

Initiative Measure No. 192

OFFICIAL BALLOT TITLE

REGULATION OF COMMERCIAL SALMON FISHING

AN ACT Relating to salmon fishing for commercial purposes; defining districts wherein it is unlawful to fish commercially for salmon, except during prescribed seasons which the director may shorten; establishing preserves in which salmon fishing for commercial purposes is prohibited; prohibiting the construction, installation, use, operation or maintenance of certain specified gear or any fixed appliances for the purposes of catching salmon; authorizing seizures without warrants by certain officials; prescribing penalties; and repealing all laws in conflict herewith.

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

SECTION 1. It shall be unlawful to fish for, catch, or take any species of salmon for commercial purposes, except as hereinafter provided, within the waters of the Straits of Juan de Fuca, Puget Sound and waters connected therewith within the State of Washington described as lying to the southerly, easterly, and southeasterly of a line described as follows:

Commencing at a concrete monument on Angeles Point in Clallam County, State of Washington, near the mouth of the Elwha River on which is inscribed "Angeles Point Monument" in the latitude 48 degrees 9' 3" north, longitude 123 degrees 33' 01" west of Greenwich Meridian; thence running east on a line 81 degrees 30' true from said point across the flashlight and bell buoy off Partridge Point and thence continued to where said line intersects longitude 122 degrees 40' west; thence north on said line to where said line intersects the southerly shore of Sinclair Island at high tide; thence along the southerly shore of said island to the most easterly point thereof; thence north 46 degrees east true to the line of high tide at Carter Point, the most southerly point on Lummi Island; thence northwesterly along the westerly shore line at high tide of said Lummi Island to where said shore line at high tide intersects line of longitude 122 degrees 40' west; thence north on said line to where said line intersects the mainland at the line of high

tide; including within said area the southerly area of Hale Passage, Bellingham Bay, Padilla Bay, Fidalgo Bay, Guemes Channel, Skagit Bay, Similk Bay, Saratoga Passage, Holmes Harbor, Possession Sound, Admiralty Inlet, Hood Canal, Puget Sound, and all inlets, passages, waters, waterways, and the tributaries thereof: *Provided*, That subject to such shorter seasons and regulations as may be established from time to time by the director, it shall be lawful to fish for salmon for commercial purposes, within the above described waters with any lawful gear, extending from the Fifth day of October to and including the Thirtieth day of the following November, except during the hours beginning at 12 midnight Friday and ending at 12 midnight of the Sunday following, except in preserves established and defined in this Act: *And provided*, That subject to such shorter seasons and regulations as may be established from time to time by the director, it shall be lawful to fish for salmon for commercial purposes with any lawful gear, in each odd year, within a period running from August 7th to September 7th, both days inclusive, except during the hours beginning 12 midnight Friday and ending at 12 midnight of the Sunday following, and 12 midnight Friday to 12 midnight Monday on Labor Day weekend, in the waters lying inside the following described line: A line commencing at a red wooden monument located on the most easterly point of Dungeness Spit and thence projected to a simi-

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lar monument located at Partridge Point on Whidbey Island and a line commencing at a red wooden monument located at Olele Point and thence projected easterly to a similar monument located at Bush Point on Whidbey Island, except in preserves established and defined in this Act.

SECTION 2. No area herein defined and established as a salmon preserve shall, by any provisions of this Act, be opened to fishing for commercial purposes: Salmon preserves to be established and defined as follows:

Port Angeles preserve, includes all waters inshore from the following line: A line drawn true north one mile from a monument set on Ediz Hook 4500 feet west of the eastern tip of Ediz Hook, and thence projected true east to Dungeness Spit;

Dungeness preserve includes all waters within a radius of three miles of the Dungeness River mouth;

Washington Harbor preserve includes all of Washington Harbor;

Discovery Bay preserve includes all of Discovery Bay south of a line projected true east from Carr Point;

Hood Canal preserve includes all waters of Hood Canal inside a line projected true east from Hannon Point at Hood Head;

Kitsap preserve includes all waters inside lines drawn from Orchard Point to Bean Point on Bainbridge Island, and from Agate on Bainbridge Island true west to the mainland;

Nisqually preserve includes all waters within the following lines: a line projected from a white monument on the east side of Whollochot Bay to a white monument on Fox Island; and a line projected from Point Gibson on Fox Island true east to the mainland;

Puyallup preserve includes Commencement Bay and other waters within the following line: a line drawn from Point Piner on Maury Island to Brown Point; and a line drawn from Point Dalco on Vashon Island to Point Defiance;

Lake Washington preserve includes those waters within a radius of three miles from the west entrance to Ballard Locks;

