

(3) Provide for contingencies, including, but not limited to, loss of revenue caused by such contingencies.

The authority granted pursuant to this section is additional and supplemental to any existing authority to issue revenue bonds and nothing in this section shall prevent the issuance of such bonds pursuant to any other law: PROVIDED, That no such bond issue may include an amount in excess of fifteen percent thereof for the purpose of establishing, maintaining or increasing reserves as enumerated above.

Passed the Senate May 3, 1977.

Passed the House June 4, 1977.

Approved by the Governor June 14, 1977.

Filed in Office of Secretary of State June 14, 1977.

CHAPTER 230

[Engrossed Substitute Senate Bill No. 3071]

FISHERIES—VESSELS, GEAR, LICENSES AND PERMITS REDUCTION

AN ACT Relating to commercial fishing vessels, gear, licenses, and permits; amending section 2, chapter 184, Laws of 1974 ex. sess. as amended by section 7, chapter 106, Laws of 1977 1st ex. sess. and RCW 75.28.455; amending section 2, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.500; amending section 3, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.505; amending section 4, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.510; amending section 9, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.535; and amending section 10, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.540.

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

Section 1. Section 2, chapter 184, Laws of 1974 ex. sess. as amended by section 7, chapter 106, Laws of 1977 1st ex. sess. and RCW 75.28.455 are each amended to read as follows:

On and after May 6, 1974, the department of fisheries of the state of Washington shall initiate a program to limit the number of commercial salmon vessels for each type of fishing gear and area by issuing licenses and vessel delivery permits to fish for salmon only to those vessels holding such licenses or permits in any year between January 1, 1970 and May 6, 1974: PROVIDED, That only those vessels which held commercial gear fishing licenses or vessel delivery permits valid for salmon during such period and can prove by means of a valid fish receiving document that salmon were caught and landed during such period shall be entitled to a valid commercial fishing license or vessel delivery permit to fish for or possess salmon for the same type of gear and area for each year of a period extending from January 1, 1975 through December 31, 1980: PROVIDED FURTHER, That except for vessels coming under the provisions of RCW 75.28.460, no commercial salmon fishing license or vessel delivery permit shall be issued to a vessel for calendar years 1979 and 1980 unless that vessel (1) was issued or had transferred to it a valid Washington state commercial salmon fishing license or vessel delivery permit during the previous calendar year, or during the last calendar year in which the vessel was legally eligible for licenses if the vessel's licenses were suspended or revoked during the calendar year or years previous to the year for which the licenses are being sought; and (2) can prove by means of a valid fish receiving document that food fish were caught and landed by such vessel in this state or in another state during the previous calendar year, or during the last calendar year in which

the vessel was legally eligible for licenses if the vessel's licenses were suspended or revoked during the calendar year or years previous to the year for which the licenses are being sought: PROVIDED, HOWEVER, That nothing herein shall be construed to be contrary to the provisions of Title 75 RCW or any regulation promulgated thereunder. All such licenses or vessel delivery permits shall be transferable ((~~PROVIDED, That in order to qualify for licenses in calendar years 1979 and 1980, a vessel must prove by means of a valid fish receiving document that food fish were caught and landed by such vessel in this state or in another state during the previous calendar year, or during the last calendar year in which the vessel was legally eligible for licenses if the vessel's licenses were suspended or revoked during the calendar year or years previous to the year for which the licenses are being sought~~)).

Sec. 2. Section 2, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.500 are each amended to read as follows:

The legislature finds that the protection, welfare, and economic well-being of the commercial fishing industry is important to the people of this state. There presently exists an overabundance of commercial fishing gear in our state waters which causes great pressure on the fishing resources. This results in great economic waste to the state and prohibits conservation and harvesting programs from achieving their goals. This adverse situation has been compounded by the ((~~re-~~cent)) federal court decisions, United States of America et al. v. State of Washington et al., Civil No. 9213, United States District Court for the Western District of Washington, February 12, 1974, and *Sohappy v. Smith*, 302 F. Supp. 899 (D. Oregon, 1969), as amended, affirmed, and remanded 529 F. 2d 570 (9th Cir., 1976). As a result, large numbers of commercial fishermen face personal economic hardship, and the state commercial fishing industry is confronted with economic difficulty. The public welfare requires that the state have the authority to purchase commercial fishing vessels, licenses, gear, and permits offered for sale, as appropriate, in a manner which will provide relief to the individual vessel owner, and which will effect a reduction in the amount of commercial fishing gear in use in the state so as to insure increased economic opportunity for those persons in the industry and to insure that sound scientific conservation and harvesting programs can be carried out. It is the intention of the legislature to provide relief to commercial fishermen adversely affected by the current economic situation in the state fishery and to preserve this valuable state industry and these natural resources.

