

Senate Bill No. 216

STATE OF WASHINGTON, THIRTY-FIRST REGULAR SESSION.

Read first time February 10, 1949, ordered printed and referred to

Committee on Fisheries.

AN ACT

Establishing a fisheries code for the preservation, protection, perpetuation and management of food fish and shellfish; providing for and creating a department of fisheries; regulating the taking and possession of food fish and shellfish; licensing appliances therefor; providing for license fees and charges; licensing all phases of the fishing industry; providing for the acquisition of land and rights in land; providing for the construction, maintenance and operation of fish hatcheries, rearing stations, laboratories, nurseries and other installations; providing for the appointment of a director of fisheries and designating his authority; providing for the propagation, protection and disposition of oyster beds in the State of Washington; regulating the entire food fish and shellfish industry of the state and offshore waters; repealing certain statutes; fixing penalties for the violation of this act, and declaring an emergency.

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

CHAPTER I

DEFINITIONS

SECTION 1. As used in this act or in any rule or regulation of the director of fisheries:

"Director" shall be construed as the director of fisheries.

"Department" shall be construed as the department of fisheries.

"Person" shall be construed to include any individual, any corporation, any government agency, or any group of two or more individuals acting together to forward a common purpose.

"Fish" and its derivatives, "fishing," "fished," etc., shall be construed to include any means or effort made directly or indirectly to kill, injure, disturb, capture or catch any of the various species of food fish and shellfish.

"Food fish" and "shellfish" as referred to in this act shall be construed to include any and all species of marine and fresh water life classified as such by statute or by the director of fisheries.

"Waters of the state" shall be construed to include all waters within the territorial limits of the state.

"Offshore waters" shall be construed to include the waters of the Pacific Ocean and the straits, bays, inlets, coves and estuaries thereof outside the territorial limits of the state.

1 "Personal use"—The taking or possession of food fish or shellfish "for personal use"
 2 shall be construed to mean taking or fishing for food fish and shellfish by angling or by
 3 such other means and with such gear as the director may authorize for fishing for per-
 4 sonal use, or possessing the same for the use of the person fishing for, taking, or possess-
 5 ing the same and not for sale or barter.

6 "Commercial purposes"—The taking, fishing for, possession, processing, or otherwise
 7 dealing in or disposing of food fish and shellfish for "commercial purposes" shall be con-
 8 strued to mean taking or fishing for food fish with any gear unlawful for fishing for
 9 personal use, or taking or possessing the food fish and shellfish in excess of the limits
 10 permitted for personal use, or taking, fishing for, handling, processing, or otherwise dis-
 11 posing of or dealing in food fish with the intent of disposing of such food fish, shellfish,
 12 or parts thereof for profit, or by sale, barter, trade, or in commercial channels.

13 "Resident"—A "resident" shall be construed to mean a person who for the preceding
 14 ninety (90) days has maintained a permanent place of abode within the state with the
 15 intent to permanently reside within the state.

16 "Angling" shall be construed to mean fishing for personal use with one line attached
 17 to a pole held in hand while landing the fish, or with a hand operated line without rod
 18 or reel, to which may be attached not to exceed two single hooks, or one artificial bait
 19 with no more than four multiple hooks.

20 "Salmon" shall be construed to include the sockeye, silver, chinook, steelhead, chum,
 21 humpback salmon and the so called salmon trout, and each and every species of the
 22 genus oncorhynchus, commonly known as salmon.

23 CHAPTER II

24 ADMINISTRATION AND ENFORCEMENT

25 SEC. 2. This act shall be known and may be cited as the "Fisheries Code of the State
 26 of Washington."

27 SEC. 3. There is hereby created a department of fisheries. It shall be the duty and
 28 purpose of the department of fisheries to preserve, protect, perpetuate and manage the
 29 food fish and shellfish in the waters of the state and the offshore waters thereof to the
 30 end that such food fish and shellfish shall not be taken, possessed, sold or disposed of
 31 at such times and in such manner as will impair the supply thereof.

32 SEC. 4. The director of fisheries shall have charge and general supervision of the
 33 department, and shall have power to appoint, employ or deputize superintendents, in-
 34 spectors, engineers, patrolmen and such clerical, technical, scientific and other assistants
 35 as may be necessary to carry on the general administration of the department and effect
 36 the purposes of this act.

37 SEC. 5. The governor of the state shall have the power and it shall be his duty to
 38 appoint the director of fisheries, who shall serve at the pleasure of the governor.

39 No person shall be eligible to appointment as, or to hold the office of, director of fish-
 40 eries, unless he has resided within the state for at least five years immediately preced-
 41 ing his appointment and has general knowledge of commercial fishing conditions and
 42 of the fishing industry in this state, and has no financial interest in the fishing industry
 43 or any industry directly connected therewith.

44 SEC. 6. The director shall have the power and it shall be his duty to investigate the

1 habits, supply and economic use of, and to classify, the food fish and shellfish in the
2 waters of the State of Washington and the offshore waters, and from time to time,
3 make, adopt, amend and promulgate rules and regulations as follows:

4 (1) Specifying the times when the taking of any or all the various classes of food fish
5 and shellfish is lawful or prohibited.

6 (2) Specifying and defining the areas, places and waters in which the taking and
7 possession of the various classes of food fish and shellfish is lawful or prohibited.

8 (3) Specifying and defining the types and sizes of gear, appliances or other means
9 that may be lawfully used in taking the various classes of food fish and shellfish, and
10 specifying the times, places and manner in which it shall be lawful to possess or use the
11 same.

12 (4) Regulating the importation, exportation and the possession, disposal and sale of
13 food fish and shellfish within the state, whether acquired within or without the state, and
14 specifying the times when the importation, exportation, possession, disposal or sale of
15 the various species of food fish or shellfish is prohibited.

16 (5) Regulating the prevention and suppression of all infectious, contagious, danger-
17 ous, and communicable diseases and pests affecting food fish and shellfish.

18 (6) The fixing of the size, sex, numbers and amounts of the various classes of food
19 fish and shellfish that may be taken, possessed, sold or disposed of.

20 (7) Regulating the landing of the various classes of food fish and shellfish or parts
21 thereof within the state.

22 (8) Regulating the destruction of predatory seals and sea lions and other predators
23 destructive of food fish or shellfish, and specifying the proof of the destruction of the
24 same that shall be required.

25 (9) Specifying the statistical and biological reports that shall be required from li-
26 censed or non-licensed fishermen, dealers, boathouses, handlers, or processors of food
27 fish and shellfish.

28 (10) Specifying which species of marine and freshwater life are food fish and shell-
29 fish: *Provided, however,* That steelhead trout taken by those lawfully fishing for
30 salmon in the concurrent waters of the Columbia river, and not constituting more than
31 twenty per cent (20%) of the daily catch of said fishermen shall be food fish and subject
32 to the regulations of the director until such time as the State of Oregon declares steel-
33 head trout taken from the concurrent waters of the Columbia river to be game fish.

34 (11) Classifying the species of food fish and shellfish or parts thereof that may be
35 used for purposes other than human consumption.

36 (12) Promulgating such other rules and regulations as may be necessary to carry
37 out the provisions of this act and the purposes and duties of the department.

38 All rules and regulations of the director, acting director or such person designated
39 by the director, and all amendments to, or modifications or revocations of existing
40 rules and regulations shall be made and adopted by the director and shall be promul-
41 gated by publication in a newspaper of general circulation published at the state
42 capital and shall take effect and be in force at the time specified therein.

43 Rules and regulations of the director shall be admitted as evidence in the courts of
44 the state when accompanied by an affidavit from the director or assistant director cer-

1 tifying that the rule or regulation has been lawfully adopted, promulgated, and pub-
2 lished, and the affidavit shall be *prima facie* evidence of proper adoption, promulgation,
3 and publication of the rule or regulation.

4 The authority of the director under the provisions of this act shall extend to all areas
5 and waters within the territorial limits of the state and to the offshore waters; and
6 the director is hereby authorized under the provisions of this act to promulgate and
7 publish regulations corresponding to the recommendations and regulations of the Pacific
8 Marine Fisheries Commission, the International Fisheries Commission, and the Inter-
9 national Pacific Salmon Fisheries Commission.

10 SEC. 7. The director shall have the power and it shall be his duty:

11 (1) To establish and maintain state fish hatcheries, rearing stations, cultural sta-
12 tions, eyeing stations, brood ponds, trap sites, buildings, dock and harbor facilities,
13 food fish and shellfish sanctuaries, rights-of-way, and such other installations and facili-
14 ties as in his judgment may be necessary for the exercise of the powers and discharge
15 of the duties of the director and the department.

16 (2) To select and acquire by gift or easement, or whenever funds are appropriated
17 for such purpose, by purchase, lease, or condemnation brought in the name of the state,
18 and by any other lawful means at his disposal, such lands, water rights, and rights-of-
19 way, and to construct all necessary facilities thereon, as may be necessary for the
20 exercise of the powers and discharge of the duties of the department; and he shall
21 have authority to sell, lease, convey or grant concessions upon any property, real or
22 personal, heretofore or hereafter acquired for the state and under the control of the
23 department.

24 (3) To purchase, construct, charter, and operate vehicles, boats, and aircraft neces-
25 sary to properly patrol the shores and waters of the state and the offshore waters in
26 the enforcement of this act and the regulations of the director.

27 (4) To examine all oyster reserves and to do or cause to be done such things as may
28 be deemed advisable to conserve, protect, and develop said reserves.

29 (5) To examine the clam, mussel and oyster beds located on lands belonging to the
30 state, and with the approval of the state commissioner of public lands, to withdraw
31 such lands from sale and lease and make reserves or public beaches thereof; to take
32 such steps as are advisable for the conservation, protection and development of such
33 reserves; also to do those things that may be necessary for the protection and develop-
34 ment of the oyster, shrimp, clam and mussel beds on state lands or lands under the
35 jurisdiction of the state.

36 (6) To make an annual report on or before the 1st day of June of each year to the
37 governor, containing a detailed statement of his actions under this act, of the opera-
38 tion and result of the laws pertaining to the fish and shellfish industry, the method of
39 taking fish and shellfish, the number of fish and shellfish propagated, and full and
40 complete statistics of the fishing business, and suggestions as to needed legislation
41 whenever he shall deem it necessary.

42 (7) To devote his time to the duties of his office and to enforce the laws and regu-
43 lations of the director relating to propagation, protection, conservation, preservation,
44 and management of food fish and shellfish.

1 SEC. 8. The director shall have authority to require that brands, tags or other de-
2 vices be placed upon or attached to all food fish and shellfish sold from private hatch-
3 eries or Indian reservations, and to designate such brands, tags or devices, and the
4 director shall be authorized to charge a fee for such tags.

5 SEC. 9. The director, or those authorized by him, may administer oaths in any mat-
6 ter connected with the duties of his office, and may require any report, statement or
7 application made or submitted to the department to be made under oath.