Duwamish preserve includes Elliott Bay east of a line drawn from Four Mile rock to Alki Point light;

Snohomish preserve includes all waters of Port Gardner inside lines

drawn as follows: a line drawn from the north entrance of Tulalip Harbor to the southeasterly tip of Gedney (Hat) Island, thence to the west end of the Great Northern Oil dock in Everett;

Skagit preserve includes all waters lying easterly of the following line: a line drawn from a white monument east of Brown's Point on Camano Island 122 degrees 26' longitude, to the southwesterly tip of Goat Island, thence to a white monument on the southeasterly point of Fidalgo Island (locally known as Pull and Be Dammed Point) and all waters of Swinomish Slough;

Samish preserve includes Samish Bay east of a line drawn from William Point light on Samish Island to the Point at the northern entrance to Chuckanut Bay;

Fidalgo preserve includes the Swinomish Slough north of the Great Northern railroad bridge, and all waters east of a line projected from the end of Commercial Street in Anacortes north to Guemes Island from Clark Point at the north end of Guemes Island to the most northerly point of Jack Island, and from there to the William Point light;

Nooksack preserve includes all waters of Bellingham Bay inland or inside the following line: a line commencing at the most southerly point on Point Francis, thence in a northeasterly direction across the bell buoy off Post Point to the mainland;

Point No Point preserve includes all waters within the following lines: a line projected from Point No Point light true north to a point 1000 feet distant, thence 1000 feet true west, and from there true south to the mainland;

Stillaguamish preserve includes all of Port Susan north of a line projected true west from the northern boundary of the Tulalip Indian Reservation to Camano Island, said northern boundary of Tulalip Reservation is line between Township 30 and 31 North, Range 3 and 4 east Snohomish County, Washington.

SECTION 3. It shall be unlawful to construct, install, use, operate or maintain, within any of the waters of the state of Washington, any pound net, fish trap, fish wheel, scow fish wheel, set net, reef net, round haul net, lampara net, or any fixed appli-

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ance for the purpose of catching salmon.

SECTION 4. The provisions of this Act do not apply to fishing by Indians on their reservation or the use of any device or means by the State or National Government in catching fish for propagation or scientific purposes.

SECTION 5. Any person who violates any of the provisions of this Act, or who aids or abets or assists in the violations thereof, shall be guilty of a gross misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail of the county in which the offense is committed for not less than thirty days or more than one year, or by a fine of not less than twenty-five dollars or more than one thousand dollars, or by both such fine and imprisonment.

SECTION 6. The director, fisheries inspectors, deputy fisheries inspectors and ex officio fisheries inspectors may seize without warrant all food fish, shell fish, or parts thereof taken, killed, transported, or possessed contrary to this Act and may seize in a similar manner any boat, vehicle, gear, appliance, or other device used

in violation of this Act, and the articles seized shall be confiscated to the state, regardless of the ownership of the articles seized: *Provided*, That the owner of the boat, vehicle, gear, appliance, or other device so seized may recover the same by depositing into court a cash bond equal to the value of the seized articles if the value of the same be less than five thousand dollars, or a cash bond in the amount of five thousand dollars if the value of the seized boat, vehicle, gear, appliance or other device be in excess of five thousand dollars, and the cash bond shall thereafter be subject to forfeiture to the state in lieu of the seized boat, vehicle, gear, appliance, or other device.

SECTION 7. If any section or provision of this Act shall be held unconstitutional or for any other reason invalid, the invalidity of such provision shall not affect the validity of this Act as a whole or any section, provision or part thereof not judged to be invalid or unconstitutional.

SECTION 8. All acts, and parts of acts, in conflict with this Act, are hereby repealed.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State February 16, 1954.

EARL COE,
Secretary of State.

ARGUMENT FOR INITIATIVE MEASURE NO. 192



**VOTE YES INITIATIVE 192
VOTE YES**

Initiative 192 stops over-commercial salmon fishing on inner Puget Sound and protects spawning Kings and Silvers.

The Initiative area, established 20 years ago and maintained by Init. 192, is generally described as—All Puget Sound waters lying **INSIDE** a line beginning at the mouth of the Elwha River west of Port Angeles and extending east to

Whidby Island, then north until it touches the mainland west of Bellingham.

Initiative 192 prohibits all commercial salmon fishing inside the above area until late fall and provides equal access to lawful commercial gear between Oct. 5 and Nov. 30.

Present laws permit gill nets inside the initiative area beginning June 15. No other commercial gear comes in until October 5. In 1935 a total of 168 gill nets fished these waters. . . . In 1953, 606 gill nets were granted licenses.

Over 200 miles of gill nets have virtual monopoly on these inner Sound waters.

