



# Initiative Measure 456 TO THE PEOPLE

NOTE: The ballot title and explanatory statement were written by the Attorney General as required by state law. The complete text of Initiative Measure 456 is contained on page 10.

## Statement for

Ten years ago, before the Boldt decision, our state's salmon season stretched from April to October. This year the season lasted only 9 days! It's clear the present management system doesn't work . . .

### A NEW APPROACH IS NEEDED

The record shows there are simply too many agencies and "self-regulating" Indian tribes involved in the chaotic mismanagement of our fisheries.

The multi-million dollar pricetag for this flawed "co-management" system is passed along to the state's taxpayers, while businesses are going bankrupt in record numbers (especially marine and tourist-related industries) at a time when we need to create jobs.

### THERE CANNOT BE TWO SETS OF STANDARDS

For conservation's sake, catch limits and season closures should apply equally to all! Commercial netting by Indians of the spawning stocks in our rivers, lakes, and streams must stop — no one has the right to destroy our state's renewable natural resources.

### CONGRESS CAN CHANGE THIS!

456 will encourage Congress to acknowledge the severe problems inherent to the present unworkable system. Congress has acted to resolve similar problems in other states, such as Alaska and Maine.

### MORE THAN FISH

This isn't an isolated, regional issue — and it involves more than fish! Congress must address questions related to property rights, water and mineral claims, timber, game, hydroelectric power . . . plus unregulated gambling, illegal fireworks, untaxed cigarette and liquor sales on Indian reservations, *contrary to treaties!*

## Official Ballot Title:

Shall Congress be petitioned to decommercialize steelhead, and state policies respecting Indian rights and management of natural resources be enacted?

## The law as it now exists:

State law prohibits the commercialization and sale of steelhead. However, that prohibition does not apply to persons who have federally-secured treaty fishing rights. All citizens are entitled under the United States Constitution to equal protection of rights, privileges and immunities which must be recognized by the state. Federally-secured Indian treaty rights must also be recognized and respected by the state.

## ALL CITIZENS MUST BE TREATED EQUALLY UNDER THE LAW

The principle of equal rights, as guaranteed under the Fourteenth Amendment to the U.S. Constitution, is the basis of "liberty and justice for all." There cannot be two classes of citizens in America. Special rights by reason of race have no place in an open, democratic society, and actually violate United States Constitutional principles.

## VOTE YES ON 456 FOR EQUAL RIGHTS AND OPPORTUNITY

## Rebuttal of Statement against

456 has been endorsed by such "good government" groups as the Washington State Grange, Washington State Republican Party, Washington State Sportsmen's Council . . . plus hundreds of others. Why? Because it isn't a question of breaking treaties but, rather, interpreting them *accurately* and enforcing them *fairly*.

With 456, *all* citizens (including Indians) will have full access to our resources — *on an equal treatment basis according to sound conservation policies!* No longer would there be special privileges or burdens placed upon citizens of any ethnic group. **Vote Yes!**

For additional information, call (206) 885-4456.

### Voters Pamphlet Statement Prepared by:

A. L. "SLIM" RASMUSSEN, State Senator; MARY MARGARET HAUGEN, State Representative; DALE WARD, Chairman, Steelhead & Salmon Protection Action for Washington Now.

Advisory Committee: CARL CROUSE, Former Regional Director, National Wildlife Federation; DON AHRENHOLTZ, Executive Vice President, Washington State Farm Bureau; REVEREND JAMES W. SHAW, Pastor, Bellevue Baptist Church; RICHARD DALE SMITH, Former Director, Port of Tacoma; DAVID A. WELTS, Attorney and Former President, Washington State Bar Association.

## The effect of Initiative No. 456, if approved into law:

This initiative would petition Congress to provide as a matter of federal law that steelhead be classified as a national game fish. Such action by Congress would prohibit the commercialization and sale of steelhead by any persons.

The initiative declares it to be state policy that natural resources, including land, water, timber, fish and game should be the management responsibility of the state alone and that such responsibility shall be exercised for the purposes of conservation, enhancement and proper utilization while fully respecting private property rights.

The initiative would also declare as a matter of state law that all citizens, including treaty Indians, have equal rights. Such a declaration, however, does not change the federally-secured treaty rights.

## Statement against

456 seeks to accomplish what neither the U.S. Constitution, the U.S. Congress, nor the U.S. Supreme Court has allowed in more than 100 years . . . namely, break the promises (treaties) written by the U.S. government, signed by a U.S. President, and forced upon the Indians when millions of acres of land acknowledged to be theirs were taken from them.

### INITIATIVE 456 IS UNCONSTITUTIONAL

Treaty fishing rights are protected by the U.S. Constitution. 456's requirement of exclusive state management of our natural resources unconstitutionally usurps federal law, treaties, and international agreement.

### INITIATIVE 456 IS UNFAIR

456 would unfairly take property that belongs to treaty Indians without paying for the property taken. It is no different than someone taking your home or car without paying for it.

### INITIATIVE 456 IS ANTI-CONSERVATION

456 would destroy the very important and recent progress made in increasing and saving our salmon runs. This progress resulted from cooperation between our state government, sport and commercial fishermen, environmentalists, and Indian tribes.

### INITIATIVE 456 IS IRRESPONSIBLE

456 would destroy the basic culture and heritage of Native Americans and break contracts (treaties) made with them by our federal government. It is so irresponsible, unfair and unconstitutional that it is opposed by both candidates for governor, the Washington Association of Churches, most daily newspapers in the state, the Washington Charter Boat Association, and other important fishing groups. 456 is opposed by

Senator Dan Evans, and most of our state's U.S. congressional delegation.

### A CONTRACT IS A CONTRACT

The United States entered into these treaties to gain tribal lands for early pioneers. These treaties are contracts. To break a valid contract is wrong!