8 SEC. 10. The director is hereby authorized to designate the mouths and fishing limits
9 of all rivers and streams, or other fishing areas by driving piling or by establishing
10 monuments or by description of land marks or section lines, and his designation shall
11 be final.

12 SEC. 11. Each employee of the department if required by the director, shall give a
13 bond to the state with a surety company authorized to do business in this state as surety
14 in the sum of two thousand dollars (\$2,000) conditioned for the faithful performance
15 of his duties, the cost of bond to be paid by the state.

16 SEC. 12. The director shall, and he is hereby authorized to, relieve from active duty
17 department employees who, while in the performance of their official duties, have been
18 injured or may hereafter be injured to such an extent as to be incapable of active
19 service. Such employees shall receive one-half ($\frac{1}{2}$) of their compensation at the exist-
20 ing wage, during the time such disability continues in effect, less any compensation
21 received through the department of labor and industries. They shall be subject to
22 mental or physical examination under the direction of the director at any time during
23 their retirement from active duty for the purpose of ascertaining whether or not they
24 are able to resume active duty.

25 SEC. 13. The director and his duly authorized and acting assistants, fisheries inspec-
26 tors, deputy fisheries inspectors, and department employees may, in the course of their
27 duties, enter upon any land or waters in this state and remain thereon with any neces-
28 sary equipment while performing such duties, and such action by such persons shall
29 not constitute trespass. It shall be lawful for any aircraft operated by the department
30 to land and take off from any of the beaches or waters of the state and it shall be unlaw-
31 ful for any person to interfere with the operation of such aircraft.

32 SEC. 14. Every person who intentionally gives false or misleading information to
33 the department as to the time, area, or waters in which any food fish or shellfish were
34 taken or who shall intentionally prepare and submit a false or misleading report to the
35 department shall be guilty of a gross misdemeanor and shall be punished by a fine of
36 not less than two hundred and fifty dollars (\$250) and not more than one thousand
37 dollars (\$1,000) or by imprisonment in the county jail for not more than one year or
38 by both such fine and imprisonment.

39 SEC. 15. It shall be unlawful for any person to destroy, tear down, shoot at, deface,
40 or erase any printed matter or signs placed or posted by or under the instructions of
41 the director.

42 SEC. 16. No person shall print or cause to be printed a booklet or pamphlet of the
43 fisheries laws or regulations of the director or portions thereof without the approval
44 of the director.

1 SEC. 17. Any person deputized by the director to issue fishing licenses may charge
2 the sum of twenty-five cents (25c) in addition to collecting the fee prescribed by law,
3 for issuing each such license, which shall be retained by him for his services.

4 SEC. 18. It shall be unlawful for any person engaged in the fishing industry or li-
5 censed under the provisions of this act to fail to make any report or return required of
6 him by the fisheries code or by the director.

7 SEC. 19. All food fish or shellfish taken for commercial purposes in waters within the
8 territorial limits of the state shall be landed in the state. Any person who shall have
9 taken any food fish or shellfish within the territorial limits of the state who shall fail to
10 land such food fish or shellfish in the state shall be guilty of a gross misdemeanor and
11 shall pay a fine of not less than five hundred dollars (\$500): *Provided however*, This
12 section shall not apply to food fish taken from the concurrent waters of the Columbia
13 river.

14 SEC. 20. The director and any fisheries inspector or deputy inspector shall have the
15 power to inspect and search without warrant, any person, boat, fishing appliance, can-
16 nery, and any property used in catching, packing, curing, preparing or storing of food
17 fish or shellfish, or any vehicle, conveyance, container, receptacle, cold storage plant,
18 warehouse, market, tavern, restaurant, club, hotel or other place, except any private
19 domicile used exclusively as such, or any quarters in any boat, building or other prop-
20 erty used exclusively as a private domicile, where he has reason to believe that food fish
21 or shellfish are kept for sale, barter, or other purpose, and which he has reason to be-
22 lieve contain evidence of violations of the fisheries code or of any rule, regulation or
23 order made by the director and any hindrance or interference with any such officer
24 while engaged in making such search shall be *prima facie* evidence that the person inter-
25 fering with or hindering such officer is guilty of a violation of this act. Any of the
26 officers above named may at any time seize and take possession of any food fish or shell-
27 fish which has been unlawfully caught, taken or killed or which is unlawfully possessed
28 in violation of the provisions of the fisheries code or of any order, rule or regula-
29 tion made by the director and the same shall be confiscated to the state.

30 SEC. 21. The director, and any fisheries inspector, or deputy fisheries inspector, shall
31 have authority to arrest, without writ, order or process, any person in the act of violat-
32 ing any of the provisions of this act, or any of the rules, regulations, or orders made
33 by the director, and they are hereby made peace officers. If any person knowingly or
34 wilfully resists or opposes such officer in the discharge of his duties or aids and abets
35 such resistance or opposition, he shall be guilty of a gross misdemeanor and shall be
36 fined not less than two hundred and fifty dollars (\$250).

37 SEC. 22. The director, all fisheries inspectors, and all deputy fisheries inspectors may
38 serve and execute all warrants and processes issued by the courts in enforcing the pro-
39 visions of law and all rules and regulations of the director pertaining to food fish and
40 shellfish.

41 For the purpose of enforcing any such law or rule or regulation, they may call to their
42 aid any necessary equipment, boat or vehicle or airplane or any sheriff, deputy sheriff,
43 game protector, constable, police officer, or citizen, and any such person shall render
44 such aid.

1 SEC. 23. Every fisheries inspector, deputy fisheries inspector, game protector, sheriff,
2 constable, marshal, and police officer within his respective jurisdiction, shall enforce
3 all laws and all rules and regulations adopted by the director for the protection of food
4 fish and shellfish, and the police officers specified, and United States game wardens,
5 any forest officer appointed by the United States government, state forest wardens and
6 rangers, and each of them, by virtue of their election or appointment, are constituted
7 *ex-officio* deputy fisheries inspectors within their respective jurisdictions.

8 SEC. 24. Any court having jurisdiction, upon complaint showing probable cause for
9 believing that any food fish or shellfish, or any parts thereof, caught, taken, killed or
10 had in possession or under control by any person, or shipped or transported contrary to
11 law or rule or regulation of the director, are concealed or kept in any place, shall issue
12 a search warrant and cause a search to be made in any such place for any food fish or
13 shellfish or any parts thereof and may cause any place or container to be entered and
14 searched.

15 SEC. 25. If any person violates any of the provisions of this act or any regulation of
16 the director, and the prosecuting attorney of the county wherein such violation occurs,
17 shall, after information has been given him by the director, refuse or neglect within
18 thirty (30) days thereafter to file an information against such alleged violator, the at-
19 torney general, when requested by the director, may file an information in the su-
20 perior court of said county in the place and stead of said prosecuting attorney and
21 prosecute the case.

22 SEC. 26. All license fees, taxes, fines and moneys realized from the sale of property
23 seized or confiscated under the provisions of this act, and all bail moneys forfeited un-
24 der prosecutions instituted under the provisions of this act, and all moneys realized
25 from the sale of any of the property, real or personal, heretofore or hereafter acquired
26 for the state and under the control of the department, and all moneys collected for dam-
27 ages and injuries to any such property, and all moneys collected for rental or conces-
28 sions from such property, shall be paid into the state treasury general fund: *Provided,*
29 That fifty per cent (50%) of all money received as fines together with all of the costs
30 shall be retained by the county in which the fine was collected. All fines collected shall
31 be remitted monthly by the justice of the peace or by the clerk of the court collecting
32 the same to the county treasurer of the county in which the same shall be collected, and
33 the county treasurer shall at least once a month remit fifty per cent (50%) of the same
34 to the state treasurer and at the same time shall furnish a statement to the director
35 showing the amount of fines so remitted and from whom collected.

36 SEC. 27. All appropriations for the department, and the fisheries division of the state
37 treasurer and all claims against those departments, shall be paid from the general fund.

38 The director shall make weekly remittances to the state treasurer of all moneys col-
39 lected by him from any source whatever, together with a statement showing from
40 whence the moneys are derived. A duplicate of this statement shall be sent to the state
41 auditor.

42 SEC. 28. All expenses incurred under the provisions of this act shall be audited by
43 the state auditor, upon bills presented, properly certified by the director, or his duly

1 authorized assistant, and the said auditor shall draw warrants upon the state treasurer
2 for the amount.

3 CHAPTER III

4 CONSERVATION AND PROPAGATION

5 SEC. 29. It shall be unlawful to fish for, catch, or take any species of salmon for com-
6 mercial purposes, except as hereinafter provided, within the waters of the straits of
7 Juan de Fuca, Puget sound and waters connected therewith within the State of Wash-
8 ington described as lying to the southerly, easterly and southeasterly of a line described
9 as follows:

10 Commencing at a concrete monument on Angeles point in Clallam county, State of
11 Washington, near the mouth of the Elwha river on which is inscribed "Angeles point
12 monument" in the latitude $48^{\circ} 9' 3''$ north, longitude $123^{\circ} 33' 01''$ west of Greenwich
13 meridian; thence running east on a line $81^{\circ} 30'$ true from said point across the flashlight
14 and bell buoy off Partridge point and thence continued to where said line intersects
15 longitude $122^{\circ} 40'$ west; thence north on said line to where said line intersects the south-
16 erly shore of Sinclair island at high tide; thence along the southerly shore of said island
17 to the most easterly point thereof; thence north 46° east true to the line of high tide at
18 Carter point, the most southerly point of Lummi island; thence northwesterly along the
19 westerly shore line at high tide of said Lummi island to where said shore line at high tide
20 intersects line of longitude $122^{\circ} 40'$ west; thence north on said line to where said line
21 intersects the mainland at the line of high tide; including within said area the southerly
22 portion of Hale passage, Bellingham bay, Padilla bay, Fidalgo bay, Guemes channel,
23 Skagit bay, Similk bay, Saratoga passage, Holmes harbor, Possession sound, Admiralty in-
24 let, Hood canal, Puget sound, and all inlets, passages, waters, waterways, and the tribu-
25 taries thereof:

26 *Provided, however,* That, subject to such seasons and regulations as may be estab-
27 lished from time to time by the director, fishing for salmon for commercial purposes with-
28 in the above described waters with gill nets, round haul nets, and troll lines with not to
29 exceed six (6) hooks per boat shall be lawful, and subject to such regulations and to
30 such shorter seasons as the director may establish from time to time, it shall be lawful
31 to fish for salmon for commercial purposes within the above described waters with any
32 lawful gear during the period extending from the fifth day of October to and including
33 the twentieth day of the following November, except during the hours beginning 4:00
34 o'clock P. M. of Friday and ending at 4:00 o'clock A. M. of the Sunday following.

35 No area heretofore or hereafter set apart or established as a salmon preserve, by au-
36 thority of the state or any of its agencies, shall, by any of the provisions of this section, be
37 opened to commercial fishing.

38 SEC. 30. It shall be unlawful to construct, install, use, operate, or maintain gill nets
39 which shall exceed 250 fathoms in length in the waters of the Columbia river in this state
40 for the purpose of catching salmon.