Initiative 192 also permits commercial fishing for Humpback (pink salmon) during "Odd Numbered" years within the initiative line. **One area only**, north of Bush Point on the west side of Whidby Island will be open for a maximum of 20 commercial fishing days between Aug. 7 and Sept. 7. No commercial fishing on weekends plus a 72-hour closure on Labor Day. The fisheries director can shorten fishing days. With exception of opening and closing dates, moved one week later by **Initiative 192**, this **Odd Year** clause in 192 is word for word with the present law.

Laws now in effect permit gill nets to fish the above area **plus all other open waters** inside the line from June 15 to Oct. 5, before other commercial gear enters.

Initiative 192 stops all commercial salmon fishing in shallow waters adjacent to spawning rivers of Puget Sound during peak runs of spawning **Kings and Silvers**. Statistics prove that 80% of the Silvers and all **King salmon** reaching inner Puget Sound will be in spawning rivers by Oct. 5.

Statistics prove that returns of Silvers and Kings to the Initiative area have declined terrifically—more than 50% in 1953—commercial licenses have tripled!

Initiative 192 bans use of reef nets. Reef nets are anchored, fixed appliances. Once used in shallow waters only, reef nets now anchor in 35 fathoms. Where a reef net fishes, no other gear, sports or commercial, can operate. Reef nets are given special privileges on publicly owned waters. If the courts decide reef nets legal and Initiative 192 fails, then nothing can stop reef net entry to inner Puget Sound and thus be granted exclusive location sites over all other lawful commercial gear.

Initiative 192 defines 17 salmon preserves inside the initiative area. Since 192 concerns itself with preserves inside the described area it does not, in any way abolish preserves in other Washington waters. Nor is there any attempt by 192 to do so. A salmon preserve prohibits **commercial salmon** fishing at all times.

Your Taxes Pay Two-thirds the Cost of the Salmon Fisheries Department. Initiative 192 Benefits All the People—Sports—Commercial—Conservationists.

Endorsed by the

WASHINGTON STATE SPORTS COUNCIL

SAVE OUR SALMON ASSOCIATION, INC.

7346—58—N. E., Seattle, Wash.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State July 10, 1954.

EARL COE, Secretary of State.

ARGUMENT AGAINST INITIATIVE MEASURE NO. 192

VOTE NO———INITIATIVE NO. 192———VOTE NO

Professional Promoters in the employ of a single large Salmon Canning Corporation and its Purse Seine Vessel owning stockholders, **UNDER THE GUISE OF CONSERVATION**, are attempting the elimination of all small fishermen who use types of nets different than their own and the subsequent establishment of a giant **MONOPOLY** over Washington State's **THIRD LARGEST INDUSTRY**. **VOTE NO** Initiative 192.

These Purse Seine Vessel Owners, who already catch over 80% of the Puget Sound salmon with their huge 2,200 feet long nets of 4-inch mesh size and up to 160 feet deep, can and do follow the salmon from the ocean to the mouths of Rivers in Puget Sound and on to the Canadian International Boundary. **VOTE NO** Initiative 192.

Is this **PURSE SEINE MONOPOLY** going to be the **JUDGE, JURY, AND EXECUTIONER** of the picturesque small Reef Net Fishery of the Northern Puget Sound Islands??? **VOTE NO** Initiative 192.

The **ELIMINATION OF THE REEF NET FISHERMAN** with his small boats and 50 foot nets, earning his livelihood catching only 6% of the Puget Sound salmon pack and **ALL LOCATED OUTSIDE THE "77" LINE IS NOT CONSERVATION**. **NO TRUE SPORTSMAN HAS ANY GRIEVANCE AGAINST THIS SMALL GROUP OF LOCAL REEF NET FISHERMEN**. Reef Net Fishermen have fished along the shores of Northern Puget Sound Islands for over 100 years. **VOTE NO** Initiative 192.

If the **MONOPOLY** and **DISCRIMINATION** sought by Initiative 192 is not prevented by you, the voters, the economy of the San Juan Islands and Northwest Washington communities will be dealt an unfair blow, causing small wage earners to lose their livelihood and homes. **VOTE NO** Initiative 192.

Initiative 192 proposes the establishment of 17 preserves. **THE REAL TRUTH** is that **OUT** of the 18 salmon preserves that have already been established on scientific principles, the Purse Seine Vessel Owners Monopoly will take over more than 200 square miles of these existing preserves for their own special interests.

Mr. and Mrs. Citizen, **LET US NOT ALLOW THIS SELF SEEKING GROUP TO USURP** the authority now vested in the **DEPARTMENT OF FISHERIES** and its staff of experienced and highly trained fisheries scientists. **VOTE NO** Initiative 192.

