

~~materialmen employed in making or furnishing material for such improvement, and)), in case the improvement is made upon lands withdrawn from sale under the provisions of RCW 43.51.100, will pay into the state treasury to the credit of the fund to which the proceeds of the sale of such lands would belong, the appraised value of all merchantable timber and material on the land, destroyed, or used in making such improvement.~~

Passed the Senate March 8, 1982.

Passed the House March 6, 1982.

Approved by the Governor April 1, 1982.

Filed in Office of Secretary of State April 1, 1982.

CHAPTER 157

[Engrossed Senate Bill No. 4464]

COMMERCIAL CRAB LICENSES

AN ACT Relating to food fish and shellfish; amending section 4, chapter 133, Laws of 1980 and RCW 75.28.275; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 4, chapter 133, Laws of 1980 and RCW 75.28.275 are each amended to read as follows:

(1) ~~((After January 1, 1981;))~~ It is unlawful to take crab in the Puget Sound licensing district without first obtaining a Puget Sound crab license endorsement ((therefor. Commercial crab licenses issued under RCW 75.28.274 endorsed for the Puget Sound licensing district shall be limited to those vessels which:

~~(a) Held a commercial shellfish pot license issued between January 1, 1975, and December 31, 1979, or had transferred to the vessel such a license;~~

~~(b) Have not transferred the license to another vessel;~~

~~(c) Can establish, by means of shellfish receiving documents issued by the department, that one thousand pounds of crab were caught and landed in the Puget Sound licensing district under the license during any one year in that period; and~~

~~(d) Held, and have not transferred, a shellfish pot license during 1980)).~~

(2) ~~((In addition to the requirements of subsection (1) of this section, after January 1, 1982;))~~ Commercial crab licenses issued under RCW 75.28.274 endorsed for the Puget Sound licensing district may be issued only to vessels;

(a) Which held a commercial crab license endorsed for the Puget Sound licensing district during the previous year or had transferred to the vessel such a license; and

(b) From which one thousand pounds of crab were caught and landed in this state during the previous two-year period ending on December 31st of

an odd-numbered year, as documented by a valid shellfish receiving ticket. This requirement shall apply to licenses for which application is made after January 1, 1984.

Where the failure to obtain the license during the previous year was the result of a license suspension or revocation by the department, the vessel may qualify for a license by establishing that the vessel held such a license during the last year in which it was eligible.

(3) The director may reduce or waive the landing requirement established under subsection (2)(b) of this section upon the recommendation of a board of review established under RCW 75.28.276. The board of review may recommend a reduction or waiver of the landing requirement in individual cases if, in the board's judgment, extenuating circumstances prevent achievement of the landing requirement. The director shall adopt rules governing the operation of the board of review and defining "extenuating circumstances."

(4) The issuance of commercial crab licenses for areas other than the Puget Sound licensing district is not restricted by this section.

((+4)) (5) License endorsements issued under this section are not transferable from one owner to another owner, except from parent to child or upon the death of the owner, before July 1, ((+1982)) 1986. This restriction applies to all changes in the vessel owner's name on the license, including (a) changes during the license year, and (b) changes during the license renewal process between years. This restriction does not prevent changes in vessel operator or transfers between vessels when the vessel owner remains unchanged. Upon request of a vessel owner, the director may issue a temporary permit to allow the vessel owner to use the license endorsement on a leased or rented vessel.

(6) If less than two hundred vessels are eligible for Puget Sound license endorsements, the director may accept applications for new endorsements. The director shall determine by random selection the successful applicants for the additional endorsements. The number of additional endorsements issued shall be sufficient to maintain two hundred vessels in the Puget Sound crab fishery. The director shall adopt rules governing the application, selection, and issuance procedures for new Puget Sound crab license endorsements, based upon recommendations of a board of review established under RCW 75.28.276.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 8, 1982.

Passed the House March 8, 1982.

Approved by the Governor April 1, 1982.

Filed in Office of Secretary of State April 1, 1982.