41 SEC. 31. It shall be unlawful to construct, install, use, operate, or maintain any drag
42 seine in the waters of the Columbia river in the state for the purpose of taking salmon,
43 and it shall be unlawful to take salmon with such gear.

44 SEC. 32. It shall be unlawful to construct, install, use, operate, or maintain within any

1 waters of the state any pound net, fish trap, fish wheel, scow fish wheel, set net, weir, or
 2 any fixed appliance for the purpose of catching salmon, and it shall be unlawful to take
 3 salmon by any such means.

4 SEC. 33. It shall be unlawful to use or discharge, in any of the waters of this state, any
 5 explosive substance of any kind, character or description except under permit of the
 6 director.

7 SEC. 34. It shall be unlawful to take from any building, vehicle, scow, livebox, con-
 8 tainer, trap, seine, line or net, any caught or impounded fish or shellfish with the intent
 9 of depriving the rightful owner of such food fish or shellfish and it shall be unlawful to
 10 wilfully steal or otherwise molest any of the fishing or shellfishing gear operated under
 11 a license from the state. Any person violating the provisions of this section shall be guilty
 12 of a gross misdemeanor and shall be subject to a fine of not less than two hundred and
 13 fifty dollars (\$250).

14 SEC. 35. It shall be unlawful for any person to purchase, handle, deal in, sell, or have
 15 in his possession any food fish or shellfish which were taken from any of the waters of
 16 this state contrary to the provisions of the fisheries code or the regulations of the director.

17 SEC. 36. It shall be unlawful to take or fish for or have in possession any food fish or
 18 shellfish of any kind, character or description, or parts thereof, unless the same are to be
 19 used for human consumption or bait: *Provided*, That the director shall have the power
 20 from time to time to make, adopt, amend and promulgate in the manner provided by law,
 21 rules and regulations permitting the taking, possession, sale or use of any species of food
 22 fish or shellfish or parts thereof for uses other than human consumption and bait.

23 SEC. 37. It shall be unlawful for any person to wantonly waste or destroy food fish or
 24 shellfish taken or caught in any of the waters of the state, or the offshore waters, and no
 25 person engaged in the canning, preserving or curing of food fish and shellfish shall pur-
 26 chase or engage a greater quantity than he is able to can, preserve or cure within sixty
 27 (60) hours after the same are taken from the water, unless such food fish or shellfish have
 28 been kept artificially chilled and in good marketable condition.

29 SEC. 38. It shall be unlawful to catch, kill or in any manner menace, maim or destroy,
 30 any food fish at any rack, dam or other obstruction or in the waters and on the beaches
 31 within one mile below any rack, dam or other obstruction when the same are within the
 32 territorial limits of the State of Washington or in waters of the Columbia river over which
 33 this state has concurrent jurisdiction, unless otherwise specified in the orders of the
 34 director.

35 SEC. 39. Unless otherwise provided for in the regulations of the director, it shall be
 36 unlawful to shoot, gaff, snag, snare, spear, stone or otherwise molest any food fish or shell-
 37 fish in any of the waters of the state.

38 SEC. 40. It shall be unlawful for any person to fish for, take, injure, kill or molest any
 39 fish in any fishway or fish ladder, fish screens, or other protective devices, or to interfere
 40 in any manner whatsoever with the proper operation of any fishway, fish ladder, fish
 41 screens or other protective devices.

42 SEC. 41. It shall be unlawful to liberate, release, implant, transplant or place food fish of
 43 any kind or description in any stream, river, pond, lake, or other waters of the state,
 44 either fresh or salt, without first obtaining the written consent of the director.

1 SEC. 42. The director may, for the purpose of carrying out his duties, take or remove
2 or cause to be taken or removed in any manner, at any time, any fish or shellfish of any
3 kind, character or description from any waters or beaches of the state.

4 SEC. 43. It shall be unlawful for any person or government agency whatsoever, save
5 the director and those authorized by him, to take food fish or shellfish for propagation or
6 scientific purposes within the waters of this state. The director or those authorized by
7 him may take salmon or other food fish or shellfish for public propagation or scientific
8 purposes under such regulations as the director may prescribe to safeguard the interests
9 of the fisheries of this state.

10 SEC. 44. The director shall have general supervision of the prevention of the spread and
11 suppression of infectious, contagious and communicable diseases and pests affecting food
12 fish or shellfish, and shall have the power to prohibit the transportation or transplanting
13 within the state from without, or from one area to another within the state, or the trans-
14 portation from points in this state to points outside the state of any food fish or shellfish,
15 or any material, organism, boats, scows, gear, or other equipment whatsoever which in
16 his judgment may transmit any infectious or contagious disease or pests communicable to
17 any food fish or shellfish. The director shall have the power to make and enforce rules
18 and regulations to prevent the spread, and effect the suppression of all infectious, con-
19 tagious, dangerous and communicable diseases and pests affecting food fish or shellfish.

20 SEC. 45. The director shall have the authority and it shall be his duty to cause his
21 employees and hunters employed for the purpose, to kill and destroy seals and sea lions
22 and other fish predators in the waters of the state and the offshore waters. He shall have
23 the authority to expend such moneys as may from time to time be appropriated by the
24 legislature for such purposes and he is hereby authorized to expend such moneys as may
25 be necessary to administer this act and to purchase firearms, ammunition, dynamite and
26 other materials necessary to carry out the purposes hereof. He shall keep as nearly as
27 possible an accurate record of the number of seals and sea lions that are so destroyed.
28 Any person other than an employee of the department killing or causing to be killed in
29 the waters of the state, any common seal or sea lion shall be entitled to receive a bounty
30 of not less than three dollars (\$3) nor more than ten dollars (\$10), the amount to be
31 designated by the director, from any moneys which may be appropriated by the legis-
32 lature for the purposes of this act. All moneys appropriated for such purposes by the
33 legislature of the state shall be expended under the direction of and upon vouchers ap-
34 proved by the director, who shall adopt rules and regulations providing for the proof of
35 such killing and the surrender and destruction of the scalp, snout, or tail of such seal
36 or sea lion. Any person who shall receive, or attempt to receive, any bounty for the kill-
37 ing of any common seal or sea lion not taken in the waters of the State of Washington
38 shall be guilty of a gross misdemeanor and shall pay a fine of not less than two hundred
39 and fifty dollars (\$250).

40 SEC. 46. Every ditch, channel, canal or water-pipe used for conducting water from any
41 lake, river or stream, for irrigation, manufacturing, domestic or other purposes, shall
42 be provided at its entrance or intake with a fish guard so fixed as to prevent the passage
43 of fish into such ditch, channel or water-pipe and subject to the approval of the director,
44 which shall be constantly maintained at all times when water is taken or admitted into

1 such ditch, channel, canal or water-pipe: *Provided*, That such fish guards and screens
2 shall be installed at such places and times as shall be prescribed by the director upon
3 thirty days' notice to the owner or owners of any such water conduit. Every owner,
4 manager, agent or person in charge of such ditch, channel, canal or water-pipe who
5 shall fail to comply with the provisions of this section shall be guilty of a gross misde-
6 meanor.

7 Each day the end of the ditch, channel, canal or water-pipe is not equipped with this
8 covering as provided shall constitute a separate offense. If within thirty days after notice
9 to equip any such ditch, channel, canal or water-pipe such person shall fail to do so, the
10 director is hereby authorized to take possession of the same in the name of the State of
11 Washington, and to close the same to the entrance of any water until such time as the
12 ditch shall be properly equipped, and the expense incident thereto shall constitute a lien
13 upon the ditch, channel, canal or water-pipe and upon the real and personal property of
14 the person owning the same. Notice of such lien shall be filed and recorded in the office
15 of the county auditor in the county in which such action is taken.

16 SEC. 47. It is hereby declared to be the policy of this state that a flow of water suf-
17 ficient to support game fish and food fish populations be maintained at all times in the
18 streams of this state.

19 The supervisor of hydraulics shall give the director of fisheries and the director of
20 game notice of each application for a permit to divert water, or other hydraulic permit
21 of any nature, and the director of fisheries and director of game shall have thirty (30)
22 days after receiving said notice in which to state their objections to the application,
23 and the permit shall not be issued until the thirty (30) days period provided for herein
24 has elapsed.

25 The supervisor of hydraulics shall refuse to issue any permit to divert water, or any
26 hydraulic permit of any nature, if, in the opinion of the director of fisheries or director
27 of game, such a permit would result in lowering the flow of water in any stream below
28 the flow necessary to adequately support food fish and game fish populations in the
29 streams.

30 The provisions of this section shall in no way affect existing hydraulic permits.

31 The decisions of the director of game and director of fisheries made pursuant to this
32 section shall be subject to review in the superior court of Thurston county.

33 SEC. 48. Every dam or other obstruction across or in any stream shall be provided
34 with a durable and efficient fishway, which shall be maintained in a practical and effec-
35 tive condition in such place, form and capacity as the director may approve, for which
36 plans and specifications shall be furnished by the director upon application to him, and
37 which shall be kept open, unobstructed and supplied with a sufficient quantity of water
38 to freely admit the passage of fish through the same. Every owner, manager, agent or
39 person in charge of such dam or obstruction who shall fail to comply with the provisions
40 of this section shall be guilty of a gross misdemeanor.

41 If any person or government agency shall fail to construct and maintain such fish
42 ladder or fishway or to remove such dam or obstruction in a manner satisfactory to the
43 director, then within thirty (30) days after written notice thereof shall have been
44 served upon the owner, his agent or the person in charge thereof, the director may con-

1 struct a suitable fish ladder or fishway, or remove such dam or obstruction, and the
2 actual cost in case of construction of fishway thereof shall constitute a lien upon the
3 dam and upon all the personal property of the person or government agency owning
4 the same. Notice of such lien shall be filed and recorded in the office of the county
5 auditor of the county in which such dam or obstruction is situated. Such lien may be
6 foreclosed in any action brought in the name of the state.

7 If any person or government agency shall fail to make any such fishway or remove
8 such dam or obstruction in a manner satisfactory to the director, then within thirty
9 (30) days after written notice thereof shall have been served on the owner, his agent,
10 or the person in charge, such dam or obstruction shall thereby become a public nui-
11 sance and the director may take possession of same in his own name or in the name of
12 the state and destroy same and no liability shall attach for such destruction.