PERMITTING AN EQUITABLE OPPORTUNITY TO EARN A LAWFUL LIVELIHOOD IN THE STATE'S THIRD LARGEST INDUSTRY IS LETTING SMALL BUSINESS EXIST IN THE AMERICAN WAY. **VOTE NO** Initiative 192.

Remember, Mr. Businessman, if a selfish group within any industry of the State can thus mis-use the initiative process to eliminate their competitors, **YOU MAY BE NEXT**.

A few of the public-minded groups and citizens opposed to 192 are:

Washington State Federation of Labor, A. F. L.
All Informed Sportsmen.
Washington State Grange.
Many Puget Sound Resort Owners.
Washington State C. I. O. Legislative Council.
Inland Boatmans Union, A. F. L.
Washington Salmon Conservation Council, Inc.
Large Salmon Committee of the Washington State Sports Council,
Presented by:

PUGET SOUND REEF NET FISHERMEN
Room 222, Bellingham National Bank Bldg.
Bellingham, Wash.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State July 20, 1954.

EARL COE,
Secretary of State.



VOTE "NO" ON INITIATIVE #192

SAVE OUR SALMON ??? FOR WHOM ???

NOT FOR YOU, MR. and MRS. CITIZEN

Initiative 192, dressed up with a high sounding slogan, is the same old "grab act" of Washington's third largest industry which has been repeatedly rejected by your Legislators in past years. VOTE "NO"

Artfully concealed within Initiative 192 is the attempt to have YOU throw open present salmon sanctuaries, thereby permitting wholesale slaughter of salmon preserves by a CANNING MONOPOLY, the REAL SPONSORS behind Initiative 192.

Hired professional promoters, in the pay-of these hidden sponsors of Initiative 192, and calling themselves "sportsmen," are asking YOU, Mr. and Mrs. Citizen, to deprive hundreds of

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ARGUMENT AGAINST INITIATIVE MEASURE NO. 192

families of their only means of support. They would have **YOU** eliminate the small individual fishermen and leave **ALL** commercial fishing in the hands of **HUGE** purse seine operators who have accounted for 82% of commercial take of salmon annually, based upon State Fisheries statistics for the past seven years. **VOTE AGAINST DISCRIMINATION.**

Initiative 192 is absolutely **NOT** a conservation measure. **IT IS** the **ATTEMPT** by the **MONOPOLIST** to eliminate **ALL** competition.

Years ago the people of the State of Washington voted to establish the Department of Fisheries, with power to regulate and protect the future of the fishing industry, sport and commercial alike. Seeking special privileges, the sponsors of Initiative 192 would have **YOU** overturn the sound rulings of competent, world famous Biologists on the Fisheries Department staff. Under provisions of Initiative 192, the largest salmon preserves established by the Fisheries Department would be wiped out. **VOTE "NO"** on Initiative 192.

Gill Net Fishermen purchase three separate commercial licenses from the State, besides paying a landing catch tax fee upon all salmon caught, for the privilege of taking salmon. This money goes to your State General Fund to maintain the State Hatcheries for salmon rehabilitation. Your taxes do **NOT** pay for fisheries management. \$1,600,000.00, derived from the afore listed methods of taxation, was returned to the State General Fund last Biennium. Initiative 192 would place hundreds of people out of employment and the Gill Net Fishermen out of business.

Don't be confused by the double talk and high sounding slogans that cover up a **SNEAK ATTACK ON YOUR SALMON RESOURCES.** Initiative 192 saves **NOTHING FOR YOU**, Mr. and Mrs. Citizen. **GUARD YOUR SALMON RESOURCES. VOTE "NO."**

OPPOSED TO INITIATIVE 192:

Salmon Committee, Washington State Sportsmen's Council
105 Sportsmen's Clubs of Washington State (Letters on file)
Washington State Salmon Conservation Council, Inc.
Washington State C. I. O. LEGISLATIVE ACTIONS COUNCIL
Washington State Federation of Labor, A. F. L.
Brotherhood of Railroad Trainmen

Washington State Grange
Seafarer's International Union, A.F.L.
Deep Sea Fishermen's Union
Pilots of the Pacific Association
Sailors Union of the Pacific
Alaska Fishermen's Union
Washington Reef Net Fishermen
Inland Boatmen's Union of the Pacific
All Salmon Canneries (except ONE CORPORATION)

INITIATIVE 192 WILL NOT BENEFIT THE PUBLIC

VOTE "NO"

INITIATIVE 192 WILL HARM YOUR SALMON RESOURCES

PUGET SOUND GILLNETTERS ASSOCIATION

3417 Broadway Ave., Everett, Washington

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State July 29, 1954.

EARL COE, Secretary of State.