

FORMATTING NOTE:

In initiatives, legislative bills and other proposed measures, language that is to be deleted from current statutes is represented by a "strikethrough" character and language that is to be added is underlined. Because these special characters cannot be formatted in all Internet browsers, a different set of symbols is used for presenting these proposals on-line. The symbols are as follows:

- Text that is surrounded by (({- text here -})) is text that will be DELETED FROM the existing statute if the proposed measure is approved.
- Text that is surrounded by {+ text here +} is text that will be ADDED TO the existing statute if the proposed measure is approved.
- {+ NEW SECTION+} (found at the beginning of a section or paragraph) indicates that ALL of the text in that section will become law if the proposed measure is approved.

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INITIATIVE 696

AN ACT Relating to the protection of living marine resources from wasteful and harmful fishing practices; adding a new section to chapter 75.12 RCW; creating a new section; and prescribing penalties.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

{+ NEW SECTION. +} Sec. 1. Nontribal commercial net fishing is by all standards and with few exceptions known to be a wasteful and harmful fishing practice. Wild salmon, seabirds, marine mammals, and other endangered resources are without protection from this indiscriminate killing and destruction. Those fishing practices that are harmful and that do not constitute selective and discriminating fishing must be eliminated from Washington fresh and marine waters.

{+ NEW SECTION. +} Sec. 2. A new section is added to chapter 75.12 RCW to read as follows:

(1) Commercial net fishing in Washington state fresh or marine waters is prohibited. This ban does not extend to those tribal fisheries conducted under a valid treaty right.

(2) The types of nontribal commercial gear and licenses prohibited by this section include, but are not limited to, purse seine, gill net, baitfish purse seine, dogfish set net, food fish drag seine, food fish trawl (Puget Sound and non-Puget Sound), herring drag seine, herring gill net, baitfish lampara, herring purse seine, Columbia river smelt, smelt dip bag net, whiting (Puget Sound), shrimp trawl (Puget Sound and non-Puget Sound), emerging commercial fishery, and spawn on kelp. The types of nontribal commercial gear and licenses prohibited by this section do not include reef net, crab pots, shrimp pots, herring lampara, and herring dip bag net.

(3) Nontribal commercial troll fishing is prohibited within Washington state waters.

(4) Engaging in nontribal commercial fishing in violation of this section is a class C felony.

{+ NEW SECTION. +} Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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