13 SEC. 49. In the event that any person or government agency desires to construct or
14 maintain a dam or other hydraulic work in any of the streams of this state of a type
15 making a fish ladder or fishway thereover impracticable, in the opinion of the director,
16 then such person or government agency, before any construction work shall commence
17 on such dam or other hydraulic work shall at the option of the director (1) convey to
18 the state a site or sites of a size and dimensions satisfactory to the director, at such place
19 as may be selected by the director, and erect thereon a fish hatchery or fish hatcheries,
20 rearing ponds and other buildings according to plans and specifications to be furnished
21 by said person or government agency subject to the approval of the director and enter
22 into an agreement with the director secured by good and sufficient bond, to furnish all
23 water and lights, without expense, and necessary sums of money to operate and main-
24 tain said hatchery or hatcheries and rearing ponds or (2) enter into an agreement with
25 the director secured by good and sufficient bond to pay to the state such initial money
26 and make such annual payments of additional money to the state as the director may
27 determine are necessary to expand, maintain and operate additional facilities at exist-
28 ing hatcheries within a reasonable distance of such dam or other hydraulic work to
29 compensate for the damages sustained by the erection of any such dam or other hy-
30 draulic work. Any decision of the director hereunder shall be subject to review in the
31 superior court of the state for Thurston county. Any person or government agency
32 who shall fail to comply with the provisions of this act shall be guilty of a gross mis-
33 demeanor and each day that such person or government agency carries on construction
34 work on such dam or hydraulic work or operates any such dam or hydraulic work with-
35 out complying with the provisions of this act shall constitute a separate offense.

36 SEC. 50. In the event that any person or government agency desires to construct
37 any form of hydraulic project or other project that will use, divert, obstruct or change
38 the natural flow or bed of any river or stream or that will utilize any of the waters of
39 the state or materials from the stream beds, such person or government agency shall
40 submit to the department of fisheries and the department of game full plans and speci-
41 fications of the proposed construction or work, complete plans and specifications for
42 the proper protection of fish life in connection therewith, the approximate date when
43 such construction or work is to commence and shall secure the written approval of the
44 director of fisheries and the director of game as to the adequacy of the means outlined

1 for the protection of fish life in connection therewith and as to the propriety of the
2 proposed construction or work and time thereof in relation to fish life, before commenc-
3 ing construction or work thereon. If any person or government agency shall commence
4 construction on any such works or projects without first providing plans and specifica-
5 tions subject to the approval of the director of fisheries and the director of game for the
6 proper protection of fish life in connection therewith and without first having obtained
7 written approval of the director of fisheries and the director of game as to the adequacy
8 of such plans and specifications submitted for the protection of fish life, he shall be
9 guilty of a gross misdemeanor. If any such person or government agency be convicted
10 of violating any of the provisions of this act and continue construction on any such
11 works or projects without fully complying with the provisions of this act, such works
12 or projects are hereby declared a public nuisance and shall be subject to abatement as
13 such.

14 SEC. 51. It shall be unlawful for any person to break open, open, unlock, damage, in-
15 terfere with, injure, or destroy any fish ladder, fish guard, screen, fish stop, fish pro-
16 tective device, by-pass, or part thereof, or any fish trap operated by the department.

17 SEC. 52. The director is authorized to accept money or real property from the United
18 States, counties, municipalities or other governmental units, or from any person, under
19 conditions requiring the use of such property or money for specific purposes in further-
20 ance of the protection, rehabilitation, preservation or conservation of the state food fish
21 and shellfish resources or with the advice of the attorney general, in settlement of any
22 claim for damages to such food fish and shellfish resources. Any real property so ac-
23 cepted must be useful for the protection, rehabilitation, preservation or conservation of
24 such fisheries resources.

25 The director is hereby designated the agent of the state to accept and receive all such
26 funds and deposit them with the state treasurer who shall credit them to the contin-
27 gent receipts fund created by chapter 243, Laws of 1945.

28 Whenever any money has been received and is to be spent for a specific purpose, the
29 director shall submit to the governor duplicate copies of a statement setting forth the
30 facts regarding such funds and the need for such expenditure and the estimated amount
31 to be expended.

32 If the governor shall approve such estimate in whole or in part, he shall endorse on
33 each copy of such statement his approval, with the amount approved, and transmit one
34 copy of the same to the director authorizing him to make the expenditure. No expen-
35 diture shall be authorized in excess of the actual amount received, nor shall funds be
36 expended for any purpose except the specific purpose for which they were received,
37 unless the same were received in settlement of a claim for damages to the food fish or
38 shellfish resources of the state, and in that event such funds so received may be ex-
39 pended for the protection, rehabilitation, preservation, or conservation of such resources.

40 SEC. 53. (1) Consent of the state is hereby given to the United States for the con-
41 tinuance of present established fish cultural stations and laboratories located in this
42 state; for the establishment of one or more additional fish cultural stations, sub-stations
43 or laboratories to be constructed, maintained and operated by the United States or the
44 state, under the terms of agreements to be entered into between the United States and

1 the director and the state game commission: *Provided*, That this consent shall be effective
 2 as to additional establishments only when the location of such additional establishments
 3 has been approved in advance by the director and the state game commission. The secre-
 4 tary of the interior, and his duly authorized agents are hereby accorded the right to con-
 5 duct scientific investigations, fish hatching and fish cultural stations and all operations
 6 connected therewith at any and all times and in the manner that may by the secretary
 7 be considered necessary and proper, in accordance with the provisions of cer-
 8 tain acts of congress entitled "An Act to provide for a five-year construction and main-
 9 tenance program for the United States Bureau of Fisheries," approved May 21, 1930,
 10 and the provisions of the act of May 11, 1938 (Ch. 193, 52 Stat. 354, 16 U. S. C. 755-
 11 757), as amended by "An Act to amend the Act of May 11, 1938, for the conservation
 12 of the Fishery Resources of the Columbia River, and for other purposes," approved Aug-
 13 ust 8, 1946, or acts amendatory thereof, at presently established stations and laborator-
 14 ies and at additional establishments when approval of the location of any such additional
 15 establishment has been given as provided in this section.

16 (2) The director and the state game commission are hereby authorized to enter into
 17 agreements with the United States for the construction and installation of fish cultural
 18 stations, laboratories and devices in the Columbia river basin for improvement of feed-
 19 ing and spawning conditions for fish, for the protection of migratory fish from irriga-
 20 tion projects and for facilitating free migration of fish over obstructions, in accordance
 21 with the act of congress of May 11, 1938 (Ch. 193, 52 Stat. 354, 16 U. S. C. 755-757), as
 22 amended by "An Act to amend the Act of May 11, 1938, for the conservation of the Fish-
 23 ery Resources of the Columbia River, and for other purposes," approved August 8, 1946,
 24 or acts amendatory thereof.

25 (3) The director and the state game commission may acquire by gift, purchase, lease,
 26 easement or condemnation the necessary title to, interest therein, rights of way over
 27 or licenses covering the use of lands where such construction or improvement is to be
 28 carried on by the United States.

29 (4) The director and the state game commission are hereby authorized to receive
 30 funds from the federal government for the construction, maintenance and operation of
 31 fish cultural stations, sub-stations, laboratory or fish conservation devices or for any
 32 other purpose deemed necessary by the director or the state game commission for the
 33 rehabilitation and conservation of the fisheries resources of the Columbia river basin.

34 (5) After the construction and installation of any such fish cultural station, sub-station,
 35 laboratory or fish conservation devices, the department or the state game commission
 36 may maintain and operate the same in accordance with the terms of the agreement en-
 37 tered into with the United States in regard thereto.

38 SEC. 54. The director shall have the power to enter into contracts and agreements
 39 with the United States, or any state or territory thereof, or with any foreign govern-
 40 ment, or with any person, for the purpose of securing food fish or shellfish or eggs of
 41 same, and for the erection and maintenance of eyeing stations, fish or shellfish hatch-
 42 eries, rearing ponds and other appliances or installations for the propagation of fish or
 43 shellfish within or without the territorial limits of the state; and the director shall have

1 the power, and it shall be his duty to execute and carry out any such contracts or
2 agreements.

3 CHAPTER IV

4 SHELLFISH

5 SEC. 55. The following named areas constitute the existing oyster reserves of the
6 state, said reserves being more completely described in maps and plats on file in the
7 office of the commissioner of public lands and in the office of the auditor of the county in
8 which the reserve is located:

9 PUGET SOUND OYSTER RESERVES

10 (a) Totten Inlet reserves (sometimes known as Oyster Bay reserves), located in Tot-
11 ten Inlet, Thurston county;

12 (b) Eld Inlet reserves (sometimes known as Mud Bay reserves), located in Mud Bay,
13 Thurston county;

14 (c) Oakland Bay reserves, located in Oakland Bay, Mason county;

15 (d) North Bay reserves (sometimes known as Case Inlet reserves), located in Case
16 Inlet, Mason county.

17 WILLAPA HARBOR OYSTER RESERVES

18 (a) Nemah reserve, south and west sides of reserve located along Nemah river chan-
19 nel, Pacific county;

20 (b) Long Island reserve, located at south end and along west side of Long Island,
21 Willapa Harbor, Pacific county;

22 (c) Long Island Slough reserve, located at south end and along east side of Long Is-
23 land, Willapa Harbor, Pacific county;

24 (d) Bay Center reserve, located in the Palix river channel, extending from Palix
25 river bridge to beyond Bay Center to north of Goose Point, Willapa Harbor, Pacific
26 county;

27 (e) Willapa river reserve, located in the Willapa river channel extending west and
28 up-river from a point approximately one-quarter ($\frac{1}{4}$) mile from the blinker light mark-
29 ing the division of Willapa river channel and the North river channel, Willapa Harbor,
30 Pacific county.

31 SEC. 56. The oyster reserves of the state shall not be sold, leased, or otherwise disposed
32 of: *Provided however*, That in event the director recommends the sale, lease, or dis-
33 posal of any of the reserves, or parts thereof, the same may be sold, leased, or disposed
34 of by the land commissioner in the manner provided by law for the sale, lease, or dis-
35 posal of state land.

36 SEC. 57. It is hereby declared to be the policy of the state to improve the oyster re-
37 serves of the state to the end that all may finally become productive, and to have these
38 reserves yield a revenue sufficient for their maintenance and betterment, and, in fixing
39 the price at which oysters and other shellfish shall be sold from the reserves, the di-
40 rector shall take into consideration such policy; and it is further declared to be the pol-
41 icy of the state to maintain the oyster reserves for the purpose of furnishing a supply
42 of shellfish to growers and processors and for the stocking of public beaches.

43 It shall be the duty of the director to protect all reserves, re-seed, re-plant, issue

1 clutch permits and do such other things as in his judgment are necessary for their care and
2 protection.

3 SEC. 58. The director shall have the power to determine whether the oysters and
4 other shellfish from the oyster reserves of the state (a) shall be sold by the bushel at
5 a price set by such director or (b) whether certain quantities or all of such oysters
6 and other shellfish should be sold for cash at public auction or by sealed bids in such
7 amounts as the director shall from time to time determine. To maintain the perma-
8 nency of local communities and industries, the prospects of fulfillment of contract require-
9 ment, and to restrain monopolistic controls endangering competition in the industry,
10 the director shall have the power to determine the number of bushels which shall be
11 sold to any person, firm or corporation; and when sold at public auction, the right to re-
12 ject any and all bids.

13 The director shall have the power to determine the time, place, and manner of holding
14 the auctions and sales provided for in this section.

15 SEC. 59. As soon as an appropriation is made therefor, the director shall erect monu-
16 ments, establishing the boundaries of the several oyster reserves in the state.

