
SENATE BILL 6419

State of Washington 60th Legislature 2008 Regular Session

By Senators Hatfield, Roach, Jacobsen, Hargrove, Morton, Swecker, and Rasmussen

Read first time 01/16/08. Referred to Committee on Natural Resources, Ocean & Recreation.

1 AN ACT Relating to purchasing fishing vessels and licenses; and
2 amending RCW 77.80.010 and 77.80.020.

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

4 **Sec. 1.** RCW 77.80.010 and 2000 c 107 s 88 are each amended to read
5 as follows:

6 As used in this chapter((+)

7 ~~(1) "Case areas" means those areas of the Western district of~~
8 ~~Washington and in the adjacent offshore waters which are within the~~
9 ~~jurisdiction of the state of Washington, as defined in *United States of*~~
10 ~~*America et al. v. State of Washington et al.*, Civil No. 9213, United~~
11 ~~States District Court for Western District of Washington, February 12,~~
12 ~~1974, and in *Sohappy v. Smith*, 302 F. Supp. 899 (D. Oregon, 1969), as~~
13 ~~amended, affirmed, and remanded 529 F. 2d 570 (9th Cir., 1976), or an~~
14 ~~area in which fishing rights are affected by court decision in a manner~~
15 ~~consistent with the above mentioned decisions;~~

16 ~~(2))~~ "program" means the program established under RCW 77.80.010
17 through 77.80.060.

1 **Sec. 2.** RCW 77.80.020 and 1984 c 67 s 1 are each amended to read
2 as follows:

3 The department may purchase commercial fishing vessels and
4 appurtenant gear, and the current state commercial fishing licenses,
5 delivery permits, and charter boat licenses if the license or permit
6 holder was substantially restricted in fishing as a result of
7 compliance with *United States of America et al. v. State of Washington*
8 *et al.*, Civil No. 9213, United States District Court for Western
9 District of Washington, February 12, 1974, and *Sohappy v. Smith*, 302 F.
10 Supp. 899 (D. Oregon, 1969), as amended, affirmed, and remanded 529 F.
11 2d 570 (9th Cir., 1976). The department may also make such purchases
12 if the license or permit holder was substantially restricted in fishing
13 as a result of compliance with *United States of America et al. v.*
14 *State of Washington et al.*, 873 F.Supp. 1422 (W.D. Wash. 1994) as
15 affirmed in part, reversed in part, and remanded 157 F.3d 630 (9th
16 Cir., 1998).

17 The department shall not purchase a vessel without also purchasing
18 all current Washington commercial fishing licenses and delivery permits
19 and charter boat licenses issued to the vessel or its owner. The
20 department may purchase current licenses and delivery permits without
21 purchasing the vessel.

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