundary and west of the Bonilla-Tatoosh line (a line from the  
3 western end of Cape Flattery to Tatoosh Island lighthouse, then to the  
4 buoy adjacent to Duntz Rock, then in a straight line to Bonilla Point  
5 of Vancouver island), Grays Harbor, Willapa Bay, and the Columbia  
6 river.

7 (7) For purposes of this section, "replacement vessel" means a  
8 vessel used in the coastal crab fishery in 1994, and that replaces a  
9 vessel used in the coastal crab fishery during any period from 1988  
10 through 1993, and which vessel's licensing and catch history, together  
11 with the licensing and catch history of the vessel it replaces,  
12 qualifies a single applicant for a Dungeness crab«coastal or Dungeness  
13 crab«coastal class B fishery license. A Dungeness crab«coastal or  
14 Dungeness crab«coastal class B fishery license may only be issued to a  
15 person who designated a vessel in the 1994 coastal crab fishery and who  
16 designated the same vessel in 1995.

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