17 SEC. 60. The director shall have the power to determine and designate areas in which
18 infection or infestation of shellfish is present. These shall be called "restricted shellfish
19 areas." No person shall transplant any shellfish within such restricted areas nor transport
20 any shellfish, or any material, or organism, or boats, scows, or other equipment used in
21 taking, handling or processing shellfish into or out of such restricted areas without first
22 having obtained a permit from the director.

23 SEC. 61. It shall be unlawful to take shellfish from the oyster reserves of the state ex-
24 cept as authorized by the director.

25 SEC. 62. It shall be unlawful for any person to destroy oysters or clams taken from
26 their natural beds, by assorting or culling them on land or shore and leaving the culled
27 oysters or clams there to die; but in all cases the culled oysters or clams must be re-
28 turned to their natural beds, or to the private beds for cultivation; and if any person
29 shall offend against the provisions of this section, or in any way wantonly destroy the
30 oysters or clams, he shall be guilty of a gross misdemeanor.

31 SEC. 63. If any person shall take oysters or clams from any of the state oyster reserves
32 or any tideland under the jurisdiction of the State of Washington, contrary to statutes or
33 orders of the director, or shall go upon said oyster or clam land and rake up, or other-
34 wise prepare oysters or clams to facilitate the taking of same, he shall be guilty of a gross
35 misdemeanor, and any oyster or clam taking appliance such as boats, dredges, motor ve-
36 hicles or other appliances used in violation of this act or any of the orders of the director
37 may be seized by the director and same shall be confiscated by the state.

38 CHAPTER V

39 LICENSES AND TAXES

40 SEC. 64. No license provided for in this act shall be issued to any person who is not a
41 citizen of the United States, or who has not in good faith declared his intentions of be-
42 coming a citizen of the United States, or who is not of the age of 16 years or over; nor
43 shall any license be issued to any corporation unless it is authorized to do business in
44 this state: *Provided*, That all gear licenses, personal licenses, and boat licenses issued by

1 the State of Oregon shall be recognized by this state as valid in the concurrent waters
2 of the Columbia river.

3 SEC. 65. All licenses required under the provisions of this act shall expire at the close
4 of the thirty-first day of March following their issuance, and shall be renewed annually
5 thereafter upon application and payment of license fees required by this act.

6 SEC. 66. Licenses herein required shall be issued to any qualified person by the direc-
7 tor, upon the receipt of a lawful application therefor, upon a blank to be furnished for
8 that purpose, accompanied by the required fee. The director shall make weekly re-
9 mittances of the fees collected to the state treasurer.

10 SEC. 67. A personal commercial fishing license shall be obtained by each and every
11 person who takes or assists in taking any fish or shellfish from the waters or beaches of
12 the state for commercial purposes, or who brings or assists in bringing any food fish or
13 shellfish into the state for commercial purposes after having taken such food fish or
14 shellfish in the offshore waters. The fee for such license shall be five dollars (\$5) per
15 annum for residents of the state and twenty-five dollars (\$25) per annum for non-resi-
16 dents. The personal license shall be carried on the person whenever such person is en-
17 gaged in the taking, landing or selling of any fish or shellfish: *Provided, however, That*
18 *this section shall not apply to those persons engaged solely as employees of any person*
19 *holding a valid oyster or clam farm license.*

20 SEC. 68. A fishing guide license shall be obtained by every person acting as a professional
21 guide for hire for others in the taking of food fish or shellfish from the waters or beaches
22 of the state. The fee for such license shall be ten dollars (\$10) per annum for residents
23 of the state and fifty dollars (\$50) per annum for non-residents.

24 SEC. 69. A license shall be required for each and every commercial vessel which de-
25 livers or lands fish or shellfish within the state, for which license there shall be paid a fee
26 of five dollars (\$5) per annum by residents and twenty-five dollars (\$25) per annum by
27 non-residents: *Provided, That nothing in this section shall apply to vessels operated by*
28 *any person having an oyster or clam farmer's license and used exclusively for that pur-*
29 *pose.*

30 Each annual application for a commercial fishing vessel license shall contain the name
31 and address of the owner of the vessel, the name and address of the operator of the vessel,
32 the name and number of the vessel, a description of the vessel and fishing gear to be car-
33 ried thereon, and such information as may be required by the department.

34 At the time of issuance of such license the director shall furnish each applicant with a
35 certificate of registration and two license plates with the registration number stamped
36 thereon. Such registration shall be known as the "State of Washington license and regis-
37 tration number" and shall not be transferable. The registration certificate shall be car-
38 ried aboard the vessel at all times and the license plates shall be affixed and carried in
39 plain sight on each side of the vessel well forward.

40 Registrants shall report immediately any change of name, ownership or operator of
41 the vessel. Defaced, mutilated or lost license plates shall be replaced immediately and
42 a fee of two dollars (\$2) shall be charged for such new plates.

43 SEC. 70. (1) A license shall be required for hand lines or jiggers used in the taking
44 or catching of food fish for commercial purposes in the waters of the state, for which li-

1 cense there shall be paid a fee of five dollars (\$5) per annum by residents and twenty-
2 five dollars (\$25) per annum by non-residents: *Provided*, That not more than three (3)
3 hooks shall be attached to any one hand line or jigger used for commercial purposes. Each
4 license shall entitle the licensee to use two (2) or less hand lines or jiggers.

5 (2) A license shall be required for each and every set line used in the taking or catching
6 of food fish for commercial purposes in the waters of the state, for which license there
7 shall be paid a fee of ten dollars (\$10) per annum by residents and fifty dollars (\$50) per
8 annum by non-residents: *Provided*, That not more than five hundred (500) hooks may be
9 attached to any one set line.

10 (3) A license shall be required for troll lines used in the taking or catching of food fish
11 for commercial purposes in the waters of the state, for which license there shall be paid a
12 fee of five dollars (\$5) per annum by residents and twenty-five dollars (\$25) per annum
13 by non-residents. Each license shall entitle the licensee to use six (6) or less troll lines.

14 (4) A license shall be required for each and every gill net or pole net used in the taking
15 or catching of food fish in the waters of the state, for which license there shall be paid
16 a fee of ten dollars (\$10) per annum by residents and fifty dollars (\$50) per annum by
17 non-residents.

18 (5) A license shall be required for each three hundred (300) fathoms or less of set nets
19 used in the taking or catching of food fish in the waters of the state, for which license
20 there shall be paid a fee of ten dollars (\$10) per annum by residents and fifty dollars
21 (\$50) per annum by non-residents.

22 (6) A license shall be required for each and every dip bag net used in the taking or
23 catching of food fish for commercial purposes in the waters of the state, for which license
24 there shall be paid a fee of five dollars (\$5) per annum by residents and twenty-five dollars
25 (\$25) per annum by non-residents.

26 (7) A license shall be required for each and every drag seine, beach seine, or drag bag
27 seine used in the taking or catching of food fish or shellfish in the waters of the state, for
28 which license there shall be paid a fee of ten dollars (\$10) per annum by residents and
29 fifty dollars (\$50) per annum by non-residents: *Provided*, That there shall be paid an
30 additional fee of three cents (3¢) by residents and fifteen cents (15¢) by non-residents
31 for each foot by which any such seine exceeds three hundred (300) feet in length.

32 (8) A license shall be required for each and every lampara or round haul net used in
33 the taking or catching of food fish or shellfish in the waters of the state, for which li-
34 cense there shall be paid a fee of twenty-five dollars (\$25) per annum by residents and
35 one hundred and twenty-five dollars (\$125) per annum by non-residents.

36 (9) A license shall be required for each and every purse seine used in the taking or
37 catching of food fish in the waters of the state, for which license there shall be paid a fee
38 of fifty dollars (\$50) per annum by residents and two hundred and fifty dollars (\$250)
39 per annum by non-residents.

40 (10) A license shall be required for each and every beam trawl used in the taking or
41 catching of food fish or shellfish in the waters of the state, for which license there
42 shall be paid a fee of twenty-five dollars (\$25) per annum by residents and one hun-
43 dred and twenty-five dollars (\$125) per annum by non-residents.

44 (11) A license shall be required for each and every otter trawl used in the taking

1 or catching of food fish or shellfish in the waters of the state, for which license there
 2 shall be paid a fee of twenty-five dollars (\$25) per annum by residents and one hundred
 3 and twenty-five dollars (\$125) per annum by non-residents.

4 (12) A license shall be required for each and every reef net used in the taking or
 5 catching of food fish in the waters of the state, for which license there shall be paid a
 6 fee of fifteen dollars (\$15) per annum by residents and seventy-five dollars (\$75) per
 7 annum by non-residents.

8 (13) A license shall be required for each and every fyke net used in the taking or
 9 catching of food fish or shellfish in the waters of the state, for which license there shall
 10 be paid a fee of ten dollars (\$10) per annum by residents and fifty dollars (\$50) per
 11 annum by non-residents.

12 (14) A license shall be required for each and every brush weir used in the taking or
 13 catching of food fish in the waters of the state, for which license there shall be paid a
 14 fee of fifty dollars (\$50) per annum by residents and two hundred and fifty dollars
 15 (\$250) per annum by non-residents.

16 (15) A license shall be required for ring nets used in the taking of or fishing for
 17 food fish or shellfish within the state.

18 For a license for fifteen (15) ring nets or less there shall be paid a fee of five dollars
 19 (\$5) per annum by residents and twenty-five dollars (\$25) per annum for non-residents,
 20 and for each ring net in excess of fifteen (15) there shall be paid an additional fee of
 21 twenty-five cents (25c) per annum by residents and one dollar and twenty-five cents
 22 (\$1.25) by non-residents.

23 (16) A license shall be required for bottom fish pots used in the taking of or fishing
 24 for food fish within the state.

25 For a license for one hundred (100) bottom fish pots or less there shall be paid a fee
 26 of ten dollars (\$10) per annum by residents and fifty dollars (\$50) per annum by non-
 27 residents, and for each bottom fish pot in excess of one hundred (100) there shall be
 28 paid an additional fee of ten cents (10¢) per annum by residents and fifty cents (50¢)
 29 by non-residents.

30 (17) A license shall be required for shellfish pots used in the taking of or fishing for
 31 shellfish within the state.

32 For a license for one hundred (100) shellfish pots or less there shall be paid a fee of
 33 ten dollars (\$10) per annum by residents and fifty dollars (\$50) per annum by non-
 34 residents, and for each shellfish pot in excess of one hundred (100) there shall be paid
 35 an additional fee of ten cents (10c) per annum by residents and fifty cents (50c) by
 36 non-residents.

37 SEC. 71. A license shall be required for each and every clam or oyster farm being
 38 operated for commercial purposes on privately owned or leased tidelands in the state,
 39 for which license there shall be paid a fee of ten dollars (\$10) per annum.

40 SEC. 72. An oyster reserve license shall be required of any person taking shellfish
 41 from the reserves of this state. The fee for such license shall be ten dollars (\$10) per
 42 annum.

