

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5447

Chapter 479, Laws of 2007

60th Legislature
2007 Regular Session

COASTAL DUNGENESS CRAB FISHERY

EFFECTIVE DATE: 07/22/07

Passed by the Senate April 14, 2007
YEAS 49 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 5, 2007
YEAS 97 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 14, 2007, 3:57 p.m.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5447** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 15, 2007

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5447

AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senate Committee on Natural Resources, Ocean & Recreation
(originally sponsored by Senators Hatfield, Jacobsen, Honeyford,
Hargrove, Poulsen, Benton and Rasmussen)

READ FIRST TIME 02/28/07.

1 AN ACT Relating to ensuring a sustainable coastal Dungeness crab
2 fishery; creating new sections; and providing an expiration date.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the coastal
5 Dungeness crab fishery is one of the most valuable commercial fisheries
6 in Washington. For example, the 2004-05 season resulted in landings of
7 twenty-one million pounds with an estimated ex-vessel value of over
8 thirty million dollars. The fishery represents a vital economic
9 foundation for many coastal communities.

10 Since 1994, the coastal Dungeness crab fishery has faced
11 significant pressure and has undergone many regulatory changes stemming
12 from issues relating to the sustainability of the resource, the safety
13 and sustainability of the fleet, interstate and federal jurisdiction
14 questions, as well as allocation issues.

15 In order to further promote the sustainability of the coastal
16 Dungeness crab resource, the coastal crab fleet, and coastal
17 communities, the legislature intends for the department of fish and
18 wildlife to develop a proposed coastal Dungeness buyback program that

1 would be implemented in cooperation with the federal government upon
2 future legislative direction.

3 NEW SECTION. **Sec. 2.** (1) The department shall develop a detailed
4 proposed Dungeness crab-coastal fishery buyback program. The proposed
5 program must provide for the purchase and permanent retirement of
6 Dungeness crab-coastal fishery licenses. The department shall design
7 this element of the proposed program with the goal of purchasing
8 between eighty and one hundred Dungeness crab-coastal fishery licenses.

9 (2) In addition to license purchase and retirement, the proposed
10 program may provide for the purchase or retirement of vessels
11 designated on Dungeness crab-coastal fishery licenses.

12 (3) The proposed program must explore funding alternatives that
13 involve federal funding, state funding, funding provided by Dungeness
14 crab-coastal license holders, low-interest loans to license holders,
15 and combinations thereof.

16 (4)(a) The department must include in the proposed program those
17 elements necessary for the administration of the buyback, including the
18 mechanisms by which Dungeness crab-coastal license holders may apply to
19 participate in the program if it is authorized and by which the
20 department will select licenses or vessels for purchase from among the
21 applicants.

22 (b) The proposed program must include and clearly set forth any
23 conditions that will be placed on Dungeness crab-coastal license
24 holders participating in the program.

25 (5) The proposed program must be designed to have a neutral impact
26 on Dungeness crab harvests in the state and federal waters off the
27 coasts of Oregon and California.

28 (6) The proposed program must assume that participation by
29 Dungeness crab-coastal license holders in the program would be entirely
30 voluntary.

31 (7) The department shall consult with Dungeness crab-coastal
32 license holders when designing the proposal.

33 (8) To assist the department in the development of the proposal,
34 the department may contract with persons not employed by the state.

35 (9) By December 1, 2007, the department shall provide a report
36 detailing the program proposal to the appropriate policy and fiscal
37 committees of the senate and house of representatives.

1 (10) The proposed program developed under this section is not
2 authorized to be implemented, and state funds are not authorized to be
3 expended, without further specific legislative authorization.

4 (11) This section expires December 31, 2007.

Passed by the Senate April 14, 2007.

Passed by the House April 5, 2007.

Approved by the Governor May 14, 2007.

Filed in Office of Secretary of State May 15, 2007.