### VOTE "NO" ON INITIATIVE 456

## Rebuttal of Statement for

Initiative 456 has become known statewide as the *Condemned Initiative* — *Condemned* by every major church denomination because *it's immoral*; *Condemned* by sports fishing organizations because *it won't grow one fish*; *Condemned* by organized labor because *it won't provide jobs*; *Condemned* by constitutional lawyers because *it's unconstitutional*; *Condemned* by republican and democratic congressmen because *it's unworkable*; *Condemned* because, if passed, *it would cost non-Indian taxpayers millions upon millions of dollars!*

For additional information, call (206) 632-0500.

### Voters Pamphlet Statement Prepared by:

GARY LOCKE, State Representative; MIKE LOWRY, U.S. Representative; ROD CHANDLER, U.S. Representative.

Advisory Committee: RUTH COFFIN, President, League of Women Voters of Washington; LOREN ARNETT, Executive Minister, Washington Association of Churches; CHUCK GITTINGS, Vice President, Washington State Labor Council; FRANK GAFFNEY, Trout Unlimited — Northwest Steelhead and Salmon Council; STAN CECIL, President, Washington Environmental Council.



## COMPLETE TEXT OF Initiative Measure 456

AN ACT Relating to state government; and creating new sections.  
BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

**NEW SECTION.** Sec. 1. The people of the state of Washington declare that an emergency exists in the management of salmon and steelhead trout resources such that both are in great peril. An immediate resolution of this crisis is essential to perpetuating and enhancing these resources.

**NEW SECTION.** Sec. 2. The people of the state of Washington petition the United States Congress to immediately make the steelhead trout a national game fish protected under the Black Bass Act.

**NEW SECTION.** Sec. 3. The people of the state of Washington declare that conservation, enhancement, and proper utilization of the state's natural resources, including but not limited to lands, waters, timber, fish, and game are responsibilities of the state of Washington and shall remain within the express domain of the state of Washington.

While fully respecting private property rights, all resources in the state's domain shall be managed by the state alone such that conservation, enhancement, and proper utilization are the primary considerations. No citizen shall be denied equal access to and use of any resource on the basis of race, sex, origin, cultural heritage, or by and through any treaty based upon the same.

**NEW SECTION.** Sec. 4. The people of the state of Washington declare that under the Indians Citizens Act of 1924, all Indians became citizens of the United States and subject to the Constitution and laws of the United States and state in which they reside. The people further declare that any special off-reservation legal rights or privileges of Indians established through treaties that are denied to other citizens were terminated by the 1924 enactment, and any denial of rights to any citizen based upon race, sex, origin, cultural heritage, or by and through any treaty based upon the same is unconstitutional.

No rights, privileges, or immunities shall be denied to any citizen upon the basis of race, sex, origin, cultural heritage, or by and through any treaty based upon the same.

**NEW SECTION.** Sec. 5. The secretary of state shall transmit copies of this act to the president of the United States senate, the speaker of the United States house of representatives, and each member of congress.

**NEW SECTION.** Sec. 6. If any provision of this act or its application to any person or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.



## COMPLETE TEXT OF Initiative Measure 464

AN ACT Relating to sales taxation; amending section 82.08.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 55, Laws of 1983 1st ex.sess. and RCW 82.08.010; and creating a new section.

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

**NEW SECTION.** Sec. 1. The purpose of this initiative is to reduce the amount on which sales tax is paid by excluding the trade-in value of certain property from the amount taxable.

Sec. 2. Section 82.08.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 55, Laws of 1983 1st ex.sess. and RCW 82.08.010 are each amended to read as follows:

For the purposes of this chapter:

(1) "Selling price" means the consideration, whether money, credits, rights, or other property except trade-in property of like kind, expressed in the terms of money paid or delivered by a buyer to a seller ((-a-t-)) without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expenses whatsoever paid or accrued and without any deduction on account of losses; but shall not include the amount of cash discount actually taken by a buyer; and shall be subject to modification to the extent modification is provided for in RCW 82.08.080.

When tangible personal property is rented or leased under circumstances that the consideration paid does not represent a reasonable rental for the use of the articles so rented or leased, the "selling price" shall be determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules as the department of revenue may prescribe;

(2) "Seller" means every person, including the state and its departments and institutions, making sales at retail or retail sales to a buyer or consumer, whether as agent, broker, or principal, except "seller" does not mean the state and its departments and institutions when making sales to the state and its departments and institutions;

(3) "Buyer" and "consumer" include, without limiting the scope hereof, every individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, municipal corporation, quasi municipal corporation, and also the state, its departments and institutions and all political subdivisions thereof, irrespective of the nature of the activities engaged in or functions performed, and also the United States or any instrumentality thereof;

(4) The meaning attributed in chapter 82.04 RCW to the terms "tax year," "taxable year," "person," "company," "sale," "sale at retail," "retail sale," "sale at wholesale," "wholesale," "business," "engaging in business," "cash discount," "successor," "consumer," "in this state" and "within this state" shall apply equally to the provisions of this chapter.



## COMPLETE TEXT OF Initiative Measure 471

AN ACT Relating to abortion; and adding a new section to chapter 74.09 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:  
**NEW SECTION.** Sec. 1. There is added to chapter 74.09 RCW a new section to read as follows:

Public funds shall not be used by the state of Washington, its agencies, or political subdivisions to pay or otherwise reimburse, either directly or indirectly, any person, agency, or facility for the performance of any induced abortion: PROVIDED, that the state legislature may authorize and appropriate funds for otherwise eligible beneficiaries to be used for those medical services necessary to prevent the death of either a pregnant woman or her unborn child under circumstances where every reasonable effort is made to preserve the life of each.