43 SEC. 73. (1) A wholesale fish dealer's license shall be required for any business in
 44 the state engaged in the freezing, salting, smoking, kippering, preserving in ice or

1 otherwise involving the dealing in or curing of any food fish or shellfish or any whole-
 2 sale selling of food fish and shellfish, and for any fisherman selling his catch direct to
 3 retail fish dealers. The fee for said license shall be twenty-five dollars (\$25) per annum.

4 (2) A retail fish dealer's license shall be required for any business in the state en-
 5 gaged in the selling of fresh, frozen, or cured fish or shellfish directly to the consumer
 6 whether or not such business involves the taking or catching of such food fish or shellfish,
 7 and the fee for said license shall be five dollars (\$5) per annum: *Provided however,*
 8 That this section shall not apply to businesses primarily engaged in serving food fish or
 9 shellfish for consumption on the business premises.

10 (3) A fish canning license shall be required for any business in the state engaged
 11 in the canning of food fish and shellfish, for commercial purposes, in hermetically
 12 sealed containers which are processed by exposure to heat for pasteurization or steril-
 13 ization, and the fee for said license shall be twenty-five dollars (\$25) per annum.

14 (4) A fish by-products license shall be required for any business in the state en-
 15 gaged in the manufacture or preparation for commercial purposes of fertilizer, oil,
 16 meal, caviar, fish bait or other by-products from fish or shellfish and the fee for said li-
 17 cense shall be twenty-five dollars (\$25) per annum.

18 (5) A fish broker's license shall be required for any business in the state engaged
 19 in the handling of food fish and shellfish, whether fresh, frozen, canned or otherwise
 20 processed, for others or with others with whom such business has an interest, divisible
 21 or indivisible, for a fixed compensation or on a commission basis, or which involves the
 22 negotiating, bargaining and contracting with others relative to any such fish and with
 23 the custody of which any such business may not have any concern, and the fee for said
 24 license shall be twenty-five dollars (\$25) per annum.

25 (6) A fish buyer's license shall be obtained by every wholesaler, canner, by-products
 26 manufacturer, or broker for each and every fish buyer engaged as a representative in
 27 the state for such wholesaler, canner, by-products manufacturer or broker, and the
 28 fee for said license shall be five dollars (\$5) per annum.

29 The term "fish buyer" as used in this section shall be interpreted to mean a buyer
 30 who ordinarily makes his purchases at a place or places other than his employers' busi-
 31 ness premises.

32 (7) A boat house operator's license shall be required for any business engaged in
 33 the renting of boats to individuals for the purpose of taking or catching food fish or shell-
 34 fish and the fee for said license shall be five dollars (\$5) per annum: *Provided,* That an
 35 additional fee of one dollar (\$1) shall be required for each boat in excess of five (5).

36 (8) A branch license shall be required for each branch plant in the state of any re-
 37 tail, wholesale, canning, by-products manufacturing or boat house business enterprise
 38 having more than one place of business. One such place shall be designated as head-
 39 quarters and said license shall be obtained for each and every other place of business or
 40 branch plant. The fee for said license shall be five dollars (\$5) per annum.

41 SEC. 74. It shall be unlawful for any person to engage in any phase of the fishing
 42 industry, or to operate any fishing gear known as or classified as commercial fishing gear
 43 by the director, or to fish for, take, deliver or land any fish in the state, whether taken

1 from waters within or without the jurisdiction of the state, without first obtaining and
2 having in possession such licenses as are herein specified.

3 Any person violating any of the provisions of this chapter shall be guilty of a gross
4 misdemeanor and upon conviction thereof shall be fined not less than twenty-five
5 dollars (\$25).

6 SEC. 75. All fishing gear licenses issued under the provisions of this act shall be non-
7 transferable, and it shall be unlawful for any gear which is licensed as herein specified
8 to be operated or caused to be operated by any person other than the licensee or an
9 agent or employee of the licensee. All licenses for fishing gear issued under the provi-
10 sions of the fisheries code shall be carried in the possession of the licensee or author-
11 ized representative of the licensee who shall be in charge of the operation of such gear.

12 Fishing guide licenses, fish buyer licenses, and personal commercial fishing licenses
13 shall be carried on the person of the licensee. Fish broker licenses, clam or oyster farm
14 licenses, oyster reserve licenses, wholesale fish dealer licenses, retail fish dealer licenses,
15 fish canning licenses, fish by-products licenses, boat house operator licenses, and branch
16 licenses shall be kept and displayed at the business premises of the licensee.

17 CHAPTER VI

18 COURTS, JURISDICTION, PENALTIES

19 SEC. 76. Unless otherwise provided for in the fisheries code any person who shall
20 violate any of the provisions of the fisheries code, or any of the rules or regulations of
21 the director made pursuant thereto, or who shall aid or abet or assist in the violation
22 thereof, shall be guilty of a gross misdemeanor, and upon a conviction thereof shall be
23 punished by imprisonment in the county jail of the county in which said offense is
24 committed for not less than thirty (30) days or more than one (1) year, or by a fine of
25 not less than twenty-five dollars (\$25) or more than one thousand dollars (\$1,000), or
26 by both such fine and imprisonment.

27 SEC. 77. (1) The director, fisheries inspectors, deputy fisheries inspectors, and ex-
28 officio fisheries inspectors may seize without warrant all food fish, shellfish, or parts
29 thereof taken, killed, transported or possessed contrary to law or rule or regulation of
30 the director and may seize in a similar manner any boat, vehicle, gear, appliance, or
31 other device used in violation of the fisheries code or the regulations of the director, or
32 held with intent to violate the fisheries code or the regulations of the director, and the
33 articles seized shall be forfeited to the state, regardless of the ownership of the articles
34 seized.

35 (2) The court shall have the power and jurisdiction in any prosecution for viola-
36 tion of the fisheries code or regulations of the director, in addition to imposing any
37 penalty provided by law, to order forfeited to the state any articles seized under the pro-
38 visions of this section.

39 (3) In event it appears upon affidavit that the identity of the person responsible for
40 the violation for which the seizure was made, is unknown or that for any reason the
41 state is unable to prosecute the person responsible for the violation for which the
42 seizure was made, the court nevertheless shall have the power and jurisdiction to for-
43 feit such articles so seized upon a hearing duly held after service of summons describ-

1 ing the articles seized and giving notice of pending forfeiture by publication in the
2 manner provided by law for the service of summons in civil actions.

3 (4) Justice courts and superior courts shall have concurrent jurisdiction to order
4 the forfeitures provided for in this section.

5 (5) In the event of seizure and forfeiture of any articles as provided above, the di-
6 rector may sell all or any of such articles at public auction. The time, place and manner
7 of holding such sale shall be within the discretion of the director: *Provided*, That notice
8 of the time and place of any such sale shall be published once a week for at least two
9 consecutive weeks in advance of such sale, in at least one newspaper of general cir-
10 culation in the county wherein the sale is to be held. The proceeds from all such sales
11 shall be deposited with the state treasurer to the credit of the general fund.

12 SEC. 78. Upon conviction of any person of a violation of any provision of this act,
13 or rule or regulation of the director, the judge or justice of the peace may, in addition
14 to the penalty imposed by law, forfeit the license of such person. Upon subsequent
15 conviction of any such person of any violation of any provisions of this act or rule or
16 regulation of the director, the forfeiture of such license shall be mandatory. The di-
17 rector may prohibit the issuance of a license to any person convicted two or more times
18 of any such violation or prescribe the conditions under which such license may be issued.

19 SEC. 79. Every justice of the peace shall have jurisdiction concurrent with the su-
20 perior court of all misdemeanors and gross misdemeanors committed in violation of the
21 fisheries code and of the rules, regulations and orders made by the director in accord-
22 ance with existing law and to impose any penalty or confiscation provided for such of-
23 fenses.

24 SEC. 80. Violations of the fisheries code or the regulations of the director occurring
25 in the offshore waters may be prosecuted in the superior court or justice courts of any
26 county bordering on the Pacific Ocean, or in any county in which the food fish or shell-
27 fish are landed.

28 CHAPTER VII

29 COMPACTS

30 SEC. 81. Should Congress by virtue of the authority vested in it under section 10, Ar-
31 ticle I, of the Constitution of the United States, providing for compacts and agreements
32 between states, ratify the recommendations of the conference committees of the states
33 of Washington and Oregon, appointed to agree on legislation necessary for the regulation,
34 preservation and protection of fish in the waters of the Columbia river, or its tributaries,
35 over which said states have concurrent jurisdiction, or which would be affected by said
36 concurrent jurisdiction, said recommendation being as follows: "We further recommend
37 that a resolution be passed by the legislatures of Washington and Oregon, whereby the
38 ratification by Congress of the laws of the states of Washington and Oregon shall act
39 as a treaty between said states, subject to modification only by joint agreement by said
40 states"; and said recommendation having been approved by resolution adopting the re-
41 port of the conference committee, then, and in that event, there shall exist between the
42 states of Washington and Oregon a definite compact and agreement, the purport of which
43 shall be substantially as follows:

1 All laws and regulations now existing or which may be necessary for regulating, pro-
 2 tecting or preserving fish in the waters of the Columbia river, or its tributaries, over
 3 which the states of Washington and Oregon have concurrent jurisdiction, or which
 4 would be affected by said concurrent jurisdiction, shall be made, changed, altered and
 5 amended in whole or in part, only with the mutual consent and approbation of both
 6 states.

7 SEC. 82. The director is hereby authorized for and on behalf of the State of Washing-
 8 ton to give to the State of Oregon such consent and approbation of the State of Wash-
 9 ington as is necessary under and pursuant to the compact entered into between the
 10 states of Washington and Oregon, as set out in the preceding section, to change the open
 11 and closed seasons in the Columbia river district as permitted in this act.

12 SEC. 83. (1) Should Congress, by virtue of the authority vested in it under section
 13 10, Article I, of the Constitution of the United States, providing for compacts and agree-
 14 ments between the states, ratify The Pacific Marine Fisheries Compact, recommended by
 15 the Interstate Committee on Offshore Fisheries of the Western Regional Legislative
 16 Conference of the Council of State Governments, after the enactment of this compact
 17 by two or more of the states of California, Oregon and Washington, then, and in that
 18 event, there shall exist between the contracting states a definite compact and agreement,
 19 the purport of which shall be substantially as follows:

20 THE PACIFIC MARINE FISHERIES COMPACT

21 The contracting states do hereby agree as follows:

22 ARTICLE I

23 The purposes of this compact are and shall be to promote the better utilization of
 24 fisheries, marine, shell and anadromous, which are of mutual concern, and to develop
 25 a joint program of protection and prevention of physical waste of such fisheries in all
 26 of those areas of the Pacific Ocean over which the states of California, Oregon and
 27 Washington jointly or separately now have or may hereafter acquire jurisdiction.

28 Nothing herein contained shall be construed so as to authorize the aforesaid states
 29 or any of them to limit the production of fish or fish products for the purpose of estab-
 30 lishing or fixing the prices thereof or creating and perpetuating a monopoly.