Sec. 3. Section 3, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.505 are each amended to read as follows:

As used in RCW 75.28.500 through 75.28.540; unless the context indicates otherwise:

(1) "Case areas" means those areas of the Western district of Washington ((~~within the watersheds of Puget Sound and the Olympic Peninsula north of Grays Harbor~~)) and in the adjacent offshore waters which are within the jurisdiction of the state of Washington, as defined in United States of America et al. v. State of Washington et al., Civil No. 9213, United States District Court for Western District of Washington, February 12, 1974, and in *Sohappy v. Smith*, 302 F. Supp. 899 (D. Oregon, 1969), as amended, affirmed, and remanded 529 F. 2d 570 (9th

Cir., 1976), or any area in which fishing rights are affected by court decision in a manner consistent with the above-mentioned decisions;

- (2) "Department" means the department of fisheries;
- (3) "Director" means the director of the department of fisheries.

Sec. 4. Section 4, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.510 are each amended to read as follows:

The department is authorized to purchase commercial fishing vessels and appurtenant gear, and the ~~((appropriate))~~ current commercial fishing licenses and delivery permits and charter boat licenses issued by the state of Washington if the vessel, licensee, or permit holder:

(1) Was licensed to fish or deliver fish during 1974, 1975, 1976, or 1977 within the case areas; and

(2) Was substantially restricted in its fishing season ~~((in 1974))~~ by the department as a result of compliance with United States of America et al. v. State of Washington et al., Civil No. 9213, United States District Court for Western District of Washington, February 12, 1974, and Sohappy v. Smith, 302 F. Supp. 899 (D. Oregon, 1969), as amended, affirmed, and remanded 529 F. 2d 570 (9th Cir., 1976).

The department shall not purchase any vessel without also purchasing all ~~((appropriate))~~ current Washington commercial fishing licenses and delivery permits and charter boat licenses issued to such vessel or its owner: PROVIDED, That the department is authorized to purchase current licenses and delivery permits in the absence of the purchase of a vessel.

Sec. 5. Section 9, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.535 are each amended to read as follows:

The provisions of ~~((this 1975 amendatory act))~~ RCW 75.28.500 through 75.28.540 as now or hereafter amended, shall become effective on January 1, 1978, or thereafter, only upon receipt by the department from the federal government of funds in an amount sufficient to administer such provisions and to accomplish its purposes. ~~((If such funds are not received or authorized prior to July 1, 1976, this 1975 amendatory act shall expire on said date.))~~

The director shall be the responsible state officer for the administration of, and the disbursement of all funds, goods, commodities, and services, which may be received by the state in connection with the provisions of ~~((this 1975 amendatory act))~~ RCW 75.28.500 through 75.28.540 as now or hereafter amended. There is created within the state treasury a fund to be known as the "vessel, gear, license, and permit reduction fund", which shall be used for the purchase of vessels, licenses, permits, and fishing gear as provided in ~~((this 1975 amendatory act))~~ RCW 75.28.500 through 75.28.540 as now or hereafter amended, and for the administration of the provisions of ~~((this 1975 amendatory act))~~ RCW 75.28.500 through 75.28.540 as now or hereafter amended. This fund shall be credited with any federal or other funds received to carry out the purposes of ~~((this 1975 amendatory act))~~ RCW 75.28.500 through 75.28.540 as now or hereafter amended, and shall also be credited with all proceeds from the sale or other disposition of any property purchased pursuant to RCW 75.28.510 as now or hereafter amended.

Sec. 6. Section 10, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.540 are each amended to read as follows:

No application for participation in the program provided for in RCW 75.28.500 through 75.28.540 shall be accepted by the department later than June 30, ((1977)) 1980. The director shall provide for the expeditious completion of the program thereafter and shall notify the state legislature when such provisions might appropriately be declared null and void.

Passed the Senate June 3, 1977.

Passed the House June 1, 1977.

Approved by the Governor June 14, 1977.

Filed in Office of Secretary of State June 14, 1977.

CHAPTER 231

[Engrossed Substitute Senate Bill No. 3105]

INJURY TO GOVERNMENT PROPERTY—PENALTY

AN ACT Relating to state government; amending section 1, chapter 141, Laws of 1959, and RCW 9.61.160; amending section 3, chapter 141, Laws of 1959 and RCW 9.61.180; prescribing penalties; and declaring an emergency.

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

Section 1. Section 1, chapter 141, Laws of 1959 and RCW 9.61.160 are each amended to read as follows:

It shall be unlawful for any person to threaten to bomb or otherwise injure any public or private school building, any place of worship or public assembly, any governmental property, or any other building, common carrier, or structure, or any place used for human occupancy; or to communicate or repeat any information concerning such a threatened bombing or injury, knowing such information to be false and with intent to alarm the person or persons to whom the information is communicated or repeated.

Sec. 2. Section 3, chapter 141, Laws of 1959 and RCW 9.61.180 are each amended to read as follows:

Any violation of RCW 9.61.160 through 9.61.180 shall be a ((~~gross misdemeanor~~)) felony.

NEW SECTION. Sec. 3. 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 June 3, 1977.

Passed the House June 1, 1977.

Approved by the Governor June 14, 1977.

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