31 ARTICLE II

32 This agreement shall become operative immediately as to those states executing it
 33 whenever two or more of the states of California, Oregon and Washington have executed
 34 it in the form that is in accordance with the laws of the executing states and the Con-
 35 gress has given its consent.

36 ARTICLE III

37 Each state joining herein shall appoint, as determined by state statutes, one or more
 38 representatives to a Commission hereby constituted and designated as The Pacific Ma-
 39 rine Fisheries Commission, of whom one shall be the administrative or other officer of
 40 the agency of such state charged with the conservation of the fisheries resources to
 41 which this compact pertains. This Commission shall be a body with the powers and duties
 42 set forth herein.

43 The term of each commissioner of The Pacific Marine Fisheries Commission shall be
 44 four years. A commissioner shall hold office until his successor shall be appointed and

1 qualified but such successor's term shall expire four years from legal date of expira-
2 tion of the term of his predecessor. Vacancies occurring in the office of such commis-
3 sioner from any reason or cause shall be filled for the unexpired term, or a commissioner
4 may be removed from office, as provided by the statutes of the state concerned. Each
5 commissioner may delegate in writing from time to time, to a deputy, the power to be
6 present and participate, including voting as his representative or substitute, at any
7 meeting of or hearing by or other proceeding of the Commission.

8 Voting powers under this compact shall be limited to one vote for each state regard-
9 less of the number of representatives.

10

ARTICLE IV

11 The duty of the said Commission shall be to make inquiry and ascertain from time to
12 time such methods, practices, circumstances and conditions as may be disclosed for
13 bringing about the conservation and the prevention of the depletion and physical waste
14 of the fisheries, marine, shell, and anadromous in all of those areas of the Pacific Ocean
15 over which the states of California, Oregon and Washington jointly or separately now
16 have or may hereafter acquire jurisdiction. The Commission shall have power to recom-
17 mend the coordination of the exercise of the police powers of the several states within
18 their respective jurisdictions and said conservation zones to promote the preserva-
19 tion of those fisheries and their protection against over-fishing, waste, depletion or any
20 abuse whatsoever and to assure a continuing yield from the fisheries resources of the
21 signatory parties hereto.

22 To that end the Commission shall draft and, after consultation with the Advisory Com-
23 mittee hereinafter authorized, recommend to the governors and legislative branches of
24 the various signatory states hereto legislation dealing with the conservation of the ma-
25 rine, shell, and anadromous fisheries in all of those areas of the Pacific Ocean over which
26 the states of California, Oregon and Washington jointly or separately now have or may
27 hereafter acquire jurisdiction. The Commission shall, more than one month prior to any
28 regular meeting of the legislative branch in any state signatory hereto, present to the
29 governor of such state its recommendations relating to enactments by the legislative
30 branch of that state in furthering the intents and purposes of this compact.

31 The Commission shall consult with and advise the pertinent administrative agencies
32 in the signatory states with regard to problems connected with the fisheries and recom-
33 mend the adoption of such regulations as it deems advisable and which lie within the jur-
34 isdiction of such agencies.

35 The Commission shall have power to recommend to the states signatory hereto the stock-
36 ing of the waters of such states with marine, shell or anadromous fish and fish eggs or
37 joint stocking by some or all of such states and when two or more of the said states shall
38 jointly stock waters the Commission shall act as the coordinating agency for such stock-
39 ing.

40

ARTICLE V

41 The Commission shall elect from its number a chairman and a vice chairman and shall
42 appoint and at its pleasure, remove or discharge such officers and employees as may be
43 required to carry the provisions of this compact into effect and shall fix and determine
44 their duties, qualifications and compensation. Said Commission shall adopt rules and regu-

lations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place within the territorial limits of the signatory states but must meet at least once a year.

ARTICLE VI

No action shall be taken by the Commission except by the affirmative vote of a majority of the whole number of compacting states represented at any meeting. No recommendation shall be made by the Commission in regard to any species of fish except by the vote of a majority of the compacting states which have an interest in such species.

ARTICLE VII

The fisheries research agencies of the signatory states shall act in collaboration as the official research agency of The Pacific Marine Fisheries Commission.

An advisory committee to be representative of the commercial fishermen, commercial fishing industry and such other interests of each state as the Commission deems advisable shall be established by the Commission as soon as practicable for the purpose of advising the Commission upon such recommendations as it may desire to make.

ARTICLE VIII

Nothing in this compact shall be construed to limit the powers of any state or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by any state imposing additional conditions and restrictions to conserve its fisheries.

ARTICLE IX

Continued absence of representation or of any representative on the Commission from any state party hereto, shall be brought to the attention of the governor thereof.

ARTICLE X

The states agree to make funds available annually to the support of the Commission in proportion to the primary market value of the products of their fisheries as recorded in the latest published reports (five year average): *Provided*, No state shall contribute less than two thousand dollars (\$2,000) per annum and the annual contribution of each state above the minimum shall be figured to the nearest one hundred dollars (\$100).

The states agree to make available annual funds in the amounts scheduled below, which amounts are calculated in the manner set forth herein, on the basis of the latest five year catch records. Subsequent budgets shall be recommended by a majority of the Commission and the total amount thereof allocated equitably among the states in accordance with the above formula.

SCHEDULE OF INITIAL ANNUAL STATE CONTRIBUTIONS

California	\$11,000
Oregon	2,000
Washington	2,000
Total	\$15,000

ARTICLE XI

This compact shall continue in force and remain binding upon each state until renounced by it. Renunciation of this compact must be preceded by sending six months' notice in writing of intention to withdraw from the compact to the other parties hereto.

(2) In the event the compact set forth in sub-section (1) of this act becomes ef-

fective, the director of fisheries, ex-officio, shall have the power, and it shall be his duty to act as the representative of this state on The Pacific Marine Fisheries Commission, in accordance with the provisions of, and with the powers and duties provided in said compact.

(3) In the event the compact set forth in sub-section (1) hereof becomes effective the director shall have the power and he is hereby authorized from time to time to make, adopt, amend and promulgate, governing offshore fishing in the Pacific ocean by citizens of this state, rules and regulations, prohibiting wastage of food or shellfish, establishing open and closed season for all fishing, designating areas open or closed to fishing, setting minimum and maximum sizes of fish and shellfish that may be taken, declaring the kinds of food or shellfish that may be used for bait, and regulating fishing gear to be used as to mesh, size and length of nets and number, length and size of line and hooks: *Provided*, That no rule or regulation shall be issued governing the conduct of citizens of this state unless like rules or regulations or statutes have been made or will become effective jointly as to the citizens of the states of Oregon and California.

(4) Any person violating any of the rules or regulations of the director issued in accordance with this act, shall be guilty of a misdemeanor.

SEC. 84. The director and his duly authorized agents are hereby authorized to adopt and to enforce the provisions of the convention between the United States and the Dominion of Canada for the protection, preservation and extension of the sockeye salmon fishery of the Fraser river system, signed at Washington, District of Columbia, on the 26th day of May, 1930, and the regulations of the commission promulgated under authority of said convention.

CHAPTER VIII

CONSTITUTIONALITY, SAVING CLAUSE, PENALTIES

SEC. 85. Any acts or parts of acts herein repealed, which are re-enacted in form or in substance in this act, shall not be construed as new acts, but as continuations and amendments of such acts or parts of acts. All rights of action under existing laws, which this act in any way supersedes or repeals, if the same at the time this act takes effect shall not have been commenced, shall proceed under the provisions of this act.

Any action or proceedings pending in the courts under existing laws, which this act in any way supersedes or repeals, shall proceed without being in any way affected by this act. All licenses heretofore issued shall continue and remain in force during the time that they should continue under existing laws, and all rights and privileges under such licenses shall rest and remain in the holders thereof until the date of their expiration, and the holders thereof shall be entitled to all property rights accruing to them thereunder, and to the renewal of such rights by the renewals of such licenses as provided in this act.

The present director heretofore appointed under existing laws shall continue to act as director under the provisions of this act, until the date of the expiration of the term for which he was appointed, unless sooner removed by proper authority.

All existing rules, regulations, and orders of the director of fisheries shall remain in full force and effect until such a time as they are repealed, altered, or amended by regulations of the director published pursuant to the provisions of the fisheries code.

1 SEC. 86. If any clause, part or section of this act shall be adjudged invalid, such judg-
 2 ment shall not affect nor invalidate the remainder of the act but shall be confined in
 3 its operation to the clause, part or section directly involved in the controversy in which
 4 such judgment was rendered. If the operation of any clause, part or section of this act
 5 shall be held to impair the obligation of contract, or to deny to any person any right or
 6 protection secured to him by the Constitution of the United States of America or by
 7 the Constitution of the State of Washington, it is hereby declared that, had the inva-
 8 lidity of such clause, part or section been considered at the time of the enactment of this
 9 act, the remainder of the act would nevertheless have been adopted without any and
 10 all such invalid clauses, parts or sections.

11 SEC. 87. All acts or parts of acts incorporated in the following schedule, and all acts
 12 and parts of acts in conflict with the provisions of this act, are hereby repealed.

13 SEC. 88. This act is necessary for the immediate preservation of public peace, health and
 14 safety and for the support of the state government and its existing institutions and shall
 15 take effect April 1, 1949.

16 SCHEDULE

17 Section 1, chapter 31, Laws of 1915 (sec. 5655, Rem. Rev. Stat.); sections 3 and 4, chapter
 18 31, Laws of 1915 (secs. 5656 and 5657, Rem. Rev. Stat.); section 6, chapter 31, Laws of
 19 1915, as amended (sec. 5658, Rem. Supp. 1943); section 7, chapter 31, Laws of 1915 (sec.
 20 5659, Rem. Rev. Stat.); section 8, chapter 31, Laws of 1915, as amended (sec. 5660, Rem.
 21 Supp. 1943); section 2, chapter 179, Laws of 1943 (sec. 5660A, Rem. Supp. 1943); sec-
 22 tions 9 to 11, inclusive, chapter 31, Laws of 1915 (secs. 5661 to 5663, inclusive, Rem. Rev.
 23 Stat.; section 8, chapter 90, Laws of 1923, as amended (sec. 5663a, Rem. Rev. Stat.); sec-
 24 tion 12, chapter 31, Laws of 1915, as amended (sec. 5664, Rem. Rev. Stat.); sections 13 to
 25 19, inclusive, chapter 31, Laws of 1915 (secs. 5665 to 5671, inclusive, Rem. Rev. Stat.); chap-
 26 ter 1, Laws of 1935 (sections 5671-1 to 5671-11, inclusive, Rem. Rev. Stat. Supp.); section
 27 20, chapter 31, Laws of 1915 (sec. 5672, Rem. Rev. Stat.); section 21, chapter 31, Laws of
 28 1915, as amended (sec. 5673, Rem. Rev. Stat.); section 22, chapter 31, Laws of 1915 (sec.
 29 5674, Rem. Rev. Stat.); section 23, chapter 31, Laws of 1915, as amended (sec. 5675, Rem.
 30 Rev. Stat.); section 24, chapter 31, Laws of 1915, as amended (sec. 5676, Rem. Rev. Stat.);
 31 section 25, chapter 31, Laws of 1915, as amended (sec. 5677, Rem. Rev. Stat.); section 26,
 32 chapter 31, Laws of 1915 (sec. 5678, Rem. Rev. Stat.); section 27, chapter 31, Laws of 1915,
 33 as amended (sec. 5679, Rem. Rev. Stat.); sections 28 and 29, chapter 31, Laws of 1915 (secs.
 34 5680 and 5681, Rem. Rev. Stat.); section 30, chapter 31, Laws of 1915, as amended (sec.
 35 5682, Rem. Rev. Stat.); section 31, chapter 31, Laws of 1915, as amended (sec. 5683, Rem.
 36 Rev. Stat.); sections 32 to 37, inclusive, chapter 31, Laws of 1915 (secs. 5684 to 5689, in-
 37 clusive, Rem. Rev. Stat.); section 38, chapter 31, Laws of 1915, as amended (sec. 5690,
 38 Rem. Rev. Stat.); sections 39 to 42, inclusive, chapter 31, Laws of 1915 (secs. 5691 to
 39 5694, inclusive, Rem. Rev. Stat.); section 43, chapter 31, Laws of 1915, as amended (sec.
 40 5695, Rem. Supp. 1947); sections 44 and 45, chapter 31, Laws of 1915 (secs. 5696 and 5697,
 41 Rem. Rev. Stat.); section 46, chapter 31, Laws of 1915, as amended (sec. 5698, Rem. Rev.
 42 Stat.); section 47, chapter 31, Laws of 1915 (sec. 5699, Rem. Rev. Stat.); section 48, chapter
 43 31, Laws of 1915, as amended (sec. 5700, Rem. Supp. 1943); section 1, chapter 175, Laws
 44 of 1945 (sec. 5700a, Rem. Supp. 1945); sections 1 and 2, chapter 63, Laws of 1939 (secs.

1 5700-1 and 5700-2, Rem. Rev. Stat. Supp.); sections 49 and 50, chapter 31, Laws of 1915
 2 (secs. 5701 and 5702, Rem. Rev. Stat.); section 51, chapter 31, Laws of 1915, as amended
 3 (sec. 5703, Rem. Supp. 1947); section 2, chapter 74, Laws of 1947 (secs. 5703a to 5703hh,
 4 inclusive, Rem. Supp. 1947); section 9, chapter 90, Laws of 1923, as amended (sec. 5704a,
 5 Rem. Rev. Stat. Supp.); section 1, chapter 150, Laws of 1937 (sec. 5704c, Rem. Rev. Stat.
 6 Supp.); section 1, chapter 125, Laws of 1941, as amended (sec. 5704-1, Rem. Supp. 1943);
 7 section 52, chapter 31, Laws of 1915, as amended (sec. 5705, Rem. Rev. Stat. Supp.); sec-
 8 tion 5, chapter 222, Laws of 1937 (sec. 5705-1, Rem. Rev. Stat. Supp.); section 53, chapter
 9 31, Laws of 1915 (sec. 5706, Rem. Rev. Stat.); sections 1 and 2, chapter 180, Laws of 1943
 10 (secs. 5706-1 and 5706-2, Rem. Supp. 1943); section 54, chapter 31, Laws of 1915, as
 11 amended (sec. 5707, Rem. Rev. Stat.); section 55, chapter 31, Laws of 1915 (sec. 5708,
 12 Rem. Rev. Stat.); section 56, chapter 31, Laws of 1915, as amended (sec. 5709, Rem. Rev.
 13 Stat.); section 1, chapter 123, Laws of 1937 (sec. 5709-1, Rem. Rev. Stat. Supp.); section
 14 57, chapter 31, Laws of 1915 (sec. 5710, Rem. Rev. Stat.); section 58, chapter 31, Laws of
 15 1915, as amended (sec. 5711, Rem. Supp. 1945); section 59, chapter 31, Laws of 1915 (sec.
 16 5712, Rem. Rev. Stat.); sections 61 and 62, chapter 31, Laws of 1915 (secs. 5713 and 5714,
 17 Rem. Rev. Stat.); section 63, chapter 31, Laws of 1915, as amended (sec. 5715, Rem. Rev.
 18 Stat.); section 64, chapter 31, Laws of 1915 (sec. 5716, Rem. Rev. Stat.); section 65, chapter
 19 31, Laws of 1915, as amended (sec. 5717, Rem. Rev. Stat.); section 1, chapter 181, Laws
 20 of 1943 (sec. 5717-1, Rem. Supp. 1943); section 3, chapter 181, Laws of 1943 (sec. 5717-2,
 21 Rem. Supp. 1943); sections 67 and 68, chapter 31, Laws of 1915 (secs. 5719 and 5720, Rem.
 22 Rev. Stat.); section 69, chapter 31, Laws of 1915, as amended (sec. 5721, Rem. Supp. 1943);
 23 section 1, chapter 137, Laws of 1935 (sec. 5721-1, Rem. Rev. Stat. Supp.); section 70, chap-
 24 ter 31, Laws of 1915 (sec. 5722, Rem. Rev. Stat.); section 71, chapter 31, Laws of 1915, as
 25 amended (sec. 5723, Rem. Rev. Stat.); section 72, chapter 31, Laws of 1915, as amended
 26 (sec. 5724, Rem. Supp. 1943); section 73, chapter 31, Laws of 1915, as amended (sec. 5725,
 27 Rem. Rev. Stat.); sections 74 to 76, inclusive, chapter 31, Laws of 1915 (secs. 5726 to 5728,
 28 inclusive, Rem. Rev. Stat.); section 77, chapter 31, Laws of 1915, as amended (sec. 5729,
 29 Rem. Rev. Stat.); section 78, chapter 31, Laws of 1915 (sec. 5730, Rem. Rev. Stat.); section
 30 79, chapter 31, Laws of 1915, as amended (sec. 5731, Rem. Supp. 1943); section 1, chapter
 31 32, Laws of 1943 (sec. 5731-1, Rem. Supp. 1943); sections 80 and 81, chapter 31, Laws of 1915
 32 (secs. 5732 and 5733, Rem. Rev. Stat.); section 82, chapter 31, Laws of 1915 (sec. 5734,
 33 Rem. Rev. Stat.); sections 1 and 2, chapter 58, Laws of 1915, as amended (sec. 5734, Rem.
 34 Rev. Stat.); section 1, chapter 40, Laws of 1943 (sec. 5734-1, Rem. Supp. 1943); sections 83
 35 to 87, inclusive, chapter 31, Laws of 1915 (secs. 5735 to 5739, inclusive, Rem. Rev. Stat.);
 36 section 88, chapter 31, Laws of 1915, as amended (sec. 5740, Rem. Rev. Stat.); sections 89 to
 37 92, inclusive, chapter 31, Laws of 1915 (secs. 5741 to 5744, inclusive, Rem. Rev. Stat.);
 38 section 93, chapter 31, Laws of 1915, as amended (sec. 5745, Rem. Rev. Stat.); sections 94
 39 and 95, chapter 31, Laws of 1915 (secs. 5746 and 5747, Rem. Rev. Stat.); section 96, chap-
 40 ter 31, Laws of 1915, as amended (sec. 5748, Rem. Supp. 1947); section 97, chapter 31, Laws
 41 of 1915 (sec. 5749, Rem. Rev. Stat.); section 99, chapter 31, Laws of 1915, as amended (sec.
 42 5750, Rem. Rev. Stat.); section 1, chapter 35, Laws of 1937 (sec. 5750-1, Rem. Rev. Stat.
 43 Supp.); section 100, chapter 31, Laws of 1915, as amended (sec. 5751, Rem. Rev. Stat. Supp.);
 44 section 1, chapter 78, Extraordinary Session Laws of 1925, as amended (sec. 5751-1, Rem.

1 Rev. Stat.); section 2, chapter 78, Laws of 1931 (sec. 5751-2, Rem. Rev. Stat.); sections 10 to
 2 12, inclusive, chapter 180, Laws of 1921 (secs. 5752 to 5754, inclusive, Rem. Rev. Stat.);
 3 section 10, chapter 90, Laws of 1923 (sec. 5754a, Rem. Rev. Stat.); section 101, chapter 31,
 4 Laws of 1915, as amended (sec. 5755, Rem. Rev. Stat.); section 102, chapter 31, Laws of
 5 1915, as amended (sec. 5756, Rem. Supp. 1947); sections 103 and 104, chapter 31, Laws of
 6 1915 (secs. 5757 and 5758, Rem. Rev. Stat.); section 105, chapter 31, Laws of 1915, as
 7 amended (sec. 5759, Rem. Rev. Stat. Supp.); sections 2 to 5, inclusive, chapter 56, Laws
 8 of 1939 (secs. 5759-1 to 5759-4, inclusive, Rem. Rev. Stat. Supp.); section 106, chapter 31,
 9 Laws of 1915 (sec. 5760, Rem. Rev. Stat.); sections 109 to 116, inclusive, chapter 31,
 10 Laws of 1915 (secs. 5763 to 5770, inclusive, Rem. Rev. Stat.); section 2, chapter 123, Laws
 11 of 1937 (sec. 5770-1, Rem. Rev. Stat. Supp.); section 117, chapter 31, Laws of 1915 (sec.
 12 5771, Rem. Rev. Stat.); section 1, chapter 43, Laws of 1943 (sec. 5771A, Rem. Supp.
 13 1943); sections 119 and 120, chapter 31, Laws of 1915 (secs. 5772 and 5773, Rem. Rev.
 14 Stat.); section 1, chapter 58, Laws of 1921 (sec. 5774, Rem. Rev. Stat.); section 1, chapter
 15 210, Laws of 1939 (sec. 5774-1, Rem. Rev. Stat. Supp.); section 1, chapter 166, Laws of 1919
 16 (sec. 5780, Rem. Rev. Stat.); sections 1 to 6, inclusive, chapter 104, Laws of 1941 (secs.
 17 5780-1 to 5780-6, inclusive, Rem. Supp. 1941); section 1, chapter 107, Laws of 1943 (sec.
 18 5780-10, Rem. Supp. 1943); section 1, chapter 199, Laws of 1945 (sec. 5780-20, Rem. Supp.
 19 1945); section 2, chapter 199, Laws of 1945, as amended (sec. 5780-21, Rem. Supp. 1947);
 20 section 3, chapter 199, Laws of 1945 (sec. 5780-22, Rem. Supp. 1945); sections 1 to 3, in-
 21 clusive, chapter 200, Laws of 1945 (secs. 5780-30 to 5780-32, inclusive, Rem. Supp. 1945);
 22 sections 1 to 4, inclusive, chapter 29, Laws of 1947 (secs. 5780-40 to 5780-43, inclusive,
 23 Rem. Supp. 1947); sections 1 to 5, inclusive, chapter 153, Laws of 1947 (secs. 5780-50 to
 24 5780-54, inclusive, Rem. Supp. 1947).